	<p>Resource Management Act 1991</p> <p>Christchurch District Plan</p> <p>Plan Change 14</p> <p>Section 32 Evaluation</p>	<p>14</p>
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<p style="text-align: center;">ENABLING GREATER BUILDING DEVELOPMENT IN RESIDENTIAL AREAS</p> <p style="text-align: center;">REVISED PROVISIONS FOR RESIDENTIAL SUBDIVISION INCL. IN THE RESIDENTIAL NEW NEIGHBOURHOOD ZONE, AND AREAS SUBJECT TO OUTLINE DEVELOPMENT PLANS</p> <p>Overview</p> <p>The following report has been prepared to support Plan Change 14 to the Christchurch District Plan, proposed to enable a greater scale and density of residential and business development in urban areas, as required by central government through the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (RM Amendment Act) and the National Policy Statement on Urban Development 2020 (NPS-UD).</p> <p>The RMA Amendment Act and NPS-UD directions have the objective of achieving well-functioning urban areas. To do this, they seek increased housing availability, choice and affordability; increased access to services, facilities and employment opportunities; increased productivity benefits from the co-location of business and people; and reduced greenhouse gas emissions and climate change impacts. In order to achieve this, the RMA Amendment Act stipulates a number of Medium Density Residential Standards (MDRS) that must be incorporated into the District Plan.</p> <p>The scope of this this assessment under Section 32 (s32) of the Resource Management Act 1991 is limited to:</p> <ul style="list-style-type: none"> • Residential subdivision; and • The proposed residential zones, being the Medium Density and High Density Residential zones (as defined under the National Planning Standards) including Lyttelton; but • Excludes any zones in Banks Peninsula, outside the Christchurch ‘urban environment’. • Residential New Neighbourhood Zone • Areas subject to Outline Development Plans (ODPs) <p>The principal changes from the MDRS in the RMA Amendment Act, and NPS-UD relevant to residential subdivision include:</p>
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- Ensuring that subdivision rules are consistent with the level of development permitted by the MDRS; subdivision rules cannot constrain the ability to build according to the MDRS. The RMA Amendment Act dictates particular activity standards that must be incorporated into the District Plan to enable the required level of development.
- Only allowing for minimum lot size, shape or other size-related subdivision controls where there are vacant lots involved.
- Limiting instances where public and limited notification of an application to subdivide can occur.

The current rules for residential subdivision are inconsistent with the MDRS requirements and NPS-UD direction.

As part of the proposal, a new definition for 'Boundary adjustment' is being introduced to Chapter 2 of the District Plan. This is taken directly from the National Planning Standards and therefore is not open to submissions.

Greenfield areas are recognised in the Operative Plan as providing for large scale residential development that conforms with the relevant ODP. The approach to managing large scale residential development in greenfield areas needs to be consistent with the policy direction in the NPS-UD and Schedule 3A of the Act.

The following report has been prepared in accordance with the requirements of Section 32 (s32) of the Resource Management Act 1991 (RMA).

Table of contents

- 1 Introduction..... 4
 - 1.1 Purpose of this report..... 4
- 2 Resource management issues 4
 - 2.1 Council’s legal obligations and strategic planning documents 4
 - 2.2 Problem definition - the issues being addressed 26
- 3 Development of the plan change 26
 - 3.1 Background 26
 - 3.2 Current Christchurch District Plan provisions - Residential Subdivision..... 27
 - 3.3 Current Christchurch District Plan provisions – ODPs and RNN..... 29
 - 3.4 Description and scope of the changes proposed - Residential Subdivision..... 32
 - 3.5 Description and scope of the changes proposed – ODPs and RNN 38
 - 3.6 Community/Stakeholder engagement 41
 - 3.7 Consultation with iwi authorities 42
- 4 Scale and significance evaluation 42
- 5 Evaluation of the proposal 47
 - 5.1 Statutory evaluation 47
 - 5.2 The purpose of the plan change – Residential Subdivision 47
 - 5.3 The purpose of the plan change – ODPs and RNN 51
- 6 Reasonably practicable options for provisions – Residential Subdivision 57
 - 6.1 Options for Provisions – Residential Subdivision 57
 - 6.2 Evaluation of options for provisions – Residential Subdivision 59
- 7 Evaluation of the preferred option for provisions – Residential Subdivision 64
 - 7.1 Preferred Option – Residential Subdivision 64
 - 7.2 Assessment of costs and benefits of policies and rules – Residential Subdivision 66
 - 7.3 The most appropriate option – Residential Subdivision..... 71
- 8 Reasonably practicable options for provisions – ODPs and RNN 71
 - 8.1 Options for provisions – ODPs and RNN..... 71
 - 8.2 Evaluation of options for provisions – ODPs and RNN 72
- 9 Evaluation of the preferred option for provisions – ODPs and RNN 75
 - 9.1 Preferred Option – ODPs and RNN..... 75
 - 9.2 Assessment of costs and benefits of policies – ODPs and RNN 75
 - 9.3 The most appropriate option – ODPs and RNN 78
- 10 Conclusions..... 78
- 11 Appendix 1 - Issues and options associated with District Plan provisions for residential subdivision 79

1 Introduction

1.1 Purpose of this report

1.1.1 The overarching purpose of section 32 (s32) of the Resource Management Act 1991 (RMA / Act) is to ensure that plans are developed using sound evidence and rigorous policy analysis, leading to more robust and enduring provisions.

1.1.2 Section 32 requires that the Council provides an evaluation of the changes proposed in Plan Change 14 to the Christchurch District Plan (the Plan). The evaluation must examine whether the proposed objectives are the most appropriate way to achieve the purpose of the RMA, and whether the proposed provisions are the most appropriate way to achieve the objectives of the Plan. The report must consider reasonably practicable options, and assess the efficiency and effectiveness of the provisions in achieving the objectives. This will involve identifying and assessing the benefits and costs of the environmental, economic, social and cultural effects anticipated from implementing the provisions. The report must also assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.

1.1.3 The purpose of this report is to fulfil the s32 requirements for proposed Plan Change 14 – Housing and Business Choice. In addition, the report examines any relevant directions from the statutory context including higher order documents.

1.1.4 This report comprises analysis of the subdivision provisions:

- to ensure they are consistent with the level of development permitted by the MDRS and that they do not constrain the ability to build according to the MDRS,
- to change the residential subdivision provisions, and
- to change the Residential New Neighbourhood provisions.

2 Resource management issues

2.1 Council’s legal obligations and strategic planning documents

2.1.1 Sections 74 and 75 of the RMA set out Council's obligations when preparing a change to its District Plan. The Council has a responsibility under Section 31 of the RMA to establish, implement and review objectives and provisions for, among other things, achieving integrated management of the effects of the use, development, or protection of land and associated resources. One of the Council's functions is to control the actual and potential effects of land use or development on the environment, and to do so in accordance with the provisions of Part 2 of the Act.

2.1.2 Within Part 2, the purpose of the Act (Section 5) includes the sustainable management of physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural wellbeing and for their health and safety.

2.1.3 Section 6 of the Act requires that all persons exercising functions and powers under the Act shall recognise and provide for matters of national importance. The following Section 6 matters are relevant to the topic:

Section	Relevance
Section 6(a) - the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development.	<p>Relevant where subdivision occurs within areas identified as having outstanding natural character or very high natural character within the coastal environment.</p> <p>Relevant where greenfield areas have identified lake and river features.</p>
Section 6(d) - the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers.	<p>Relevant where subdivision occurs along the coastal marine area, lakes, and rivers. The subdivision chapter needs to ensure that public access is not hindered or lost.</p> <p>Relevant where greenfield areas have identified lake and river features.</p>
Section 6(e) - the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.	Relevant when drafting the entire chapter, to ensure provisions do not inhibit this.

2.1.4 Section 7 of the Act lists ‘other matters’ that require particular regard. The following Section 7 matters are relevant to the topic:

Section	Relevance
Section 7(a) Kaitiakitanga & (aa) the ethic of stewardship.	The subdivision chapter includes provisions relating to kaitiakitanga and the ethic of stewardship, in particular as it applies to Ngai Tahu culture, history and identity.
Section 7(b) the efficient use and development of natural and physical resources.	<p>The subdivision chapter has been drafted to manage the natural and physical resources across the city.</p> <p>Greenfield areas have specific provisions which ensure natural resources are efficiently used by requiring development yields.</p>
Section 7(c) the maintenance and enhancement of amenity values.	The subdivision chapter aims to maintain and enhance amenity values across the city through managing subdivision.

Section	Relevance
	Amenity values in greenfield areas are maintained and enhanced through managing development via Outline Development Plans.
Section 7(f) the maintenance and enhancement of the quality of the environment.	<p>The subdivision policies, rules, and methods all contribute to maintaining and enhancing the quality of the environment.</p> <p>The quality of the environment in greenfield areas in maintained and enhanced through managing development via Outline Development Plans.</p>

2.1.5 Section 8 of the Act requires all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, to take into account the principles of the Treaty of Waitangi. The subdivision chapter does this by recognising Ngai Tahu and kaitiakitanga, culture, history, and identity.

2.1.6 As required by s74 and s75 of the RMA, a Plan Change must specifically give effect to, not be inconsistent with, take into account, or have regard to the following “higher order” documents / provisions which provide directions for the issues relevant to this plan change:

National Policy Statement on Urban Development 2020 (NPS-UD)

2.1.7 The NPS-UD took effect on 20 August 2020 and replaced the National Policy Statement on Urban Development Capacity 2016.

2.1.8 The NPS-UD recognises the national significance of having well-functioning urban environments and of providing sufficient capacity to meet the different needs of people and communities. It requires Councils to provide development capacity with sufficient infrastructure, and to consider the benefits of urban development. District Plans must make room for growth both ‘up’ and ‘out’ and rules should not unnecessarily constrain growth.

2.1.9 Under the NPS UD 2020 Christchurch has been classified as a Tier 1 urban environment. The following objectives and policies are therefore considered to be of relevance to the purpose of this plan change:

NPS on Urban Development 2020	
<p>Objective 1: New Zealand has 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.</p>	<ul style="list-style-type: none"> • Ensuring subdivision supports the creation of well-functioning urban environments that provide for increased housing supply to meet the needs of people and communities. • Recognising the range of housing typologies that support consolidated

NPS on Urban Development 2020	
	<p>growth within existing urban areas and the need for subdivision to enable this growth.</p> <ul style="list-style-type: none"> • ODPs in greenfield areas ensure large scale urban development creates well-functioning urban environments that provide for the needs of future communities.
<p>Objective 2: Planning decisions improve housing affordability by supporting competitive land and development markets.</p>	<ul style="list-style-type: none"> • Ensuring subdivision provisions recognise and provide for efficient infill development typologies of existing urban areas to support competitive land development. • Greenfield development contributes to housing growth and housing affordability.
<p>Objective 3: Regional Policy Statements and District Plans enable more people to live in, and more businesses and community services to be located in, areas of an urban environment in which one or more of the following apply:</p> <ol style="list-style-type: none"> a. The area is in or near a centre zone or other area with many employment opportunities. b. The area is well serviced by existing or planned public transport. c. There is high demand for housing or for business land in the area, relative to other areas within the urban environment. 	<ul style="list-style-type: none"> • Recognise the importance of subdivision to enable sustainable growth within consolidated urban areas with access to established transport and services. • Subdivision provisions provide for the various forms of urban development required to achieve increased density within urban areas.
<p>Objective 4: New Zealand’s urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities, and future generations.</p>	<ul style="list-style-type: none"> • Ensure subdivision provides for sustainable and efficient urban growth in existing consolidated urban areas that support various typologies to increase housing supply. • Greenfield development provides for urban growth to meet the needs of current and future generations.
<p>Objective 5: Planning decisions relating to urban environments, and FDSs, take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).</p>	<ul style="list-style-type: none"> • The principles of the Treaty of Waitangi have been taken into account.
<p>Objective 6: Local authority decisions on urban development that affect urban environments are:</p> <ol style="list-style-type: none"> a. integrated with infrastructure planning and funding decisions; and 	<ul style="list-style-type: none"> • Recognise the importance of subdivision to enable sustainable growth within consolidated urban areas.

NPS on Urban Development 2020	
<p>b. strategic over the medium term and long term; and</p> <p>c. responsive, particularly in relation to proposals that would supply significant development capacity.</p>	<ul style="list-style-type: none"> • Assist in enabling a variety of housing typologies by enabling subdivision to support a range of development densities. • ODPs provide for an integrated approach to large scale urban development and can provide significant development capacity.
<p>Objective 8: New Zealand’s urban environments:</p> <p>a. support reductions in greenhouse gas emissions; and</p> <p>b. are resilient to the current and future effects of climate change.</p>	<ul style="list-style-type: none"> • Seeks to reduce greenhouse gas emissions by encouraging subdivision within established urban areas of the city. • Integrated planning of greenfield areas allows for shifts to active transport uses.
<p>Policy 1: Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum:</p> <ul style="list-style-type: none"> • Have or enable a variety of homes; and • Have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and • have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and • support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and • support reductions in greenhouse gas emissions; and • are resilient to the likely current and future effects of climate change. 	<ul style="list-style-type: none"> • Recognise the importance of subdivision to enable sustainable growth within consolidated urban areas with access to established transport and services. • Subdivision provisions support a range of urban development forms and densities required to achieve increased density within urban areas. • Assist in enabling a variety of housing typologies by enabling sites which are suitable for high and medium density development in urban areas. • Ensuring subdivision provisions recognise and provide for efficient infill development typologies of existing urban areas to support competitive land development. • Seeks to reduce greenhouse gas emissions by encouraging subdivision within established urban areas of the city. • Greenfield areas have the potential to provide for a range of housing typologies, and ODPs ensure the delivery of development is integrated to provide positive community benefits.
<p>Policy 2: Tier 1, 2, and 3 local authorities, at all times, provide at least sufficient development capacity to meet expected demand for housing and for business land over the short, medium, and long term.</p>	<ul style="list-style-type: none"> • Ensuring subdivision provisions provide for efficient infill development typologies of existing urban areas to support competitive land development. • Ensuring greenfield areas can deliver significant development capacity.

NPS on Urban Development 2020	
<p>Policy 6: When making planning decisions that affect urban environments, decision-makers have particular regard to the following matters:</p> <ol style="list-style-type: none"> a. the planned urban built form anticipated by those RMA planning documents that have given effect to this National Policy Statement b. that the planned urban built form in those RMA planning documents may involve significant changes to an area, and those changes: <ol style="list-style-type: none"> i. may detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types; and ii. are not, of themselves, an adverse effect c. the benefits of urban development that are consistent with well-functioning urban environments (as described in Policy 1) d. any relevant contribution that will be made to meeting the requirements of this National Policy Statement to provide or realise development capacity e. the likely current and future effects of climate change. 	<ul style="list-style-type: none"> • Assist in creating well-functioning urban environments by ensuring subdivision supports a range development density in already established urban areas. • Assist in enabling a variety of homes by enabling sites which are suitable for high and medium density development.

New Zealand Coastal Policy Statement 2010 (NZCPS)

- 2.1.10 The NZCPS took effect on 3 December 2010.
- 2.1.11 New Zealand has a large and varied coastline which is highly valued across the Country. The NZCPS states policies in order to achieve the purpose of the Act in relation to the coastal environment of New Zealand.
- 2.1.12 Parts of the medium density residential zone are located within the coastal environment. However, the scope of the proposed changes relevant to this plan change are limited to the provisions required to incorporate the MDRS standards within the urban area. There are no greenfield areas which are within the costal environment. The following objectives and policies are relevant to the purpose of this plan change:

New Zealand Coastal Policy Statement 2010	
<p>Objective 5: To ensure that coastal hazard risks taking account of climate change, are managed by:</p> <ul style="list-style-type: none"> • locating new development away from areas prone to such risks; • considering responses, including managed retreat, for existing development in this situation; and • protecting or restoring natural defences to coastal hazards. 	<ul style="list-style-type: none"> • Ensuring subdivision provisions recognise and provide for efficient infill development typologies of existing urban areas while recognising the need to locate new development away from areas prone to coastal hazard risk. • Ensure subdivision provides for appropriate development within the existing urban area of the coastal environment. • The principles of the Treaty of Waitangi have been taken into account.
<p>Objective 6: To enable people and communities to provide for their social, economic, and cultural wellbeing and their health and safety, through subdivision, use, and development, recognising that:</p> <ul style="list-style-type: none"> • The protection of the values of the coastal environment does not preclude use and development in appropriate places and forms, and within appropriate limits; • some uses and developments which depend upon the use of natural and physical resources in the coastal environment are important to the social, economic and cultural wellbeing of people and communities; • functionally some uses and developments can only be located on the coast or in the coastal marine area; • the potential to protect, use, and develop natural and physical resources in the coastal marine area should not be compromised by activities on land; • historic heritage in the coastal environment is extensive but not fully known, and vulnerable to loss or damage from inappropriate subdivision, use, and development. 	
<p>Policy 2: The Treaty of Waitangi, tangata whenua, and Māori heritage.</p>	
<p>Policy 3: Adopt a precautionary approach towards proposed activities whose effects on the coastal environment are uncertain,</p>	

New Zealand Coastal Policy Statement 2010	
unknown, or little understood, but potentially significantly adverse.	
Policy 6: Activities in the coastal environment.	

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (NESCS)

- 2.1.13 The NESCS was in force from 1 January 2012.
- 2.1.14 The NESCS provides a nationally consistent set of planning controls and soil contaminant values. It ensures that land affected by contaminants in soil is appropriately identified and assessed before it is developed and if necessary, the land is remediated, or the contaminants contained to make the land safe for human use.
- 2.1.15 The following regulations are of relevance to the purpose of this plan change:

NES for Assessing and Managing Contaminants in Soil to Protect Human Health 2011	
<p>The NESCS applies to subdivision on land that is contaminated or potentially contaminated.</p> <p>Subdivision of land is a permitted activity where the following requirements are met:</p> <ul style="list-style-type: none"> a. A preliminary site investigation of the land is done; b. The report finds that it is highly unlikely that there is a risk to human health if the activity proceeds and a site plan exists in the report; and c. The consent authority has the report and site plan. <p>Subdivision which does not comply with the above is a controlled activity under Regulation 9, where:</p> <ul style="list-style-type: none"> a. A site investigation of the land exists; b. Soil contamination does not exceed the applicable standard in Regulation 7; and c. The consent authority has the report. <p>Subdivision that fails to comply with one or more of the controlled activity conditions is a Restricted Discretionary Activity under Regulation 10, where:</p> <ul style="list-style-type: none"> a. A site investigation of the land exists; 	<ul style="list-style-type: none"> • The changes to the subdivision chapter under this plan change are not inconsistent with the NESCS Regulations. • Any subdivision and development of greenfield land is required to comply with the NESCS Regulations, as well as with the relevant District Plan Rules.

NES for Assessing and Managing Contaminants in Soil to Protect Human Health 2011	
<p>b. Soil contamination does not exceed the applicable standard in Regulation 7; and</p> <p>c. The consent authority has the report.</p> <p>Regulation 11 states that any subdivision which is not permitted, controlled, or restricted discretionary is a Discretionary Activity.</p>	

National Planning Standards

- 2.1.16 The National Planning Standards were gazetted in April 2019. The purpose is to establish a nationally standardised and consistent format for regional and territorial plans, and combined plans.
- 2.1.17 The National Planning Standards establish a template structure for District Plans, directing what chapters and topics must be included, their names and how the chapters are formatted. A particular set of unique identifiers (acronyms or abbreviations) as well as specific numbering for objectives, policies and rules or methods are prescribed by the National Planning Standards.
- 2.1.18 The unique identifier for Subdivision is ‘SUB’.
- 2.1.19 Subdivision provisions must be in the Subdivision Chapter and the provisions may include:
 - Any technical subdivision requirements from Part 10 of the RMA.
 - Material incorporated by references, such as Codes of Practice, under Part 3 of Schedule 1 of the RMA.
- 2.1.20 The Subdivision chapter must include cross-references to any relevant provisions under the Energy, Infrastructure, and Transport Chapters.
- 2.1.21 The National Planning Standards also include mandatory definitions, the following are of relevance to the subdivision chapter:
 - ‘Allotment’ – Has the same meaning as in s218 of the Act.
 - ‘Boundary Adjustment’ – means a subdivision that alters the existing boundaries between adjoining allotments, without altering the number of allotments.
 - ‘Ground level’ – means:
 - The actual finished surface level of the ground after the most recent subdivision that created at least one additional allotment was completed (when the Record of Title is created).
 - If the ground level cannot be identified under the above, the existing surface level of the ground.

- If, in any case under the above two points, a retaining wall or retaining structure is located on the boundary, the level on the exterior surface of the retaining wall or retaining structure where it intersects the boundary.
- ‘Subdivision’ – Has the same meaning as ‘subdivision of land in s218 of the Act.

2.1.22 The National Planning Standards also contain the zone framework which must be used within District Plans. This framework includes the Future Urban Zone, which identifies areas that are suitable for urbanisation in the future, and for activities that do not compromise future urbanisation. The Future Urban Zone is considered a Special Purpose Zone under the standards zone framework.

Canterbury Regional Policy Statement (CRPS)

2.1.23 The Canterbury Regional Policy Statement became operative in 2013, and was republished in 2020 with incorporated changes made since 2013. It sets out the regional approach for managing the environment and providing for growth and associated effects. The RPS identifies the significant resource management issues for the region and outlines the policies and methods required to achieve the integrated sustainable management of the region’s natural and physical resources.

2.1.24 The table below identifies the relevant provisions and resource management topics contained in the CRPS

Canterbury Regional Policy Statement	
Chapter 5 – Land-Use and Infrastructure	
<p>Objective 5.2.1 Location, Design and Function of Development (Entire Region).</p> <p>Development is located and designed so that it functions in a way that:</p> <ol style="list-style-type: none"> 1. Achieves consolidated, well designed and sustainable growth in and around existing urban areas as the primary focus for accommodating the region’s growth; and 2. Enables people and communities, including future generations, to provide for their social, economic and cultural well-being and health and safety; and which: <ol style="list-style-type: none"> a. maintains, and where appropriate, enhances the overall quality of the natural environment of the Canterbury region, including its coastal environment, outstanding natural 	<ul style="list-style-type: none"> ● Ensuring subdivision supports the creation of consolidated, well-designed and sustainable urban environments that provide for increased housing supply to meet the needs of people and communities. ● Recognising the range of housing typologies that support consolidated growth within existing urban areas and the need for subdivision to enable this growth. ● Ensure subdivision provides for sustainable and efficient urban growth in existing consolidated urban areas that support various typologies to increase housing supply. ● Greenfield development contributes to a consolidated urban form ● Development areas can provide large scale urban development that contributes to housing choice.

Canterbury Regional Policy Statement	
<p>features and landscapes, and natural values;</p> <p>b. provides sufficient housing choice to meet the region’s housing needs;</p> <p>c. encourages sustainable economic development by enabling business activities in appropriate locations;</p> <p>d. minimises energy use and/or improves energy efficiency;</p> <p>e. enables rural activities that support the rural environment including primary production;</p> <p>f. is compatible with, and will result in the continued safe, efficient and effective use of regionally significant infrastructure;</p> <p>g. avoids adverse effects on significant natural and physical resources including regionally significant infrastructure, and where avoidance is impracticable, remedies or mitigates those effects on those resources and infrastructure;</p> <p>h. facilitates the establishment of papakāinga and marae; and i. avoids conflicts between incompatible activities.</p>	<ul style="list-style-type: none"> • ODPs ensure greenfield development is compatible with local environmental features.
Chapter 6 – Recovery and Rebuilding of Greater Christchurch	
<p>Objective 6.2.1 Recovery, rebuilding and development are enabled within Greater Christchurch through a land use and infrastructure framework that:</p> <ol style="list-style-type: none"> 1. identifies priority areas for urban development within Greater Christchurch; 2. identifies Key Activity Centres which provide a focus for high quality, and, where appropriate, mixed-use development that incorporates the principles of good urban design; 	<ul style="list-style-type: none"> • Enable greenfield areas to deliver urban development that can contribute to urban development in Christchurch. • Ensure identified priority greenfield areas can deliver urban development. • Ensure ODPs manage the effects of enabled urban development

Canterbury Regional Policy Statement	
<ol style="list-style-type: none"> 3. avoids urban development outside of existing urban areas or greenfield priority areas for development, unless expressly provided for in the CRPS; 4. protects outstanding natural features and landscapes including those within the Port Hills from inappropriate subdivision, use and development; 5. protects and enhances indigenous biodiversity and public space; 6. maintains or improves the quantity and quality of water in groundwater aquifers and surface waterbodies, and quality of ambient air; 7. maintains the character and amenity of rural areas and settlements; 8. protects people from unacceptable risk from natural hazards and the effects of sea-level rise; 9. integrates strategic and other infrastructure and services with land use development; 10. achieves development that does not adversely affect the efficient operation, use, development, appropriate upgrade, and future planning of strategic infrastructure and freight hubs; 11. optimises use of existing infrastructure; and 12. provides for development opportunities on Māori Reserves in Greater Christchurch. 	
<p>Policy 6.3.1 In relation to recovery and rebuilding for Greater Christchurch:</p> <ol style="list-style-type: none"> 1. give effect to the urban form identified in Map A, which identifies the location and extent of urban development that will support recovery, rebuilding and planning for future growth and infrastructure delivery; 2. give effect to the urban form identified in Map A (page 6-27) by identifying the 	<ul style="list-style-type: none"> • Ensure greenfield development continues to support the recovery of Christchurch. •

Canterbury Regional Policy Statement	
<p>location and extent of the indicated Key Activity Centres;</p> <ol style="list-style-type: none"> 3. enable development of existing urban areas and greenfield priority areas, including intensification in appropriate locations, where it supports the recovery of Greater Christchurch; 4. ensure new urban activities only occur within existing urban areas or identified greenfield priority areas as shown on Map A, unless they are otherwise expressly provided for in the CRPS; 5. provide for educational facilities in rural areas in limited circumstances where no other practicable options exist within an urban area; 6. provide for commercial film or video production activities in appropriate commercial, industrial and rural zones within the Christchurch District; 7. provide for a metropolitan recreation facility at 466-482 Yaldhurst Road; and 8. avoid development that adversely affects the function and viability of, or public investment in, the Central City and Key Activity Centres. 	
<p>Policy 6.3.2 Business development, residential development (including rural residential development) and the establishment of public space is to give effect to the principles of good urban design below, and those of the NZ Urban Design Protocol 2005, to the extent appropriate to the context:</p> <ol style="list-style-type: none"> 1. Tūrangawaewae – the sense of place and belonging – recognition and incorporation of the identity of the place, the context and the core elements that comprise the Through context and site analysis, the following elements should be used to reflect the appropriateness of the development to its location: landmarks and features, historic heritage, the character and quality of the existing built and natural 	<ul style="list-style-type: none"> • Ensure ODPs can manage large scale urban development in greenfield areas to deliver integrated development that creates well-functioning urban environments.

Canterbury Regional Policy Statement	
<p>environment, historic and cultural markers and local stories.</p> <ol style="list-style-type: none"> 2. Integration – recognition of the need for well-integrated places, infrastructure, movement routes and networks, spaces, land uses and the natural and built environment. These elements should be overlaid to provide an appropriate form and pattern of use and development. 3. Connectivity – the provision of efficient and safe high quality, barrier free, multimodal connections within a development, to surrounding areas, and to local facilities and services, with emphasis at a local level placed on walking, cycling and public transport as more sustainable forms of 4. Safety – recognition and incorporation of Crime Prevention Through Environmental Design (CPTED) principles in the layout and design of developments, networks and spaces to ensure safe, comfortable and attractive places. 5. Choice and diversity – ensuring developments provide choice and diversity in their layout, built form, land use housing type and density, to adapt to the changing needs and circumstances of the population. 6. Environmentally sustainable design – ensuring that the process of design and development minimises water and resource use, restores ecosystems, safeguards mauri and maximises passive solar gain. 7. Creativity and innovation – supporting opportunities for exemplar approaches to infrastructure and urban form to lift the benchmark in the development of new urban areas in the Christchurch region 	

Canterbury Regional Policy Statement	
<p>Policy 6.3.3 Development in greenfield priority areas or Future Development Areas and rural residential development is to occur in accordance with the provisions set out in an outline development plan or other rules for the area. Subdivision must not proceed ahead of the incorporation of an outline development plan in a district plan. Outline development plans and associated rules will:</p> <ol style="list-style-type: none"> 1. Be prepared as: <ol style="list-style-type: none"> a. a single plan for the whole of the priority area or Future Development Area; or b. where an integrated plan adopted by the territorial authority exists for the whole of the priority area or Future Development Area and the outline development plan is consistent with the integrated plan, part of that integrated plan; or c. a single plan for the whole of a rural residential area; and 2. Be prepared in accordance with the matters set out in Policy 6.3.2; 3. To the extent relevant show proposed land uses including: <ol style="list-style-type: none"> a. Principal through roads, connections with surrounding road networks, relevant infrastructure services and areas for possible future development; b. Land required for community facilities or schools; c. Parks and other land for recreation; d. Land to be used for business activities; e. The distribution of different residential densities, in accordance with Policy 6.3.7; 	<ul style="list-style-type: none"> • Recognise the effectiveness of ODPs at managing the delivery of large-scale urban development. • Ensure ODPs are retained where suitable to enable integrated development of development areas. • Efficient development of greenfield areas is achieved by developing in accordance with an ODP specific requirements, including set density yields. • Ensure site specific features and constrains are managed through a suitable ODP and associated provisions framework.

Canterbury Regional Policy Statement	
<ul style="list-style-type: none"> f. Land required for stormwater treatment, retention and drainage paths; g. Land reserved or otherwise set aside from development for environmental, historic heritage, or landscape protection or enhancement; h. Land reserved or otherwise set aside from development for any other reason, and the reasons for its protection from development; i. Pedestrian walkways, cycleways and public transport routes both within and adjoining the area to be developed; <ol style="list-style-type: none"> 4. Demonstrate how Policy 6.3.7 will be achieved for residential areas within the area that is the subject of the outline development plan, including any staging; 5. Identify significant cultural, natural or historic heritage features and values, and show how they are to be protected and/or enhanced; 6. Document the infrastructure required, when it will be required and how it will be funded; 7. Set out the staging and co-ordination of subdivision and development between landowners; 8. Demonstrate how effective provision is made for a range of transport options including public transport options and integration between transport modes, including pedestrian, cycling, public transport, freight, and private motor vehicles; 9. Show how other potential adverse effects on and/or from nearby existing or designated strategic infrastructure (including requirements for designations, or planned infrastructure) 	

Canterbury Regional Policy Statement	
<p>will be avoided, remedied or appropriately mitigated;</p> <p>10. Show how other potential adverse effects on the environment, including the protection and enhancement of surface and groundwater quality, are to be avoided, remedied or mitigated;</p> <p>11. Show how the adverse effects associated with natural hazards are to be avoided, remedied or mitigated as appropriate and in accordance with Chapter 11 and any relevant guidelines; and</p> <p>12. Include any other information that is relevant to an understanding of the development and its proposed zoning.</p>	
<p>Policy 6.3.5 Recovery of Greater Christchurch is to be assisted by the integration of land use development with infrastructure by:</p> <ol style="list-style-type: none"> 1. Identifying priority areas for development and Future Development Areas to enable reliable forward planning for infrastructure development and delivery; 2. Ensuring that the nature, timing and sequencing of new development are co-ordinated with the development, funding, implementation and operation of transport and other infrastructure in order to: <ol style="list-style-type: none"> a. optimise the efficient and affordable provision of both the development and the infrastructure; b. maintain or enhance the operational effectiveness, viability and safety of existing and planned infrastructure; c. protect investment in existing and planned infrastructure; d. ensure that new commercial film or video production facilities are connected to 	<ul style="list-style-type: none"> • Enable future development areas to deliver development integrated with local and strategic infrastructure.

Canterbury Regional Policy Statement	
<p style="text-align: center;">reticulated water and wastewater systems; and</p> <p style="text-align: center;">e. ensure new development does not occur until provision for appropriate infrastructure is in place;</p> <p>3. Providing that the efficient and effective functioning of infrastructure, including transport corridors, is maintained, and the ability to maintain and upgrade that infrastructure is retained;</p> <p>4. Only providing for new development that does not affect the efficient operation, use, development, appropriate upgrading and safety of existing strategic infrastructure, including by avoiding noise sensitive activities within the 50dBA Ldn airport noise contour for Christchurch International Airport, unless the activity is within an existing residentially zoned urban area, residential greenfield area identified for Kaiapoi, or residential greenfield priority area identified in Map A (page 6-28) and enabling commercial film or video production activities within the noise contours as a compatible use of this land; and</p> <p>5. Managing the effects of land use activities on infrastructure, including avoiding activities that have the potential to limit the efficient and effective, provision, operation, maintenance or upgrade of strategic infrastructure and freight hubs.</p>	
Chapter 11 – Natural Hazards	
<p>Objective 11.2.1 Avoid new subdivision, use and development on land that increases risks associated with natural hazards.</p> <p>New subdivision, use and development of land which increases the risk of natural hazards to</p>	<ul style="list-style-type: none"> • Ensuring subdivision supports the creation of well-functioning urban environments that provide for increased housing supply to meet the needs of people and communities while not increasing the risks associated with natural hazards.

Canterbury Regional Policy Statement	
people, property and infrastructure is avoided or, where avoidance is not possible, mitigation measures minimise such risks.	

Recovery Plans

2.1.25 The Land Use Recovery Plan 2013 (LURP) and the Christchurch Central Recovery Plan 2012 (CCRP) were prepared under the Canterbury Earthquake Recovery Act 2011. The following matters are relevant to this topic:

Land Use Recovery Plan 2013 (LURP)	
<p>Housing Choice The LURP identifies providing housing choice as one of the key aims. It recognises that since the earthquakes, a large proportion of new houses being built have been standalone homes, especially in greenfield subdivisions. It encourages a better supply of smaller, more affordable homes to offer greater housing choice and meet changing housing needs.</p> <p>Building New Communities The LURP also recognises that not all of the housing demand can be met by intensification. Therefore, it encourages greenfield subdivision where there is appropriate planning, design, and financial investment. The LURP has identified greenfield priority areas for new residential subdivisions.</p>	<ul style="list-style-type: none"> • Supports the move to higher intensity development by providing for allotment sizes which facilitate an increase in housing. • Provides for greenfield subdivision where it is well planned, with good design, and has appropriate financial backing. • Enables greenfield development that is supported by suitable planning and design, including in greenfield priority areas
Christchurch Central Recovery Plan 2012 (CCRP)	
<p>The CCRP contains the following provisions:</p> <ul style="list-style-type: none"> • Design Principles – these provide guidance to consider when looking at subdivision in the Central Area. • The Blueprint Plan – This identifies which activities should be encouraged in certain areas of the Central Area. 	<ul style="list-style-type: none"> • Considered when draft and the provisions and are not inconsistent.

Mahaanui Iwi Management Plan (IMP)

Mahaanui Iwi Management Plan (IMP)	
5.4 Papatuanuku	

Mahaanui Iwi Management Plan (IMP)	
<p>P4.1 To work with local authorities to ensure a consistent approach to the identification and consideration of Ngāi Tahu interests in subdivision and development activities, including:</p> <ul style="list-style-type: none"> b. Ensuring engagement with Papatipu Rūnanga at the Plan Change stage, where plan changes are required to enable subdivision; c. Requiring that resource consent applications assess actual and potential effects on tāngata whenua values and associations f. Requiring that ‘add ons’ to existing subdivisions are assessed against the policies in this section. <p>The document also provides Ngai Tahu Subdivision and Development Guidelines which provide guidance in the following matters:</p> <ul style="list-style-type: none"> • Cultural landscapes • Stormwater • Earthworks • Water supply and use • Waste treatment and disposal • Design guidelines • Landscaping and open space 	<ul style="list-style-type: none"> • Engagement has been undertaken with Papatipu Rūnanga as part of this Plan Change and the development of the subdivision chapter. • Assessment criteria for assessing actual and potential effects on tangata whenua is provided. • The guidance within the Ngai Tahu Subdivision and Development Guidance has been considered as part of the chapter development.
<p>6.5 Ihutai Catchment</p> <p>IH2.1 To work with developers and local government to maximise opportunities for:</p> <ul style="list-style-type: none"> a. Low impact urban design and creative, sustainable innovative approaches to waste, water and energy issues; b. Enhancement of cultural landscapes values, particularly indigenous biodiversity and mahinga kai; and c. Recognition of Ngāi Tahu cultural, historical and traditional associations with the Ōtautahi landscape. <p>IH2.2</p>	

Mahaanui Iwi Management Plan (IMP)	
To require that local government recognise and provide for the particular interest of Ngāi Tahu in subdivision and development activity in the urban environment, as per general policy on Subdivision and development (Section 5.4 Issue P4).	

Future Development Strategy (FDS) and Greater Christchurch Urban Development Strategy (UDS)

2.1.26 The Our Space 2018-2048 (FDS) focuses on how best to accommodate housing and business land use needs in a way that integrates with transport and other infrastructure provision, building greater community resilience, and contributing to a sustainable future for Greater Christchurch.

2.1.27 The relevant FDS matters are summarised below.

Our Space 2018-2048 (Future Development Strategy)	
<p>4.2 Priorities for this Update Achieving the desired urban form and principles of the UDS, and the coordinated planning and decision-making required under the NPS-UDC</p>	<ul style="list-style-type: none"> Ensuring subdivision supports the desired urban form and principles of the UDS through providing for a range of subdivision opportunities, from higher to lower density.
<p>Urban Form Promotes a compact urban form, which provides for efficient transport and locates development in a manner that takes into account climate change and sea level rise.</p>	<ul style="list-style-type: none"> Promotes a compact urban form by encouraging higher density subdivision in already established urban areas.
<p>4.2 Priorities for this Update Unlocking redevelopment opportunities across Greater Christchurch, but especially in the Central City, key activity centres, district town centres and along core transport corridors.</p>	<ul style="list-style-type: none"> Through the encouragement of subdivision at greater densities, in established urban areas, development opportunities around key centres will be unlocked.
<p>4.2 Priorities for this Update Ensuring that future housing provides a range of dwelling types to meet the changing demand profile in Greater Christchurch, including the projected higher demand for smaller, more affordable units, and the future demand of Ngāi Tahu whānau to establish kāinga nohoanga settlements on their ancestral land.</p>	<ul style="list-style-type: none"> Enables a range of allotment sizes which will allow for a range of dwelling types, including smaller and more high-density development.
<p>How will housing demand be met? Encourages a balance between new housing enabled through redevelopment opportunities</p>	<ul style="list-style-type: none"> Redevelopment and greenfield development is encouraged through providing for a range of subdivision

Our Space 2018-2048 (Future Development Strategy)	
within existing urban areas and development capacity in greenfield locations in Christchurch.	opportunities, from higher to lower density.
<p>6.1 Responsive Planning Delivering new dwellings through redevelopment and intensification and meeting the housing needs and preferences for current and future residents.</p>	<ul style="list-style-type: none"> • Redevelopment and greenfield development is encouraged through providing for a range of subdivision opportunities, from higher to lower density.

2.1.28 The UDS provides a vision for the city and sets out how that will be achieved by providing a ‘roadmap’ for the future as the city moves from recovery to regeneration. The relevant FDS matters are summarised below.

Greater Christchurch Urban Development Strategy (2016)	
<p>Vision By the year 2041, Greater Christchurch has a vibrant inner city and suburban centres surrounded by thriving rural communities and towns, connected by efficient and sustainable infrastructure.</p>	<ul style="list-style-type: none"> • A vibrant inner city and suburban centres is supported by providing for a range of subdivision types.
<p>Integration - Kotuitanga Integrating environmental, land use, infrastructure, social, cultural, economic and governance goals, working with the environment, and using the best available information and evidence in decision making, policies, plans and activities.</p>	<ul style="list-style-type: none"> • All decisions have been made based on the most up to date evidence.
<p>Integrated and Managed Urban Development Clear boundaries for urban development are defined and maintained. The urban area is consolidated by redeveloping and intensifying existing urban areas.</p>	<ul style="list-style-type: none"> • Higher density development within the existing urban area is enabled through the encouragement of subdivision with smaller allotment sizes.
<p>Integrated and Managed Urban Development New urban development is well integrated with existing urban areas. Sufficient land is available to meet needs for regeneration and future land use.</p>	<ul style="list-style-type: none"> • Higher density development within the existing urban area is supported by the subdivision chapter through the encouragement of subdivision with smaller allotment sizes. • Land is identified and made available that can meet future land use needs.

2.2 Problem definition - the issues being addressed

- 2.2.1 **ISSUE 1** - The Enabling Housing Act and the NPS-UD require Tier 1 Councils to introduce Medium Density Residential Standards and give effect to Policy 3 of the NPS-UD, i.e. provide for increased development capacity in residential and commercial areas. The subdivision provisions need to be consistent with the level of development permitted by the MDRS and cannot constrain the ability to build according to the MDRS.
- 2.2.2 **ISSUE 2** – The Residential New Neighbourhood Zone (RNN) in the Operative Plan applies to greenfield areas where large scale residential development is to be delivered. To guide development within greenfield areas, Outline Development Plans (ODPs) have been developed which spatially identify where development should be located, including type and scale, and where existing environmental constraints exist. Subdivision in these areas need to conform with the direction and outcomes of the ODP, and the relevant provisions framework for the RNN.
- 2.2.3 Greenfield areas have an important role in delivering large scale residential development that will create well-functioning urban environments. Management of greenfield development is important to ensure that land is used effectively and efficiently, delivering suitable housing density, a range of housing typologies, and the relevant services and infrastructure required for the future communities. Greenfield areas will contribute to meeting the housing demand for Greater Christchurch, as detailed in the Greater Christchurch Housing Development Capacity Assessment 2021. The existing framework for managing development in greenfield areas has been effective.
- 2.2.4 In light of the recent direction through the NPS-UD and the requirement for inclusion of MDRS into the Christchurch District Plan, there is a risk that the ability to manage development in greenfield areas is restricted by the immediate enablement of medium density development in relevant residential zones. This would mean that the weighting afforded to ODPs and the recognition of site-specific constraints and opportunities for large scale urban development would be reduced, and the efficient and effective development of greenfield areas may not be achieved.

3 Development of the plan change

3.1 Background

- 3.1.1 The resource management issues set out above have been identified through the preparation of an issues and options paper that outlines the main drivers of the plan change needed to give effect to the Medium Density Residential Standards (MDRS) and the National Policy Statement on Urban Development (NPS-UD) on the subdivision provisions of the Christchurch City District Plan.
- 3.1.2 In particular, the paper focuses upon those subdivision rules and standards applicable to residential zones within the urban environment. It reflects on:
 - The legislative basis for the plan change;
 - The existing District Plan framework for urban residential subdivision;
 - Issues with the existing District Plan rules in light of the shifting legislative requirements; and

- Recommends options for addressing the various issues identified.

3.1.3 A copy of the Issues and Options Paper is attached as Appendix 1 to this s32.

3.2 Current Christchurch District Plan provisions - Residential Subdivision

3.2.1 The current Plan's Strategic Directions objectives, chapter objectives and provisions relevant to residential subdivision are located in Chapters 3 and 8. Chapter 3 - Strategic Directions sets out the overarching outcomes to be expressed and achieved when preparing, changing, interpreting and implementing the District Plan. The strategic direction afforded by Chapter 3 is supplemented by the existing objectives detailed in Chapter 8 specific to subdivision activity.

3.2.2 Combined, the objectives and policies seek to achieve the following outcomes for subdivision:

- Clarity and concise language in preparation of District Plan provisions, and minimisation of the transaction costs, prescriptiveness, and notification requirements associated with the resource consent process (Objective 3.3.2);
- An integrated approach to development (including subdivision) to ensure the community's need for housing and associated infrastructure are adequately met. This includes providing a range of housing opportunities that meet the diverse needs of the community, including a variety of choice in housing types, densities and location. The direction is provided by Objectives 3.3.1, 3.3.4, 3.3.7 and 3.3.12; and Objectives 8.2.2 and 8.2.3;
- Objectives 3.3.6, 3.3.9, 3.3.12 and 8.2.1 identify limitations on development that should be accounted for in resource management decisions, including natural hazard risk, the identification and management of effects upon highly valued natural and cultural resources, and reverse sensitivity issues associated with strategic infrastructure. While these matters are relevant to subdivision, their role or otherwise as qualifying matters is beyond the scope of this s32 assessment and shall be assessed separately;
- Specifically, the provisions of Objectives 3.3.4 and 3.3.7 seek to achieve increased housing supply, setting specific targets for increased dwelling numbers to satisfy the intensification targets specified in the Canterbury Regional Policy Statement;

3.2.3 The objectives in Chapter 3 – Strategic Directions provides an overarching framework that is generally consistent with that sought under the National Policy Statement on Urban Development and the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act and is not inconsistent with the MDRS provisions and requirements of Schedule 3A of the RMA 1991, the intent of which is to enable greater density. As part of the wider suite of changes to be undertaken through Plan Change 14, amendments are proposed to the Chapter 3 provisions. The existing, and where necessary proposed, objectives in Chapter 3 have been examined to ensure there are no provisions that would negate this direction to enable greater density, except in circumstances where qualifying matters apply.

3.2.4 The existing and amended objectives in Chapter 3 are considered to not undermine the density sought for the following reasons (note: emphasis added):

- Objective 3.3.1 seeks to **enable** recovery and **facilitate** enhancement within the district, including meeting the immediate and longer term needs for housing, infrastructure, transport and social and cultural wellbeing.
- Objective 3.3.3 seeks a strong relationship between Council and Ngāi Tahu, in part to realise the priorities of Ngāi Tahu for papakāinga/kāinga nohoanga within the urban area and on Māori land.
- Objective 3.3.4 seeks to achieve a **minimum** of 55,950 additional dwellings through intensification, brownfield and greenfield development, and to provide a range of housing opportunities including choice of price, typology, density, and location through competitive land and development markets.
- Objective 3.3.7 speaks to achieving a well-functioning urban environment with a well-integrated pattern of development and infrastructure, with a consolidated urban form and high-quality outcomes, including providing for urban activity in urban areas, increasing housing development to meet intensification targets specified in the Regional Policy Statement, and promoting the coordinated provision of development with infrastructure.
- Objective 3.3.8 looks to enabling a range of housing opportunities within the Central City, to **at least** 5,000 additional household units.
- Objective 3.3.12 seeks to recognise and provide for integrated infrastructure provision.
- While Objectives 3.3.6 (Natural Hazards), 3.3.9 (Natural and Cultural Environment), and 3.3.12 (in respect of strategic infrastructure and reverse sensitivity) seek outcomes that may limit density, these are relevant to potential qualifying matters and are therefore assessed within the s32 assessments that consider qualifying matters.

3.2.5 It is considered that the other objectives detailed in Chapter 3 are not of direct relevance to determination of subdivision consents and thus do not require detailed assessment.

3.2.6 The objectives in Chapter 8 are not considered to undermine the density outcomes sought by the higher order policy direction for the following reasons:

- Objective 8.2.2 relates to design and amenity outcomes for subdivision and seeks an integrated pattern of development with allotments suitable for the anticipated or existing land uses of the underlying zone, consolidation of urban activity and enhanced connectivity.
- Objective 8.2.3 – Infrastructure and Transport seeks to promote efficient provision of infrastructure through subdivision design and development, including within the transport network.

3.2.7 The above objectives do not seek specific density outcomes that would contradict those required under the NPS-UD, Schedule 3A of the RM Amendment Act, or the higher order policy documents. The existing objectives are sufficiently broad in their direction as to enable intensification whilst ensuring the practicality and quality of residential subdivision outcomes.

- 3.2.8 Accordingly, it is not proposed to change any of the objectives within Chapter 3 - Strategic Directions (beyond those amendments sought as part of the wider Plan Change 14) or Chapter 8 – Subdivision, Development and Earthworks.
- 3.2.9 Policy 8.2.2.1 relates to recovery activity following the Christchurch earthquakes and is no longer as dominant of a driver in City development; the recovery focus is essentially superseded by the new MDRS requirements. Policy 8.2.2.1(a)(ii) is also contrary to the MDRS requirement for a minimum of three dwellings to be permitted on sites within the Medium Density and High Density Residential Zones; at present, the policy seeks to facilitate the issue of fee simple titles around two residential units only.
- 3.2.10 Policy 8.2.2.3(b) seeks to provide for a variety of allotment sizes for residential subdivision (thereby accommodating a variety of homes and sites) as sought by Schedule 3A and Policy 1 of the NPS-UD. However, it does not explicitly recognise the intent to enable additional housing through achieving higher density development sought under the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act and the NPS-UD.
- 3.2.11 Policy 8.2.2.4(a)(iii) requires that subdivision has a pattern of development that responds to the existing urban context. However, Objective 4 of the NPS-UD acknowledges that urban environments develop and change over time. This policy lacks consideration of the future or planned built form in an area, contradicting the NPS-UD and direction of Clause 6, Schedule 3A of the RMA 1991.
- 3.2.12 Policy 8.2.2.8 – Urban Density supports specific density targets to be achieved within the Residential Medium Density and Residential Central City zones. Updates are required to the policy including zoning references and must also be reframed to accord with the direction of Clause 7, Schedule 3A which requires that subdivision rules must be consistent with the level of development permitted under the other clauses of the schedule, including Clause 2(2) that limits the application of density standards to land subject to the MDRS. Wording shall be amended to shift from a focus on ‘net density’ to ‘net yield’ to ensure clarity of language and must be updated to reflect the limited instances where the rule framework can specify allotment size/shape outcomes, and by extension, density/yield from a subdivision.
- 3.2.13 It is considered that those policies listed above need generally modest adjustments to bring them into line with higher order policy documents.
- 3.2.14 There are no other policies or objectives within Chapter 8 that conflict with the objectives of Chapter 3 or conflict with higher order policy documents.
- 3.2.15 Additional changes are needed to the rules of the District Plan, including amendments to activity statuses and matters of control, to ensure the objectives and policies are achieved whilst also satisfying the legislative requirements of Schedule 3A.

3.3 Current Christchurch District Plan provisions – ODPs and RNN

- 3.3.1 Development in greenfield areas is managed across several chapters of the Operative Plan, including Chapters 3 (Strategic Directions), 8 (Subdivision, Development and Earthworks) and 14 (Residential).

3.3.2 Chapter 3 contains the strategic objectives which include relevant objectives on the delivery and enablement of development, including:

- 3.3.1 – Enabling recovery and facilitating the future enhancement of the district: The objective ensures the recovery and future enhancement of Christchurch meets the community’s needs, including with regards to housing, community facilities, and infrastructure.
- 3.3.4 - Housing capacity and choice: The objective details the minimum additional dwelling requirement and how this will be enabled, including through greenfield development.
- 3.3.6 – Natural hazards: This objective directs that new subdivision, use and development is to be avoided in areas where there are unacceptable risks to people, property and infrastructure.
- 3.3.7 – Urban growth, form and design: The objective seeks to ensure that development is delivered in a well-integrated pattern, providing for a consolidated urban form and high-quality urban environments.

3.3.3 The Operative strategic objectives are considered to be effective at directing urban form and development, which is applicable to relevant greenfield developments.

3.3.4 Chapter 8 of the Plan contains the relevant objectives, policies and rules for managing subdivision, development, and earthworks. Objective 8.2.2 (a) provides the framework for policies that apply to greenfield areas and specifies criteria for the delivery of comprehensive development. This objective is supported by policies which direct large scale residential development and the use of Outline Development Plans. The relevant policies include:

- 8.2.2.8 Urban Density – This policy considers residential development in the RNN and requires a minimum density of 15 dwellings per hectare for residential areas in an ODP, unless specific density constraints are identified in an ODP. The policy encourages higher density development in the RNN where there are supporting services and facilities.
- 8.2.2.9 Outline Development Plans – This policy details what an ODP must include including information provided, and require subdivision use and development to be in accordance with the relevant ODP.
- 8.2.2.10 Comprehensive Residential Development – This policy encourages comprehensive residential developments in accordance with an ODP in the RNN.

3.3.5 Clause b of Objective 8.2.2 provides specific direction for the management of activities within the Meadowlands Exemplar Overlay, which is an overlay that applies to the North Halswell ODP area. The objective seeks an environmentally and socially sustainable development is delivered, with specific policy criteria in 8.2.2.12 to ensure development achieves the vision for the area.

3.3.6 Subdivision in outline development area is a controlled activity, under rule C5 of sub-chapter 8.5, where relevant subdivision standards are met. This includes standard 8.6.11, which is a specific standard for the RNN zone. This standard requires that development is undertaken in accordance with the ODP and contains specific density requirements which links to policy 8.2.2.8. The standard

includes the minimum and maximum net site area and dimensions for allotments, with specific requirements for certain ODP areas.

3.3.7 Where subdivision in ODP areas does not meet the standards, it escalates to a restricted discretionary activity. The ODP direction and the effect of an activity on the ability for outcomes for an ODP area to be achieved, including minimum density, are considered in the relevant matters of control and matters of discretion for subdivision.

3.3.8 Sub-chapter 8.10 contains the residential ODPs. This includes the relevant guiding elements for development in ODP areas, which are considerations over the relevant matters of control, and some requirements are to be given effect to through standard 8.6.11.

3.3.9 Overall the existing framework is effective at managing greenfield development, and affords significant weighting to the requirement for subdivision and development to be in accordance with the applicable ODP. The framework is enabling of development in accordance with ODPs through the Controlled Activity status, and where greenfield areas have no associated ODP, a restricted discretionary status applies.

3.3.10 Of particular importance in chapter 8 is the density requirement for ODP areas, which is reflected in policy 8.2.2.8 and standard 8.6.11. This ensures that development in greenfield areas delivers sufficient housing yields and that efficient land use is achieved for greenfield sites.

3.3.11 Chapter 14 contains the provisions for residential zoned areas, including the RNN. There is one Objective for the RNN:

- 14.2.5 Residential New Neighbourhood Zone – The objective seeks co-ordinated, sustainable, and efficient use and development in the RNN

3.3.12 The Objective is supported by 7 policies:

- 14.2.5.1 Outline development plans – This policy directs that use and development should be in accordance with, and not compromise the implementation of, the relevant ODP. The policy recognises interim activities are suitable to prepare greenfield areas for urban development.
- 14.2.5.2 Comprehensive residential development – Encourages comprehensive residential development in accordance with the relevant ODP.
- 14.2.5.3 Development density – The policy requires a minimum net density of 15 households per hectare, averaged across the residential areas of an ODP, and details exceptions for lower density development and the requirement to justify lower density in greenfield areas.
- 14.2.5.4 Neighbourhood quality and design – The policy directs that development should create neighbourhoods that are safe, provide for a diversity of housing typologies, achieves a high level of amenity, and retains and enhances recreational, heritage and ecological features where possible.
- 14.2.5.5 Infrastructure servicing for developments – Requires development to be serviced in an effective and efficient manner

- 14.2.5.6 Integration and connectivity– This policy considers how development in greenfield areas will integrate internally and externally with existing developed areas, as well as avoiding significant adverse effects on existing business, rural, or infrastructure land uses.
- 14.2.5.7 Policy - Ngā kaupapa / protection and enhancement of sites, values and other taonga of significance to tangata whenua – The policy seeks the recognition and protection of sites of Ngāi Tahu cultural significance, and where possible the enhancement of these sites.

3.3.13 Overall the objectives and policies of the RNN are effective at identifying how development in greenfield areas needs to be strategically delivered in accordance with an ODP, and provides direction on the requirement for greenfield areas to be suitably serviced and create urban environments which meet community needs. The policies are considered to be effective and comprehensive in achieving the sought outcome in the RNN objective.

3.3.14 The RNN contains a rule framework which considers a range of different land use activities which are enabled within the RNN, as well as specific bulk and location standards. In some cases specific standards apply to certain ODP areas. Built form standards also require that any activity shall be in accordance with an ODP.

3.4 Description and scope of the changes proposed - Residential Subdivision

3.4.1 As part of the updates to the subdivision provisions, it is not sought to alter the objectives of the ‘Strategic Direction’ (albeit amendments are recommended as part of the wider PC14) or ‘Subdivision, Development and Earthworks’ chapters.

3.4.2 The purpose of this aspect of the plan change is to update the subdivision provisions in Chapter 8 of the Christchurch City District Plan to give effect to the Medium Density Residential Standards (MDRS) as set out in Schedule 3A of the Resource Management Act and the National Policy Statement for Urban Development 2020. It also seeks to update zone terminology across both the subdivision and earthworks provisions to reflect the National Planning Standards for those zones subject to the NPS-UD and RM Amendment Act. Specifically, the proposed changes seek to:

- Modify the activity status of subdivision activities for sites subject to the MDRS provisions as required by Clause 3, Schedule 3A.
- Remove limitations on the size, shape or other site-related requirements for subdivision, except in circumstances where vacant allotments are created, as per Clause 8, Schedule 3A.
- Ensure that the subdivision provisions are consistent with the land use provisions and that the subdivision rules provide for the same or a greater level of development than the MDRS.
- To reflect the terminology used in the National Planning Standards with regard to zoning references.
- Resolve any remaining conflicts between existing and amended provisions.

3.4.3 Changes are proposed to the following existing policies to achieve the above purpose:

Existing provision	Proposed change
Policy 8.2.2.1 – Recovery activities	Remove this policy to reflect that recovery activities are no longer the primary driver of development in Christchurch; this superseded by intensification and the MDRS requirements. Where the existing policy seeks to provide for particular subdivision activities, the intent is carried through in amendments to Policy 8.2.2.3.
Policy 8.2.2.3 – Allotments	Update provision 8.2.2.3(b) to recognise that varied allotment sizes will be achievable within all residential zones, while recognising that conversion of tenure and subdivision of a unit (rather than land) also need to be provided for. This change gives effect to the NPS-UD, MDRS provisions, and direction of Objective 3.3.7 (which is proposed to be modified) to increase housing intensification opportunities.
Policy 8.2.2.4 – Identity	Provision 8.2.2.4(a) (iii) must be updated to recognise that development patterns should respond to the existing and planned urban context. This aligns with the direction of Objective 3.3.4 in that there is direction to meet the changing population and housing needs of residents, and Objective 3.3.7(b)(ii) that explicitly recognises that the urban environment may develop and change. Zoning terminology also needs to be updated.
Policy 8.2.2.8 – Urban density	The minimum density targets are not inconsistent with the MDRS requirements. Slight amendments are required to zone references and to shift from a focus on ‘net density’ to ‘net yield’ to prevent confusion between the policy intent and the MDRS.

3.4.4 The Plan Change also proposes a number of changes to the rules to address identified issues for residential subdivision¹, ensure consistency with the higher order policy direction, and to ensure that the relevant Plan objectives are achieved. These changes include:

- Create a new boundary adjustment rule and a new conversion of tenure rule for the MDRZ/HDRZ based on the existing rule but with lot size requirements that meet Schedule 3A.
- Amend the existing boundary adjustment Controlled Activity rule (C1) to remove the standard that there are no additional lots created, instead inserting the National Planning Standards ‘boundary adjustment’ definition that specifies this is an activity where the number of lots does not change.
- Create a new rule specifically in relation to vacant allotment subdivision in the MDRZ/HDRZ that includes minimum lot sizes.

¹ Issues 1-7, as detailed in “Issues and options associated with District Plan provisions for residential subdivision: Christchurch City Council”, prepared by Urban Edge Planning and dated 18 March 2022.

- Create a new rule for subdivision around existing, approved, or concurrently consented dwellings in the MDRZ/HDRZ in accordance with Schedule 3A. This rule cannot have minimum lot size requirements.
- Retain the existing rules that do not require changes as a result of Schedule 3A, except for amending the zone names to reflect the National Planning Standards where within scope of the plan change.
- Update the minimum lot sizes in Rule 8.6.1 with a minimum lot size of 400m² for the MDRZ, 300m² for the HDRZ and 650m² for the Hill Precinct (formerly the Residential Hills zone).
- Update zone references in the activity standards to reflect the National Planning Standards.

3.4.5 The proposed changes are outlined in more detail below.

Category	Proposed Change
<p>Boundary adjustments – MDRZ and HDRZ</p>	<p><u>Controlled Activity</u></p> <p>A new rule is proposed for boundary adjustments that would apply a minimum lot size for vacant allotments in accordance with standard 8.6.1, except if the change to the existing net site area is within 10% of the existing lot. The exemption is carried forward from the existing rule.</p> <p>The standard that there is no increase in the degree of non-compliance (proposed rule C1A(b)) is carried forward from the existing rule. An advice note within the rule identifies that a land use consent would still be required.</p> <p>The matters of control (Rule 8.7.1) are carried forward from the existing boundary adjustment rules.</p> <p><u>Restricted Discretionary Activity</u></p> <p>If the Rule C1A or C1B are breached, then consent is required under RD1.</p> <p>There is no requirement to change RD1 and it would only apply to boundary adjustments with vacant allotments that do not meet the new minimum lot sizes or are not within 10% of the net site area. The wording of RD1 is updated to include reference to the new Controlled Activity rule in relation to boundary adjustments.</p> <p><u>More restrictive activity statuses</u></p> <p>There are currently no standards under RD1 that could elevate a boundary adjustment subdivision to a more restrictive activity status such as Discretionary or Non-Complying. It is not proposed to change that situation.</p>

Category	Proposed Change
Boundary adjustments – all other zones	<p>It is proposed to remove the standard requiring that no additional titles are created (existing rule C1(a)) because the National Planning Standards definition of a boundary adjustment specifies that the number of allotments is unchanged.</p> <p>It is proposed to amend the existing lot size requirement (existing rule C1(b)) to make it clearer that the minimum lot sizes do apply where the net site area is altered by more than 10%. These changes do not impact any outcomes of the rule and are only recommended to make interpretation of the rule easier.</p>
Conversion of tenure	<p><u>Controlled Activity</u></p> <p>The existing Rule C2 imposes a minimum lot size (within 10% of the original allotment) for the conversion of tenure from unit title or cross lease to fee simple for the repair and rebuild of multi-unit residential complexes.</p> <p>A new rule for the MDRZ/HDRZ is created to define that the requirement to be within 10% of the original allotment size only applies to vacant allotments, unless the minimum lot size is met. No amendments to the existing rule are proposed, except to specify that where the 10% variation is not met, then the minimum lot sizes in Rule 8.6.1 apply. This change is proposed only to make this component of the rule clearer.</p> <p><u>Restricted Discretionary Activity</u></p> <p>For both the existing Rule C2 and proposed additional rule, if the activity standards are not met, the activity becomes a Restricted Discretionary activity under existing RD3. The existing RD3 does not need to be amended except by adding reference to C2A and C2B.</p> <p><u>More restrictive activity statuses</u></p> <p>RD3 includes no activity standards that would escalate the activity status and no change to the status quo here is proposed.</p> <p><u>Matters of Discretion/Control</u></p> <p>The matters of control under 8.7.2 and matters of discretion under 8.8.10 (a. in both cases) is updated so that it applies only where vehicle access is proposed (given that it is no longer required as a consequence of removal of on-site parking requirements under the NPS-UD).</p>
Vacant lot subdivision	<p><u>Controlled Activity</u></p> <p>A new rule for vacant lot subdivision is proposed for the Medium Density Residential and High Density Residential zones (C8) which would allow for a controlled activity subdivision where</p>

Category	Proposed Change
	<p>8.6.3 – 8.6.9 and 8.6.12 are met; and the minimum lot size under Rule 8.6.1 is met. This follows the structure outlined in Schedule 3A.</p> <p><u>Restricted Discretionary</u></p> <p>If the minimum lot size of a vacant lot is not met, then it is proposed that resource consent would be required under a new Rule RD2c. of 8.5.1.3.</p> <p>Under the current rule framework (except in the Residential Medium Density Zone or Residential New Neighbourhood Zone), an undersized allotment would require consent as a Non-Complying Activity under NC1 of 8.5.1.5. This is considered to be inconsistent with Schedule 3A because an equivalent land use (i.e. a multi-unit development), would be required to be a Restricted Discretionary Activity.</p> <p>No changes are proposed to the matters of discretion for the purposes of imposing conditions. The matters of discretion for both granting/declining a consent and imposing conditions are proposed to remain as per the existing, with a slight amendment to matters a), b) and e) to reflect updates to zoning references.</p> <p><u>More restrictive activity statuses</u></p> <p>Amendments are made to the provisions of NC1 under 8.5.15 to ensure that vacant allotment subdivision within the Medium and High Density Residential zones no longer elevates to non-complying. This ensures compliance with Schedule 3A.</p>
<p>Non-vacant allotment subdivision</p>	<p>Subdivision around existing residential units, or where land use is sought concurrently cannot have minimum lot sizes imposed under Schedule 3A provided certain parameters are satisfied.</p> <p>Therefore standard 8.6.2 is no longer applicable within the MDRZ/HDRZ and that activity standard is amended accordingly.</p> <p><u>Controlled Activity</u></p> <p>A new rule (C9) providing for Controlled Activity subdivisions is proposed to provide for subdivision around existing, consented or concurrently consented residential unit(s).</p> <p>This includes a scenario not listed in Schedule 3A, which is where there is an existing land use consent that has not been given effect to. However, this scenario is consistent with the case where there is an existing unit, or one approved at the same time as the subdivision.</p> <p>In the case where there is a consented or concurrently consented dwelling on each lot, an activity standard (c) applies</p>

Category	Proposed Change
	<p>that either a condition in the subdivision consent must specify that the dwelling is constructed prior to section 224 certification, or that the application demonstrate that a permitted activity residential dwelling can be constructed. If this standard is not met, then the lot is treated as a vacant allotment and requires assessment under Rule C8.</p> <p>The existing activity standards 8.6.3-8.6.9 and 8.6.12 would continue to apply, and non-compliance would result in an escalation of activity standards consistent with the existing framework. Any further escalation of the rules would follow the same process as one for a vacant allotment.</p> <p><u>Restricted Discretionary Activity</u></p> <p>Subdivision around existing/consented/concurrently consented dwellings would escalate to Rule RD2 for breaches of standards 8.6.3 – 8.6.9 and 8.6.12.</p> <p>Controlled activity standard b) specifies that the subdivision does not create a non-compliance with the density standards of the underlying zone. If this is breached, the proposal would escalate to Rule RD2A.</p> <p>Controlled activity standards c) and d) are designed to ensure that no vacant allotments are created. Where these standards are breached, the subdivision is considered to create a vacant allotment such that assessment is required under Rule C8.</p>
Other rules	Other subdivision rules not specifically referenced above do not require any substantive changes, because either they relate to zones other than MDRZ/HDRZ; or because they have no minimum lot size; or relate to non-MDRS standard breaches (for example access or services).

3.4.6 It is not proposed to make any changes to the subdivision objectives, policies and rules that are unaffected by the MDRS.

Notification provisions

3.4.7 Under the Operative District Plan, limited or public notification is precluded for subdivisions applications with a Controlled or Restricted Discretionary activity status (Rule 8.4.1.1). There is currently no preclusion to the notification of undersized allotments because, aside from the existing Residential Medium Density Zone or Residential New Neighbourhood Zone, consent would be required under NC1 as a Non-Complying Activity. Non-Complying Activities are not exempt from notification under the existing provisions of the plan.

3.4.8 As subdivision within the Medium Density Residential Zone and High Density Residential Zone can no longer elevate beyond Controlled or Restricted Discretionary activity status (to ensure

consistency with Schedule 3A), due consideration must be had to whether the existing provisions precluding notification should apply.

- 3.4.9 Residential subdivision that complies with the specified allotment size control is precluded from public or limited notification as a Controlled or Restricted Discretionary activity. It is appropriate to carry this same preclusion over to the new Controlled activity standards for residential subdivision within the Medium Density Residential and High Density Residential zones in order to be consistent with Schedule 3A of the RMA 1991..
- 3.4.10 An undersized residential allotment will now be a Restricted Discretionary activity within the Medium Density and High Density Residential zones. Accordingly, the District Plan restricts consideration to certain, specified matters of discretion for the purposes of imposing conditions and granting or declining consent. This policy framework provides clarity and certainty for planners, with it being unlikely that notification would reveal new information relevant to determination of the consent. Accordingly, it is considered appropriate to apply the existing preclusion for non-notification of Restricted Discretionary subdivision applications. It remains available to the Council to notify a consent where special circumstances exist (as per s95A and s95B of the RMA 1991) and to decline a consent if an effect associated with a matter of discretion is unacceptable.
- 3.4.11 The existing notification provisions also lists Waka Kotahi NZ Transport Agency as an affected party where subdivision access is sought to a State Highway. This standard has been removed as it predetermines an assessment under Section 95B of Resource Management Act.
- 3.4.12 Having regard to the above, no changes to Rule 8.4.1.1 (Notification) are considered to be necessary.

3.5 Description and scope of the changes proposed – ODPs and RNN

- 3.5.1 The Plan Change approach to greenfield land and ODPs is minimal and proposes few changes. This is a reflection of the absence of issues with the existing framework for managing greenfield development, and the relatively simple approach required to address the issue identified in section 2.2 of this report.
- 3.5.2 The purpose of the Plan Change is to retain the provisions for managing residential greenfield development in accordance with the ODPs within the District Plan in a conforming manner with the requirements of the NPS-UD and Schedule 3A of the Act. In order to achieve this, changes are required to the subdivision chapter and the RNN sub-chapter (14.12), as well as the Planning Maps, to ensure the District Plan approach to managing greenfield development is aligned with the National Planning Standards, the MDRS, and the NPS-UD.
- 3.5.3 The changes proposed are to update the relevant objectives and policies which reference and apply to the RNN, to reference and apply to the Future Urban Zone instead as explained below. As such the proposed changes are not resulting in any changes to the sought outcomes and intent of the existing provisions. The proposed plan change does not propose any other additions or deletion of the specific objectives and policies that manage greenfield development.
- 3.5.4 The Plan Change also proposes changes to the rule frameworks in the subdivision and RNN chapters where ODPs are to be retained or reflecting where ODPs are going to be removed from the Plan

due to their completed development status, and to ensure that the relevant plan objectives are achieved.

Zoning and ODP deletion

- 3.5.5 The most substantial change proposed in relation to greenfield land is the change of zoning. In the Operative Plan, most greenfield areas which have an associated ODP are zoned as Residential New Neighbourhood. The purpose of the RNN is to allow for large-scale residential development on greenfield land, with development required to meet set density requirements that provide for a range of housing typologies.
- 3.5.6 The underlying RNN zoning directs activities within greenfield areas to be in accordance with the relevant ODP. The status quo approach contains a number of ODPs which outline how development in specific greenfield areas should be undertaken. ODPs consider a number of different aspects, including:
 - zoning within the greenfield areas
 - Identification of site-specific constraints
 - Provision of supporting infrastructure
 - Provision for open space and other community facilities
 - Requirement for density restrictions where constraints are present
- 3.5.7 Each residential ODP has subsequent supporting text which provides development requirements and guidance, a relevant consideration in subdivision rules. Whilst some ODP areas are yet to be subject to development, other ODP areas have been fully developed, and others have had some development undertaken.
- 3.5.8 The RNN is not a zone available for District Plans to use in the National Planning Standards. Under the NPS-UD and the MDRS, the RNN would be considered as a relevant residential zone with medium density development enabled as per the Amendment Act.
- 3.5.9 However, the RNN in the Operative Plan is comprised of greenfield sites with no existing residential development in some instances and limited or no associated services, and the immediate enablement of medium density development is not considered to be a suitable approach for these sites.
- 3.5.10 Therefore, the proposed change is to zone greenfield areas as Future Urban. The FUZ is a Special Purpose Zone under the National Planning Standards, with a purpose of identifying areas suitable for future urbanisation. The zoning recognises that the specific area has been identified as suitable for accommodating large scale residential development in the future, but that greenfield sites will be developed in a coherent and integrated manner to make efficient use of greenfield land.
- 3.5.11 The FUZ will replace the RNN, however not all areas currently zoned as RNN will be zoned as FUZ. Areas which are zoned as RNN, but have substantial development undertaken, will be zoned based on their established and anticipated land use.

- 3.5.12 Not all ODPs in the Operative Plan are proposed to be retained, with several areas now fully developed such that their retention in the plan is no longer required. These areas will not be zoned as FUZ but will be zoned based on their established and anticipated land use and all ODP requirements removed from the plan. These deleted ODP areas include:
- Appendix 8.10.6 - Residential Suburban and Residential Medium Density - Halswell West
 - Appendix 8.10.8 – Mocks Spur Development Plan
 - Appendix 8.10.9 - Richmond Hill Development Plan
 - Appendix 8.10.15 - Hawthornden Road Development Plan
 - Appendix 8.10.16 - Kennedys Bush / Cashmere Road Development Plan
 - Appendix 8.10.25 - Prestons (North and South) Outline Development Plan
 - Appendix 8.10.28 - Yaldhurst Outline Development Plan
 - Appendix 8.10.29 - Wigram Outline Development Plan

Subdivision Provision Changes

- 3.5.13 Subdivision in ODP areas is managed through the relevant provisions of the subdivision chapter. This includes specific subdivision standards for the RNN, which are reflective of the fact that the RNN is comprised of greenfield sites that will deliver comprehensive residential developments which are in line with the ODP requirements for that area.
- 3.5.14 The changes to the underlying zoning of greenfield areas as detailed above is not considered to necessitate substantial changes to the subdivision provisions for the RNN zone. There is no evidence that the existing provisions for managing subdivision within greenfield areas is resulting in resource management issues which need addressing through a plan change process.
- 3.5.15 The density requirement for greenfield areas is retained as in the Operative Plan, with this considered to be an important requirement to ensure that greenfield areas deliver expected housing yields to contribute to the identified required housing supply for Christchurch.
- 3.5.16 Therefore, the changes to the subdivision chapter are predominantly limited to updates to the relevant zone name, being a change from Residential New Neighbourhood to Future Urban.
- 3.5.17 Other changes to the subdivision provisions for the RNN zone include the deletion of any specific standards which apply to ODP areas which have been fully or near fully developed, and as such are proposed to be removed from the plan as part of this plan change process.
- 3.5.18 As some areas with an ODP in the plan will be split zoned between FUZ and the most suitable zoning based on the established use, changes are proposed to ensure subdivision requirements for ODP areas only apply to ODP areas zoned as FUZ. This requires a minor change to the wording of relevant rules to ensure that the subdivision of developed ODP areas is not unnecessarily restricted.

Residential New Neighbourhood Changes

- 3.5.19 The RNN provisions are currently located in the residential chapter of the plan and detailed in section 3.2 of this report. The plan change proposes to retain the provisions framework for the RNN largely as it exists in the Operative Plan. This approach is proposed as the current RNN provisions have not been found to have any significant resource management issues and are suitable for retention and the management of greenfield areas.
- 3.5.20 Therefore, the plan change only proposes to change the name of the RNN to FUZ and change the associated zone references throughout the chapter. Similarly, for the subdivision chapter, any specific references to ODPs which are to be deleted from the Plan will be removed from the provisions.

Other changes

- 3.5.21 Consequential changes to the numbering of provisions, as well as the removal of reference to the RNN and the addition of references to the FUZ are proposed throughout the Plan in response to the plan change approach.
- 3.5.22 The Meadowlands Overlay, which has a specific set of provisions, and is located within the North Halswell ODP area, is not proposed to be changed through this Plan Change. The overlay is considered suitable for retention, with the underlying zoning for the overlay area being changed to future urban. Therefore, the retention of the overlay does not conflict with the relevant MDRS requirements.
- 3.5.23 In summary, the existing provisions framework for managing greenfield development in Christchurch is considered to be effective and therefore has not been significantly changed. The Plan Change approach instead ensures that the weighting of ODPs are retained, to recognise the specific constraints and deliverables expected within greenfield areas, in light of the requirement to adopt MDRS into relevant residential zones. The proposed zoning change achieves this outcome, and the retained provisions are still considered to be consistent with higher order policy direction.

3.6 Community/Stakeholder engagement

- 3.6.1 3.4.1 Pre-notification engagement and consultation on proposed Plan Change 14 was open from 11 April 2022 to 13 May 2022 (i.e. five weeks). Various methods were used to encourage public feedback including:
- Letters to the owners of affected properties
 - Public advertising placed in The Press and Star and community newspapers, along with Newsline articles, and social media posts,
 - Hard copies of the consultation flyer provided to all Christchurch City Council libraries and service centres;
 - Have your Say online consultation webpage.
 - Staff engagement directly with the public via webinars and attending specific organisation or association meetings.
- 3.6.2 The Public could provide feedback via two ways. Through the Have your Say website and/or email to planchange@ccc.govt.nz. We received 689 responses from the Have your Say page (404) and through email (281).
- 3.6.3 We heard from a wide range of organisations, including:
- Crown and Council entities,

- Residents Associations and Community Groups,
- Professional associations/organisations, and Commercial entities.

3.6.4 For the pre-notification information provided for public feedback, specific questions were designed to help focus the feedback sought, and included the following questions:

- *Are we proposing the right areas for development above 12 metres? (Yes/No)*
 - *Comments (free text)*
- *Do you have any comments about the proposed Qualifying Matters that will restrict intensified developments or thresholds for needing a resource consent (free text)*
- *Does the proposed plan change allow for enough business intensification? (Yes/No)*
- *Any other comments about the proposed plan change (free text)*

3.6.5 A summary of the feedback was prepared and made publicly available (can be found here - <https://www.ccc.govt.nz/assets/Documents/Consultation/2022/07-July/Plan-Change-14-Early-Feedback-Report.pdf>). The draft consultation documents included a summary of the proposed changes proposed for subdivision in the Medium Density Residential zone, High Density Residential zone and commercial zones.

3.6.6 There have been no changes made in light of feedback, noting that the subdivision provisions reflect the prescribed standards in Schedule 3A of the RMA.

3.7 Consultation with iwi authorities

3.7.1 Plan Change 14 has been developed alongside Mahaanui Kurataiao Limited (MKT). Discussions began in late 2021 to help frame overall thinking for the development of Plan Change 14 and involved discussing:

- Strategic Directions development (Chapter 3);
- Scope of relevant residential zones;
- Scope of considerations for papakāinga / kāinga nohoanga development as part of MDRS;
- Types of cultural significance features that should be considered as qualifying matters; and
- Broader strategic outcomes of Plan Change 14.

3.7.2 Following the release of the full draft proposal in April 2022, Council met with representatives from MKT to further discuss the above. Support was expressed for the approach undertaken thus far, and reiterated the importance of adequate qualifying matters to be captured in the proposal.

3.7.3 Draft evaluation reports and draft changes were provided to MKT on 22 July 2022 prior to notifying the plan change. No specific feedback was provided on subdivision provisions.

4 Scale and significance evaluation

4.1.1 Section 32(1)(c) of the RMA requires that this report contain a level of detail that corresponds with the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the implementation of the proposal.

4.1.2 The level of detail undertaken for this evaluation has been determined by assessing the scale and significance of the environmental, economic, social and cultural effects anticipated through introducing and implementing the proposed provisions (i.e. objectives, policies and rules) relative to a series of key criteria.

4.1.3 Based on this, the scale and significance of anticipated effects associated with this proposal are identified below:

Criteria	Scale/Significance			Comment
	Low	Medium	High	
Basis for change		x		<p>Part of a wider plan change to give effect to the MDRS and NPS-UD requirements. Amending a limited number of rules in relation to subdivision to ensure that the activity status and associated rules incl. minimum lot size requirements are consistent with the requirements of the MDRS.</p> <p>It is important that greenfield zoning and provisions are compliant with MDRS and the NPS-UD requirements while enabling Council to continue to manage the delivery of development in these areas, ensuring efficient land use is achieved that delivers high-quality urban environments.</p>
Addresses a resource management issue		x		<p>The proposed changes primarily relate to vacant lot subdivision, where the assessment of effects does not rely on a land use consent.</p> <p>Assists with achieving a well-functioning urban environments by ensuring subdivisions are appropriately serviced and accessed by maintaining existing provisions around these issues.</p> <p>Enables greater intensification by facilitating subdivisions that are consistent with what land use provisions enable and providing minimum lot sizes that can provide for three dwellings per lot as permitted by the MDRS. Greenfield areas and ODPS are currently recognised and provided for in the Operative Plan. Development in greenfield areas needs to be delivered in an integrated and consistent manner to efficiently use greenfield land and create well-functioning urban environments.</p>

Criteria	Scale/Significance			Comment
	Low	Medium	High	
Degree of shift from the status quo			x	<p>The proposed changes to residential subdivision are a reasonable shift from the status quo, because in most instances the existing provisions have control around minimum lot sizes. Whereas, under the proposed changes to residential subdivision, there will only be minimum lot sizes for vacant lot subdivisions with no accompanying land use consent or permitted dwelling demonstrated.</p> <p>Under the existing provisions, allotments that do not meet minimum lot sizes are a Non-Complying Activity under Rule 8.5.16 NC1 except for the Residential Medium Density and Residential New Neighbourhood zones. Under the proposed changes, undersized lots would require consent as a Restricted Discretionary Activity.</p> <p>The resultant change and notification being precluded also removes the option for any notification for undersized allotments, whereas under the existing provisions there could be limited or public notification depending on the level of effects.</p> <p>The changes to ODPs and greenfield areas are a minor change from the status-quo. The most substantial change is the underlying zoning for ODP areas, and the removal of some ODPs from the Plan.</p>
Who and how many will be affected / geographical scale of effects		x		<p>The changes to the proposed zoning will affect all properties within the MDRZ/HDRZ. The degree of impact of the proposed changes to the subdivision chapter however are considered to be limited because the main changes will be to the development potential/ built form that will occur under the land use components of the District Plan. Greenfield areas and ODPS are currently recognised and provided for in the Operative Plan. The Plan Change is considered to only affect a relatively small number of people who own and live within the greenfield sites currently.</p>

Criteria	Scale/Significance			Comment
	Low	Medium	High	
				More people are expected to be affected once development of greenfield areas has occurred, with the associated increased level of development resulting in positive and negative effects for the wider Christchurch communities.
Degree of impact on or interest from iwi/ Māori	x			The proposed provisions will not have a significant impact on the interests of iwi or Māori. This is because the proposed changes will not limit the development potential of their land, nor will they result in additional impacts on sites that are considered to be of cultural significance that are recognised as qualifying matters. The Papakāinga/Kāinga Nohonga Zone provisions will be unaffected by the changes. Subdivision of sites of cultural or significance will be assessed within the s.32 assessments considering the role of Qualifying Matters (as per the NPS-UD) on subdivision provisions.
Timing and duration of effects		x		Effects will be ongoing
Type of effects	x			The main effect will be a more permissive residential subdivision regime, which could allow for more residential units to be constructed within the City, with less risk of notification or not being supported. Potential adverse effects on infrastructure and access will continue to be managed through the retained engineering and infrastructure provisions. The effects arising from the development of greenfield areas are anticipated to be adverse in the short and medium term whilst development occurs due to effects from construction activities on neighbouring land uses, and positive in the long-term through the delivery of housing and other community facilities, creating well-functioning urban environments that integrate into the existing built urban form of Christchurch.

Criteria	Scale/Significance			Comment
	Low	Medium	High	
				The proposed change to ODP areas through this Plan Change is not considered to have significant effects by itself, as it is limited in scope and makes minor changes to the status-quo approach.
Degree of risk and uncertainty	x			<p>The proposed changes to residential subdivision have a low risk and low uncertainty, as they are largely dictated by legislation.</p> <p>The amended rules will fit into the existing framework and will create a simpler consenting process due to an increased pathway for non-notified, controlled activity subdivision.</p> <p>The need to demonstrate a compliant dwelling in certain circumstances may increase up front financial risk for applicants. However, this is a requirement stipulated in Schedule 3A and must be included. It is considered that the need to show a compliant dwelling can be readily understood and incorporated into future consent applications.</p> <p>The proposed plan change adopts the relevant zoning for managing greenfield areas as provided for in the National Planning Standards, and the approach is a minor change from the status-quo for ODPs, such that there is a low degree of risk and uncertainty.</p>

4.1.4 The scale and significance of the proposed residential subdivision provisions are considered to be significant. In particular, the size of allotments is to be reduced appreciably, and the activity status becomes more permissive. For example, under the current framework, an undersized lot (say, 400m²) could require consent as a Non-Complying Activity and could be notified. By contrast, under the new framework there is a pathway to achieve significantly smaller allotments around existing, consented, or proposed dwellings; in such circumstances, there is a pathway that does not set any minimum allotment size. Smaller allotments could be a Controlled Activity (meaning consent must be granted), with no option for notification. There is also a pathway for vacant lot subdivision as a Controlled, non-notified activity. However, these changes are to be considered in the broader MDRS context, and in comparison, are relatively minor compared to the land use changes (i.e. permitted number of dwellings, increased height etc).

- 4.1.5 The proposed changes to the Plan to ODPs and greenfield areas are of low scale and significance. This is primarily because the provisions and ODPs which manage activities within greenfield areas are well established within the Operative Plan, and the Plan Change is proposing minor changes to the existing provisions framework. The level of risk and uncertainty is low, and the approach uses the available zoning mechanisms provided for in the National Planning Standards.
- 4.1.6 Given that these changes to residential subdivision provisions are also mandatory under the Act and are quite specific, and the changes to ODPs and greenfield areas are minor, a high-level evaluation of these provisions has been identified as appropriate for the purposes of this report.

5 Evaluation of the proposal

5.1 Statutory evaluation

- 5.1.1 A change to a District Plan should be designed to accord with sections 74 and 75 of the Act to assist the territorial authority to carry out its functions, as described in s31, to achieve the purpose of the Act. The aim of the analysis in this section of the report is to evaluate whether and/or to what extent the proposed plan change meets the applicable statutory requirements, including the District Plan objectives. The relevant higher order documents and their directions are outlined in section 2.1 of this report. The proposed plan change has been prepared to give effect to the subdivision requirements arising from the implementation of the MDRS and the National Policy Statement for Urban Development.
- 5.1.2 For the purposes of changing the District Plan, Rule 3.3.a (Interpretation) of the District Plan imposes an internal hierarchy for the District Plan objectives. Strategic Directions objectives 3.3.1 and 3.3.2 have relative primacy whereby all other Strategic Directions objectives are to be expressed and achieved in a manner consistent with those objectives. Furthermore, objectives and policies in all other chapters of the District Plan are to be expressed and achieved in a manner consistent with the Strategic Directions objectives.

5.2 The purpose of the plan change – Residential Subdivision

- 5.2.1 Section 32 requires an evaluation of the extent to which the objectives² of the proposal are the most appropriate way to achieve the purpose of the Act (s32(1)(a)).
- 5.2.1 The existing objectives of the operative Christchurch District Plan are not proposed to be altered or added to for the purposes of amending the residential subdivision provisions. This section of the report, therefore, evaluates the extent to which the purpose of the Plan Change (s32(6)(b)) is the most appropriate way to achieve the purpose of the Act (s32(1)(a)).
- 5.2.2 The evaluation, therefore, examines whether:
 - In accordance with s32(1)(a), the purpose of the plan change (as defined in s32(6)(b)) is the most appropriate way to achieve the purpose of the Act;

² Section 32(6) defines "objectives" and "proposal" in terms specific to sections 32 – 32A. "Objectives" are defined as meaning:

- (a) for a proposal that contains or states objectives, those objectives;
- (b) for all other proposals, the purpose of the proposal.

- As required by s32(1)(b), the provisions in the proposal are the most appropriate way to achieve the purpose of the plan change (refer to section 6 below); and
- As per s75(1), the provisions in the proposal implement the unaltered objectives of the District Plan (refer to section 6 below).

5.2.3 The following table provides an evaluation of the purpose of the proposed Plan Change in relation to residential subdivision, as well as alternative purpose to establish which is the most appropriate way to achieve the purpose of the Act (s32(1)(a) and s32(6)(b)).

Purpose of the proposal	Summary of Evaluation
<p>The purpose of the amendments to the subdivision chapter is to give effect to the Medium Density Residential Standards (MDRS) required under Schedule 3A of the Resource Management Act, as well as to give effect to the National Policy Statement for Urban Development (NPS-UD).</p> <p>Alongside this, changes to terminology are required to achieve better alignment with the National Planning Standards.</p>	<p>The proposed changes assist with supporting Objective 1 and Policy 1(a)(i) and (b) of the NPS-UD, as well as proposed Strategic Direction Objective 3.3.7 (a) and (b) within the District Plan by encouraging the creation of well-functioning urban environments.</p> <p>The proposed changes assist with achieving Objective 2 of the NPS-UD by more readily facilitating subdivision within the MDRZ/HDRZ thereby seeking to improve housing affordability and support competitive land development markets.</p> <p>The proposed changes respond to the intensification direction of Objective 3, Policies 2 and 3 of the NPS-UD, and proposed Objectives 3.3.4 (b), (c) and 3.3.7 of the District Plan by unlocking development capacity within the existing urban area and on identified greenfield sites through amended residential subdivision rules. This is achieved by having reduced minimum allotment sizes for vacant allotment subdivision within the High Density Residential zone.</p> <p>The proposed changes support the recovery of Christchurch, including immediate and longer term needs for housing as required under Strategic Objective 3.3.1 of the District Plan by seeking to more readily enable residential subdivision.</p> <p>The proposed changes are not contrary to the direction of Objective 6 of the NPS-UD or proposed Objective 3.3.7 (a) and (b) and Objective 3.3.12 of the District Plan, in that subdivision will continue to require integrated provision of associated infrastructure in all zones.</p> <p>The proposed changes have been designed to implement the explicit direction under Clauses 3, 5, 7 and 8 of Schedule 3A in relation to residential subdivision of sites subject to the MDRS provisions. This includes removing minimum allotment design standards where they are no longer provided for and creating a more enabling rules framework.</p>

	<p>The implementation of the proposed changes will ensure that residential allotments created (whether vacant, or around existing or proposed buildings) will be fit for purpose.</p> <p>The proposed changes seek to respond to the following resource management issues:</p> <ul style="list-style-type: none"> • Subdivision around existing buildings, where this would result in a breach of the density standards specified by the MDRS (Issue 1); • Creation of vacant allotments within the High Density Residential Zone fragmenting a strategic land resource (Issue 2); • The topographical and natural feature constraints present within the Hill Precinct, that may limit development potential on vacant allotments (Issue 3); • Enable a pathway to maximise yield and encourage sustainable development patterns; • The integration of increased development with the efficient and effective provision of infrastructure (Issue 5); • Potential conflict between existing notification provisions and those required under Schedule 3A (Issue 7). <p>The proposed changes would (in the context of Part 2 matters):</p> <ol style="list-style-type: none"> a. Give effect to Section 5 of the Act through the sustainable development of urban land which enables people to provide for their social and economic wellbeing by fostering a competitive land and development market, and seeking to increase housing supply; and b. Give effect to Section 7 (b) by encouraging more efficient use of the existing land resource within the urban environment, and more specifically within the MDRZ/HDRZ. This is concurrently giving effect to Section 7(g) by recognising the finite characteristics of land as a resource. c. May result in increased costs for those looking to subdivide where plans are required to demonstrate a permitted dwelling on proposed allotments. However, the added cost is offset by providing other pathways to retain a controlled activity status (i.e. compliance with minimum allotment sizes, or seeking land use consent concurrently for dwellings). <p><i>Note: Provisions relevant to Qualifying Matters and Outline Development Plans are being assessed separately, by the s.32 reports relative to these topic. These relate to Issues 2, 4 and 6.</i></p>
<p>Alternative purpose 1 – Make the minimum changes to the rules and no</p>	<p>The proposed changes assist with achieving Objective 2 of the NPS-UD by more readily facilitating subdivision within the MDRZ/HDRZ thereby seeking to improve housing affordability and support competitive land development markets.</p>

<p><i>changes to the objectives and policies.</i></p> <p>The Christchurch City District Plan includes rules that impose minimum lot sizes under circumstances no longer permitted by the Act. There are also subdivision rules and notification requirements that are now contrary to the Act. The minimum approach would remove the minimum lot size requirements so that the District Plan was consistent with the MDRS framework</p> <p>The existing objectives and policies, however, already generally seek to achieve higher densities.</p>	<p>The proposed changes respond to the intensification direction of Objective 3, Policies 2 and 3 of the NPS-UD, and proposed Objectives 3.3.4 (b), (c) and 3.3.7 of the District Plan by unlocking development capacity within the existing urban area and on identified greenfield sites through amended residential subdivision rules. This is achieved by having reduced minimum allotment sizes for vacant allotment subdivision within the High Density Residential zone.</p> <p>The proposed changes have been designed to implement the explicit direction under Clauses 3, 5, 7 and 8 of Schedule 3A in relation to residential subdivision of sites subject to the MDRS provisions. This includes removing minimum allotment design standards where they are no longer provided for and creating a more enabling rules framework.</p> <p>There would be instances where allotments could be created which are unable to accommodate more than one complying residential unit, or would be challenging to be constructed upon.</p> <p>The existing objective and policies framework would not align completely with the rule framework as these would not have been updated to reflect the removal of the allotment standards.</p> <p>Undertaking the minimum changes would (in the context of Part 2 matters):</p> <ol style="list-style-type: none"> a. Partially give effect to Section 5 of the Act through the sustainable development of urban land which enables people to provide for their social and economic wellbeing by fostering a competitive land and development market, and seeking to increase housing supply.; and b. Give effect to Section 7 (b) by encouraging more efficient use of the existing land resource within the urban environment, and more specifically within the MDRZ/HDRZ. This is concurrently giving effect to Section 7(g) by recognising the finite characteristics of land as a resource. c. Will result in increased costs for those to looking to develop as all subdivisions would be required to demonstrate a permitted dwelling on proposed allotments as there would not no pathway provided through a minimum allotment approach as a controlled activity. d. This approach also results in inefficiencies at the resource consent phase as the rule framework will not align with the objective and policy approach in the District Plan. This creates potential judicial and process risk and could result in developments being approved which comply with the rules (and therefore have to be approved) but do not align with the objectives or policies of the District Plan.
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- 5.2.4 Having assessed the proposed residential subdivision provisions and the status quo, it is considered that the proposed approach to residential subdivision is the most appropriate option to give effect to the Act. There is in essence no option other than to amend the plan to comply with the requirements of Schedule 3A.
- 5.2.5 The proposed provisions allow for the Council to address the wider effects of subdivision (such as access and suitability of allotments, hazard constraints, servicing and infrastructure, transport effects, the provision of open space, reserves and recreation land, impacts on natural and cultural values), while ensuring alignment with the MDRS provisions and direction of the NPS-UD. The “do the minimum” approach would not respond as effectively to these matters and therefore is not the best way to give effect to the purposes of the Act.
- 5.2.6 It is, therefore, considered that the purpose of the Plan Change is the most appropriate way to achieve the purpose of the Act with regards to residential subdivision.

5.3 The purpose of the plan change – ODPs and RNN

- 5.3.1 The Plan Change proposes to make minor amendments to the objectives of the Plan in relation to ODPs and the RNN, with the proposed amendments to the objectives of the Plan only proposed to reflect the change of zoning to the greenfield areas. No changes to the objectives in the Plan are proposed which will result in changes to the outcomes sought for in the objectives framework. Therefore, it is not considered that an assessment of the objectives against the purposes of the Act is required, with the objective purpose and intent retained.
- 5.3.2 In this case there are no proposed changes to the strategic objectives of the Plan as a result of the proposed change of zoning for greenfield areas. The proposed changes to the objectives, to reflect the proposed change to zoning and the application of subdivision in ODP areas, are not inconsistent with any of the relevant strategic objectives.
- 5.3.3 The following table provides an evaluation of the purpose of the proposed Plan Change as well as alternative purposes to establish which is the most appropriate way to achieve the purpose of the Act (s32(1)(a) and s32(6)(b)).

Purpose of the proposal	Summary of Evaluation
<p><i>Purpose of the Plan Change as proposed</i></p> <p>The purpose of the Plan Change is to rezone greenfield areas as Future Urban in line with the National Planning Standards approach to managing land anticipated to provide for large scale residential development.</p>	<ul style="list-style-type: none"> a. The intent of the Plan Change is to ensure the District Plan approach to managing large scale residential development in greenfield areas is consistent with the national direction on enabling greater development density. b. The Plan Change zones greenfield areas as Future Urban, but retains the existing provisions framework which manages subdivision and other activities within the greenfield areas. c. The Plan Change also retains the relevant residential ODPs for greenfield areas where they are yet to be developed and removes those ODPs which have been developed. d. The proposed Plan Change is consistent with the National Planning Standards, by using a relevant available zone (FUZ),

<p>The Plan Change also proposes a rezoning of areas subject to an ODP which have been developed. These areas will be zoned based on their established land use and will no longer be subject to an ODP.</p> <p>Where ODP areas have been fully developed, the Plan Change proposes to remove ODPs from the plan entirely, and any specific requirements for those areas subsequently deleted.</p>	<p>the purpose of which is to recognise greenfield areas for future residential development.</p> <p>e. The implementation of the Plan Change will ensure development in greenfield areas can be delivered in a cohesive and effective manner that integrates with the existing urban environment of Christchurch and is responsive to site specific constraints.</p> <p>f. The approach is consistent with the direction in the NPS-UD, specifically objectives 1, 4, 6 and 7. The approach is considered to meet the above objectives as the cohesive development of greenfield areas will result in well-functioning urban environments, with development in line with ODP outcomes resulting in strategic development that is integrated with the infrastructure requirements for greenfield areas. The ODPs reflect Councils understanding of the specific constraints of the greenfield areas in Christchurch and will inform the appropriate planning decisions and direction for that area.</p> <p>g. Policies 1 and 6 of the NPS-UD are also complied with through this approach through the delivery of well-functioning urban environments. ODPs enable the delivery of the requirements of Policy 1, including the variety of housing typologies and associated accessibility, and decision making for ODP areas will be informed by Policy 6.</p> <p>h. The approach of managing greenfield areas is consistent with the Canterbury Regional Policy Statement direction for managing greenfield development, including 6.3.1, 6.3.2, and 6.3.3 which is specific to the use of Outline Development Plans.</p> <p>i. The Plan Change remains consistent with the strategic objectives of the Operative Plan, as there are no substantial changes to the existing provisions framework.</p> <p>j. The proposed Plan Change would (in the context of Part 2 matters):</p> <ul style="list-style-type: none"> • Provide for the sustainable use of natural resources through effective control on the scale and location of residential development in greenfield areas. • Respond to the requirements of Section 6 on a site-specific basis through the use of ODPs that spatially identify site constraints, including relevant section 6 matters. • Give effect to 7(b) by ensuring greenfield land is used efficiently, including requiring minimum density yields to maximise housing delivery in the Future Urban Zone. • Give effect to relevant section 7 matters through the use of ODPs which guide development to ensure
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	<p>environmental and amenity values are maintained within greenfield areas and provided for future communities.</p> <ul style="list-style-type: none"> k. The proposed approach is not considered to result in significant additional costs, as the Plan Change is not changing the established approach for greenfield development. l. The approach is efficient and effective as it will ensure greenfield development delivers high quality residential areas which are responsive to site specific constraints. This approach is also the most cost-effective and efficient option due to the minor scale of the proposed changes and is achievable within the set timeframes.
<p>Alternative purpose 1</p> <p>This alternative purpose would zone greenfield areas as a relevant residential zone, recognising that the RNN zone cannot be retained due to the National Planning Standards.</p> <p>The rezoning would result in the adoption of the MDRS and remove any weighting afforded to the ODPs in the plan, and therefore all ODPs would be removed from the Plan.</p>	<ul style="list-style-type: none"> a. This alternative approach would rezone the greenfield areas which are currently zoned as RNN in the Operative Plan as a relevant residential zoning, which in most instances would be medium density zoning and, in some cases, would be high density zoning, based on the NPS-UD direction for residential development. b. The intent of this approach is to allow for residential development in greenfield areas that is aligned with the relevant higher order direction on the enablement of greater density of development. c. The provisions would adopt the relevant provisions framework for the medium and high-density zones and apply them to the greenfield areas. The existing density requirement for greenfield areas would also be retained, but would be changed to a yield requirement. d. This approach would be consistent with objectives 3, 4, and Policy 3 of the NPS-UD through the enablement of development which will provide for housing growth. e. The approach would also be compliant with objective 2, and Policies 1, 2 and 5 of Schedule 3A of the Act, as this approach adopts the relevant MDRS and enables development to the level compatible with the relevant standards. f. This approach is not considered to achieve the outcomes sought in objectives 1, 6 and 7 of the NPS-UD, and Policy 1 of the NPS-UD. Development outcomes by enabling medium density development immediately within greenfield areas is not expected to result in well-functioning urban environments and will not allow for cohesive planning which also provides for the delivery of infrastructure and community facilities. g. Objective 1 and Policy 3 of Schedule 3A of the Act are not given effect to, as this approach provides for less coherent

	<p>development of greenfield areas as there will be no ODP requirements.</p> <p>h. The approach of managing greenfield areas is inconsistent with the Canterbury Regional Policy Statement Policy 6.3.3, which identifies that development in greenfield areas should be in accordance with an Outline Development Plan.</p> <p>i. This approach is also not considered to be consistent with strategic objectives in the plan including objective 3.3.7 which considers urban growth and form. This approach not considered to result in a well-integrated form of development and a high-quality urban environment.</p> <p>j. The proposed Plan Change would (in the context of Part 2 matters):</p> <ul style="list-style-type: none"> • Still provide for a sustainable use of natural resources through effective control on the yield of residential development provided for in greenfield areas • Would be less effective at responding to the requirements of Section 6 matters on a site-specific basis due to the absence of ODP direction. • Still give effect to 7(b) by ensuring greenfield land is used efficiently, including requiring minimum density yields to maximise housing delivery in the Future Urban Zone. • Is not effective at addressing section 7 matters due to the absence of ODP guidance <p>k. Overall, this approach is not considered appropriate as it does not recognise that greenfield sites need initial residential development to be delivered in a co-ordinated and integrated manner, which the enablement of medium density residential development or high-density residential development does not achieve.</p> <p>l. This approach will therefore not result in the delivery of well-functioning urban environments, and therefore does not comply with the general national direction for urban development.</p>
<p>Alternative purpose 2 –</p> <p>This approach would identify qualifying matters in greenfield areas based on features and constraints identified in the relevant ODP. The ODPs would be removed, and the greenfield area</p>	<p>a. The intent of this approach is to enable suitable residential development within the greenfield areas but translating ODP requirements into a qualifying matters setting.</p> <p>b. The provisions would adopt the relevant provisions framework for the medium and high-density zones and apply them to the greenfield areas as suitable. The existing density requirement for greenfield areas would also be retained. Where qualifying matters have been identified, then a reduced density and height standard would be applied to</p>

<p>zoned as the most relevant residential zone.</p> <p>Where development constraints were not able to be identified as a qualifying matter, an open space zoning approach would be applied to areas deemed to be a constraint.</p> <p>Development density and heights would then be modified in response to qualifying matters identified.</p>	<p>that area. Where open space zoning is used, the open space provisions would apply.</p> <p>c. This approach could result in some areas which are identified in the existing ODPs not being identified as qualifying matters where it would otherwise be appropriate to have some greater level of control. For example, infrastructure requirements such as a road, would not be deemed appropriate as Qualifying matters but support an integrated pattern by inclusion on an ODP.</p> <p>d. This approach would be consistent with objectives 3, 4, and Policy 3 of the NPS-UD through the enablement of development which will provide for housing growth. The approach would also comply with Policy 4 as it recognises qualifying matters within the greenfield areas and would modify height and density in response.</p> <p>e. The approach could deliver well-functioning urban environments as sought by objective 1, but this is considered less effective than the proposed approach as this approach has less control over the greenfield areas than the existing ODPs provide.</p> <p>f. This approach is generally compliant with the relevant objectives and policies in Schedule 3A of the Act and would include the relevant MDRS where appropriate and use a qualifying matters approach. However, as mentioned above, the delivery of well-functioning urban environments is uncertain based on the absence of ODP direction.</p> <p>g. This approach of managing greenfield areas is inconsistent with the Canterbury Regional Policy Statement Policy 6.3.3, which identifies that development in greenfield areas should be in accordance with an Outline Development Plan.</p> <p>h. This approach is less consistent with strategic objectives in the plan including objective 3.3.7 which considers urban growth and form. This approach is not considered to result in a well-integrated form of development and a high-quality urban environment due to the lack of direction for urban development in areas which would have been guided by ODP requirements previously.</p> <p>i. The proposed Plan Change would (in the context of Part 2 matters):</p> <ul style="list-style-type: none"> • Still provide for a sustainable use of natural resources through effective control on the density of residential development provided for in greenfield areas • Would be effective at responding to the requirements of Section 6 on a site-specific basis by identifying them as relevant qualifying matters.
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	<ul style="list-style-type: none"> • Still give effect to 7(b) by ensuring greenfield land is used efficiently, including requiring minimum density yields to maximise housing delivery in the Future Urban Zone. • Less effective at addressing section 7 matters due to the absence of ODP guidance and the potential that they will not be considered as qualifying matters. <p>j. Overall, the proposed approach is effective at responding to national guidance in the NPS-UD and Schedule 3A of the Act on the delivery of intensification but is less consistent with the objectives of the Regional Policy Statement and the District Plan.</p> <p>k. Furthermore, this approach would provide less effective management of greenfield development than the ODP approach provides.</p>
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<p>Summary of evaluation:</p> <ul style="list-style-type: none"> • The proposed Plan Change approach is consistent with higher order direction on residential development as well as the National Planning Standards. With the proposed approach not making significant amendments to the established provisions framework for greenfield areas, consistency with the Regional Policy Statement and the Plan’s Strategic Objectives are retained, and the cost of the approach is limited. • Options 2 and 3 are considered to give effect to most of the relevant policies and objectives within the NPS-UD and Schedule 3A of the Act, however option 2 is considered to be less effective at achieving the outcomes sought for well-functioning urban environments as it does not include the identification of qualifying matters and has no ODP guidance for development. • Furthermore, both options 2 and 3 are not compliant with the policy 6.3.3 in the Regional Policy Statement which recognises the value that ODPs provide in delivering development in greenfield areas, or strategic objective 3.3.7 in the Operative Plan on urban form. • Most importantly, whilst options 2 and 3 are still giving effect to higher order direction, they are only giving effect to the higher order approach based on their zoning. As has been previously discussed, the immediate enablement of medium and high-density development in greenfield sites is not considered appropriate, based on the requirement that large scale development needs to be delivered in a co-ordinated fashion that creates well-functioning urban environments and liveable communities for greenfield areas. 	
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5.3.4 The above analysis indicates that the purpose of the Plan Change with regards to ODP areas and greenfield areas is consistent with the Plan objectives and higher order directions. By comparison, the other alternatives are considered to still be consistent with some aspects of the higher order direction but are inconsistent with the direction on greenfield areas within the Regional Policy Statement and the strategic objectives of the District Plan.

5.3.5 It is, therefore, considered that the purpose of the Plan Change is the most appropriate way to achieve the purpose of the Act.

6 Reasonably practicable options for provisions – Residential Subdivision

6.1 Options for Provisions – Residential Subdivision

- 6.1.1 In establishing the most appropriate provisions for the proposal to achieve the purpose of the plan change, reasonably practicable options for provisions were identified and evaluated.
- 6.1.2 In considering reasonably practicable options for achieving the objectives of the Plan and the relevant higher order directions the following options for policies and rules in relation to residential subdivision have been identified. Taking into account the environmental, economic, social and cultural effects, the options identified were assessed in terms of their benefits, and costs. Based on that, the overall efficiency and effectiveness of the alternative options was assessed.
- 6.1.3 The status quo is not an option. As outlined above, retention of the status quo is not an option because the lot size requirements and activity statuses for the relevant rules is contrary to schedule 3A
- 6.1.4 **Option 1** –. Make the minimum changes to give effect to the MDRS.
- 6.1.5 **Option 2** – Alternative Plan Change – Maximum allotment sizes – the scope of such a plan change would be similar to that detailed under Option 3, below. However, rather than stipulating a minimum allotment size where a vacant allotment is to be created, the District Plan would instead set a maximum allotment size. This would ensure that a minimum density of development is achieved, and may encourage more comprehensive development (i.e. subdivision combined with land use). It would require a prescriptive policy framework to specify the appropriate maximum allotment size for the different zones and precincts proposed and would require evidence of the usability of the proposed allotment for residential purposes to ensure that density is achieved in a fit-for-purpose manner.
- 6.1.6 **Option 3** – Proposed Plan Change – Minimum allotment sizes
- Deletes Policy 8.2.2.1 due to a shift in focus from recovery to intensification activities, and a need to align with the direction of Schedule 3A of the RM Amendment Act (incl. the MDRS), and the NPS-UD. Where particular activities recognised by existing Policy 8.2.2.1 need to be retained, these are incorporated into amended Policy 8.2.2.3. This will result in consequential changes to the policy numbering. For the purposes of this assessment any further references to changes to policies reference the number in the operative plan, not the consequential amended policy numbering as a result of removing policy 8.2.2.1.
 - Amends Policy 8.2.2.3(b) to remove the preclusion on providing a variety of allotment sizes through residential subdivision within the Central City. This means that the policy will apply to all residential subdivision;
 - Amends Policy 8.2.2.3 to provide for conversion of tenure and subdivision of cross lease or unit title sites arising from the updating of a flat plan or unit plan. These were previously covered by policy 8.2.2.1 which is proposed to be deleted but are still considered relevant.
 - Amends Policy 8.2.2.4 (a)(iii) to ensure subdivision responds to both the existing and planned urban environment, and amend (v) to reflect the rezoning of areas zoned RNN to FUZ;

- Amends Policy 8.2.2.8 (a) and (d) to reflect updated zoning and to encourage density yields where these can be applied; Note, changes to clauses (b) and (c) are also proposed in the context of greenfield areas (Refer to sections 8 and 9 below).

- Create and amend Controlled activity rules framework relating to:
 - Boundary adjustments within the Medium and High Density Residential zones (Rule C1A);
 - Amend existing rules around boundary adjustments in all other zones (Rule C1B);
 - Creation of a new Rule C2A to capture conversion of tenure within the Medium and High Density Residential zones;
 - Amend existing rules for conversion of tenure in all other zones (Rule C2B);
 - Amend controlled activity C6 to reflect changes to zoning terminology;
 - Create rules controlling subdivision within the Medium and High Density Residential zones where vacant allotments are created, or around existing, consented or proposed dwellings (Rules C8 and C9)
 - Amend existing rules around subdivision in all other zones (Rule C10);

- Amends circumstances where controls over the size and shape of allotments within the Medium Density and High Density Residential zones apply;

- Includes appropriate escalations to Restricted Discretionary activity status where boundary adjustments, conversion of tenure, or subdivision within the Medium and High Density Residential zones creating vacant allotments or around existing, consented or proposed dwellings, do not comply with the relevant Controlled activity standards (Rules RD1, RD2, RD2A, RD3);

- Amends Rule NC1 so it only captures undersized allotments within residential zones that are not subject to the MDRS;

- Adjusts Standard 8.6.1 to ensure that allotment sizes and dimensions comply with requirements of Schedule 3A, and reflect correct zoning and overlays included within accompanying Tables 1 and 2;

- Adjusts Table 6 in Standard 8.6.2 to reflect correct zones and to capture subdivision around established non-residential buildings within the Medium Density and High Density zones.

- Consequential amendments, including amending numbering and referencing, updating zone references, and minor changes for clarity or consistency with higher order documents not otherwise listed above. Of note, this includes ensuring the appropriate preclusions from Rule C10 are listed, amendments to Standard 8.6.3 to reflect the NPS-UD preclusion on requiring onsite carparking, and amendments to Standards 8.7.2 and 8.8.10 to reflect the NPS-UD preclusion on requiring onsite carparking and provide additional clarity where reductions in site area may compromise outdoor living, service and storage areas.

- Remove the notification Rule 8.4.1 .1(ii) and (iii)
- Amends Standard 8.8.11 g) to reflect zone changes and retention of policies relevant to density yield within the High Density Residential Zone.
- Introduces Standard 8.8.16 as a matter of discretion for subdivision around residential units within the Medium and High Density Residential zones that breach relevant applicable density standards.
- Updates to Tables 9 and 10: Earthworks for the purpose of land repair to reflect amended zoning references.
- Introduces a new definition to Chapter 2 of the District Plan for ‘boundary adjustment’ from the National Planning Standards, as follows:
 - **Boundary adjustment** - means a subdivision that alters the existing boundaries between adjoining allotments, without altering the number of allotments.

6.2 Evaluation of options for provisions – Residential Subdivision

- 6.2.1 The policies of the proposal must implement the objectives of the District Plan (s75(1)(b)), and the rules are to implement the policies of the District Plan (s75(1)(c)).
- 6.2.2 In addition, each proposed policy or method (including each rule) is to be examined as to whether it is the most appropriate way for achieving the purpose of the plan change (s32(1)(b)).
- 6.2.3 Before providing a detailed evaluation of the policies and rules proposed in the plan change, the alternative options identified have been considered in terms of their potential costs and benefits and overall appropriateness in achieving the objectives of the Plan and the relevant directions of the higher order documents.
- 6.2.4 The tables below summarise the assessment of costs and benefits for each option based on their anticipated environmental, economic, social, and cultural effects.
- 6.2.5 The overall effectiveness and efficiency of each option has been evaluated, as well as the risks of acting or not acting.
- 6.2.6 **Option 1** – Alternative plan change - Make the minimum changes to give effect to the MDRS

Benefits	Appropriateness in achieving the objectives/ higher order document directions
<p>Environmental:</p> <ul style="list-style-type: none"> • The ‘do minimum approach’ enables subdivision to occur. • If there are no controls around minimum allotment designs and standards, there is greater potential for 	<p>Efficiency</p> <ul style="list-style-type: none"> • The ‘do minimum approach’ is not efficient as the resulting costs are higher than the associated benefits. These costs are largely arising from the need to provide additional

<p>variety in lot sizes and shapes resulting in a more interesting streetscape.</p>	<p>information with subdivision applications as well as potential lost opportunity costs.</p>
<p>Economic:</p> <ul style="list-style-type: none"> The 'do minimum approach' allows for subdivision within the residential zones, as a controlled activity. This activity status provides certainty to developers and allows for the growth in the urban area, with the resulting economic benefits. 	<ul style="list-style-type: none"> The 'do minimum approach' would achieve the absolute minimum requirements of Schedule 3A of the Act. However, there would be inefficiencies at the resource consent phase as the rule framework will not align with the objective and policy approach in the District Plan. This creates potential judicial and process risk and could result in developments being approved which comply with the rules (and therefore have to be approved) but do not align with the objectives or policies of the District Plan.
<p>Social:</p> <ul style="list-style-type: none"> There are potential social benefits identified with the 'do minimum approach' through the provision of additional lots as there would be more flexibility around the size and shape of allotments. 	<p>Effectiveness</p> <ul style="list-style-type: none"> The do minimum, approach is effective at achieving the higher order direction of Schedule 3A.
<p>Costs</p>	
<p>Environmental:</p> <ul style="list-style-type: none"> The 'do minimum' framework may result in increased density in locations that are not close to public transport and existing services, which could result in greater emissions associated with transport. The increase in density may result in a loss of greenspace on private land. 	
<p>Economic:</p> <ul style="list-style-type: none"> The 'do minimum approach' could result in the fragmentation of urban land in a way where lots could be created that cannot accommodate three residential units that comply with the MDRS. As such, there could be lost opportunity cost as a result of the fragmentation of the urban land. Will result in increased costs for those to looking to develop as all subdivisions would be required to demonstrate a permitted dwelling on proposed allotments as there would not no pathway provided through a minimum allotment approach as a controlled activity. 	

<p>Social:</p> <ul style="list-style-type: none"> • There have been no social costs identified. 	
<p>Risk of acting/not acting</p> <ul style="list-style-type: none"> • The ‘do the minimum approach’ would result in a rule framework that is inconsistent with the objective and policy framework within the District Plan. As such, the rules would not necessary be achieving the outcomes (objectives of the District Plan. • The objectives and policies of the District Plan would be inconsistent with higher order direction as they would seek to limit small allotment sizes; and • There would be lost development opportunities within the existing urban zone as a result of allotments being created that could not accommodate three complying; residential units and there would be an inefficient use of existing urban zoned land. 	
<p>Recommendation:</p> <p>This option is not the most appropriate way to achieve the objectives and requirements of Schedule 3A because:</p> <ul style="list-style-type: none"> • There would be a disconnect between the objectives and policies of the District Plan and the rule framework; • There would be additional information requirements for applicants that would increase costs associated with land development; and • There is the potential for there to be some inefficient outcomes with the use of urban land and potential fragmentation issues. 	

6.2.7 **Option 2** – Alternative Plan Change – Maximum allotment sizes

6.2.8 A maximum allotment size could be implemented in a couple of ways:

- Establish a smaller maximum vacant allotment size than the status quo or proposed for a vacant allotment under Option 3.
- Alternatively, the maximum vacant allotment size could be set at a level similar to, or larger than, the status quo or proposed for vacant allotments under Option 3.

Benefits	Appropriateness in achieving the objectives/ higher order document directions
<p>Environmental:</p> <ul style="list-style-type: none"> • A maximum vacant allotment size may encourage comprehensive development in order to get the maximum yield (both in terms of the number and value of allotments) from a site. By allowing for a smaller allotment size, higher density development may result (being a more efficient use of land, a finite resource) and better design outcomes. 	<p>Efficiency:</p> <ul style="list-style-type: none"> • This approach would result in a large number of consent applications, however this is comparable to the existing situation as it is a necessary part of subdivision. Given the long term implications of dividing up land parcels, it is important to maintain control over such developments. • Establishment of a maximum vacant allotment size may encourage comprehensive development. However, it
<p>Economic:</p>	

<ul style="list-style-type: none"> • Encouraging more density may contribute to the vibrancy of the city. Higher densities encourage a greater population and mix of activities within a defined area, resulting in economic benefit. • Through requiring a prescribed density (by setting of a max. allotment size), developers and Council may find an increased population base across which infrastructure investment and maintenance costs can be spread. • A maximum allotment size should contribute to the competitive function of markets and may produce a shift towards more affordable housing market. 	<p>would discourage diversity within housing markets particularly with respect to typology and costs and would not be an efficient way to meet the varied housing needs amongst the Christchurch community.</p> <ul style="list-style-type: none"> • The risk of maximum sizes for vacant allotments is that it does not efficiently deal with scenarios where an attribute such as topographical constraints restrict development potential. It may result in the creation of unusable allotments, undermining the efficient use of land. However, it is noted this could be overcome through use of precincts that set a minimum lot size in such locations.
<p>Social:</p> <ul style="list-style-type: none"> • Encouraging more density may contribute to the vibrancy of the city. Higher densities encourage a greater population and mix of activities within a defined area, resulting in additional social capital. • By achieving higher density, a greater number of residential properties may become available supporting social outcomes for future occupants. 	<p>Effectiveness:</p> <ul style="list-style-type: none"> • Establishment of a maximum vacant allotment size would be effective at achieving the broad direction of increased housing intensification sought under Schedule 3A of the Act and through amended Strategic Direction Objective 3.3.7(b)(vi), simply in terms of the number of allotments that could be created. • However, maximum allotment sizes may not be particularly effective at enabling the built form parameters in the MDRS, particularly where vacant. Smaller allotment sizes may limit the ability to achieve the built form permitted under the MDRS (for example, maximum heights and compliance with recession planes) due to tighter boundaries thereby limiting their effective implementation.
<p>Costs</p>	
<p>Environmental:</p> <ul style="list-style-type: none"> • By encouraging density (and therefore limiting housing diversity), the following environmental costs may occur: • A less varied streetscape, resulting in loss of amenity and identity within residential neighbourhoods; • While additional density may be achieved, smaller allotments may limit resultant building heights below that permitted by the MDRS (due to boundary rules). • Development on sites that are affected by limiting factors (such as topographical constraints) becomes problematic. There is a risk that, with 	<ul style="list-style-type: none"> • Implementation of a maximum vacant allotment size would not be effective at achieving the outcomes of Objective 1 and policy 1 of the NPS-UD and amended Objective 3.3.4 to achieve a <i>choice in housing prices, types, densities and locations</i>, nor would it be effective at achieving the direction of Objective 8.2.2 and Policy 8.2.2.3 in so far as they speak to ensuring allotments are usable and varied

<p>the maximum allotment size, it is not possible to create a functional building platform. It is noted that this could be managed through creation of precincts that could instead set a minimum allotment size in such locations.</p> <ul style="list-style-type: none"> • May result in fragmentation of a valued land resource where vacant subdivision is chosen in lieu of a more comprehensive development form. • If a larger maximum allotment size is pursued relative to the status quo or option 3, and the market does not provide smaller sites, this could result in the inefficient use of land and give rise to pressure for similar or greater levels of greenfield development and urban sprawl than at present. 	<p>in size to cater for different typologies and price points.</p>
<p>Economic:</p> <ul style="list-style-type: none"> • A maximum allotment size could impose greater up-front development costs by forcing higher yields, for example by increasing the cost of providing infrastructure for a development. 	
<p>Social:</p> <ul style="list-style-type: none"> • By encouraging density, maximum allotment sizes could limit the potential for variation within the residential property market. Specifically: • Smaller allotments dictate development potential to a greater extent than larger allotments, limiting housing diversity. • It may become harder for the market to cater to the housing and associated social needs of bigger or multi-generational occupancies. 	
<p>Risk of acting/not acting</p> <ul style="list-style-type: none"> • The risk of implementing this approach is that while density (in terms of allotment size and number) is achieved, the built form permitted by the MDRS may not be realised as there is no guarantee that developers would create vacant allotments that would allow for residential units to be constructed as a permitted activity (i.e. there is a risk that developers could create lots a lot smaller than the maximum allotment size, and these smaller lots may not be able to accommodate a complying residential unit) . This would result in inefficient and ineffective implementation of the MDRS provisions as a whole. 	

Recommendation:

This option is not recommended as it is considered that the potential costs associated with this option outweigh the benefits and this alternative approach is not an efficient way to achieve the outcomes of the RMA 1991, NPS-UD or the plan change objectives.

6.2.9 Summing up, Options 1 – 2 are not considered as efficient and effective in achieving the objectives of the Plan and the NPS-UD and MDRS as the preferred option. It is considered that the costs associated with the alternative options significantly outweigh the benefits. The alternative options are considered to be more inefficient than the preferred option and have greater risks from acting/not acting. The detailed evaluation of **Option 3**, the preferred option, follows.

7 Evaluation of the preferred option for provisions – Residential Subdivision

7.1 Preferred Option – Residential Subdivision

7.1.1 **Option 3** is the proposed plan change, which:

- Deletes Policy 8.2.2.1 due to a shift in focus from recovery to intensification activities, and a need to align with the direction of Schedule 3A of the RM Amendment Act (incl. the MDRS), and the NPS-UD. Where particular activities recognised by existing Policy 8.2.2.1 need to be retained, these are incorporated into amended Policy 8.2.2.3. This will result in consequential changes to the policy numbering. For the purposes of this assessment any further references to changes to policies reference the number in the operative plan, not the consequential amended policy numbering as a result of removing policy 8.2.2.1.
- Amends Policy 8.2.2.3(b) to remove the preclusion on providing a variety of allotment sizes through residential subdivision within the Central City. This means that the policy will apply to all residential subdivision;
- Amends Policy 8.2.2.3 to provide for conversion of tenure and subdivision of cross lease or unit title sites arising from the updating of a flat plan or unit plan. These were previously covered by policy 8.2.2.1 which is proposed to be deleted but are still considered relevant.
- Amends Policy 8.2.2.4 (a)(iii) to ensure subdivision responds to both the existing and planned urban environment, and amend (v) to reflect updated zone references;
- Amends Policy 8.2.2.8 (a) and (d) to reflect updated zoning and to encourage density yields where these can be applied; Note, changes to clauses (b) and (c) are also proposed in the context of greenfield areas (Refer to sections 8 and 9 below).
- Create and amend Controlled activity rules framework relating to:
 - Boundary adjustments within the Medium and High Density Residential zones (Rule C1A);
 - Amend existing rules around boundary adjustments in all other zones (Rule C1B);

- Creation of a new Rule C2A to capture conversion of tenure within the Medium and High Density Residential zones;
- Amend existing rules for conversion of tenure in all other zones (Rule C2B);
- Amend controlled activity C6 to reflect changes to zoning terminology;
- Create rules controlling subdivision within the Medium and High Density Residential zones where vacant allotments are created, or around existing, consented or proposed dwellings (Rules C8 and C9)
- Amend existing rules around subdivision in all other zones (Rule C10);
- Amends circumstances where controls over the size and shape of allotments within the Medium Density and High Density Residential zones apply;
- Includes appropriate escalations to Restricted Discretionary activity status where boundary adjustments, conversion of tenure, or subdivision within the Medium and High-Density Residential zones creating vacant allotments or around existing, consented or proposed dwellings, do not comply with the relevant Controlled activity standards (Rules RD1, RD2, RD2A, RD3);
- Amends Rule NC1 so it only captures undersized allotments within residential zones that are not subject to the MDRS;
- Remove the notification Rule 8.4.1.1(ii) and (iii)
- Adjusts Standard 8.6.1 to ensure that allotment sizes and dimensions comply with requirements of Schedule 3A, and reflect correct zoning and overlays including within accompanying Tables 1 and 2;
- Adjusts Table 6 in Standard 8.6.2 to reflect correct zones and to capture subdivision around established non-residential buildings within the Medium Density and High Density zones.
- Consequential amendments, including amending numbering and referencing, updating zone references, and minor changes for clarity or consistency with higher order documents not otherwise listed above. Of note, this includes ensuring the appropriate preclusions from Rule C10 are listed, amendments to Standard 8.6.3 to reflect the NPS-UD preclusion on requiring onsite carparking, and amendments to Standards 8.7.2 and 8.8.10 to reflect the NPS-UD preclusion on requiring onsite carparking and provide additional clarity where reductions in site area may compromise outdoor living, service and storage areas.
- Amends Standard 8.8.11 g) to reflect zone changes and retention of policies relevant to density yield within the High Density Residential Zone.
- Introduces Standard 8.8.16 as a matter of discretion for subdivision around residential units within the Medium and High Density Residential zones that breach relevant applicable density standards.

- Updates to Table 10: Earthworks for the purpose of land repair to reflect amended zoning references.
- Introduces a new definition to Chapter 2 of the District Plan for ‘boundary adjustment’ from the National Planning Standards, as follows:
 - **Boundary adjustment** - means a subdivision that alters the existing boundaries between adjoining allotments, without altering the number of allotments.

7.2 Assessment of costs and benefits of policies and rules – Residential Subdivision

7.2.1 This assessment considers the potential benefits and costs associated with the policies and rule changes proposed to the District Plan. For the benefit of this Section 32 report, this assessment will be grouped into the following categories:

- Amendments to subdivision rules to give effect to the MDRS in Schedule 3A; and
- Consequential amendments beyond the scope of the MDRS, relating to standards for access, and where changes to site area may compromise outdoor living service and storage areas.
- Consequential amendments to earthworks standards.

7.2.2 Amendments to subdivision rules to give effect to the MDRS in Schedule 3A: Policies 8.2.2.1, 8.2.2.3, 8.2.2.4 and 8.2.2.8; Rules C1A, C1B, C2A, C2B, C6, C8, C9 and C10, RD1, RD2, RD2A, RD3, and NC1; Standards 8.6.1, 8.6.2, 8.6.11, 8.8.11, 8.8.16; 8.9.2.1 Table 9 (e) and Table 10(a) and new ‘Boundary adjustment’ definition in Chapter 2.

Benefits
<p>Environmental:</p> <ul style="list-style-type: none"> • A minimum vacant allotment size designed to realise the density outcomes of the MDRS (in respect of enabling three dwellings per property) may still allow for more efficient use of finite land resources than currently occurs. • By stipulating a minimum allotment size, but providing pathways to allow smaller lots around existing, consented dwellings, or proposed by concurrent applications for dwellings (where consented dwelling are built first, or a permitted dwelling is shown per allotment), there is greater potential for variety in lot sizes and shapes resulting in a more interesting streetscape (for example, better encouraging a mix of standalone or townhouse development). • A minimum lot size could encourage comprehensive development instead of vacant lot subdivision; as developers can demonstrate smaller allotments are usable and fit for purpose by subdividing around existing/consented dwellings (built prior to subdivision) or demonstrating a permitted dwelling per allotment where land use consent is sought but the dwellings may not be built first. Accordingly, a pathway is provided for more intensification of the finite land resource within the existing urban area.
<p>Economic:</p>

Benefits
<ul style="list-style-type: none"> • By setting minimum allotment sizes at a level capable of achieving the MDRS permitted density, and also allowing for smaller allotments where a dwelling is existing or consented, the competitive function of housing markets will be improved. • Additional housing supply may help to alleviate cost of living through reduced house prices. • The removal of minimum lot size requirements (where vacant lots are not created) establishes a more permissive subdivision regime, which increases the development potential of each parcel of land and may result in increased economic activity through land development.
<p>Social:</p> <ul style="list-style-type: none"> • By setting minimum allotment sizes at a level capable of achieving the MDRS permitted density, and also allowing for smaller allotments where a dwelling is existing or consented, there is greater potential for variety in lot sizes and shapes, resulting in a more varied housing market that can better cater to the needs of different market groups. • By enabling higher density (for non-vacant allotments), a greater number of residential properties may become available supporting social outcomes for future occupants.

Costs
<p>Environmental:</p> <ul style="list-style-type: none"> • Minimum allotment sizes may allow for a less efficient use of the finite land resource by enabling lower density residential subdivision than could be achieved otherwise, for example through setting maximum allotment sizes. • The revised rule framework may result in increased density in locations that are not close to public transport and existing services, which could result in greater emissions associated with transport. • The increase in density may result in a loss of greenspace on private land.
<p>Economic:</p> <ul style="list-style-type: none"> • Requiring land use consent for dwellings to be sought concurrently, and in certain circumstances requiring evidence that a permitted dwelling can be built on a proposed allotments, increases up-front costs for a resource consent application. • A minimum allotment size for vacant development may not achieve the most competitive land development market as it could artificially limit yield; resultant improvements in housing affordability may therefore be limited. • There may be increased economic costs associated with increased demand for infrastructure and potential need for upgrades by Council and developers.
<p>Social:</p> <ul style="list-style-type: none"> • A minimum allotment size would allow for the continued development of larger land parcels whereby the benefits of intensification (including more housing supply, and more affordable housing) may not be realised. This may have social effects by excluding certain socio-economic levels from home ownership.

Appropriateness in achieving the objectives/ higher order document directions
<p>Efficiency:</p>

Appropriateness in achieving the objectives/ higher order document directions

- The proposed amendments are efficient as they build on the existing rule framework and District Plan structure, which reduces the potential consequential changes to the plan.
- The provision of controlled activity rules, and multiple avenues available for subdivisions to remain controlled activities (for example, by complying with minimum allotment sizes, or concurrently seeking land use consent for dwellings with either a build-first condition or permitted dwelling per allotment demonstrated), provides greater certainty for applicants and the Council.
- The vacant allotment controls of 400m² (Medium Density Residential Zone) and 300m² (High Density Residential Zone) with a minimum 10m dimension have been selected in order to:
 - Enable three residential units as prescribed by the MDRS, while avoiding fragmentation of a strategic land resource, provide for flexibility of form for subsequent development, restrict potential for sites to be created that can only achieve car-dominated outcomes, and ensure basic onsite amenity outcomes can be achieved. This is considered to be an efficient use of land (subdivision memo).
- The vacant allotment control of 650m² with a minimum 17m x 12m dimension within the Medium Density (Residential Hills Precinct) zone, and requirement for an identified building area, has been selected in order to:
 - Enable three residential units as prescribed by the MDRS, while recognising the more challenging topography and associated development constraints within the Residential Hills Precinct.
 - Ensure allotments are usable and achieve basic onsite amenity outcomes. In this way, the proposal is considered to result in the most efficient use of land.
- The same minimum allotment size controls apply for subdivision around non-residential buildings within the Medium Density Residential and High Density Residential Zones. This is efficient in that it provides a consistent framework for vacant sites and non-residential uses, and ensures that land will be of an appropriate size to be developed for residential use in accordance with the MDRS should it be desired to convert from the non-residential use.
- Due to their categorisation as ‘Commercial’ zones the allotment design parameters for the proposed Neighbourhood Centre, Local Centre, Town Centre will remain as per the current, equivalent zoning. This is considered to be efficient in that it prevents fragmentation of a strategic land resource and provides continued certainty to the development market.
- The proposed changes are not expected to reduce the number of resource consent applications because there are no additional permitted activities. Given the long term implications of dividing up land, this is considered appropriate. However, due to the increase in controlled activity options, and the inclusion of notification preclusions in most instances, resource consent applications and their processing should become simpler.
- The proposed amendments to Rules C10, RD2(a) and NC1 are efficient in that they prevent duplication of rule triggers for development areas subject to the MDRS.
- The amendments to the existing policies are efficient in that they provide a policy direction against which resource consents shall be assessed, where required; they do not introduce a new consenting requirement.

Appropriateness in achieving the objectives/ higher order document directions
<p>Effectiveness:</p> <ul style="list-style-type: none"> • The new and amended policies, rules are effective in achieving the requirements of Schedule 3A of the Act. • The new and amended policies, rules are effective in achieving the existing objectives and policies and higher order documents in the following ways: <ul style="list-style-type: none"> • The proposed amendments ensure consistency with the required permitted activity standards for the MDRZ/HDRZ zones and objectives of Schedule 3A. • The proposed amendments reflect the higher order policy direction within the NPS-UD and under the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act to enable intensification and align with the amended Strategic Direction objectives 3.3.4 and 3.3.7. • The amendments to Policy 8.2.2.4(iii) recognises that urban environments are not static and are subject to change; this reflects the direction in Objective 4 and Policy 6 of the NPS-UD. • The amended policies and rules continue to achieve the direction set by the existing objectives of Chapter 8. • By ensuring internal consistency within the policy framework, efficiency in decision making is achieved. • The consequential changes to Rules C10, RD2(a) and NC1 are effective at ensuring consistency with the requirements of Schedule 3A and prevent duplication of rule triggers.
<p>Risk of acting/not acting</p> <ul style="list-style-type: none"> • The risk of not acting is that the District Plan would be inconsistent with the requirements of Schedule 3A.

7.2.3 Consequential amendments beyond the scope of the MDRS – Standards 8.6.3, 8.7.2 and 8.8.10

Benefits
<p>Environmental:</p> <ul style="list-style-type: none"> • There may be environmental benefits in reducing requirements to provide vehicle access to site (Standard 8.6.3, 8.7.2(a) and 8.8.10(b)) in that it encourages a shift towards use of active and public transport, and by minimising loss of developable land to vehicle access requirements. • The amendments to Standard 8.7.2(c) and 8.8.10(c) may achieve environmental benefits by providing clarity around the functionality and amenity of outdoor living, service and storage spaces to be achieved when assessing conversion of tenure or cross lease, company lease and unit title updates. It also sets a higher bar in ensuring that functionality and amenity of sites are retained above the existing rules.
<p>Economic:</p> <ul style="list-style-type: none"> • There are the potential economic benefits in that sites will have greater development opportunities through not having to provide vehicle access. This has economic benefits for developers of the site.
<p>Social:</p>

Benefits
<ul style="list-style-type: none"> • There are no identified social benefits associated with the amended rules.

Costs
<p>Environmental:</p> <ul style="list-style-type: none"> • There are no environment costs associated with the proposed amendments.
<p>Economic:</p> <ul style="list-style-type: none"> • There are no identified economic costs associated with the proposed amendments.
<p>Social:</p> <ul style="list-style-type: none"> • There is the potential for these to be reduced access to a site as there is no longer a requirement to provide vehicle access. However, all sites will require pedestrian access to be provided. The reduction in the need for vehicular access may mean that some social aspects of living on a site may change, such as having to park on streets and walk to residential units.

Appropriateness in achieving the objectives/ higher order document directions
<p>Efficiency:</p> <ul style="list-style-type: none"> • The proposed amendments are efficient as they build on the existing rule framework and District Plan structure. • The amendments correct existing deficiencies within the District Plan due to a lack of consistency between the removal of minimum parking standards from the Transport chapter and the need to provide vehicular access at the time of subdivision. This may reduce the consent triggers where seeking to subdivide sites that only provide pedestrian access. • The amended provisions will provide greater clarity and certainty for applicants and Council when assessing the effect of a change in tenure or survey plan update on outdoor living, service and storage areas. It also sets a higher bar in ensuring that functionality and amenity of sites are retained above the existing rules.
<p>Effectiveness:</p> <ul style="list-style-type: none"> • The new rules are effective in that they align with the requirements of Policy 11 of the NPS-UD to remove minimum parking standards (other than for accessible car parks). • The new rules are effective in achieving the existing objectives and policies and higher order documents.
<p>Risk of acting/not acting</p> <ul style="list-style-type: none"> • The risk of not acting is that the District Plan would be internally inconsistent between the subdivision and transport chapters, and would undermine the intent of the NPS-UD in respect of the removal of vehicle parking requirements. There would also be residual clarity issues.

7.2.4 **Consequential change to earthworks standards – Tables 9 and 10 under Permitted activity Rule 8.9.2.1**

- 7.2.5 The earthworks rules are being updated to reflect changes to zoning references only. No substantive changes are proposed. Accordingly, there are not considered to be any associated costs or benefits, or changes to the efficiency and effectiveness of the District Plan framework.
- 7.2.6 The risk of not acting is that there are rules with outdated zone references that do not align with updated planning maps.

7.3 The most appropriate option – Residential Subdivision

- 7.3.1 The proposed option for progressing the plan change is considered to be the most appropriate option. It is an efficient and effective means of achieving the legislative changes required to implement Schedule 3A, while achieving a range of environmental, economic and social benefits and limiting associated costs.

8 Reasonably practicable options for provisions – ODPs and RNN

8.1 Options for provisions – ODPs and RNN

- 8.1.1 In considering reasonably practicable options for achieving the objectives of the Plan and the relevant higher order directions the following options for policies and rules have been identified. Taking into account the environmental, economic, social and cultural effects, the options identified were assessed in terms of their benefits and costs. Based on that, the overall efficiency and effectiveness of the alternative options was assessed. It is noted that options are limited by the scope as detailed in 80E.
- 8.1.2 Two reasonably practicable options have been identified for provisions, which are:
- 8.1.3 **Option 1 – MDRS** – This approach would retain the ODPs and zones greenfield areas as Future Urban as is proposed in the Plan Change, however this approach adopts the MDRS as the permitted standards for the FUZ. Development will still be required to comply with most ODP requirements, however ODP specific development standards would be removed, including minimum density requirements, with MDRS being the permitted level of development for all ODP areas.
- 8.1.4 This option would also amend the comprehensive residential development definition, changing the activity trigger from the development of three dwellings to four dwellings, reflecting that three dwellings is permitted under MDRS.
- 8.1.5 Therefore, this approach would delete Policy 14.2.5.3 and amend the following standards to match the MDRS standards:
 - Rule 14.12.2.1
 - Rule 14.12.2.2
 - Rule 14.12.2.3
 - Rule 14.12.2.4
 - Rule 14.12.2.5

- Rule 14.12.2.6
- Rule 14.12.2.7
- Rule 14.12.2.11
- Rule 14.12.2.12

8.1.6 **Option 2** –Proposed Plan Change - This approach retains the current provisions framework within the Plan for subdivision within greenfield areas subject to an ODP and retains the RNN provisions framework but applies it to the FUZ.

8.1.7 ODPs are deleted where they have been completed or near completed, and the specific provisions relating to them removed from the Plan. Minor changes to the provisions to make them consistent with zoning terminology is required.

8.2 Evaluation of options for provisions – ODPs and RNN

8.2.1 The policies of the proposal must implement the objectives of the District Plan (s75(1)(b)), and the rules are to implement the policies of the District Plan (s75(1)(c)).

8.2.2 Before providing a detailed evaluation of the policies and rules proposed in the Plan Change, the alternative options identified have been considered in terms of their potential costs and benefits and overall appropriateness in achieving the objectives of the Plan and in the relevant directions of the higher order documents.

8.2.3 The tables below summarise the assessment of costs and benefits for each option based on their anticipated environmental, economic, social, and cultural effects. The overall effectiveness and efficiency of each option has been evaluated, as well as the risks of acting or not acting.

8.2.4 **Option 1 – MDRS**

Benefits	Appropriateness in achieving the objectives/ higher order document directions
<p>Environmental:</p> <ul style="list-style-type: none"> • The retention of the ODPs will continue to provide for the protection of environmental values identified within greenfield areas, including aspects such as open space reserves and ecological features identified within the development plan areas. 	<p>Efficiency</p> <ul style="list-style-type: none"> • The proposed approach does have benefits associated with the enablement of development to MDRS levels, with this leading to economic and social benefits through the delivery of housing and a relatively easy consenting process. • However, costs are identified for this approach as the immediate enablement of a medium density level of development in greenfield areas is considered to be unsuitable, not reflecting the undeveloped nature of greenfield areas and the need for
<p>Economic:</p> <ul style="list-style-type: none"> • There are economic benefits associated with this approach, as the MDRS is a set of provisions which is highly enabling of development. This approach would also 	

<p>be cost-effective from a consenting process, as it would be easy to develop multiple units as a permitted activity, reducing resource consenting costs for landowners and developers.</p> <ul style="list-style-type: none"> • The immediate enablement of medium density development could result in an immediate delivery of housing which could help housing affordability within Christchurch. • Retention of the ODP requirements will still result in efficient outcomes through an integrated approach to development. However, this will be to a lesser extent than the preferred option due to the enablement of MDRS specific standards. 	<p>development to be of a suitable scale and delivered coherently to achieve sought outcomes. This leads to social and environmental costs.</p> <p>Effectiveness</p> <ul style="list-style-type: none"> • The approach is not considered to be effective at achieving integrated development form, with the risk that greenfield areas will quickly become developed to a medium density with a loss of coherent development form and scale responsive to the local context.
<p>Social:</p> <ul style="list-style-type: none"> • Positive social effects are anticipated from the enabled approach to development, which is in line with the national policy direction, and will result in the delivery of housing to meet housing capacity needs in Christchurch. • The retention of ODP spatial requirements in relation to the provision of infrastructure and facilities also means that the development of greenfield areas will still deliver high-quality urban environments with sufficient infrastructure. 	
<p>Cultural:</p> <ul style="list-style-type: none"> • There are no cultural benefits associated with this approach. 	
<p>Costs</p>	
<p>Environmental:</p> <ul style="list-style-type: none"> • This approach is expected to have environmental costs through the immediate enablement of medium density development as a permitted activity. • The likely result with providing for medium density as the permitted baseline is that development may not delivered in a cohesive fashion, as 	

<p>medium density would be the baseline for all residential areas in a greenfield site.</p> <ul style="list-style-type: none">• Greenfield areas have no existing urban character and as such urban development needs to be delivered in a coordinated fashion responsive of site characteristics, otherwise adverse effects on landscape and visual amenity, as well as development not being adequately serviced or integrated into the built form, is likely to result.• This is on the basis that MDRS is enabled as a permitted activity without an assessment of the effects, which would be the permitted baseline in this option. Only a development of 4 or more buildings would trigger the comprehensive residential development rule, that is a controlled activity, and which would ensure development delivered is suitably coordinated.	
<p>Economic:</p> <ul style="list-style-type: none">• This approach is not considered to result in economic costs due to its enabling approach to development.	
<p>Social:</p> <ul style="list-style-type: none">• The approach could have social costs through development delivered being inconsistent with community aspirations for greenfield areas, with the current framework considered to be the established expectation for development and activities within greenfield areas.• Furthermore, this approach may result in the development of ODP areas not providing for a range of housing typologies to meet the different housing requirements of the community. This could occur as medium density would be the permitted baseline, and so entire ODP areas could be developed to this level without the need for consent or compliance with comprehensive	

residential development matters of control, where they comply with the ODP spatial requirements. <ul style="list-style-type: none"> • This could result in development that does not meet the different housing needs of Christchurch communities. 	
Cultural: <ul style="list-style-type: none"> • There are no social costs identified. 	
Risk of acting/not acting <ul style="list-style-type: none"> • The risk of not acting in this instance is low, as the status-quo still manages development in greenfield areas effectively. The risk of acting is also comparatively low, as housing will still be delivered in greenfield areas. 	
Recommendation: <p>This option is not considered to be the most appropriate option, as it does not recognise that greenfield sites are not appropriate for an immediate enablement of medium density residential development, instead a more nuanced standards framework that reflects the complexities of initial greenfield area development is more suitable.</p>	

8.2.5 In summary, option 1 is not considered to be the most effective and efficient approach. The approach has some identified benefits, including some positive effects through development enablement and the associated positive social effects with housing delivery, however it is not the most effective or efficient approach for addressing the identified issue. This includes the environmental and social costs associated with adopting the MDRS into the FUZ, and the absence of an ODP specific approach to development scale as the existing framework provides for.

8.2.6 As the FUZ is not a relevant residential zone, and therefore is not required to incorporate the MDRS into the zone, not proceeding with this option is not considered to be in contradiction of 77G(1).

9 Evaluation of the preferred option for provisions – ODPs and RNN

9.1 Preferred Option – ODPs and RNN

9.1.1 **Option 2** is the proposed Plan Change, which is the retention of the status quo provisions framework for the Residential New Neighbourhood Zone and ODPs and adopting these into the Future Urban Zone.

9.1.2 The existing approach is detailed in Section 3.2 of this report.

9.2 Assessment of costs and benefits of policies – ODPs and RNN

Benefits
Environmental:

Benefits
<ul style="list-style-type: none"> • There are no identified environmental issues with the current provisions framework for greenfield areas, and therefore the retention of this approach is considered to be beneficial in managing environmental effects. • The current approach is effective at managing environmental effects as ODPs have been developed in recognition of site-specific constraints, and subdivision in these areas need to be in line with those ODP requirements, such that environmental effects are suitably considered. This includes specific building standards for ODP areas, and the comprehensive residential development rule guides large scale development and requires consistency with the ODP, such that development will be delivered in a consistent and coordinated manner.
<p>Economic:</p> <ul style="list-style-type: none"> • This approach is economically effective. The approach requires minimal changes to the Operative Plan provisions. This means the development of greenfield areas is enabled to the same level as in the existing plan, with no resulting additional costs for developers and landowners then the existing status-quo provides for. • The approach is not considered to have a significant economic cost which the MDRS adoption would negate, as large scale comprehensive residential development in both cases would require a consent. • The approach will also have positive economic effects through the delivery of housing with positive effect on the cost of housing and business land in Christchurch, including the delivery of a range and typologies of housing. It is noted that the level of development enabled in some ODP areas is equal to the permitted MDRS level (for example, maximum height being 11 metres where comprehensive residential development is undertaken).
<p>Social:</p> <ul style="list-style-type: none"> • This approach has minimal changes to the Plan, with positive social effects through retaining the established provisions in the context of the FUZ, which will deliver the sought community outcomes for greenfield areas. • The existing provisions in the context of the FUZ will still deliver significant housing in greenfield areas, which are well integrated into the existing urban form and result in well-functioning urban environments, with positive social effects in the long-term associated with the delivery of housing and urban environments that provide for the needs of residents. With the yield requirement for development in greenfield areas, this approach is still considered to deliver sufficient housing capacity to significantly contribute to the housing requirement for Christchurch.
<p>Cultural:</p> <ul style="list-style-type: none"> • The existing provisions framework within the RNN which will be retained includes consideration of culturally specific activities, with associated positive effects through their retention in the framework of provisions for the FUZ.
Costs
<p>Environmental:</p>

Costs
<ul style="list-style-type: none"> The status-quo approach is not considered to have any significant environmental costs, as environmental effects are suitably considered through the relevant ODP for a greenfield area.
<p>Economic:</p> <ul style="list-style-type: none"> This approach has some economic costs as resource consents are still required for subdivision and other activities within an ODP area, although this is no change from the existing consenting costs expected for development in greenfield areas. ODPs will continue to direct development and therefore will be less enabling of development than if they did not apply, with economic costs for developers to deliver development that is compliant with an ODP. The provisions framework is not consistent with residential zones without including the MDRS, however it is noted that the Future Urban Zone is not a relevant residential zone, and therefore is not required to incorporate the MDRS as the permitted level of development.
<p>Social:</p> <ul style="list-style-type: none"> This approach may have some social effects as it will not be as expressly enabling of development if the MDRS was considered as the permitted standard for the FUZ. Furthermore, ODP requirements will also restrict the level of residential development enabled in greenfield areas as permitted, in comparison with the level of development permitted within other residential zones. However, this is considered to be limited as the existing provisions, with the accompanying yield requirement for greenfield areas, will still deliver a substantial level of new housing when developed.
<p>Cultural:</p> <ul style="list-style-type: none"> This approach does not have any identified cultural costs.

Appropriateness in achieving the objectives/ higher order document directions
<p>Efficiency:</p> <ul style="list-style-type: none"> This approach has identified economic and social benefits through retention of the established method to managing development in greenfield areas which will still enable significant housing to be delivered in these areas, and do not impose additional resource consenting costs on applicants than the existing provisions provide for. The current approach is also effective at managing environmental effects, with associated environmental benefits through retention of provisions that require comprehensive residential development to be compliant with the associated ODP. The main cost associated with this approach is that the level of residential development permitted is less than residential zones within Christchurch that incorporate the MDRS, however this is a limited costs due to the enabling approach to large scale residential development in ODP areas. With the minimal costs identified, this approach is the most efficient approach, and enables effective decision making with regards to greenfield development.
<p>Effectiveness:</p>

Appropriateness in achieving the objectives/ higher order document directions
<ul style="list-style-type: none">• Overall, this approach is effective at addressing the identified issue. This approach maintains the existing management framework for greenfield areas which is effective at considering an integrated and coherent approach to the delivery of development in greenfield areas.• The approach is also compliant with the relevant higher order direction on enabling development, specifically not being a relevant residential zone the FUZ is not required to incorporate the MDRS as per 77G(1), and the approach to development delivery will result in high functioning urban environments as directed by the NPS-UD.
Risk of acting/not acting <ul style="list-style-type: none">• There is not considered to be a risk of acting or not acting under this approach as it retains the established status quo provisions for greenfield areas.

9.3 The most appropriate option – ODPs and RNN

9.3.1 The proposed option is the most efficient and effective approach to managing greenfield development. The approach is compliant with all higher order direction, and has positive social, economic, and environmental effects identified.

9.3.2 Whilst the approach does not enable the MDRS, it is still enabling of large-scale residential development that is compliant with the ODP requirements and that is responsive to site specific characteristics, and that will deliver development in an integrated and coordinated manner.

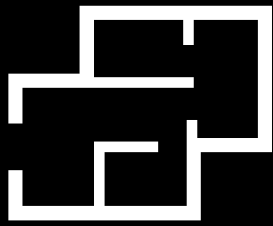
10 Conclusions

10.1.1 The proposed plan change seeks to make changes to the Subdivision Chapter (Chapter 8) and the Residential Zone chapter (Chapter 14) of the Christchurch City Plan to respond to the implementation of the MDRS and NPS-UD.

10.1.2 The evaluation undertakes an assessment of the proposed provisions alongside realistic alternative approaches. The evaluation has been undertaken in accordance with s32 of the RMA in order to identify the need, benefits and costs, in addition to the appropriateness of the proposal, having regard to its effectiveness and efficiency relative to other means in achieving the purpose of the RMA. The evaluation demonstrates that this proposal is the most appropriate option as it:

- Best gives effect to higher order documents, including the national planning standards;
- Is the most effective and efficient way to achieve the purpose of the Act and the Christchurch City Plan strategic objectives; and
- Addresses the identified issues.

11 Appendix 1 - Issues and options associated with District Plan provisions for residential subdivision



URBANEDGE
P L A N N I N G L T D

Issues and options associated with District Plan provisions for residential subdivision

Christchurch City Council

18 March 2022



PO Box 39071
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Lower Hutt 5045

Contents

1.	Introduction	2
2.	Issues	6
3.	Options	10
4.	Conclusion.....	26

Tables

Table 1: Overview of equivalent residential zones	4
Table 2: Issues associated with Residential Subdivision in the Christchurch District Plan.	6

1. Introduction

This paper outlines the main drivers of the plan change needed to give effect to the Medium Density Residential Standards (MDRS) and the National Policy Statement on Urban Development (NPS-UD) on the subdivision provisions of the Christchurch City District Plan. In particular, this paper focuses upon those subdivision rules and standards applicable to residential zones within the urban environment. It reflects on:

- The legislative basis for the plan change;
- The existing District Plan framework for urban residential subdivision;
- Issues with the existing District Plan rules in light of the shifting legislative requirements; and
- Recommends options for addressing the various issues identified.

Background

Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021

The Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021¹ (the RMA Amendments) came into effect on 21 December 2021 and have now been incorporated into the Resource Management Act 1991 (the RMA). The RMA Amendment Act aims to improve housing supply through speeding up implementation of the NPS-UD and enabling more medium density development. It does this by requiring Tier 1 councils such as Christchurch City Council to adopt the MDRS into every relevant residential zone within their District Plan.

When incorporating the MDRS standards into the District Plan for the first time, Section 77F(3) and Section 80DA(1) of the RMA Amendments requires Tier 1 councils to:

- Utilise an Intensification Planning Instrument (IPI)² to incorporate the MDRS into the District Plan, and to give effect to Policies 3 and 4 of the NPS-UD; and
- Follow an Intensification Streamlined Planning Process (ISPP)³.

Schedule 3A stipulates the MDRS to be incorporated into the District Plan, including when allotment design controls relative to size and shape can be imposed over residential subdivision, notification parameters, and activity statuses for subdivision consents.

With respect to subdivision, the following matters are required to be incorporated into the District Plan (outlined in Schedule 3A of the RMA Amendments):

- Clause 3 stipulates that, subject to section 106 (natural hazards and access), District Plans must provide for the subdivision of land as a controlled activity for the purpose of the construction and use of residential units in accordance with Clauses 2 and 4 (being permitted and restricted discretionary land use activities under the MDRS).
- Subdivision rules and standards must be consistent with the level of development permitted by the MDRS and provide for subdivision as a controlled activity (Clause 7). In other words, subdivision rules cannot constrain the ability to build according to the MDRS.
- Only allowing for minimum lot sizes, shapes or other size-related subdivision where there are vacant lots involved (Clause 8)
- Public and limited notification of an application for a subdivision resource consent is precluded if the subdivision is associated with an application for the construction and use of residential units described in subclause (1) or (2). Subclauses 1 and 2 stipulate:

¹ Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 is available online at: <https://www.legislation.govt.nz/bill/government/2021/0083/24.0/LMS566049.html#LMS566051>

² The term IPI means a change to a District Plan that must incorporate the NDRS; and in the case of Tier 1 authorities, must give effect to policies 3 and 4 of the NPS-UD; and may amend provisions relating to financial contributions, papakāinga housing, and related provision, that support or are consequential on the MDRS or relevant NPS-UD policies.

³ The ISPP process is detailed in subpart 5A of Part 5, and Part 6 of Schedule 1 of the Resource Management Act 1991.

(1) Public notification of an application for resource consent is precluded if the application is for the construction and use of 1, 2, or 3 residential units that do not comply with 1 or more of the density standards (except for the standard in clause 9AA) in the district plan (once incorporated as required by section 77F).

(2) Public and limited notification of an application for resource consent is precluded if the application is for the construction and use of 4 or more residential units that comply with the density standards (except for the standard in clause 9AA) in the district plan (once incorporated as required by section 77F).

This IPI must be notified on or before 20 August 2022.

National Environmental Standard on Urban Development 2020 (NPS-UD)

Policies 3 and 4 of the NPS-UD have been modified under section 77O(1) of the RMA 1991.

The modified policies require:

Policy 3: In relation to tier 1 urban environments, regional policy statements and district plans enable:

- a) in city centre zones, building heights and density of urban form to realise as much development capacity as possible, to maximise benefits of intensification; and*
- b) in metropolitan centre zones, building heights and density of urban form to reflect demand for housing and business use in those locations, and in all cases building heights of at least 6 storeys; and*
- c) building heights of at least 6 storeys within at least a walkable catchment of the following:

 - (i) existing and planned rapid transit stops*
 - (ii) the edge of city centre zones*
 - (iii) the edge of metropolitan centre zones; and**
- d) in all other locations in the tier 1 urban environment, building heights and density of urban form commensurate with the greater of:

 - (i) the level of accessibility by existing or planned active or public transport to a range of commercial activities and community services; or*
 - (ii) relative demand for housing and business use in that location.**

Policy 4: Regional policy statements and district plans applying to tier 1 urban environments modify the relevant building height or density requirements under Policy 3 only to the extent necessary (as specified in subpart 6) to accommodate a qualifying matter in that area.

Qualifying matters allow a Council to implement less enabling provisions within their IPI than specified through the MDRS. These matters are listed in Section 3.32 of the NPS-UD and have been subject to further refinement under Section 77I of the RMA 1991. The relevant qualifying matters are:

- A matter of national importance listed under section 6 of the RMA, being:
 - Preservation of the natural character of the coastal environment (including the coastal marine area), wetland, and land and rivers and their margins, and the protection of them from inappropriate subdivision, use and development;
 - the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development;
 - the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna;
 - the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers;
 - the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga;
 - the protection of historic heritage from inappropriate subdivision, use, and development;
 - the protection of protected customary rights;
 - the management of significant risks from natural hazards.

- A matter required to give effect to a national policy statement (other than the NPS-UD) or the New Zealand Coastal Policy Statement 2010;
- A matter required to give effect to Te Ture Whaimana o Te Awa o Waikato—the Vision and Strategy for the Waikato River;
- A matter required to give effect to the Hauraki Gulf Marine Park Act 2000 or the Waitakere Ranges Heritage Area Act 2008;
- A matter required for the purpose of ensuring the safe or efficient operation of nationally significant infrastructure;
- Open space provided for public use, but only in relation to land that is open space;
- The need to give effect to a designation or heritage order, but only in relation to land that is subject to the designation or heritage order;
- A matter necessary to implement, or to ensure consistency with, iwi participation legislation;
- The requirement in the NPS-UD to provide sufficient business land suitable for low density uses to meet expected demand; and
- Any other matter that makes higher density, as provided for by the MDRS or policy 3, inappropriate in an area, but only if section 77L of the RMA is satisfied

Scope of Paper

The focus of this report is upon those subdivision rules and standards applicable to residential zones within the urban environment.

The newly introduced Section 77G(1) of the RMA requires that the MDRS are incorporated into every ‘*relevant residential zone*’. Section 77G(2) also requires that ‘*every residential zone in an urban environment*’ must give effect to Policy 3 of the NPS-UD.

Christchurch City Council has undertaken a spatial review by comparing the current residential District Plan zones against those described in the National Planning Standards, culminating the following table:

Table 1: Overview of equivalent residential zones		
ODP Zone	Potential equivalent National Planning Standard zone	Within MDRS scope
<ul style="list-style-type: none"> • Residential suburban zone • Residential new neighbourhood zone • Residential Banks Peninsula zone (any within urban environment) 	General residential zone	Yes
<ul style="list-style-type: none"> • Residential hill zone 	Low density residential zone	Yes
<ul style="list-style-type: none"> • Residential suburban density transition zone • Residential medium density zone 	Medium density residential zone	Yes
<ul style="list-style-type: none"> • Residential city centre zone 	High density residential zone	Yes

<ul style="list-style-type: none"> Residential large lot zone Residential small settlement zone (with potential exception of Kainga Overlay Area 1 & 2) 	Large lot residential zone	No
<ul style="list-style-type: none"> Residential guest accommodation zone 	Commercial zone	No
<ul style="list-style-type: none"> Residential Banks Peninsula zone (any outside urban environment) 		No
<ul style="list-style-type: none"> Papakāinga/Kāinga Nohoanga Zone 	Māori Purpose Zone ⁴	No

The above table identifies the relevant Operative District Plan (and potential equivalent National Planning Standard) zones that are within scope of the IPI and ISPP processes.

These include the General, Low Density, Medium Density and High Density Residential Zones.

⁴ This has been discussed with Nicola Rykers at MKT, who is supportive of this position and interpretation.

2. Issues

Taking into account the above legislative context, the following section provides a breakdown of the main issues associated with residential subdivision. The specific issues are detailed in Table 2, below.

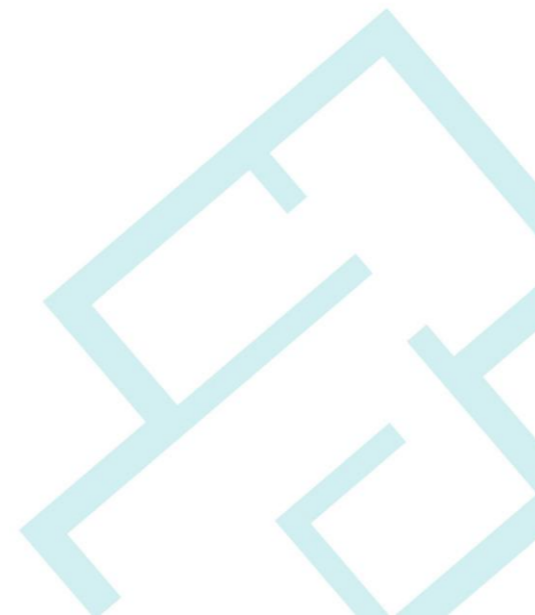
Table 2: Issues associated with Residential Subdivision in the Christchurch District Plan.

Issue Reference	Issues identified	Issue Description – Outcomes/ effects for communities and the environment	Source of information/Evidence	Provisions giving rise to the issue	Statutory framework
1	Subdivision around existing buildings to allow for the creation of new allotments	<p>Subdivision around buildings is required to allow for the sale of residential units. However, the process of undertaking a subdivision can create effects that require consideration.</p> <p>If there is subdivision around existing buildings where there is no creation, or increase, in the breach of an MDRS, this would cause neither adverse effects outside of the site, nor a reduction in on-site amenity beyond the MDRS limits.</p> <p>Where there is subdivision around existing buildings that creates a breach of the MDRS, this could adversely affect adjoining properties or the amenity of the existing residential units. For example, a subdivision around two buildings could concentrate site coverage on one lot. This could provide poor amenity for that lot and increase the permitted development potential for the other lot so that the overall permitted development is beyond the MDRS.</p>	<p>Clause 8(a)(i) of Schedule 3A of the RMA stipulates when size-related rules cannot apply to residential subdivision.</p> <p>For sites with existing buildings where there is no increase in non-compliance with the MDRS (and no land use consent has been sought), there is no provision for minimum lot sizes or shapes (applies only when a vacant lot is created).</p> <p>If non-compliances with the MDRS are created, or there is a vacant allotment created, then a minimum lot size/shape requirement can be imposed.</p>	<p>Existing rules that either require an activity status more restrictive than controlled; or impose minimum lot size/shape requirements in this circumstance will need to be amended.</p> <p>For example, R8.5.1.2 C1 (Boundary adjustments) and Table 6 under 8.6.2. The conversion of tenure Rule, C2, would also need to be amended not to require a minimum lot size (currently a 10% change threshold).</p> <p>These situations are likely to be relatively rare and the potential for adverse effects limited by the fact that no vacant allotments would be created.</p>	To meet the requirements of the Act, whilst ensuring that the existing matters of control are retained (e.g. access/servicing).
2	The creation of vacant lots in the High Density Residential Zone resulting in the fragmentation of this resource.	<p>The High Density Residential Zone is a strategic resource. This is because it has importance for providing higher density housing, and contributes to the liveable city values of the city.</p> <p>Fragmentation of this area could result in the underdevelopment of this strategic resource. If the land is fragmented through subdivision, higher building heights and densities may not be achieved.</p>	<p>Under the more permissive MDRS framework, it might become more enticing to develop land at a medium density as opposed to a higher density, resulting in the underdevelopment and fragmentation of higher density zones. For example, instead of undertaking a comprehensive multi-storey development, a landowner might instead choose to subdivide a site into vacant allotments. Such a subdivision may result in the permitted building heights not being achievable.</p>	<p>The potential issue would only result where vacant lot subdivision is proposed. The council may impose lot size/shape requirements in this circumstance.</p>	To meet the requirements of the Act, whilst ensuring that the purpose of achieving high density in the High Density Residential Zone are met.

3	The Hill Precinct has topographical and natural features constraints that are different to the plains areas of the City.	Due to the topographical constraints of the Hill Precinct, vacant lot subdivision has the potential to create lots that cannot be developed either with permitted activities, or by only requiring substantial earthworks.	Existing rules in the District Plan include minimum net size areas (8.6.1 Table 1). This is no longer provided for due to the RMA Amendments.	Existing provisions would need to be amended where a minimum lot size/shape is currently imposed where no vacant lot subdivision is proposed.	To meet the requirements of the Act, whilst ensuring that any vacant lot will not cause adverse earthworks effects or not be capable of development.
4	Ensure maximum yield is achieved from future greenfield development.	<p>Restrictions on the density of residential subdivision via setting of minimum allotment size and shape controls can reduce housing choice and affordability, including as a result of less competitive land and development markets, reducing the viability of public transport, increase urban sprawl, and increase greenhouse gas emissions.</p> <p>Limitations on development density can also increase the cost allocation associated with infrastructure provision; a lower density means that the cost of infrastructure installation, operation and maintenance is spread across a smaller number of property owners/rates base which can be cost-prohibitive in greenfield areas.</p> <p>NB. Greenfield development relates expressly to previously undeveloped sites. Subdivision around existing buildings is discussed under issue one, above.</p>	<p>The Housing and Business Development Capacity Assessment (HBA) completed in March 2018 identifies that population growth is expected in Christchurch.</p> <p>The Canterbury Regional Policy Statement (RPS) identifies the need to integrate land use and infrastructure development. It also identifies the need to create a consolidated and intensified urban form to provide sufficient land for rebuilding and recovery after the Christchurch earthquakes and to accommodate future population growth.</p> <p>The RMA (as updated by the RMA Amendments) requires subdivision to be provided for as a Controlled activity and, unless there is a vacant allotment, does not permit imposition of size controls for subdivision.</p>	<p>The Residential New Neighbourhood Zone (RNNZ) within the Operative District Plan is intended to capture the majority of large greenfield development sites within Christchurch City.</p> <p>Development within the RNNZ is presently managed via an outline development plan integrated into the District Plan. As per Rule 8.6.11 subdivision within this zone must achieve a minimum net density of 15 households per hectare, unless otherwise identified in the outline development plan as being subject to development constraints that warrant a reduced density. Provisions 8.6.11 c) and d) also stipulate a range of minimum development areas, minimum and maximum allotment sizes, and minimum allotment dimensions with a limited number of exceptions.</p> <p>It is noted that smaller greenfield sites may exist outside of the RNNZ. Table 1 under Rule 8.6.1 would need to be amended to ensure there are no size limits for subdivision of greenfield sites, unless vacant lots are created.</p> <p>Rule 8.5.1.2 C1 (boundary adjustments) and the conversion of tenure Rule, C2, would also be need to be amended not to require a minimum lot size (currently a 10% change threshold) where it relates to existing greenfield land.</p> <p>There are also provisions for maximum numbers of allotments or units to be created or enabled in certain development areas within specific areas (e.g. Cashmere and Worsleys).</p> <p>Existing provisions would need to be amended to remove minimum lot size/shape requirements where no vacant lot subdivision is proposed.</p>	<p>To meet the requirements of the Act, whilst ensuring that any vacant will be capable of development.</p> <p>To meet the objectives and policies of the NPS-UD that require Councils to have sufficient development capacity available to meet expected demand over the short, medium and long term, and achieve the objective of “well-functioning urban environments”.</p> <p>Policy 6.3.7 the of CRPS directs that greenfield development within Christchurch City is achieved at a rate of no less than 15 household units per hectare.</p>
5	Infrastructure has the capacity to accommodate future demand	<p>Infrastructure provision is fundamental to realising the development capacity of land.</p> <p>There was significant damage to public infrastructure (including water, wastewater and stormwater) in the wake of the earthquakes of 2010 and 2011, meaning</p>	Chapter 8 of the Christchurch District Plan highlights the importance of infrastructure to enabling subdivision and intensification.	Activity standards 8.6.8 – 8.6.9 deal with water, wastewater and stormwater infrastructure respectively.	The NPS-UD directs that decisions on urban development that affect urban environments are to be integrated with infrastructure planning and funding.

		<p>parts of the Christchurch urban area/residential zones have limited capacity to support additional development.</p> <p>Intensification increases demand for existing network capacity and can ultimately overload infrastructure systems without appropriate upgrades or mitigation.</p>	<p>The Development Contributions Policy 2021 notes the role of population growth and urban expansion in increased demand for infrastructure.</p> <p>The CRPS identifies the need to integrate land use and infrastructure development.</p> <p>The HBA identifies that the long-term infrastructure needs of Christchurch are generally well planned for, but that short- and medium-term constraints apply specifically around wastewater.</p>	<p>The rules require a capacity assessment only in respect of wastewater.</p> <p>Rule 8.7.4.3 currently identifies servicing and infrastructure as a matter of control (for Controlled activity subdivisions), as well as a matter of discretion under Rule 8.8.6 (for Restricted Discretionary subdivision).</p>	<p>The CRPS includes objectives and policies that direct Council's to consider integrated land use and infrastructure development, and seeks to recognise the need for, and sensitivity of infrastructure (in particular, regionally significant infrastructure).</p> <p>This must be done in the context of enabling intensification in accordance with the Act and MDRS.</p>
6	<p>Subdivision can be restricted when a qualifying matter can apply, which may mean future development is not appropriate in areas of the City.</p>	<p>Particular attributes of a site may mean that intensification is not desirable. These attributes are defined within the NPS-UD as 'qualifying matters'.</p> <p>For example, heritage buildings or sites, outstanding natural features and landscapes, indigenous vegetation and habitat for indigenous fauna, natural character attributes, and sites of cultural significance can be reduced or irreparably damaged as a result of intensified residential development and subdivision.</p> <p>Public access to open space, and links to the coastline, lakes, waterways and wetlands can also be compromised by intensification.</p> <p>Intensification on land subject to a designation (for example, land earmarked for future infrastructure, schools, etc) can undermine the ease with which the designation can be implemented.</p> <p>The safe and efficient operation of regionally or nationally significant infrastructure (such as Lyttelton Port) may be compromised by incompatible subdivision patterns, creating complexities around the installation, operation, and maintenance of such infrastructure. Issues associated with reverse sensitivity can also be triggered.</p> <p>Developing within areas subject to significant natural hazard risk can increase risk to people and property.</p>	<p>Chapters 5, 8 and 9 of the District Plan speak to the fact that site characteristics are a key determinant of the potential for, and suitability of, subdivision.</p> <p>The legislative framework under the RMA and NPS-UD incorporates qualifying matters.</p>	<p>The District Plan includes provisions relative to a range of matters that would constitute 'qualifying matters' under the RMA and NPS-UD.</p> <p>These can be found in: Chapter 5 – Natural Hazards; Chapter 8 – Subdivision, Development and Earthworks; Chapter 9 – Natural and Cultural Heritage.</p>	<p>Policy 4 and Section 3.32 of the NPS-UD direct that Council may only reduce the level of development from that specified under the MDRS where a listed qualifying matter applies.</p> <p>While additional qualifying matters may be identified, these must be specifically identified and justified in accordance with s77L of the RMA.</p>
7	<p>The RMA Amendments Act 2021 changes the notification provisions of the Act.</p>	<p>Notification provides an opportunity for public input on resource consent applications, either by anyone (public notification) or a select few persons (limited notification). While this can add time and cost delays onto the consenting process, it also allows for public participation in planning decisions.</p>	<p>Section 4(3) in Schedule 3A of the RMA includes preclusions from notification in certain circumstances.</p>	<p>Existing provisions in the District Plan preclude public or limited notification of subdivisions with a Controlled or Restricted Discretionary activity status.</p> <p>Notification is not precluded for subdivision with a Discretionary or non-compliant activity status; the standards tests under s95 are applicable.</p>	<p>Section 4(3) in Schedule 3A of the RMA includes preclusions to notification in certain circumstances.</p> <p>Limited and public notification is precluded for a subdivision consent where the subdivision is associated with an application for the construction and use of residential units that meet certain parameters</p>

				Further provisions that preclude limited and/or public notification for subdivision can be found in Chapters 5.5, 5.6, and 8.	listed in Section 4(1) and 4(2) of the RMA 1991.
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3. Options

Taking into account the above legislative context, the following section provides a breakdown of the main issues associated with residential subdivision.

The following section considers the various options for addressing each of the issues identified above.

Issue 1: Subdivision around existing buildings

Where there is subdivision around existing buildings that creates a breach of the MDRS, this could adversely affect adjoining properties or the amenity of the existing residential units.

1	Evaluation of Options	
	Option 1 - Status Quo	Option 2 – Proposed plan change
	<p>Not an option – rules that require an activity status beyond controlled or impose minimum lot sizes have to be amended.</p>	<p>Subdivision around existing buildings where no non-compliances are created should not cause any adverse effects because this will be consistent with the underlying permitted land use.</p> <p>Where the subdivision creates non-compliances with the MDRS, then this would create a requirement for land use consent for that breach. A breach of the MDRS is insufficient to allow for an escalation in subdivision activity status because Clause 3 of Schedule 3A requires subdivision to be a controlled activity (as the land use would be restricted discretionary).</p> <p>As such, there could be occasions where a controlled activity subdivision could be sought where breaches of the MDRS are created but no land use consent is sought. The RMA Amendments do not appear to provide any discretion in this instance. As such it is recommended that an advice note in the rule record that land use consent would be required.</p>

1	Evaluation of Options	
	Option 1 - Status Quo	Option 2 – Proposed plan change
		<p>A controlled activity rule will need to be provided, with matters of control over servicing and access.</p> <p>Benefits</p> <ul style="list-style-type: none"> • Aligns with the requirements of the MDRS and RMA 1991. • Ensures that matters that council will continue to seek to control (such as access, and servicing) can continue to be provided for. <p>Costs</p> <ul style="list-style-type: none"> • There are no apparent costs beyond the existing District Plan. <p>Efficiency</p> <ul style="list-style-type: none"> • The rule will be more efficient to process as a resource consent application, as there will be less matters to consider. <p>Effectiveness</p> <ul style="list-style-type: none"> • A revised controlled activity rule will be effective in meeting the RMA Amendment requirements, and ensuring that matters around access and servicing are addressed. The council will continue to have discretion to decline or impose subdivision consents under s106. <p>This is the preferred option, as it is required under legislation.</p>

Issue 2: Vacant lot subdivision in the High Density Residential Zone

The High Density Residential Zone is considered to be an important strategic resource. Vacant lot subdivision could lead to fragmentation and underdevelopment of sites.

2	Evaluation of Options	
	Option 1 - Status Quo – Maximum lot sizes (amended)	Option 2 – Minimum lot sizes
	<p>It is not an option to retain the status quo subdivision rules to apply a minimum lot size, except if it applies to vacant lots.</p> <p>The existing controls have a minimum number of units per area, (one per 200m² – refer 14.6.2.11). This is in effect a maximum lot size of 200m² – in other words if a lot of 250m² was proposed, then the minimum density level would not be achieved.</p> <p>Subject to amendments to ensure that this only applies to vacant allotments, and that the relevant density sought is consistent with the NPS-UD, then this would meet the requirements of the RMA amendments.</p> <p>Benefits</p> <ul style="list-style-type: none"> • A maximum lot size would allow for compliance with Clause 7 of Schedule 3A and achieve the densities sought under the existing controls. • A maximum lot size may encourage comprehensive development, which may result in higher density development and better design outcomes. • By encouraging more density in these locations, this may contribute to the vibrancy in the city, resulting in economic and social benefits. • Allows for efficient use of a limited land resource 	<p>The alternative to maintaining a maximum lot size would be for a minimum lot size where vacant allotments are being created.</p> <p>A larger minimum lot size, for example in the order of 300m² could be imposed to ensure that any vacant allotments are large enough to be able to accommodate larger/taller buildings that could provide for medium density housing.</p> <p>If it is too large, a large minimum lot size may not be successful in meeting Clause 7 of Schedule 3A, because any subdivision provisions must be consistent with the level of development permitted by the MDRS. For example, the existing Residential City Centre Zone applies a maximum height of 14m on the north side of Salisbury Street. A minimum lot size to achieve this height would be greater than the minimum lot size needed to achieve the 11m set by the MDRS.</p> <p>As such, in order to comply with Clause 7, it is likely that minimum lot sizes would be smaller than required to achieve the objectives of the HDRZ.</p> <p>Benefits</p> <p>A minimum lot size that meets the MDRS permitted development potential may still allow for higher density development.</p>

2	Evaluation of Options	
	Option 1 - Status Quo – Maximum lot sizes (amended)	Option 2 – Minimum lot sizes
	<p>Costs</p> <ul style="list-style-type: none"> • If the option of maximum vacant lot sizes is followed, it could result in higher density but lower building heights (due to boundary rules). • There could be opportunity costs associated with larger lot subdivisions that cannot proceed as a controlled activity. • The imposition of a maximum lot size could limit the potential for housing diversity. • A maximum lot size could impose greater development costs by forcing higher yields, for example by increasing the cost to service a development. <p>Efficiency</p> <ul style="list-style-type: none"> • Existing provisions can be kept to some extent. • Both the housing yields sought by the NPS-UD and the requirements of Clause 7 would be met. <p>Effectiveness</p> <ul style="list-style-type: none"> • A revised controlled activity rule with maximum lot sizes will be effective in meeting the RMA Amendment requirements, whilst ensuring a level of density is achieved if vacant lot subdivision is pursued. • A maximum lot size would be an effective way of ensuring a minimum density is achieved. 	<ul style="list-style-type: none"> • A minimum lot size could allow for greater certainty for smaller scale developments, for example where only 2 or 3 lots are sought. • A minimum lot size could allow for more varied housing supply, for example standalone or townhouse developments. • A minimum lot size could encourage comprehensive development instead of vacant lot subdivision. <p>Costs</p> <ul style="list-style-type: none"> • To avoid fragmentation, a large minimum vacant lot size would be required, but this could be inconsistent with Clause 7 of Schedule 3A. The level of density sought under the District Plan may not be achieved. • Results in a less efficient use of a strategic land source. <p>Efficiency</p> <ul style="list-style-type: none"> • A minimum lot size would allow for the market to determine if vacant lot subdivision is a better outcome than comprehensive development. • May be more efficient from a resource consent preparation and processing perspective because minimum lot sizes are more well understood by the development community. <p>Effectiveness</p> <ul style="list-style-type: none"> • If a large enough minimum lot size could be achieved, this could ensure that the lots would be large enough to accommodate multi-storey developments. • If land values were to fall, or there was a market for low scale, medium density development in the city (for example such as

2	Evaluation of Options	
	Option 1 - Status Quo – Maximum lot sizes (amended)	Option 2 – Minimum lot sizes
	<p>This is the preferred option, because it is more likely to encourage comprehensive development. Vacant lot subdivision of HDRZ sites is unlikely to achieve density targets.</p>	<p>the Paddington Development in Wellington), a minimum lot size could fail to achieve the density sought for these areas.</p> <p>Due to the requirements in Clause 7, minimum lot sizes would likely need to be small enough that higher density may not be achievable. As such, this is not considered to be the preferred option.</p>

Issue 3: Vacant lot subdivision in the Hill Precinct

The Hill Precinct has topographical and natural features constraints that are different to the plains areas of the City.

3	Evaluation of Options		
	Option 1 - Status Quo	Option 2 – No difference between other zones	Option 3 – Minimum lot size
	<p>Maintaining the existing rules is not an option because there cannot be any minimum lot size unless it relates to a vacant allotment. The existing rules apply to all development forms including subdivision around existing residential units.</p>	<p>Option 2 would be not to differentiate the Residential Hill Zone (Low Density Residential Zone under the NPS) from the rest of the residential area.</p> <p>This would result in smaller minimum sizes for vacant lot subdivision.</p> <p>Benefits</p> <ul style="list-style-type: none"> • A simpler District Plan. • Allows for more housing in the District. 	<p>Option 3 would be to keep the existing 650m² minimum vacant lot size, unless it can be shown that the land can be developed with a credible permitted activity, including earthworks.</p> <p>Benefits</p> <ul style="list-style-type: none"> • The 650m² minimum vacant lot size is greater than what would be required for a flat site. However, Clause 6 (requiring consistency with development permitted by the MDRS) would be achieved as the

3	Evaluation of Options		
	Option 1 - Status Quo	Option 2 – No difference between other zones	Option 3 – Minimum lot size
		<p>Costs</p> <ul style="list-style-type: none"> • Could result in vacant lots that cannot be developed with permitted activities due to topographical constraints. • Could result in lots that require substantial earthworks in order to be developed. <p>Efficiency</p> <ul style="list-style-type: none"> • Efficiency could be achieved through providing less complexity in the District Plan. <p>Effectiveness</p> <ul style="list-style-type: none"> • May not achieve the objectives for the Residential Hill Zone (Low Density Residential Zone). 	<p>minimum lot size would not be applied where there is evidence of a credible permitted activity.</p> <ul style="list-style-type: none"> • Where an applicant seeks a lower lot size, they may instead pursue a land use consent whereby any adverse effects can be assessed. <p>Costs</p> <ul style="list-style-type: none"> • Limits the ability for people to undertake smaller subdivision, however this option remains open if people can show a compliant dwelling can be constructed. <p>Efficiency</p> <ul style="list-style-type: none"> • Continuation of existing rules. <p>Effectiveness</p> <ul style="list-style-type: none"> • Relies on the existing rule framework, except amended to meet the requirements of the RMA Amendments. <p>This is the preferred option, as it will continue to achieve the goals of the existing framework, whilst meeting the requirements of the RMA Amendments.</p>

Issue 4: Greenfield subdivision

Limitations on density within greenfield areas can result in underdevelopment of sites, encourage sprawl and associated adverse environmental effects, and increase costs of infrastructure provision.

4	Evaluation of Options	
	Option 1 - Status Quo	Option 2 – Proposed plan change
	<p>The existing District Plan seeks to achieve a minimum greenfield development density of 15 dwellings per hectare. This is achieved through allotment size controls, and Development Overlays within the District Plan rules.</p> <p>Benefits</p> <ul style="list-style-type: none"> • This accords with the CRPS and goes some way to enabling increased development density in accordance with the MDRS. • By encouraging a minimum density level within these locations, there may be a larger population base across which infrastructure costs can be spread. Additional density also contributes to vibrancy, resulting in social and cultural benefits. • The stipulated density levels contribute to the efficient use of a limited land resource. • Minimum lot sizes could allow for more varied housing supply, for example enabling standalone or townhouse development or comprehensive development instead of vacant lot subdivision. <p>Costs</p> <ul style="list-style-type: none"> • This approach does not align with the requirements under Clause 6 in Schedule 3A of the Act that stipulates no site size, shape size, or other size related matter can be imposed 	<p>The District Plan provisions would need to be amended to recognise the new legislative requirements around when minimum allotment size, shape size, or other size related matters can be considered, as well as requirements for subdivisions in many instances to be provided for as a Controlled activity.</p> <p>The intent would be to create, as a Controlled activity standard, a maximum allotment size for vacant allotments (e.g 300m²) within greenfield areas to encourage intensification and dissuade sprawl, while seeking to demonstrate that each allotment created below a stipulated size (e.g. 200m²) could be developed as a permitted activity. An evidence base would need to be developed to support the size thresholds.</p> <p>Benefits</p> <ul style="list-style-type: none"> • Aligns with the requirements of the MDRS and RMA 1991. • Encourages intensification by preventing the creation of allotments above a certain size, thereby increasing development yield from existing sites. • A maximum lot size for vacant subdivision effectively sets a minimum density level within these locations. This may increase the population base across which infrastructure

4	Evaluation of Options	
	Option 1 - Status Quo	Option 2 – Proposed plan change
	<p>unless vacant allotments are being created. The current approach adds legislative, administrative, cost and time barriers to the development process.</p> <p>Efficiency</p> <p>Maintaining the status quo is not considered to be an efficient approach to greenfield development. It directly conflicts with the direction of higher order documents and does not encourage intensification to the extent envisaged by the NPS-UD. This in turn may result in a less efficient use of the existing land resource for residential development.</p> <p>Effectiveness</p> <p>Maintaining the status quo is not considered to be an effective option as it does not align with the higher order direction around when size controls can be imposed on subdivision.</p>	<p>costs can be spread. Additional density also contributes to vibrancy, resulting in social and cultural benefits.</p> <ul style="list-style-type: none"> Ensures that all allotments created are able to be developed, by introducing a controlled activity standard to demonstrate a permitted dwelling where vacant allotments are below a certain size. <p>Costs</p> <ul style="list-style-type: none"> May reduce choice within the housing market by setting parameters within in which future allotments will need to fall for the lowest risk consenting pathway. This in turn may restrict the housing typology that can be developed thereon. <p>Efficiency</p> <p>The recommended plan change is considered an efficient means of resolving the issue of greenfield subdivision because:</p> <ul style="list-style-type: none"> As a Controlled activity standard, the above approach provides developers certainty as to the outcomes sought and the pathway for achieving it (as Controlled activities cannot be declined); The plan change would directly align with the requirements of the RMA 1991 and the NPS-UD both in terms of activity status, and the outcomes sought; The rules would only apply to vacant lot subdivision, providing for greater flexibility in lot size and shape where it is occurring around existing development.

4	Evaluation of Options	
	Option 1 - Status Quo	Option 2 – Proposed plan change
		<p>Effectiveness</p> <p>The recommended plan change is considered to be the most effective in resolving the issues around greenfield development because:</p> <ul style="list-style-type: none"> • The provisions would give effect to higher order direction, including the RMA 1991 and the NPS-UD. • The proposed provisions will encourage intensification of development within greenfield areas by directing development towards smaller allotments, provided they are proven to be suitable for subsequent residential development. <p>This is the preferred option, as it accords with the activity statuses and applicability of allotment size controls under Schedule 3A.</p>

Issue 5: Subdivision in infrastructure constrained areas

Infrastructure should have capacity to accommodate future demand.

5	Evaluation of Options		
	Option 1 - Status Quo	Option 2 – Do nothing	Option 3 – Proposed plan change
	Maintaining the status quo would mean that servicing and infrastructure would be pulled through as a matter of control or discretion for all Controlled or Restricted Discretionary activities.	This option would entail removal of any provisions relevant to infrastructure from the residential subdivision provisions, leaving this to separate processes such as the Long Term and Annual Plan process and development contributions processes.	Create a specific subdivision rule for development in areas with known capacity issues. To accord with the provisions of the RMA 1991, this would be as a Controlled activity, with the potential to elevate the activity status to a Restricted Discretionary

5	Evaluation of Options		
	Option 1 - Status Quo	Option 2 – Do nothing	Option 3 – Proposed plan change
	<p>Should any subdivision be elevated to Discretionary or Non-complying status, any relevant matter can be considered whereby infrastructure capacity could automatically be considered.</p> <p>Benefits</p> <ul style="list-style-type: none"> • Servicing and infrastructure capacity would be captured alongside any resource consent for subdivision. • As there is generally an engineering solution to network capacity (e.g. onsite attenuation, increased pipe capacity, upgrades to the wider infrastructure network, installation of onsite water collection etc.) it means that subdivision will not be needlessly restricted; a mechanism will be in place to ensure that appropriate network outcomes are achieved. <p>Costs</p> <ul style="list-style-type: none"> • Costs of development may increase where infrastructure constraints are identified. 	<p>Benefits</p> <ul style="list-style-type: none"> • More enabling of subdivision and residential density as network constraints would not be considered unless the application was for a Discretionary or Non-complying activity. <p>Costs</p> <ul style="list-style-type: none"> • Could enable the creation of allotments that cannot be adequately serviced. • May increase demand for Council-led improvements to infrastructure, shifting the distribution of financial burden and undermining the integrated provision of residential subdivision with infrastructure provision. <p>Efficiency</p> <p>This is not considered to be an efficient means of achieving adequately serviced residential allotments. It may shift the burden of services installation to future owners rather than developers, and could contribute to overloading of Council infrastructure.</p>	<p>activity should a suitable engineering solution not be available.</p> <p>Benefits</p> <ul style="list-style-type: none"> • If an appropriate mechanism was put in place (e.g. servicing capacity assessments for the three waters must be included with all consent applications), then only those properties for which constraints exist would be captured; the consenting process may be streamlined for residential subdivision where constraints are not identified upfront. <p>Costs</p> <ul style="list-style-type: none"> • Would require development of an overlay or mechanism for identification of areas subject to infrastructure capacity constraints. As the nature and location of constraints can evolve over time, this may require more frequent updates to the District Plan. <p>Efficiency</p> <p>This is not considered to be the most efficient process for addressing infrastructure</p>

5	Evaluation of Options		
	Option 1 - Status Quo	Option 2 – Do nothing	Option 3 – Proposed plan change
	<p>Efficiency</p> <p>This is considered to be an efficient approach as:</p> <ul style="list-style-type: none"> • It ensures that infrastructure constraints are identified and resolved prior to enabling residential subdivision; • Engineering solutions to infrastructure constraints can be deployed across an entire subdivision, rather than being addressed on a site-by-site basis by the future owners and occupiers. • Residential development is not precluded until wider upgrades to the public network are completed. <p>Effectiveness</p> <p>This approach is considered to be effective in that it enables servicing to be considered on all residential subdivision consents, ensuring no allotments are created that cannot be adequately serviced.</p> <p>This is the preferred option.</p>	<p>Effectiveness</p> <p>The ‘do nothing’ approach is not considered an effective means of addressing infrastructure constraints and does not achieve the requirement under the NPS-UD and RPS to achieve integrated delivery of residential subdivision with infrastructure provision.</p>	<p>constraints as it may require frequent updates to the District Plan to reflect changes in network capacity.</p> <p>Effectiveness</p> <p>This would be an effective means of integrating infrastructure supply with residential development, as any constraints would need to be identified and an engineering solution identified prior to approval of a resource consent.</p>

Issue 6: Subdivision in areas with qualifying matters

Subdivision can be restricted when a qualifying matter can apply, which may mean future development is not appropriate in areas of the City.

6	Evaluation of Options		
	Option 1 - Status Quo	Option 2 – Do nothing	Option 3 – Matter of control or discretion within rule framework
	<p>Under this option, residential subdivision where a qualifying matter applies is a trigger for resource consent in its own right (e.g. subdivision within a Site of Ecological Significance).</p> <p>The existing provisions may need to be modified to ensure all qualifying matters identified under the Act and within the NPS-UD are captured.</p> <p>Benefits</p> <ul style="list-style-type: none"> • The Council retains control over development in locations that may be recognised as more sensitive and are thus afforded additional protection/limitations within higher order documents (such as Part 2 of the RMA 1991). The provisions will be giving effect to these higher order documents. • Development is avoided or restricted within areas that may not be suitable for increased density of use, 	<p>Under this option, the District Plan would not include any specific rules to address qualifying matters.</p> <p>Benefits</p> <ul style="list-style-type: none"> • The MDRS would be implemented to their fullest extent. <p>Costs</p> <ul style="list-style-type: none"> • This option would mean that the District Plan was not giving effect to higher order documents, such as Part 2 of the RMA 1991, and Policy 4 of the NPS-UD. • A more permissive regime could result in significant adverse environmental effects upon s6 matters, and/or increase the economic, health and safety, cultural, and social risks associated with residential subdivision. • Development may occur in inappropriate parts of the City. 	<p>Under this option, qualifying matters would be not listed as their own rule, but rather would become a relevant standard for permitted activities, or matter of control or discretion for subdivision that needs consent as a Controlled or Restricted Discretionary activity.</p> <p>Should subdivision consent be required as a Discretionary or Non-complying activity, any relevant matter could be considered, including the presence or otherwise of qualifying matters.</p> <p>Benefits</p> <ul style="list-style-type: none"> • May streamline the consent triggers. • The Council retains control over development in locations that may be recognised as more sensitive and are thus afforded additional protection/limitations within higher order documents (such as Part 2 of the RMA 1991).

6	Evaluation of Options		
	Option 1 - Status Quo	Option 2 – Do nothing	Option 3 – Matter of control or discretion within rule framework
	<p>supporting the long term environmental, social, cultural and economic wellbeing of the community.</p> <p>Costs</p> <ul style="list-style-type: none"> This may restrict development potential under the District Plan for sites affected by qualifying matters. The development restrictions may in turn limit increases in housing supply for a growing population, and may restrict economic returns for developers. <p>Efficiency</p> <p>The status quo is considered to be an efficient way of achieving the required protections and limitations for qualifying matters for the following reasons:</p> <ul style="list-style-type: none"> The existing provisions can be kept to some extent, limiting the need for re-working and meaning that the framework is known and understood by the development community. 	<ul style="list-style-type: none"> Developers are provided with no certainty as to how qualifying matters may influence the viability of their consent proposal. <p>Efficiency</p> <p>The ‘do nothing’ approach is considered to enable efficient development of land through minimisation of legislative barriers.</p> <p>Effectiveness</p> <p>This is not considered to be an effective means of managing adverse environmental effects associated with qualifying matters as:</p> <ul style="list-style-type: none"> The qualifying matters will not be defined or captured within the District Plan. Therefore, there is potential for significant adverse environmental effects upon s6 matters, and/or increase the economic, health and safety, cultural, and social risks associated with residential subdivision. This can undermine the wellbeing of communities in the short and long term. 	<ul style="list-style-type: none"> Development is avoided or restricted within areas that may not be suitable for increased density of use, supporting the long term environmental, social, cultural and economic wellbeing of the community. <p>Costs</p> <ul style="list-style-type: none"> This may restrict development potential under the District Plan for sites affected by qualifying matters. The development restrictions may in turn limit increases in housing supply for a growing population, and may restrict economic returns for developers. <p>Efficiency</p> <p>This approach is not considered to be the most efficient means of addressing qualifying matters as:</p> <ul style="list-style-type: none"> Despite listing qualifying matters as a permitted activity standard, or as a matter of control or discretion (for Controlled and Restricted Discretionary activities), it may not

6	Evaluation of Options		
	Option 1 - Status Quo	Option 2 – Do nothing	Option 3 – Matter of control or discretion within rule framework
	<ul style="list-style-type: none"> The existing provisions give effect to higher order direction (Section 6, and RPS) through a clear set of rules. However, residential subdivision within sites subject to qualifying matters can only be restricted <i>only to the extent necessary</i> to accommodate the qualifying matter. This means that the limited land resource will continue to be utilised in the most efficient manner. <p>Effectiveness</p> <ul style="list-style-type: none"> The existing provisions give effect to higher order direction (Section 6, and RPS) through a clear set of rules. The provisions provide protection for a range of features/attributes that support the environmental, social, cultural and economic wellbeing of the community, as well as achieving health and safety outcomes by discouraging inappropriate development in areas affected by natural hazard risk. <p>This is the preferred option as it provides certainty to developers and appropriate</p>	<ul style="list-style-type: none"> Council would have to rely on other pieces of legislation (e.g. Building Act 2004, CDEM Act 2002, Heritage New Zealand Pouhere Taonga Act 2014) to achieve protection of the outcomes sought by the RMA. This is less efficient than addressing such matters at the resource consent stage. 	<p>give full effect to higher order documents such the RMA and RPS. The level of protection that can be afforded through such standards is limited and therefore may not fully achieve the required outcomes.</p> <p>Effectiveness</p> <p>This way of capturing qualifying matters is considered of limited effectiveness as:</p> <ul style="list-style-type: none"> The matters of control and/or discretion would give effect to higher order direction (Section 6 and RPS) through a clear set of assessment matters. The provisions provide protection for a range of features/attributes that support the environmental, social, cultural and economic wellbeing of the community, as well as achieving health and safety outcomes by discouraging inappropriate development in areas affected by natural hazard risk. However, the starting point for most residential subdivision under the RMA 1991 is as a Controlled activity.

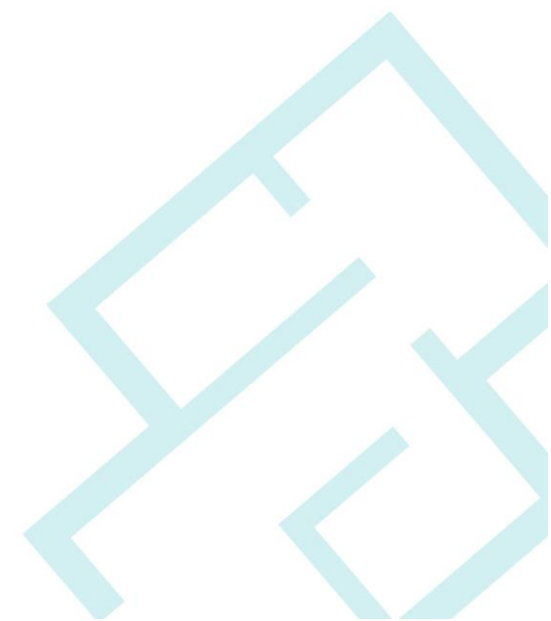
6	Evaluation of Options		
	Option 1 - Status Quo	Option 2 – Do nothing	Option 3 – Matter of control or discretion within rule framework
	<p>levels of control to Council. It is noted that the qualifying matters will need to be reassessed to ensure that all matters identified under the RMA 1991 and within the NPS-UD are accounted for, and to ensure that these align with the latest knowledge base.</p>		<p>Listing qualifying matters as a matter of control may mean Council’s ability to decline the consent application is restricted. Better protection can be afforded by instantly elevating the activity status for development within areas affected by qualifying matters.</p>

Issue 7: Notification provisions

The RMA Amendments Act 2021 changes the notification provisions of the Act.

7	Evaluation of Options	
	Option 1 - Status Quo	Option 2 – Proposed plan change
	<p>Maintain the existing non-notification clauses relevant to residential subdivision within the District Plan.</p> <p>Benefits</p> <ul style="list-style-type: none"> The existing provisions provide certainty for developers as to when notification is precluded. <p>Costs</p> <ul style="list-style-type: none"> This approach does not align with the requirements under s4(3) in Schedule 3A of the RMA Amendment Act that 	<p>Existing non-notification clauses within the District Plan would be modified to align with the parameters set under the RMA 1991.</p> <p>Benefits</p> <ul style="list-style-type: none"> Developers would be provided with certainty around when notification cannot occur. Higher order documents will be complied with. <p>Costs</p> <ul style="list-style-type: none"> There are no costs associated with this approach. <p>Efficiency</p>

7	Evaluation of Options	
	Option 1 - Status Quo	Option 2 – Proposed plan change
	<p>stipulates when public and limited notification must be precluded for residential subdivision.</p> <p>Efficiency</p> <p>The existing rules are considered to promote efficient processing of resource consents. The existing non-notification clauses provide clear direction and certainty to developers around notification risk for certain types of residential subdivision.</p> <p>Effectiveness</p> <p>This approach is not considered to be an effective means of achieving the direction of the RMA 1991; the existing District Plan is in conflict with the notification provisions that must be incorporated into the District Plan.</p>	<p>Modifying the existing non-notification clauses within the District Plan is considered to be an efficient means of achieving the direction of the RMA 1991. Council has no option but to incorporate the specified changes into the District Plan.</p> <p>Effectiveness</p> <p>Updates to the existing rules in accordance with the direction of the RMA 1991 will promote efficient processing of resource consents. Non-notification clauses provide clear direction and certainty to developers around notification risk for certain types of residential subdivision. This is the preferred option, as it is required under legislation.</p>



4. Conclusion

The operative Christchurch District Plan does not fully align with the RMA Amendments or provisions of the NES-UD. This paper has explored the issues with residential subdivision in light of the legislative changes and has identified a range of options to address each issue. The preferred option has been identified in section 3 of this report.

These preferred options will be used as the basis for forming a recommended framework of objectives, policies, and rules necessary to create an Intensification Planning Instrument (IPI). It will be necessary to prepare an associated evidence base and further interrogate each option as part of the Intensification Streamlined Planning Process (ISPP).



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