

**BEFORE THE CHRISTCHURCH REPLACEMENT DISTRICT PLAN  
HEARINGS PANEL**

**IN THE MATTER** of the Resource Management Act 1991 and the Canterbury  
Earthquake (Christchurch Replacement District Plan) Order  
2014

**AND** the Christchurch Replacement District Plan

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**STATEMENT OF EVIDENCE OF KENNETH GEORGE GIMBLETT  
ON BEHALF OF THE CROWN**

**Proposal 14: Residential**

**Land Use Recovery Plan Interventions to Facilitate Housing Supply**

Dated the 20<sup>th</sup> day of March 2015

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## 1. INTRODUCTION

- 1.1 My name is Kenneth (Ken) George Gimblett. I hold the position of Senior Resource Management Planner / Director with the environmental consultancy firm Boffa Miskell Limited, based in the firm's Christchurch office. I have been employed by Boffa Miskell since 1998 and have been a company director since 2008.
- 1.2 This is the second statement of evidence I have presented to the hearings panel for the Crown, the first being in respect of Proposal 10 (Designations and Heritage Orders) and the ten central city designations made by the Minister for Canterbury Earthquake Recovery ('**Minister**') as part of the Christchurch Central Recovery Plan - Te Mahere 'Maraka Ōtautahi' ('**CCRP**')<sup>1</sup>. My experience and qualifications are set out in paragraphs 1.2 and 1.3 of that evidence.
- 1.3 Of particular relevance to this evidence is my involvement in the development of the planning provisions to give effect to the Land Use Recovery Plan - Te Mahere Whakahaumanu Tāone ('**LURP**'), and continuing assistance to the Canterbury Earthquake Recovery Authority ('**CERA**'), including the Christchurch Central Development Unit ('**CCDU**') on developing planning provisions for the Central City generally, and residential zones and the East Frame in particular.
- 1.4 I have been engaged by the Crown (through CERA) to provide planning evidence in relation to the submission made by the Crown on Proposal 14 (Residential) ('**Proposal 14**') of the Christchurch Replacement District Plan ('**Replacement Plan**') and the specific interventions introduced through the LURP to assist in facilitating housing choice and supply.

## 2. CODE OF CONDUCT

- 2.1 I confirm that I have read the code of conduct for expert witnesses as contained in the Environment Court's Practice Note 2014. I have complied with the practice note when preparing my written statement of evidence, and will do so when I give oral evidence before the hearings panel.

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<sup>1</sup> Available at <http://www.chchplan.ihp.govt.nz/Hearings/Hearing7/pages/default.aspx> under the heading 'Submitter Evidence and Written Statements'.

- 2.2 The data, information, facts and assumptions I have considered in forming my opinions are set out in my evidence to follow. The reasons for the opinions expressed are also set out in the evidence to follow.
- 2.3 Unless I state otherwise, this evidence is within my sphere of expertise and I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

### 3. SCOPE

- 3.1 I have been asked to provide evidence in relation to the Crown's submission seeking that the Replacement Plan, and Proposal 14 in particular, not be inconsistent with the LURP, including an explanation of the specific interventions introduced through the LURP to assist in facilitating housing choice and supply.
- 3.2 The specific interventions from the LURP that are the subject of this evidence are:
- (a) the Enhanced Development Mechanism ('**EDM**');
  - (b) the Community Housing Redevelopment Mechanism ('**CHRM**');
  - (c) provisions enabling two residential units to be established on sites either vacant at the time of the earthquakes, or anticipated to become vacant as a consequence of the earthquakes;
  - (d) provisions enabling the conversion of an existing residential unit into two residential units;
  - (e) provisions enabling the use of an existing family flat as an independent residential unit; and
  - (f) provisions easing the restrictions on the use/ownership of existing Elderly Persons Housing ('**EPH**') units.
- 3.3 In preparing my evidence I have carefully reviewed:
- (a) the Crown submission, particularly Part A and Proposal 14 in Part C;
  - (b) the evidence for the Crown of **Mr Maurice Dale, Mr Paul Commons, Ms Sandra McIntyre, Mr Tim Walsh, Mr John Schellekens, Mr Mark Teesdale, Ms Vicki Barker and Mr Ian Mitchell;**

- (c) The evidence of **Mr Scott Blair, Mr Andrew MacLeod, Mr Graeme McIndoe, Ms Ekin Sakin, Dr Douglas Fairgray and Ms Bridget O'Brien** for the Christchurch City Council ('**Council**');
- (d) the Canterbury Regional Policy Statement 2013 ('**RPS**');
- (e) the Recovery Strategy for Greater Christchurch - Mahere Haumanutanga o Waitaha ('**Recovery Strategy**');
- (f) the LURP;
- (g) Proposal 14 (Residential) (both the notified version and the revised version dated 9 March 2015) and the associated section 32 report; and
- (h) the decision of the hearings panel on Strategic Directions and Strategic Outcomes (and Relevant Definitions), dated 26 February 2015 ('**Strategic Directions decision**').

3.4 In this evidence I address:

- (a) the development of the LURP;
- (b) the background and intent of the LURP interventions identified to facilitate housing choice and supply in Christchurch;
- (c) factors taken into consideration in developing these interventions;
- (d) an explanation of the final package included in the LURP and how those provisions fit within the context of the Replacement Plan; and
- (e) the need for the inclusion of these provisions in the Replacement Plan to support earthquake recovery.

#### **4. EXECUTIVE SUMMARY**

4.1 Proposal 14 includes a number of specific interventions introduced through the LURP into the operative District Plan to assist in facilitating housing choice and supply in support of earthquake recovery. The Crown's submission supports the attempts in Proposal 14 to promote recovery but specifically comments on the need to avoid inconsistency with the LURP and especially on the need to enable increased residential development capacity. The submission also highlights numerous inaccuracies with the directions in the LURP and the general direction in the LURP for the

Replacement Plan to go further than the statutory directions and to incorporate provisions for comprehensive residential development.

- 4.2 The focus of my evidence relates to my role during the development of the LURP in providing advice to the Minister for Canterbury Earthquake Recovery as a member of a small team of planning and legal advisors. That role involved developing and recommending planning methods in support of achieving key community and housing outcomes, enabling infill and intensification to provide housing choice, provision for community and social housing, and opportunities to meet the city's immediate accommodation needs. That culminated in a range of immediate interventions to improve housing supply ultimately included in the statutory directions to amend the operative Christchurch District Plan, included as Appendix 2 to the LURP.
- 4.3 My evidence explains the background and intent of those housing interventions, the factors taken into account during their development and also their final form, and the need for them to be included in the Replacement Plan. That background supports, in particular, planning evidence of **Mr Dale** on behalf of Housing New Zealand Corporation ('HNZC') and **Ms McIntyre** on behalf of the Crown who address more specific points made in the Crown's submission, and relevant submissions of others, including evidence for the Council.
- 4.4 Although I consider the immediate intervention provisions, as introduced through the LURP, to be generally directed to appropriate outcomes and informed by the higher order planning documents, I acknowledge and agree with the evidence of **Mr Dale** and **Ms McIntyre** supporting some minor wording modifications.
- 4.5 To achieve consistency with the LURP, it is my opinion the immediate interventions I have outlined in this evidence should be included in Proposal 14. I recognise and accept that does not mean those provisions as directed to be included or amended in the operative District Plan must remain unchanged.<sup>2</sup> It is however important in my view that the original intention and purpose remains, and anticipated outcomes are able to be achieved. I would urge particular caution if the opportunities afforded through those mechanisms are to be further constrained in any way.

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<sup>2</sup> In accordance with paragraph 61 of the Strategic Directions decision.

4.6 It is also my opinion that those immediate housing interventions should be supported by other ways of achieving appropriate intensification through the Replacement Plan process in support of improved housing availability and choice. That is consistent with Action 2 of the LURP, and meeting the community's immediate and longer terms needs for housing in accordance with objectives 3.3.1 and 3.3.4 of the Strategic Directions decision.

## 5. THE DEVELOPMENT OF THE LAND USE RECOVERY PLAN

5.1 The Canterbury Earthquake Recovery Act 2011 ('**CER Act**') provides the basis for the development of the Recovery Strategy and Recovery Plans.<sup>3</sup> The purpose of the Recovery Strategy is to be an overarching, long-term strategy for the reconstruction, rebuilding, and recovery of greater Christchurch.<sup>4</sup> The Recovery Strategy is the key reference document that guides and coordinates the programmes of work, including Recovery Plans.<sup>5</sup>

5.2 The LURP focuses on the metropolitan urban area of Christchurch and towns stretching from Lincoln, Prebbleton and Rolleston in the south to Kaiapoi, Rangiora and Woodend/Pegasus in the north. It does not extend to the coastal waters adjoining this area, nor overlap with the area of central Christchurch subject to the CCRP. Integration of Proposal 14 with the CCRP is addressed in the evidence of **Mr Walsh** on behalf of the Crown. The LURP is nevertheless stated to be consistent with the CCRP, and the connections between what happens within the central city and what happens in metropolitan greater Christchurch have been considered in its development.<sup>6</sup> The LURP does not make any changes to the CCRP.

5.3 The LURP was developed during 2013, and gazetted on 6 December 2013. The development process involved a collaborative multi-agency approach involving all of the earthquake recovery strategic partners<sup>7</sup>, with input from key stakeholders and the wider community.

5.4 My role in providing advice to the Minister was as a member of a small team of planning and legal advisors asked to develop and recommend

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<sup>3</sup> Canterbury Earthquake Recovery Act 2011 ('**CER Act**') sections 11-26.

<sup>4</sup> CER Act 2011, section 11(3).

<sup>5</sup> See also the evidence provided to the hearings panel on these matters in the hearing on Strategic Directions by Benesia Denise Smith (dated 25 November 2014) and Stephen Ronald Timms (dated 25 November 2014). These statements of evidence can be accessed at <http://www.chchplan.ihp.govt.nz/Hearings/Hearing1/Pages/default.aspx> under the heading 'Submitter Evidence and Written Statements'.

<sup>6</sup> Land Use Recovery Plan Te Mahere Whakahaumanu Taone, ('**LURP**'), section 1.2, page 8.

<sup>7</sup> Te Rūnanga o Ngāi Tahu, Christchurch City Council, Selwyn District Council, Waimakariri District Council, New Zealand Transport Agency, and Canterbury Earthquake Recovery Authority.

planning methods to achieve specific outcomes sought through the LURP. My involvement focussed on key actions concerning ‘communities and housing’ to assist in meeting the following outcomes:<sup>8</sup>

*“6. The range, quality and price of new housing meets the diverse and changing needs of those seeking to buy or rent, including the needs of a growing temporary rebuild workforce.*

*7. Opportunities are available for the market to deliver comprehensive redevelopment in suitable existing neighbourhoods.”*

- 5.5 In particular the team looked at methods to achieve infill and intensification to provide housing choice, provision for community and social housing, and opportunities to meet immediate accommodation needs.<sup>9</sup>
- 5.6 While a range of options were considered (discussed below at paragraph 6.4), a set of specific interventions as set out in the next section of this evidence were determined to be the most appropriate to achieve the vision and goals of the LURP. They were ultimately included in the Minister’s statutory directions to amend the operative Christchurch District Plan, included as Appendix 2 to the LURP. These immediate amendments were required to be completed within a fortnight of Gazettal of the LURP.<sup>10</sup>
- 5.7 The CER Act requires that the Replacement Plan not be inconsistent with the LURP.<sup>11</sup> In my opinion the provisions within the LURP for achieving housing choice and improved supply should continue to be applied in Proposal 14, though Proposal 14 is not required to treat the subject matter in precisely the same way.<sup>12</sup>

## **6. BACKGROUND AND INTENT OF IMMEDIATE INTERVENTIONS IN THE LURP**

- 6.1 The LURP describes and discusses the city’s land use needs for housing, recognising not only the short term loss of significant numbers of dwellings as a result of the earthquakes, but also the likelihood of strong demand for housing continuing into the future. That demand will reflect the on-going need for temporary accommodation for households while homes are repaired or rebuilt; the requirements of rebuild workers coming into the

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<sup>8</sup> LURP outcomes, page 16.

<sup>9</sup> LURP, 4.0 A Plan to Lead Recovery, 4.1 Rebuilding communities, 4.1.1 Provide housing choice, pages 17-20.

<sup>10</sup> Most changes required were undertaken by the Christchurch City Council on 6 December 2013.

<sup>11</sup> CER Act 2011, section 23.

<sup>12</sup> Strategic Directions decision, paragraph 61.

area, particularly for rental accommodation; and projected growth in household numbers formed from the existing population and through migration. **Mr Mitchell and Mr Schellekens** discuss housing supply and demand in their evidence on behalf of the Crown. The LURP acknowledges the encouragement historically given to infill and intensification through the operative District Plan in enabling medium density residential development in Christchurch's inner suburbs, and similarly the significant role of the central city in accommodating an increased residential population.<sup>13</sup>

- 6.2 Recognising vacant land supply due to the earthquakes and theoretical development opportunities based on the operative District Plan, household target figures are set within the LURP to be provided for through infill and intensification through the period until 2028.<sup>14</sup> The LURP targets seek that the total household growth across metropolitan greater Christchurch provide for 20,742 new households in existing urban areas by 2028. I note also, consistent with the Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014 (**'the Order'**),<sup>15</sup> that the Strategic Directions decision includes a specific target (in the form of an objective) for the Replacement Plan of enabling 23,700 additional dwellings for the period 2012 to 2028 through a combination of intensification, brownfield and greenfield development.<sup>16</sup>
- 6.3 Additionally, the LURP envisages the review of the Christchurch District Plan to identify other ways of achieving appropriate intensification in support of housing choice, including through comprehensive residential and mixed use developments.<sup>17</sup> The LURP also made immediate changes to the operative District Plan to open up more opportunities to address the issues of housing supply and choice, not all of which necessarily target intensification of existing residential areas (e.g. rezoning of land in the Highsted and Highfield Park areas).
- 6.4 During development of the LURP, a range of options were considered to support meeting immediate housing recovery needs. My evidence focusses on several interventions directed by the Minister to modify the District Plan through the LURP to address these issues. These

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<sup>13</sup> LURP, section 4.1.1, page 18.

<sup>14</sup> LURP, 4.0 A Plan to Lead Recovery, Table 2 Targets for intensification.

<sup>15</sup> Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014, (**'Order'**) Schedule 4, Statement of Expectations.

<sup>16</sup> Strategic Directions decision, Objective 3.3.4 of Schedule 1.

<sup>17</sup> LURP Acton 2: Intensification, page 20.

interventions included removing easily identifiable barriers to appropriate residential redevelopment and to ensure that the window of opportunity available to use land more efficiently than might otherwise be the case was not lost while other, more comprehensive, initiatives are developed and implemented.

6.5 The interventions therefore form part of a package of measures to promote intensification and infill to achieve the aspirations set out in section 4.1.1 of the LURP. They are directed to providing housing choice and availability, as well as improving opportunities for affordable housing and expansion of the rental housing supply. Collectively, they are actions to meet identified outcomes relating to communities and housing, including those in outcomes 6 and 7 quoted above. This package of measures, as described above at paragraph 3.2, comprises:

- (a) the EDM provisions;
- (b) the CHRM areas;
- (c) provisions enabling two residential units to be established on sites either vacant at the time of the earthquakes, or anticipated to become vacant as a consequence of the earthquakes;
- (d) provisions enabling the conversion of an existing residential unit into two residential units;
- (e) provisions enabling the use of an existing family flat as an independent residential unit; and
- (f) provisions easing the restrictions on the use/ownership of existing EPH units.

6.6 The EDM is set out in Amendment 1A in Appendix 2 of the LURP. It is intended to promote efficiencies in the use of sizable areas of land by incentivising higher density comprehensive redevelopment of sites within suitable lower and medium density residential areas. It was borne out of the “floating zone” concept identified in the draft LURP received by the Minister from the strategic partners<sup>18</sup>. The ‘floating zone’ concept is explained below at paragraph 7.3 of my evidence.

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<sup>18</sup> Christchurch City Council, Environment Canterbury, Selwyn District Council, Waimakariri District Council, the NZ Transport Agency and Te Runanga o Ngāi Tahu.

- 6.7 The CHRM mechanism is set out in Amendment 1B in Appendix 2 of the LURP. It is directed to areas where significant building stock was already owned by social and community housing providers. Those providers were seen to be vital in meeting the needs of some of the most vulnerable communities following the earthquakes. Many of these areas were damaged as a result of the earthquakes and the pre-earthquake building stock was acknowledged to be increasingly unsuited to the needs of the relevant communities. This is explained from the perspective of HNZN in the evidence of **Mr Commons**.<sup>19</sup> The CHRM is therefore enabling of medium density redevelopment and new development in specified areas containing clusters of social and community housing.<sup>20</sup>
- 6.8 The other immediate interventions are described in subparagraphs (c) to (f) above and set out in Amendment 1C in Appendix 2 of the LURP. These interventions deliberately targeted lesser sized land parcels not qualifying for the EDM, or eligible under the CHRM, to take greater advantage of existing housing stock and vacant land opportunities.

## **7. FACTORS TAKEN INTO CONSIDERATION IN DEVELOPING THE INTERVENTIONS**

- 7.1 In this section of my evidence the words “we” and “our” are used to refer to myself and the other members of the team of planning and legal advisors described above at paragraph 5.4.
- 7.2 When considering how best to respond to the issues regarding housing choice and supply, at the time of advising the Minister, we considered a number of possible planning interventions. In the timeframe available, some fundamental considerations were applied to our decision making. Broadly, they included:
- (a) considering any direction or possible mechanisms identified in the draft LURP (e.g. the ‘floating zone’ concept);
  - (b) integration with the wider planning framework, including giving effect to the RPS and consistency with the Recovery Strategy;
  - (c) the likelihood of achieving immediate success or success with minimal delay;

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<sup>19</sup> See paragraphs 55 to 60.

<sup>20</sup> See the descriptions of “affordable housing” and “social housing” in the LURP, page 16.

- (d) considering who may be most impacted (positively/negatively) if the opportunity is taken up, including what could arise as unintended outcomes;
- (e) longer term consequences beyond recovery, recognising reasonably permanent change in spatial patterns and built form could occur;
- (f) achieving ease of understanding and implementation; and
- (g) suitable length of opportunity, in the sense of whether an opportunity needed to be time bound or not.

### **EDM Provisions**

- 7.3 In the case of the EDM, this option emerged from the “floating zone” concept conceived and introduced through the draft LURP. The concept was premised on intensification of residential land use being best enabled in proximity of, and accessible to, important services and facilities (e.g. business and employment centres, open space, public transport). It is also flexible insofar as new or changing facilities and services could open up new areas of intensification opportunity over time. The concept was seen to be consistent with the broad spatial planning approach applied under the operative District Plan and management of urban growth of metropolitan Christchurch at the regional level through the RPS. While the concept was clearly directed to achieving recovery objectives and increasing intensification opportunity, we considered that significant adverse implications for existing neighbourhoods should be avoided.
- 7.4 In considering the concept, we gave thought to the continuum along which intervention of this nature might occur; specifically, the extent to which such intervention should enable a more intensive development opportunity spatially across suburban areas of the city (i.e. how much of the city should qualify for the opportunity), and what should the constraints on the opportunity be, if any.
- 7.5 In that regard, critical defining aspects of the EDM are:
- (a) the size of the proposed redevelopment land parcel;
  - (b) the relationship to community services and facilities;
  - (c) the anticipated housing yield; and

(d) performance standards regarding built form and amenity.

7.6 To qualify for the opportunity provided by the EDM we determined that the proposed site must meet both a minimum and maximum site size. These parameters were selected such that the minimum site size (1,500m<sup>2</sup>) would seek to ensure sufficient space is available on site to largely internalise the effects of the development and to ensure that the interface between the proposed redevelopment site and existing adjacent development can be appropriately managed. The maximum site size (1ha) reflects a scale of development at which the off-site effects (e.g. traffic impacts) are such that they can, generally, no longer be dealt with by appropriate on-site measures. It was also a reflection of what we thought to be a realistic, feasible sized land parcel to be available for redevelopment within established urban residential environments of the city.

7.7 In addition, to qualify the proposed redevelopment site must sit within an area already well supported by proximate existing services, including good public transport, a neighbourhood centre or supermarket, a primary or intermediate school, and publicly accessible open space of a reasonable size. Specific accessibility criteria based on walking distance were chosen to apply in respect of these services and facilities. At the same time, redevelopment sites should avoid inappropriate locations due to issues of land use compatibility or other constraint (e.g. limited infrastructure capacity, unacceptable or uncertain natural hazard risk, or proximity to heavy industry). Our intention was to ensure an increased resident population would be able to readily access, benefit from and support important services and facilities, and avoid situations where the surrounding environment is neither capable of supporting that intensified development, nor compatible with it.

7.8 The identification of infrastructure and natural hazard constraints was informed by discussions with Council staff at the time. We were advised of a known significant impediment to intensification in the Riccarton area where increased waste water capacity was not anticipated, as I recall, before around 2020. This constraint and the current timeframe for resolving it is discussed in evidence by **Ms O'Brien** for the Council.<sup>21</sup> We were also informed of then recent work undertaken by Canterbury Regional Council with respect to tsunami related inundation, updated to account for topographic change caused by the earthquakes. We were acutely aware of

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<sup>21</sup> Section 7, page 13.

other possible natural hazards risks (e.g. liquefaction, rock fall and flooding). However we did not have the same level of up to date information or understanding regarding those risks. We knew of investigations that were ongoing or planned in respect of some natural hazards that would inform the review of the District Plan. Some risks or constraints, such as other forms of flooding or exposure to aircraft noise, were also already being managed under existing operative District Plan provisions.

- 7.9 Finally, the proposed redevelopment must achieve a form of development that is consistent with intensified use of the land in meeting the objectives of the LURP. To that end, a range for housing yield was adopted, informed by the RPS and LURP targets.
- 7.10 To manage the effects of development internally within the site and at the interface with surrounding land, a range of performance standards were applied. We were also interested in ensuring the EDM protected against the negative effect of promoting land banking without actually addressing the identified housing issues and needs.
- 7.11 The EDM also has a requirement for a prescribed mix of at least two unit sizes (defined by bedroom numbers) where the development involves six or more units. I recall that this requirement was a matter of some debate within the team at the time, particularly as to whether it would be a significant limitation from the developer's perspective. I personally remain uncertain as to whether this is the case, but I do accept the advantage of requiring a mix of units in terms of supporting a range and choice in housing supply, and potentially also indirectly in achieving variability in built form.
- 7.12 In the changes directed to the operative District Plan in Appendix 2 to the LURP, the EDM was applied to the Living 2 and 3 zones, as well as Cultural 3 (Schools) zoned land where the Living 1-3 zone rules applied to non-educational activities. The inclusion of the L2 and L3 zones recognised the operative District Plan's intention to see these areas of the city developed for medium to higher densities of development. Other areas such as the more expansive Living 1 zone were not included based on the degree to which anticipated change in built form, density and character would contrast with current development and community expectations for this established, low density residential environment. We concluded that the possibility of such change for these areas of the city would be better examined through the District Plan review process. Analysis also showed much of the Living 1

zone, and other excluded areas (such as the Living Hills zoned land), to be less likely to satisfy the proximity and avoidance of constraints criteria.

7.13 The inclusion of Cultural 3 zoned land was a response to the realisation that a number of Christchurch schools were damaged, some badly, as a result of the earthquakes and were in locations where rebuilding for education purposes might not be seen to be economically feasible. Additionally, future closure and/or amalgamation of some city schools was highly probable through government reform policy. In a spatial sense, such facilities are typically located amidst established residential neighbourhoods and occupy sizable tracts of land held in common ownership. The operative District Plan also already identified these sites for residential use should they not be used for education. In our consideration, subject to meeting the other EDM eligibility criteria, this presented another suitable intensification opportunity.

7.14 As with several of the interventions introduced through the LURP, the EDM was to provide a limited window of opportunity to promote short to medium term relief in the housing market, and accordingly was to cease after 2018. That was in part to incentivise swift response, but also of all of the interventions we felt limiting the EDM in that way was particularly important. By comparison with other adopted interventions, in our view the EDM presented the most likely mechanism for widespread change in the city's residential environment for the following reasons:

- (a) unlike the CHRM it was not linked to any particular housing provider, nor was it as spatially constrained within the eligible zones;
- (b) relative to several of the other interventions being developed, it would deliberately involve larger agglomerations of land and not be dispersed or absorbed in the same way as those other interventions targeting smaller, individualised land parcels; and
- (c) it would also likely promote significant new development and reconfiguration of sites, whereas several of the other interventions contemplated little or no obvious change to existing built form or character.

7.15 I continue to see some advantage in that time bound approach for those original reasons and Proposal 14 retains it through Rule 14.7.1.4. However, I accept that through the process of comprehensively reviewing the District

Plan that could become less compelling. Our original uncertainty as to the level of community acceptance of the sort of change that could occur to the character of established residential areas through implementation of the EDM over a longer timeframe is now something able to be gauged through the Replacement Plan process. In that regard I also note that a number of the areas we looked at as potentially qualifying for the EDM are now being considered for a change in zoning to the new Residential Medium Density zone which enables intensification effectively to a similar degree. In my view, depending on community reaction and decisions taken in regard to other influences on residential density and character, such as proposed rezoning of some areas for higher density generally, then this time limit may no longer be necessary in all areas.

7.16 In arriving at the final form of the mechanism we examined and considered a range of variations of the basic concept. Although time was very limited and our ability to undertake detailed analysis was constrained, that evaluation included examining:

- (a) which Living zones under the operative District Plan framework should be eligible (L1, L2, L3, LH, etc.);
- (b) whether all, or only part of a site, should qualify based on the accessibility criteria;
- (c) the accessibility and proximity criteria themselves, including:
  - (i) having fewer of them;
  - (ii) qualifying on proximity to some but not all;
  - (iii) variation of the distances specified and how those distances are measured; and
  - (iv) recognising additional possible constraints, such as heritage features;
- (d) whether there should be any permitted activity opportunity or not, recognising the EDM requires at least a restricted discretionary activity resource consent approval;
- (e) whether the redevelopment site itself could provide for one or other of the necessary services or facilities (e.g. a supermarket) that did not yet exist but could at the time of development, or in the future;

- (f) rights of third parties in the resource consent process (e.g. prescribing non-notification);
- (g) consistency of performance standards relative to the then operative District Plan context, and reconciling that with a creating a genuine opportunity for intensified development; and
- (h) if time limited, for how long should this opportunity apply?

7.17 The ultimate form of the EDM incorporated through Appendix 2 of the LURP into the operative District Plan, was considered to strike an appropriate balance between providing a sufficiently expansive spatial opportunity while ensuring that the necessary attributes to support an increased population were available.

### **CHRM Areas**

7.18 Turning to the CHRM, key aims were to:

- (a) facilitate rebuilding and redevelopment of community housing;
- (b) target areas of the city where such housing was already concentrated; and
- (c) maintain or increase the stock of community housing to meet the needs of the relevant communities.

7.19 HNZA is a significant provider of community housing within Christchurch and nationally. The development of the CHRM was informed by close collaboration with HNZA staff and advisors, particularly in understanding the suitability of HNZA housing stock in meeting future resident needs, the extent of earthquake damage to HNZA's properties, and also the future development potential and opportunity in different locations. The practical application of the CHRM and other intervention mechanisms by HNZA is described in the evidence of **Mr Commons**.<sup>22</sup> It also occurred in parallel with developing the EDM and other immediate interventions, and the CHRM shares a number of similarities with the EDM.

7.20 Because both the CHRM and EDM seek to incentivise comprehensive housing development and intensification, and both apply generally in developed suburban contexts, a number of the same planning provisions apply to each. For example, they have the same site size and housing yield

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<sup>22</sup> See paragraphs 74 to 79.

qualifying criteria, and share very similar performance standards managing built form, density and amenity outcomes. Each is subject to a resource consent process, including urban design appraisal, and are time bound until the end of 2018.

- 7.21 The main distinctions are the identification of the ten CHRM areas through mapping rather than applying proximity criteria, and the CHRM requirement for the inclusion of a proportionate amount of community housing. Through the definition of 'community housing unit', the CHRM is also only available if the development proposal involves the Council, HNZC or a registered community housing provider (under the Housing Restructuring and Tenancy Matters Act 1992) where the unit is offered for rental (as defined under the same Act).
- 7.22 The mapping directly reflects the collaborative process with HNZC, and also some limited input from Council staff during the final stages of development. The identified areas do not capture all of HNZC's housing stock, or all stock of other similar providers, but targets concentrations of the existing community housing in areas identified to be most in need, or most likely to be rebuilt and/or redeveloped for that same purpose. At a very broad level, we gave consideration to the positioning of the boundaries of these areas, relative to ownership patterns and such things as natural barriers, or physical infrastructure (e.g. roading). We also considered the sorts of constraints applying to other immediate housing interventions (e.g. natural hazards and infrastructure) and satisfied ourselves that the identification of eligible areas took account of those limitations based on current knowledge. The CHRM areas were applied only over the lower density suburban Living 1 zone recognising also that the EDM would apply in other living zones.
- 7.23 To ensure the objective of maintaining or enhancing the supply of community and social housing was realised, for any redevelopment proposal the mechanism requires either at least one third of the residential yield to be community housing units or a quantity equal to or greater than what existed on the land as at 6 December 2013, whichever is the greater.
- 7.24 As well as pursuing that objective, this approach also recognises the manner in which community and social housing outcomes can be secured through partnership arrangements with the private sector, including buy-back contracts and mixed tenure models. **Mr Commons** describes in his

evidence examples of these types of arrangements involving HNZA.<sup>23</sup> In that sense the CHRM deliberately tries to facilitate a range of delivery options by which the community housing outcomes might be secured within these identified areas. By design, it also is enabling of redevelopment and intensification for non-community or other forms of housing in these same areas, but only where it occurs in conjunction with such housing provision in accordance with the set yield and proportion criteria.

- 7.25 Again as with the EDM, at the time of developing the mechanism we explored variations around the general approach. Where the adopted provision or approach is the same or similar, the considerations I have already described for the EDM are also applicable to the CHRM. The additional unique considerations of alternatives for the CHRM included:
- (a) the identification of the eligible areas;
  - (b) eligibility as a provider and how to prescribe that with certainty;
  - (c) the proportion of social/community housing that should be provided; and
  - (d) how to facilitate community housing outcomes while accommodating public/private approaches to delivery.
- 7.26 Also as with the EDM, the LURP introduced a time constraint on the use of the CHRM provisions ceasing to have effect after 2018. However, Proposal 14 does not include this time constraint.
- 7.27 While it could be argued that the removal of the time constraint introduces a level of inconsistency with the LURP, it could equally be considered that this approach would ensure that the benefits of this provision remain in the Replacement Plan to achieve the other outcomes required through the review process. As this hearings panel has recognised, the Replacement Plan is not required to treat this matter in precisely the same way.<sup>24</sup>
- 7.28 Action 2 in the LURP includes a requirement that the District Plan review process consider measures (beyond those introduced immediately by way of Appendix 2 of the LURP) to provide for:<sup>25</sup>

*“Housing choice*

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<sup>23</sup> See paragraph 73.

<sup>24</sup> Strategic Directions decision, paragraph 61.

<sup>25</sup> LURP, 4.0 A Plan to Lead Recovery, Actions to enable recovery, page 20.

- i. *a range of housing types and locations recognising the changing population and loss of housing options as a result of the Canterbury earthquakes*

*Intensification*

- ii. *a choice of housing through a range of residential density and development provisions to facilitate intensified development”*

7.29 In my opinion, the removal of the time constraint on the CHRM provisions will assist in part to achieve these outcomes. I also recognise that this mechanism does not carry quite the same level of risk or uncertainty as to potential change to residential character as the EDM, as it is much more targeted spatially and in terms of who is eligible as a housing provider. In that sense the imposition of the time limit in originally developing the CHRM related more to incentivising housing providers to achieve desired results sooner.

7.30 I discussed earlier in my evidence the requirement under the EDM for a certain mix of units where a development is of a certain scale. We did not include such a requirement for the CHRM areas, but I note that one has been included under Rule 14.8 of Proposal 14. It is an addition beyond the LURP interventions which is opposed in the Crown’s submission.<sup>26</sup> I acknowledge it is no longer included in the Council's revised version of Proposal 14 dated 9 March 2015, and I support its removal.

**Other LURP Interventions**

7.31 The remaining complementary interventions all address opportunities for additional housing development but on smaller sites. They targeted very immediate housing needs or opportunities that could be made available quickly during recovery from the earthquakes.

*Enabling two residential units on a vacant site*

7.32 Rules 2.2.1(g) and 2.4.1(j) of Volume 3, Part 2 Living Zones of the operative District Plan (and associated amendments), as inserted by the LURP, enables two residential units to be built on an existing vacant site or a site anticipated to become vacant because of the earthquakes. For this mechanism we recognised the relatively unimpeded opportunity for new development to occur on vacant sites existing, or likely to, throughout

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<sup>26</sup> Crown’s submission on Rule 14.8, pages 233-234.

established residential neighbourhoods. The essential advantage offered through this mechanism over the then operative District Plan provisions was to not have to satisfy the minimum density requirement (i.e. no minimum net area for separate sites for each of the two residential units).<sup>27</sup>

- 7.33 Despite removing the density requirement, we sought to ensure that the outward appearance of the units and site development was still of a scale, character and intensity sympathetic to the surrounding residential context. Accordingly, each unit is required to comply with specific bulk, location and amenity standards, and others applicable to the relevant zone. The requirement for the site to initially comply with the minimum net area standard was to support being able to satisfy those various requirements and minimise the need to seek consent to depart from them on more constrained sites. The intention was to:
- (a) provide some increased flexibility in how compliance with those collective standards could be achieved for individual site redevelopment, and ensure reasonable opportunity to do so;
  - (b) incentivise reinstatement of housing in the most suited developed areas; and
  - (c) minimise the risk of much lower density (less intensive) site development precluding intensification for several decades over the probable life of the new dwelling(s) built.

- 7.34 Limitations were imposed to avoid areas of known infrastructure capacity constraint, identified special amenity areas ('**SAMs**')<sup>28</sup> or areas of high natural hazard risk, and the mechanism was time bound with the same December 2018 sunset clause as some of the other interventions. The decision to place a time constraint on this smaller-site opportunity (and not the others discussed below) was to recognise that this type of development had the potential to lead to some change in residential character and form, albeit dispersed through a community, and that it could occur across wide areas of suburban Christchurch.

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<sup>27</sup> To qualify it was however a requirement that the existing site complies with the relevant minimum net area for one residential unit.

<sup>28</sup> SAMs or potentially equivalent areas of special character and amenity form a part of a future proposal and are not addressed in Proposal 14. The identification of SAMs in the LURP does not mean that the SAMs that existed at that time have to continue and retention of this constraint should be reviewed in light of future decisions made in that regard.

- 7.35 The mechanism was adopted for the Living 1 and 2 zones only, acknowledging the greater density opportunity already available in the other more intensive living zones (e.g. Living 3), and also enabled subsequent subdivision into two allotments, if desired. We contemplated inclusion of the Living Hills zoned land but did not pursue that, recognising the comparatively larger minimum site area requirement for that zone and the significance of that density standard in terms of established character and maintaining amenity values for the hill suburbs.
- 7.36 Other key considerations in developing this mechanism were:
- (a) determining what pre-existing vacant land would qualify;
  - (b) determining how to link the impacts of the earthquakes to land becoming vacant; and
  - (c) addressing possible precedent or 'permitted baseline' arguments supporting approval for other vacant site development not qualifying for the mechanism.
- 7.37 We were also conscious of our limited understanding of how widespread this option, and possible take up, could become with many earthquake building/property assessments still to be resolved.
- 7.38 The eventual provisions settled on eligible land either having to be vacant as at 6 December 2013, or a site where, in the opinion of an IPENZ qualified structural engineer, the existing unit has been or will be, required to be demolished because of earthquake damage. This sought to both manage the extent of the opportunity for change in established residential areas and avoid the situation of otherwise sound buildings being demolished simply to gain the 'up-lift' inherent in the mechanism. We also inserted specific policy wording emphasising the rule provisions as recovery focussed and not supportive of a wider opportunity for two unit development as a 'baseline'.
- 7.39 At this point I note that the amendments to subdivision Rule 4.3.8 on page 35 of Appendix 2 of the LURP reference the 'Living H' zone. Consistent with my earlier explanation, this mechanism was not applied to land zoned Living Hills and I believe this inclusion to be a drafting error. I recognise however that the Living Hills zone areas form a part of a future proposal and are not addressed in Proposal 14.

7.40 I also comment on Proposal 14 not including the 2018 time limitation on this mechanism imposed through the LURP. As I have acknowledged earlier in discussing the CHRM, removal of such a limit in this case could be considered consistent with Action 2 of the LURP and what was directed to be considered through the review of the District Plan. In developing this intervention originally, because it would promote obvious changes to built form, we saw some risk as to how much development might actually be enabled and therefore a potential threat to expectations of amenity and established character in the eligible areas. I still consider there to be some uncertainty in that respect, but I do recognise there remains a limiting factor on the opportunity through the qualifier around when/how a site becomes 'vacant'. The acceptability of promoting that approach is also now able to be publicly challenged and examined through the Replacement Plan process.

*Enabling conversion of an existing residential unit into two units*

7.41 Rules 2.2.1(e) and 2.4.1(h) of Volume 3, Part 2 Living Zones of the operative District Plan (and associated amendments), as inserted by the LURP, enable the conversion of an existing residential unit into two such units. This was intended as a very immediate way to increase housing supply, and most probably rental accommodation, with little physical change to building form or visual difference from the present situation. Like the vacant site mechanism, this was facilitated by removing the need for the units to comply with a minimum area for their own separate sites, and eligibility was similarly restricted to avoid areas of infrastructure capacity and natural hazard constraint.

7.42 It was expected this would most likely be an option lending itself to conversion of larger, older established dwellings comprising of multiple rooms. This mechanism was applied to the lower density suburban zones (Living 1, Living 2 and Living H), again with units having to exist as at 6 December 2013 to be eligible. The existing unit prior to conversion must comply with the relevant minimum net area requirement for the zone, and after conversion both units must meet prescribed standards regarding building bulk and location, and amenity, as well as avoid tsunami risk areas and infrastructure constraints.

7.43 Because we considered that little change to physical form or appearance was likely to occur, we saw little reason to limit this intervention by way of a

time constraint clause. The most potentially limiting factor was identified to be the costs/implications of meeting Building Act 2004 requirements, particularly if the owner's intention was to create a separate, additional occupation for only the short-medium term, with the view to returning it to a single unit thereafter. Equally, we did not enable subsequent subdivision of the separately created units, largely because we felt that owners seeking such an outcome were unlikely, and the site layout and configuration of the existing site may make that impractical.

*Enabling use of existing family flat as residential unit*

- 7.44 Rules 2.2.1(f) and 2.4.1(i) of Volume 3, Part 2 Living Zones of the operative Plan (and associated amendments), as inserted by the LURP, enable the use of an existing family flat as an independent residential unit. The operative District Plan, in addition to a residential unit on a site, provided for self-contained living accommodation on the same site where occupied by family members who are dependent in some way on the household living in the primary residential unit. An appropriate legal instrument that ensured that limitation on use was required. When no longer to be used as a family flat, the building was required to be relocated from the site, or any kitchen removed so that it was no longer self-contained.
- 7.45 The mechanism introduced through the LURP removed the need for any such family dependence and associated legal encumbrance, for any family flat that existed as at 6 December 2013. This mechanism was available provided that:
- (a) the primary residential unit complied with the required minimum net area;
  - (b) the residential unit converted from the family flat met standards for minimum gross floor area; and
  - (c) both units met minimum car parking, outdoor living space and all other applicable standards.
- 7.46 In developing this option, we considered excluding areas of possible constraint (e.g. natural hazards and infrastructure), but in not doing so it was recognised that the building and some residential occupation already existed. We recognised however that family flats are quite variable as to their level of independence from the primary residential unit, and similarly their suitability for long-term permanent accommodation. We understood

family flats also to be reasonably widespread across residential areas of the city and this mechanism has the potential to lead to permanent change to building density (given some family flats would otherwise have had to be removed in time). Consequently, we decided not to enable subdivision of the converted (existing) family flat into a separate allotment. Nor was a time constraint clause seen as necessary. This mechanism was adopted for the Living 1, Living 2 and Living H zones.

*Enabling EPH to become residential units occupied by any persons*

- 7.47 Rule 2.3.9 of Volume 3, Part 2 Living Zones of the operative District Plan (and associated amendments), as inserted by the LURP, eased restrictions on the use of EPH units that existed as at 6 December 2013. The operative District Plan already provided some bulk and location concessions for such units, where they comprised of a group of units and were encumbered by a bond or appropriate legal instrument ensuring their use was confined to “elderly persons”.<sup>29</sup> The intervention was to enable existing EPH to become a residential unit occupied by anyone.
- 7.48 This release of restriction on occupancy also included no required minimum net area for the unit’s own separate site, and like other interventions, prescribed minimum standards for gross floor area, outdoor living space and car parking, along with the requirement to meet all other applicable standards. As with the release of restriction on family flats, this contemplated alternative use of existing buildings and so restrictions relating to limited infrastructure capacity and natural hazards were not applied. The existing ability to subdivide was however retained, and as for the family flat conversion option, this mechanism was adopted for the Living 1, Living 2 and Living H zones without a time limit.
- 7.49 In developing this mechanism we gave consideration to the potential impact of this option on existing elderly residents. Although a lower risk for those units where the occupier is the owner, it was acknowledged that under a rental scenario, current elderly residents might be displaced in favour of a broader range and perhaps less price-sensitive tenants. Similarly, owner/occupiers might choose to sell or transfer their units to younger persons. We also considered the possible social implications of such complexes having potentially a very mixed range/age of tenants living in

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<sup>29</sup> Elderly persons being defined in the operative District Plan as “a person over the age of 60 years or a person who qualifies for a permanent invalid’s benefit on health grounds and extends to include the partner, spouse, dependents of caregiver of such a person, notwithstanding that the partner, spouse or caregiver may be under the age of 60 years”.

close proximity compared to the original expectations of those already residing within these developments. Ultimately however we concluded these risks to be acceptably low.

## **Objectives and Policies**

- 7.50 As discussed in more detail in the evidence of **Mr Dale**,<sup>30</sup> and more broadly by **Ms McIntyre**,<sup>31</sup> the various interventions I have described were also supported by objective and policy provisions inserted into the operative District Plan, as well as matters for assessment in relation to associated applications for restricted discretionary activity resource consent. Also included was prescription for non-notification of resource consent applications in respect of the EDM and CHRM to achieve process efficiency.<sup>32</sup>
- 7.51 The objectives and policies specific to the EDM focus on the opportunities for comprehensive site redevelopment in support of residential recovery needs, enabled through the EDM where land is suitably sized and appropriately located relative to facilities and identified constraints.<sup>33</sup>
- 7.52 Similarly for the CHDM, the relevant objective is also focused on comprehensive redevelopment, but targeted to community housing. The related policy emphasises the importance of quality design, integration with the surrounding neighbourhood, and seeing the stock of community housing maintained or increased.<sup>34</sup>
- 7.53 The other interventions collectively are supported by an objective to increase the supply and diversity of housing throughout low to medium density areas.<sup>35</sup> Policies encourage a range of additional housing opportunities, while also seeking to ensure resident needs are met, significant adverse effects on residential amenity and character are avoided, and that the intensification opportunity is directed to only residential recovery needs.<sup>36</sup>
- 7.54 While I consider these provisions, as introduced through the LURP, to be generally directed to the appropriate outcomes and informed by the higher order planning documents, I acknowledge and agree with the evidence of

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<sup>30</sup> Paragraphs 7.1 – 7.3.

<sup>31</sup> Paragraph 6.10.

<sup>32</sup> Rules 2a1.1 and 2b1.1 directed to be added to Volume 3, Part 2 Living Zones.

<sup>33</sup> Objective 11.9 and policies 11.9.1 and 11.9.2 directed to be added to Volume 2, Section 11 Living.

<sup>34</sup> Objective 11.10 and policy 11.10.1 to be added to Volume 2, Section 11 Living.

<sup>35</sup> Objective 11.11 to be added to Volume 2, Section 11 Living.

<sup>36</sup> Policies 11.11.1 and 11.11.2 to be added to Volume 2, Section 11 Living.

**Mr Dale** and **Ms McIntyre** supporting some minor wording modifications. In my opinion such modifications are consistent with the original intent of the LURP, as well as Schedule 4 to the Order and the Strategic Directions decision (Objectives 3.3.1, 3.3.2 and 3.3.4).

7.55 **Mr Dale** also addresses the related assessment matters for the EDM and CHRM as transferred, or not, into Proposal 14.<sup>37</sup> I agree with the opinions expressed by **Mr Dale** in that regard and support the recommendations he makes for reinstatement of provisions to avoid inconsistency with the LURP, and amendments to improve the accuracy and clarity of those provisions.

## **8. SUMMARY OF THE FINAL PACKAGE OF IMMEDIATE INTERVENTIONS AND INCORPORATION INTO THE REPLACEMENT PLAN**

8.1 Pursuant to section 24(1)(a) and (b) of the CER Act, the LURP directs the inclusion and removal of specific objectives, policies, rules and other methods in a range of plan and policy documents. The immediate interventions that are the focus of this evidence are the subject of directions to amend the operative District Plan in the manner set out in Appendix 2 to the LURP.<sup>38</sup>

8.2 I have annexed to my evidence, in table form, a broad summary of the main elements for each mechanism as per the Minister's directed amendments to the operative District Plan (refer Table 1 attached). To assist the hearings panel further, the evidence of **Mr Dale** also references this summary in outlining how those provisions are now reflected or included in Proposal 14's structure and format. **Mr Dale** also uses Table 1 as a basis for his evidence at a more specific level, and in responding to related submissions and evidence on behalf of the Council and others.

## **9. NEED FOR INCLUSION IN PROPOSAL 14**

9.1 To achieve consistency with the LURP, it is my opinion the immediate interventions I have outlined in this evidence should be included in Proposal 14. I recognise and accept that does not mean those provisions as directed to be included or amended in the operative District Plan must remain unchanged.<sup>39</sup> It is however important, in my view, that the original intention

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<sup>37</sup> Paragraph 7.20 – 7.22.

<sup>38</sup> LURP, Appendix 2, Amendments 1A, 1B and 1C.

<sup>39</sup> In accordance with paragraph 61 of the Strategic Directions decision.

and purpose remains, and that the anticipated outcomes are able to be achieved. I would urge particular caution if the opportunities afforded through those mechanisms are to be further constrained in any way.

9.2 I again refer to the evidence of **Mr Dale** and **Ms McIntyre** and record that I agree with their recommendations as being acceptable and appropriate change or modification of these provisions consistent with that approach.

9.3 Accepting that some change could occur, and as an overall conclusion, in my opinion the package of immediate interventions in Proposal 14:

- (a) provides the opportunity for higher density housing by enabling intensification in appropriate locations;
- (b) reduces the likelihood that opportunities for comprehensive development on eligible sites would be lost by providing an immediate opportunity;
- (c) supports a compact urban form and is consistent with the RPS approach to growth management;
- (d) improves the likelihood of meeting the intensification targets of the LURP and the Order;
- (e) provides potential relief in the housing market, leading to greater choice, availability and affordability; and
- (f) appropriately protects attributes valued by the residential community within existing suburban areas.

## 10. CROWN SUBMISSION

10.1 The Crown's submission supports the attempts in Proposal 14 to promote recovery but specifically comments on the need to avoid inconsistency with the LURP and especially on the need to enable increased residential development capacity. The submission highlights numerous provisions in Proposal 14 that do not align with the directions in the LURP and these are addressed in planning evidence for the Crown by **Mr Dale** and **Ms McIntyre**. I support their recommendations directed to maintaining consistency.

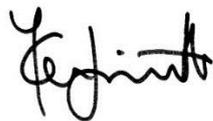
10.2 Beyond these specific inaccuracies, an area highlighted in the submission is the general direction in the LURP for the Replacement Plan to go further

than the statutory directions and to incorporate provisions for comprehensive residential development. The submission has focussed on the need for this to be achieved through increased development capacity and additional zoning and this is addressed in planning evidence from **Ms McIntyre** and other evidence for the Crown by **Mr Teesdale, Mr Mitchell** and **Mr Shellekens**.

- 10.3 It is also my opinion that those immediate housing interventions I have discussed should be supported by other ways of achieving appropriate intensification through the Replacement Plan process in support of improved housing availability and choice. The immediate interventions work was never thought to be all that was required to achieve the LURP outcomes with respect to intensification and choice, and hence Action 2 envisaged more to be achieved in that regard through the review of the District Plan. That is also consistent with meeting the community's immediate and longer terms needs for housing in accordance with objectives 3.3.1 and 3.3.4 of the Strategic Directions decision.

## 11. COUNCIL EVIDENCE

- 11.1 As discussed above, I have read the evidence of **Mr Blair** for the Council. **Mr Blair** discusses the EDM and CHRM at pages 95 to 101 of his evidence. This discussion does not raise any matters which I need to respond to. **Mr Dale** and **Ms McIntyre** address the specific matters raised in **Mr Blair's** evidence relevant to the EDM and CHRM.



Kenneth George Gimblett

20 March 2015

## ATTACHMENT A: TABLE 1

### Summary of Immediate Interventions as Directed Through the LURP

Intervention	Eligible Land	Qualifying Criteria	Constraints	Specific Performance Standards	Time Limit
<b>EDM</b>	L2, L3, C3 (Sch)	<p><u>Site size:</u> contiguous block of 1500m<sup>2</sup> – 10,000m<sup>2</sup></p> <p><u>Yield:</u> 30hh/ha (1 per 330m<sup>2</sup>) – 65hh/ha (1 per 150m<sup>2</sup>)</p> <p><u>Location (site fully within):</u></p> <ul style="list-style-type: none"> <li>▪ 800m walking distance of CCBZ, CCMUZ, B2 Zone, or an EDM qualifying supermarket</li> <li>▪ 800m walking distance of either primary or intermediate school</li> <li>▪ 400m walking distance of OS2 zone, or an OS1 zone &gt;4000m<sup>2</sup></li> <li>▪ 600m walking distance of an EDM core public transport route</li> </ul> <p><i>(EDM walking distance, EDM supermarket and EDM core public transport route are all defined terms)</i></p>	<p>No part of the site within:</p> <ul style="list-style-type: none"> <li>▪ Any SAM</li> <li>▪ 400m of B5 zone boundary</li> <li>▪ Riccarton wastewater interceptor catchment</li> <li>▪ Tsunami inundation area</li> </ul>	<p>Restricted discretionary activity, subject to:</p> <ul style="list-style-type: none"> <li>▪ Building height</li> <li>▪ Sunlight and outlook for neighbours</li> <li>▪ Street scene</li> <li>▪ Separation from neighbours</li> <li>▪ Minimum unit size and mix of units</li> <li>▪ Ground floor habitable space</li> <li>▪ Outdoor living space</li> <li>▪ Service, storage and waste management space</li> <li>▪ Landscaping / tree planting</li> <li>▪ Acoustic insulation</li> <li>▪ Parking space numbers</li> <li>▪ Maximum building coverage</li> </ul> <p><i>(Information requirements – Design Statement by qualified expert)</i></p>	<p>Ceases 31 December 2018</p>
<b>CHRM</b>	Mapped areas (over L1)	<p><u>Site size:</u> contiguous block of 1500m<sup>2</sup> – 10,000m<sup>2</sup></p> <p><u>Yield:</u> 30hh/ha (1 per 330m<sup>2</sup>) – 65hh/ha (1 per 150m<sup>2</sup>)</p> <p><u>Proportion:</u> either, at least 1/3 of residential yield shall be community housing units or a quantity equal or greater than existed as at 6 Dec 2013, whichever is greater.</p>		<p>Restricted discretionary activity, subject to:</p> <ul style="list-style-type: none"> <li>▪ Building height</li> <li>▪ Sunlight and outlook for neighbours</li> <li>▪ Street scene</li> <li>▪ Separation from neighbours</li> <li>▪ Minimum unit size</li> <li>▪ Ground floor habitable space</li> <li>▪ Outdoor living space</li> <li>▪ Service, storage and waste management space</li> <li>▪ Landscaping / tree planting</li> <li>▪ Acoustic insulation</li> <li>▪ Parking space numbers</li> <li>▪ Maximum building coverage</li> </ul>	<p>Ceases 31 December 2018</p>

				<i>(Information requirements – Design Statement by qualified expert)</i>	
<b>2 units on a vacant site</b>	L1, L2	<p>Site existing as at 6 Dec 2013 may be developed for 2 units if prior to the 2010/11 earthquakes it was vacant, or in the opinion of an IPENZ qualified engineer, demolition will be required as a consequence of the earthquakes, with no minimum net area for their own separate sites.</p> <p>Existing site complies with relevant minimum net area for the single unit.</p> <p>Meets minimum net floor area for each unit.</p> <p>Each unit has complying outdoor living space.</p> <p>Each unit has complying vehicle parking.</p>	<p>Not within:</p> <ul style="list-style-type: none"> <li>▪ Tsunami inundation area</li> <li>▪ Riccarton wastewater interceptor catchment</li> <li>▪ Any SAM</li> </ul>	All other applicable standards complied with for each unit.	Ceases 31 December 2018
<b>Conversion of an existing unit into 2</b>	L1, L2 and LH	<p>Residential unit existed as at 6 Dec 2013</p> <p>The existing unit is contained within its own separate size complying with relevant minimum net area requirement.</p> <p>Meets minimum gross floor area for each unit.</p> <p>Each unit has complying outdoor living space.</p> <p>Each unit has complying vehicle parking.</p>	<p><u>Not within:</u></p> <ul style="list-style-type: none"> <li>▪ Tsunami inundation area</li> <li>▪ Riccarton wastewater interceptor catchment</li> </ul>	All other applicable standards complied with for each unit.	Not time limited
<b>Family flat as an independent unit</b>	L1, L2 and LH	<p>Family flat existed as at 6 Dec 2013</p> <p>Contained within, or located separately to, a unit on the same site complying with the relevant minimum net area requirement.</p> <p>Meets minimum gross floor area for converted unit.</p> <p>Each unit has complying outdoor living space.</p> <p>Each unit has complying vehicle parking.</p>	No subdivision	All other applicable standards complied with for converted unit.	Not time limited
<b>EPH unrestricted</b>	L1, L2 and LH	<p>EPH existed as at 6 Dec 2013</p> <p>Meets minimum gross floor area for converted unit.</p> <p>Converted unit has complying outdoor living space.</p> <p>Converted unit has complying vehicle parking.</p>		All other applicable standards complied with for converted unit.	Not time limited