



2 November 2018

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Hon Dr Megan Woods
Parliament Buildings
Wellington
Email: Megan.Woods@parliament.govt.nz

Dear Minister Woods

Regenerate Christchurch views on Christchurch City Council's finalised proposal for the exercise of powers under section 71 of the Greater Christchurch Regeneration Act 2016: Residential Unit Overlay

1. Regenerate Christchurch has received the finalised proposal from Christchurch City Council (Council) for the exercise of powers under Section 71 of the Greater Christchurch Regeneration Act 2016 (GCR Act), in relation to the Residential Unit Overlay Christchurch District Plan Changes.
2. The Council, as the proponent of the Section 71 proposal, prepared a draft proposal in accordance with Section 65 of the GCR Act, and sought the views of Regenerate Christchurch and other parties, as required under section 66(1). The Council has prepared a concise statement of those views and provided those to you.
3. Having considered these views, the Council has provided the finalised proposal to Regenerate Christchurch in accordance with Section 66(4)(a) of the GRC Act. This letter provides you with the views of Regenerate Christchurch on the finalised proposal

Regenerate Christchurch views

4. Regenerate Christchurch notes that the proposal seeks to expedite amendments to the Christchurch District Plan (District Plan) to reduce uncertainty for property owners in the affected areas. It includes amendments to the Christchurch District Plan (District Plan) to a policy and rule to clarify the provisions for the residential Unit Overlay in Rule 5.4.6.2 RD2.
5. Regenerate Christchurch has reviewed the Council's proposal and considers the proposal adequately addresses the matters set out in section 65(2) of the GRC Act. That is:
 - an explanation of what the exercise of the power is intended to achieve;
 - a description of which instrument the exercise of the power will apply to, and for how long;
 - an explanation of how the proponent expects the exercise of the power to meet one or more of the purposes of this Act;
 - an explanation of why the proponent considers the exercise of the power is necessary and preferable to any alternatives to the exercise of the power; and
 - a draft of the notice that would be published under section 68 if the proposal were approved and a draft of the notice that would be published under section 71 if the power were exercised





6. Regenerate Christchurch considers that the exercise of powers under Section 71 of the GCR Act is appropriate as it will support and expedite the regeneration of greater Christchurch by meeting one or more of the purposes of the GCR Act. It enables a focused and expedited regeneration process (section 3(1)(a)); enables community input into decision on the exercise of powers under section 71 (section 3(1)(c)); and recognises local leadership and provides them a role in local decision making (section 3(1)(d))
7. The Council has assessed the section 11(2) requirement in the GCR Act that the Minister's exercise of powers under the GCR Act is reasonably considered necessary. Regenerate Christchurch considers this assessment is thorough as:
 - The exercise of powers as proposed is the most efficient way of amending the District Plan to enable give effect to the intention of the Independent Hearings Panel;
 - No alternative mechanism is able to achieve a resolution to this issue with the same efficiency and certainty as a section 71 proposal; and
 - The Council cannot notify a proposed plan change under the RMA process while the Canterbury Earthquake (Christchurch Replacement District Plan) Order in Council 2014 is in effect. This Order in Council constrains plan change processes under the Resource Management Act 1991, including streamlined and private plan change processes.
8. Regenerate Christchurch notes that none of the parties whose views were sought under Section 66(1) of the GCR Act raised any concerns about the necessity of the exercise of power under section 71 of the GCR Act.

Summary

9. Regenerate Christchurch is satisfied that the views provided by parties listed in section 66 of the GCR Act (including those of Regenerate Christchurch) have been appropriately considered in the finalised proposal, and through other actions proposed in the report to the 1 November 2018 Council meeting.
10. Regenerate Christchurch considers that the proposal meets the purposes of the GCR Act and can reasonably be considered necessary. This is because it provides more certainty to the affected communities and enables them to rebuild their homes if the known risks are mitigated.
11. Regenerate Christchurch therefore considers it appropriate that the Minister proceed with the proposal in accordance with sections 67 and 68 of the GCR Act.

Yours sincerely



Sue Sheldon

Chair, Regenerate Christchurch

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