

COMMERCIAL FILM OR VIDEO PRODUCTION FACILITIES PROPOSAL – CONCISE STATEMENT OF VIEWS

SECTION 66 PARTY	VIEWS	PROPOSED RESPONSE	
Waimakariri District Council	The Council is supportive of initiatives that would assist the Greater Christchurch area to be a competitive location should prospective film studio developments be forthcoming where an element of comparative regional assessment might be involved in confirming a regional location.	1.1	Noted – No change needed
	The Council notes that a cogent rationale is required for enabling this development on sites that are not currently identified for urban development .	1.2	Done – The rationale for identification of appropriate zones (including some zones that include a rural element) has been further articulated within the proposal and the planning assessment.
	The Council has no specific views on the merits of the precise way commercial film or video production facilities are proposed to be enabled through this proposal and the relevant planning documents .	1.3	Noted – No change needed
Selwyn District Council	The Council is supportive of the proposal in principle in that it would assist the Greater Christchurch area in being a more competitive location for such developments and would likely have benefits to the wider region including Selwyn. It requests that Regenerate Christchurch consider the amendments below to the Christchurch District Plan as part of its proposal.	2.1	Noted – No change needed
	Referencing Selwyn District Council as a notifiable party when the High Trip Generator rules of the Christchurch District Plan are not complied with, particularly in relation to the Rural Urban Fringe zone, the Rural Templeton zone, and Industrial zones	2.2	Amendment not accepted The general prohibition on notification for breaching the high trip generation rule is an existing provision and there is not considered to be a strong rationale for treating commercial film or

	adjoining, or adjacent to, the Selwyn District boundary. This requested change is to ensure that the impacts to Selwyn's road network, which could be significant, are appropriately considered.		video production facilities differently to other activities under this rule. As such, it is not considered necessary or appropriate to amend its operation for this specific activity.
	Ensuring boundary effects are minimised through appropriate bulk and location standards in the Rural Urban Fringe zone and the Rural Templeton zone. This consideration should include applying appropriate landscaping requirements to the internal boundaries of sites containing any commercial film or video production facility.	2.3	Done - Additional standards have been included to address issues of site coverage and landscaping.
	Having a minimum scale requirement for any commercial film or video production facility to ensure the proposed changes only provide for large-scale studios and not a proliferation of smaller ones.	2.4	Done - A minimum site size standard has been included in the amendments to address this matter.
Canterbury Regional Council	In principle Canterbury Regional Council supports the overall intent of this Proposal.	3.1	Noted – No change needed
	The Council recognises the potential economic and employment benefits commercial film or video production activities could bring to Greater Christchurch. It supports the intent of the Proposal to better enable this opportunity while ensuring that the effects of the activity are properly managed through appropriate planning provisions.	3.2	Noted – No change needed
	Changes to Policy 6.3.1 to enable commercial film or video production activities to occur both within and outside of the existing urban areas and greenfield priority areas identified on Map A. The proposed amendment to Policy 6.3.1 would place rural areas on 'equal footing' with commercial and industrial locations, when it comes to site selection	3.3	Approach not recommended This matter is addressed in detail in the planning assessment (refer section 3.3.4). In short, consideration was given to applying a restricted discretionary activity status to film studio development in rural zones as a method of 'biasing' this form of development towards commercial/industrial zones. On balance it was considered unnecessary to impose a more restrictive activity

	<p>and the in-principle acceptability of particular locations for commercial film or video production activities. A sequential approach to locating commercial film or video production activities on existing business land in the first instance, which allows rural areas to be considered only if suitable sites are not available in existing urban areas, would better align with consolidation objectives and the current Regional Policy Statement framework.</p>	<p>status when the intent of the proposal is to be as enabling as possible while dealing appropriately with anticipated effects. This invariably requires a balancing of the opportunity that is provided with ensuring the fundamental aims of the District Plan are still able to be realised.</p> <p>A permitted activity status, combined with application of appropriate rules is an efficient and effective approach to this issue and managing the associated risk. It is considered that the inherent potential threat to consolidation can be mitigated through the application of appropriate rules that are explicitly related to this activity and not applicable to any other activity.</p> <p>To that end, the proposed amendments have been updated to include a minimum site area requirement as an activity specific standard in the rural zones. In conjunction with the rule requiring connection to reticulation and the necessity for an Integrated Transport Assessment (ITA) through the high trip generator rule, it can be expected that activities will naturally locate on main roads closer to the urban edge. This, together with the likelihood that there will only be a small number of large facilities establishing locally, will therefore not significantly undermine overall consolidation aims. While the entire Rural Urban Fringe and Rural Templeton zones are included, the reality of the recommended provisions is a much more spatially limited opportunity in those rural environments.</p> <p>The combination of the minimum site area rule, the high trip generator rule and the rule requiring reticulation will mean that much of the Rural Urban Fringe zone will not be available for this activity. The areas of that zone located closest to the urban zones have the greatest potential to have reticulation available or to be realistically extended to service a site. The ITA would also effectively limit the location of sites away from small rural roads or those that have difficult access to the wider area. In contrast, applying a restricted discretionary activity status to the activity as a whole, risks sending a less encouraging signal to the enabling approach sought.</p>
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	<p>Changes to Policy 6.3.5 to require commercial film or video production facilities to connect to reticulated water and wastewater systems.</p> <p>The inclusion of provisions to ensure new commercial film or video production facilities connect to reticulated water and wastewater systems is welcomed. However, the amendments to Policy 6.3.5 introduce an element of specificity that is somewhat incongruous with the rest of the policy and might sit more appropriately elsewhere in Chapter 6. The necessity of the proposed addition to part 6 of 6.4 Anticipated Environmental Results is questioned.</p>	3.4	<p>Accepted in part</p> <p>There has been ongoing dialogue with Canterbury Regional Council on the appropriate location of this amendment, and both parties agree that it should remain in policy 6.3.5.</p> <p>Done - The proposed addition to Part 6 of 6.4 Anticipated Environmental Results has been removed.</p>
	<p>Changes to Policy 6.3.5 and the definition of 'noise sensitive activities'.</p> <p>The Proposal seeks to amend the definition of 'noise sensitive activities' to explicitly exclude commercial film or video production activities. This being the case, we are unclear why the addition to Policy 6.3.5(4) and associated supporting text is needed and would suggest the proposed amendments are not necessary to deliver the outcomes the Proposal seeks.</p>	3.5	<p>This Amendment not recommended however a consequential amendment is proposed.</p> <p>The amendment clarifies that commercial film or video activity is not a "noise sensitive" activity as that term is used in the RPS or the District Plan in that it does not share characteristics of the listed sensitive activities (which are all residential, educational or healthcare related). For this reason it is considered appropriate to explicitly state this. However, in reviewing this definition it was noted that there are District wide standards that apply to activities which are not listed as "sensitive" but which may still require acoustic insulation. It was noted that the relevant rule (Rule 6.1.7.2.2) specifies a list of activities and the appropriate insulation for those activities. It is recommended that sound stages and studios for filming and/or sound production for commercial film or video production activities are included in this Rule with an associated standard for acoustic treatment drawn from Australian Standard AS 2021:2000, Table 3.3 (theatres, cinemas and recording studios). It is noted that given the close wording between the balance of Rule 6.1.7.2.2 and AS2021:2000 it is likely that this is the base standard from which the Rule was drawn and as such this forms an appropriate response.</p>

	<p>Definition of 'commercial film or video production facilities'.</p> <p>The inclusion of a definition of 'commercial film and video production activities' in the Definitions for Greater Christchurch, aligned with the definition in the Christchurch District Plan, would be helpful.</p>	3.6	Done - The amended definition of 'commercial film or video production' is now proposed for inclusion in the Canterbury Regional Policy Statement.
Te Rūnanga o Ngāi Tahu	Te Rūnanga o Ngāi Tahu expects that all persons proposed to exercise responsibilities under the Greater Christchurch Regeneration Act 2016 in relation to this Proposal for film and video production will do so in accordance with Te Tiriti and in a manner consistent with the Treaty Partnership.	4.1	Noted
	It is appropriate, in the context of Covid-19, to consider a pathway which will expedite changes to statutory planning documents that will facilitate the full range of production activities associated with the film and video industry to establish in Christchurch City. On this basis the Proposal is supported.	4.2	Noted
	Te Rūnanga and Ngai Tūāhuriri both have an interest in the economic and employment opportunities created by an expanded film and video production industry as well as a concern for any environmental effects of physical development.	4.3	Noted. The Proposal sets out the economic and employment opportunities that may accrue specifically to Māori within the New Zealand film industry (see section on Cultural Wellbeing). The proposed amendments to the District Plan and RPS ensure that the effects of development on the environment are appropriately managed.
	Te Rūnanga and Ngai Tūāhuriri acknowledge that the proposed amendments do not alter or diminish any of the protections already existing in the District Plan for cultural sites and areas.	4.4	Noted
	Te Rūnanga and Ngai Tūāhuriri are supportive of the intent and level of management proposed by the activity standards and in particular a non-complying	4.5	Noted – this is also confirmed in the Proposal

	activity status for any proposal that does not connect to reticulated water and wastewater services.		
	<p>The Report prepared by Christchurch NZ provides no description or analysis of the range of skills that may be required by the film industry or the nature of training or job up-skilling that may be developed. Similarly there is limited description of what types of businesses or industries may benefit from these emerging opportunities. As there is no description of the skills and qualifications that may be required from future employees it is therefore unclear what parts of society will directly benefit. The report prepared by DCL is similarly light. While recognising there is some urgency to move quickly and ensure opportunities are not lost, the economic information accompanying the Proposal does not appear to be as comprehensive as may otherwise have been expected. Te Rūnanga and Ngai Tūāhuriri want to articulate to all agencies that no matter the statutory process, we expect a significant degree of engagement and resourcing to understand the impacts of a particular matter on Ngai Tahu and Māori communities.</p>	4.6	<p>Noted</p> <p>The concerns regarding the economic reports are noted. The additional information provided to Te Rūnanga and Ngai Tūāhuriri regarding specific opportunities for Māori (as identified in the next comment) was intended to go some way towards addressing these concerns.</p>
	<p>Further information provided on behalf of Regenerate Christchurch includes a literature review to “support an increased understanding of the potential impact of the Proposal on cultural wellbeing”. This paper provides useful context which illustrates increasing funding and opportunity for Māori films along with associated education and training opportunities within Canterbury and other parts of New Zealand. A number of these education facilities provide scholarships to support young Māori. The paper does not provide any conclusion as to whether the Proposal will positively impact cultural wellbeing but this is</p>	4.7	<p>Proposal Updated</p> <p>The comments regarding the additional analysis are noted. Acknowledging the feedback from Te Rūnanga and Ngai Tūāhuriri the Proposal now includes a section on cultural wellbeing which provides the conclusion that the establishment of additional film industry facilities in greater Christchurch will provide the opportunity to positively impact cultural wellbeing.</p>

	assumed from the content.		
Christchurch City Council	The Council supports the Proposal. It also requests amendments to various elements of the draft rules package, to ensure greater certainty of outcomes and mitigate the risk of impacts on the surrounding environment.	5.1	Noted - no change needed
	Provision of infrastructure and reverse sensitivity in Rural Urban Fringe Zone. The availability of appropriate reticulated water wastewater systems and other infrastructure will vary depending on the location of any rural site and may need to be provided by or upgraded for large-scale film production. The draft proposal does not provide the ability within the District Plan rules to assess this. In order to be able to manage this it is suggested that the activity status of film studios in the Rural Urban Fringe Zone is restricted discretionary to enable consideration of the infrastructure, reverse sensitivity and the scale of the activity ¹ .	5.2	Done - Refer 3.3.
	Landscaping in Rural Urban Fringe Zone. A landscape strip at least 3 metres wide should be required along the road frontage and adjoining any Residential Zone to manage potential visual amenity effects of film studios.	5.3	Done - A standard requiring this has been included in the amendments.
	Site coverage in the Rural Templeton Zone. The proposed site coverage increase for the Rural Templeton Zone (from 20% to 50%) before it becomes a non-complying activity. A lower site coverage, for example a restricted discretionary activity over 30%, could encourage a more 'park like'	5.4	Not required – rule already provided for this A 40% provision in the built form standards is included and will effectively do what is suggested by this comment. The proposed classifications as a result of this standard are as follows: <ul style="list-style-type: none">permitted for 40% site coverage;

¹ In a similar way that community facilities are treated in RD9 in the Rural Urban Fringe Zone.

	<p>campus in the rural environment, and still be a sufficient size for what is needed.</p>		<ul style="list-style-type: none"> • restricted discretionary for 40% to 50%; and • non-complying thereafter.
	<p>Rural Policy 17.2.2.1 – Range of activities on rural land.</p> <p>The draft Proposal should clearly identify which rural zones film studios are to be enabled in as some rural zones are not currently included, including the Rural Banks Peninsula and Rural Port Hills zones.</p>	5.5	<p>Done - Further wording has been introduced into the amendments to clarify that commercial film or video production activities and facilities are provided for on the rural flat land close to the main Christchurch urban area.</p>
	<p>Definition of commercial film or video production facilities.</p> <p>Different standards apply to temporary and permanent activities under the District Plan. To clarify the distinction, it is suggested that different definitions are used.</p>	5.6	<p>This approach is considered unnecessary and would not fit with the current approach in the District Plan. For example public artworks (a defined term) are enabled on a temporary basis in some locations through chapter 6 but are then enabled as a permitted activity within some zones e.g. the commercial core zone in chapter 15.</p> <p>At present the defined term is only used within the temporary activities section of the Plan and is not used in any other zones or district wide rules. The application of the temporary activities rules would continue unchanged and would continue to provide a framework around such activities occurring on a short term basis within those areas and conditions enabled. This provides for 'location filming' or other filming activity occurring in those generally public spaces. It is also noted that the temporary activities are not in this case actually very lenient being very restrictive on timeframes in which this activity can operate (3 days in most cases).</p> <p>The intent of this Proposal is to add to that current framework and to enable the same activity or a greater more permanent form of it to occur in specified appropriate places. It is additive to the rules but not duplicating or overriding them. There is nothing apparent within the District Plan which stops the same activity operating on a temporary basis in some situations and a permanent basis in others.</p>

			Having two similar definitions could lead to confusion around whether there is a deliberate intent to treat the same or similar activities differently which is not inherently the case. The ability to differentiate between larger and smaller facilities can be managed through the rules.
The Chief Executive of the Department of Prime Minister and Cabinet [Final]	The 13 May 2020 version of the draft proposal does not adequately articulate what the exercise of the power is intended to achieve – partially due to the structure of the document, and partially as the draft proposal is unclear on the envisaged outcomes.	6.1	Proposal Updated DPMC’s request for this explanation to be clearer and more fulsome is acknowledged, and Regenerate Christchurch has updated both the structure of the draft proposal and its content to ensure these matters are more clearly articulated at the front of the proposal.
	Without a clear description of what the exercise of power is intended to achieve, it is not clear how the proposal is expected to meet one or more purposes of the GCR Act, and why the exercise of power is considered necessary and preferable to any alternatives. In particular, more clarity is requested around the stated urgency of the proposal, and why it is necessary, rather than potentially beneficial.		
	There is a lack of detail on the potential impacts of the proposal, particularly in certain zones where development of this kind may be unusual, and why these are considered necessary, proportionate or reasonable in the circumstances.	6.2	Proposal Updated The intention of the proposal is to enable the establishment of commercial film or video production facilities in appropriate zones, as opposed to a site specific development. The zones in which film studios are proposed to be enabled were selected by Boffa Miskell on the basis that: <ul style="list-style-type: none"> • They already contemplate and provide for development that have similar environmental characteristics, and would likely generate similar effects, to commercial film or video production facilities. • The establishment and operation of commercial film or video production facilities would not undermine or be otherwise inconsistent with the objectives and policies for

			<p>those zones.</p> <p>In terms of their environmental characteristics and effects, commercial film or video production facilities are consistent with the environmental outcomes expected in the District Plan for these zones, and are therefore not unusual or inappropriate.</p> <p>Given the approach towards enabling a broader opportunity, it was considered inappropriate to assess a specific development to identify the relevant environmental characteristics and effects of commercial film or video production facilities.</p> <p>Boffa Miskell instead undertook a desktop review of information regarding a number of different existing film studio developments in New Zealand and their potential effects, and a film studio development proposed for the Christchurch district. Through each of these examples, common characteristics of these developments could be identified. These characteristics formed the basis of Boffa Miskell's assessment.</p> <p>Further, while the proposed amendments would make commercial film or video production facilities a permitted activity in these zones, resource consent will still likely be required through the application of existing district-wide rules. This will require the applicant to assess the relevant impacts of a specific proposal, and will enable the Council to consider the appropriateness or otherwise of the specific development proposition.</p> <p>In summary, when considered in the broader context of the District Plan, the way in which commercial film or video production facilities are proposed to be enabled through the draft proposal is considered necessary and preferable.</p>
	<p>Further explanation is needed as to why a section 71 process is considered preferable to a regeneration plan process or other alternatives not currently identified</p>	<p>6.3</p>	<p>Proposal Updated</p> <p>Existing regeneration plans illustrate that the process for their</p>

	(such as upcoming COVID-19 related legislation).		<p>development takes significantly longer than a proposal for an exercise of power under section 71.² The length and level of involvement in the process for developing regeneration plans, along with the additional 'protection' afforded to them through section 60 of the GCR Act, are each indicators of the intent for them to be used for regeneration proposals (and accompanying amendments to RMA documents) which are more complex in nature.³ As with a section 71 proposal, development of a regeneration plan offers one statutory opportunity for public comment.</p> <p>In this case, the proposed amendments to the RMA documents are reasonably discrete. Further, the additional statutory support granted to a regeneration plan is not considered necessary to ensure that the purposes of the Act can be met by the proposal.</p> <p>A section 71 process is preferable to a regeneration plan process because it is more expedient, and is the more appropriate GCR Act tool given the nature of this proposal. It is not considered that a regeneration plan would deliver a proposal that could more effectively achieve the purposes of the GCR Act.</p> <p>The COVID-19 Recovery (Fast-Track Consenting) Bill was made publicly available on 16 June 2020. While the Bill provides some indication of the scope of the proposed legislation, there is no guarantee that it will be passed, or, if it is, that it will be passed in its current form. As such, it is considered inappropriate to identify it as a viable alternative at this time.</p>
	Currently, the draft proposal does not explicitly address s65(2)(a)-(b). Material is included which is likely to relate to these two matters, but this is implicit and requires interpretation, and appears to undermine the draft proposal's ability to provide clear explanation of what the exercise of the power is intended to	6.4	Proposal Updated - Refer 6.1.

² From preparation of the outline through the Minister's approval of the regeneration plan, the Cranford Regeneration Plan took approximately one year, while the Ōtākaro Avon River Corridor Regeneration Plan took three years.

³ Refer: Canterbury Earthquake Recovery Authority *Regulatory Impact Statement: Greater Christchurch Regeneration Bill* (23 October 2015).

	<p>achieve. Restructuring the proposal to respond directly to all the requirements of s65 would support more focused explanation (including what could be achieved, and what are its limitations), and make it clearer that any other material is supplementary.</p>		
	<p>The breadth of the approach is unusual in terms of previous proposals for the exercise of power under the GCR Act, with significant changes proposed across multiple Christchurch zones, but without much clarity on what would be delivered as a result. Regenerate Christchurch may wish to provide further clarity around the expected impact of the proposed changes.</p>	6.5	<p>Proposal Updated - Refer 6.1, 6.2.</p>
	<p>The argument that this would constitute urban renewal requires strengthening, if relying on 'urban renewal' within the definition of regeneration in the GCR Act, and (for example) recommending that this applies to zones identified as rural urban fringe. It is not considered that the case is convincingly made that all the relevant zones are genuinely urban areas.</p>	6.6	<p>Proposal Updated</p> <p>The definition of 'urban renewal' under the Act is the <i>revitalisation or improvement of an urban area, and includes:</i></p> <ul style="list-style-type: none"> • <i>Rebuilding;</i> • <i>The provision and enhancement of community facilities and public open space.</i> <p>"Urban area" is not defined in the Act, nor was it subject to specific consideration during the Act's development. It is therefore not immediately apparent whether this reference to 'urban area' relates to any area within the geographical boundary of the Act or whether it relates specifically to areas within greater Christchurch that can be described as or zoned 'urban'.</p> <p>In considering the geographical scope of the Act, the Regulatory Impact Statement stated:</p> <p><i>Recovery is substantially complete, and urban regeneration is less relevant, within rural areas of Selwyn District and much of Waimakariri District and Banks Peninsula...Based on earthquake recovery needs only, it would be possible to restrict certain powers of the Bill to quite limited areas...However, limiting the scope to that extent would be complex and would exclude the use</i></p>

			<p><i>of the powers where they are needed for wider regeneration activities that cannot be clearly attributed to the earthquakes...A new area is proposed that focuses on the metropolitan areas of Christchurch City and Lyttelton Basin, and urban satellites in Selwyn and Waimakariri. This is the area originally identified in the UDS of 2007 and in the Land Use Recovery Plan...It significantly scales back to geographical scope of the Bill [from the Canterbury Earthquake Recovery Act 2011] but still includes all areas where there is a reasonable case for needing to use powers for regeneration purposes during the next 5 years.</i></p> <p>The Departmental Report recommended that the Select Committee give consideration to including a definition of "urban renewal" as...<i>[t]ime spent in Court is not conducive to expedited processes and there is a risk that the Courts may interpret the term more narrowly than intended.</i></p> <p>These statements do not support a narrow interpretation of the definition of 'urban renewal' or 'urban area' within the Act. In particular, they do not appear to limit the exercises of power under the Act to areas that are zoned 'urban' under the District Plan or identified as such under the Canterbury Regional Policy Statement.</p>
	<p>Paragraphs 4.6 and 4.7(d) suggest that aspects of the proposal would be consistent with certain aspects of the purposes of the GCR Act because they maintain existing standards in the Christchurch District Plan. There is a question about whether this provides any additional benefit over and above the status quo, and can be relied upon in terms of alignment with the purposes of the GCR Act.</p>	6.7	<p>Proposal Updated</p> <p>Paragraph 4.6 (now paragraph 6.6) has been amended to clarify that physical revitalisation or improvement of existing land, infrastructure and/or buildings can be supported through the application of the amendments <u>together with</u> the existing District Plan provisions.</p> <p>Paragraph 4.7(d) (now paragraph 6.7(d)) has also been amended to clarify that the amendments <u>together with</u> the existing District Plan provisions will ensure that the environmental outcomes sought in the District Plan are realised.</p>
	<p>The proposal suggests that not exercising the power, and not doing so urgently, would prevent and hinder</p>	6.8	<p>Proposal (and planning assessment) updated.</p>

	<p>film facilities establishing in the area, by requiring them to go through a resource consent process. While it is appreciated that a non-complying activity, in greenfields areas, may face challenges in obtaining resource consent, there are already a number of zones in which this would not be the case. The proposal does not currently explain why activity of this kind should be permitted in the zones in which it would currently be a non-complying activity; nor does it provide sufficient explanation of why in other zones a discretionary consenting pathway is considered so challenging as to be determinative in any decision to establish a film studio in greater Christchurch.</p>		<p>The basis for the permitted classification is discussed in detail in the planning assessment and in section 5.</p> <p>Amendments have been made to earlier sections of the document to reiterate that the lack of any explicit contemplation of these activities in the District Plan makes the planning environment so uncertain as to be a barrier to applicants and thus a barrier to achievement of the regeneration outcomes available. Specifically, the planning assessment identifies that while the non-complying status in some zones creates an additional legal hurdle in the form of section 104D of the RMA, the fully discretionary status is of itself complex and difficult to navigate in circumstances where it is a default position and the District Plan provides no guidance by way of objectives, policies or assessment criteria which inform decision making. It is the position of Christchurch City Council in the original request and of the planning assessment that both the discretionary status and the non-complying status create a significant barrier to realisation of the regeneration benefits of these facilities.</p>
	<p>The proposal explains that there is a need for further economic development in greater Christchurch as a result of the earthquakes, and that this has been exacerbated by COVID-19. At times, however, it is unclear how and why this specific proposal has been prioritised, and how it is linked to the earthquakes.</p>	6.9	<p>Proposal updated to clarify.</p> <p>There is no legal requirement for any exercise of power under the Greater Christchurch Regeneration Act 2016 to demonstrate “why it is has been prioritised” nor is there a requirement to show an ongoing connection to the earthquakes (this was a specific departure from the CER Act).</p> <p>In that regard it is noted that the GCR Act provides for “regeneration” as rebuilding <i>in response to the earthquakes or otherwise...</i> This definition reflects the following statements in the Department Report:</p> <p><i>The Government has decided not to make any reference to earthquakes in the purposes clause and instead focus on regeneration. This was because it is difficult to unbundle a response to the earthquakes from wider urban renewal and development, which may not be driven from a direct consequence</i></p>

			<p><i>of earthquake damage.</i></p> <p>The need for further economic development as a result of the earthquakes is established in the proposal by reference to economic data which pre-dates the Covid-19 pandemic. While it is postulated that these economic difficulties will be exacerbated by a pandemic-related recession, this is not the basis for the proposal.</p> <p>This proposal has been prioritised as a result of a request from Christchurch City Council for Regenerate Christchurch to consider proposing an exercise of power under section 71 to enable film studios in the Christchurch district. Regenerate Christchurch's response to that request is consistent with the letter of expectations from the Crown and the Council which requires it to respond to requests rather than initiate proposals.</p>
	<p>It is noted the section on necessity only discusses the alternatives, but does not explicitly address what section 71 would enable and why it is therefore necessary. This does not support comparison with the alternatives. It is also noted that there may be significant timing challenges around the election that could impact the proposal, if approved.</p>	6.10	Proposal updated to include this information
	<p>More explanation is expected as to why a regeneration plan process is not considered viable, particularly given the opportunity this process would provide (given it will endure beyond June 2020) to consider the proposal under less time pressure and with more public input.</p>	6.11	Proposal Updated Refer 6.3. The draft proposal did not state that a regeneration plan process is not considered viable (nor is that the legal test) but that an exercise of power under section 71 was preferable. This position is clarified in the proposal.
	<p>The draft proposal does not address the potential alternative of waiting for the fast-track processes that are currently in development in response to COVID-19. It is understood that one of the known film studio proposals has recently expressed interest in this</p>	6.12	Proposal Updated Refer 6.3.

	<p>process. This alternative could be addressed alongside other alternatives (even if it is not a preferred alternative).</p>		
	<p>It is noted that previous GCR Act proposals have been linked to a specific issue with increased certainty around what is involved and how to understand and manage the impacts. In this case, there is less certainty about what may actually be delivered, while the proposal appears to remove a number of standard controls, particularly in zones where higher levels of protection would normally be expected. In this context, it is important that the draft proposal identifies and acknowledges the potential impacts and risks, and that it explains why the changes are considered necessary to deliver identified benefits.</p>	6.13	<p>Proposal Updated</p> <p>As set out in the proposal, any specific application for a film studio development can be expected to require resource consent. The amendments proposed to the District Plan do not remove environmental protections but provide a pathway for commercial film or video production facilities to be assessed and, if appropriate, consented within a clear and certain framework. As such, it is not anticipated that unwanted impacts of development will transpire as a result of the amendments proposed.</p>
	<p>In paragraphs 4.1-4.2, 4.8, 4.9-4.10 and 5.1, the proposal provides advice on the tests for the Minister's decision-making, not only information on the proposal required by section 65. This advice is not considered to be required.</p>	6.14	<p>Proposal Updated</p> <p>According to the Departmental Report, the requirement in section 65 to explain why the exercise of power is necessary and preferable was included to "<i>add useful information to assist the Minister when exercising power under [section 71]. [Section] 11(2) of the [Act] requires the Minister, when exercising powers, to consider other ways in which the outcome could be reasonably achieved without the exercise of a function or power.</i>"</p> <p>Accordingly it is considered that the information in those paragraphs is relevant and should be retained; however the wording has been amended to make it clear that it is the proponent's assessment of the legal tests.</p>
	<p>The draft notices should be amended to reflect that the Associate Minister for Greater Christchurch Regeneration is the decision-maker. It is also suggested that the draft section 68 notice could include a summary of the proposed amendments to the Canterbury Regional Policy Statement and the</p>	6.15	<p>These notices have been amended.</p>

	Christchurch District Plan.		
	The appropriateness of locating film studio and video production facilities within certain zones is questioned; in particular, the Rural Urban Fringe Zone . Some additional explanation of the potential impacts, mitigations, and justification for this approach is expected.	6.16	<p>Proposal Updated</p> <p>Refer 6.2. The proponent has sought expert planning advice and has relied on that advice in proposing the amendments. That advice confirms that the zones chosen for amendment are those zones that can most appropriately accommodate commercial film or video production facilities. It is noted that feedback from Christchurch City Council does not raise any concerns with the selected zones.</p>
	It appears unnecessary to state that film studios are not a noise-sensitive activity, when the existing definition of a noise-sensitive activity does not include film studios . If including for clarity only, it would be helpful to explain this in the draft proposal.	6.17	<p>Proposal Updated and a consequential amendment is proposed.</p> <p>Refer 3.5</p> <p>The amendment clarifies that commercial film or video activity is not a “noise sensitive” activity as that term is used in the RPS or the District Plan in that it does not share characteristics of the listed sensitive activities (which are all residential, educational or healthcare related). For this reason it is considered appropriate to explicitly state this. However, in reviewing this definition it was noted that there are District wide standards that apply to activities which are not listed as “sensitive” but which may still require acoustic insulation. It was noted that the relevant rule (Rule 6.1.7.2.2) specifies a list of activities and the appropriate insulation for those activities. It is recommended that sound stages and studios for filming and/or sound production for commercial film or video production activities are included in this Rule with an associated standard for acoustic treatment drawn from Australian Standard AS 2021:2000, Table 3.3 (theatres, cinemas and recording studios). It is noted that given the close wording between the balance of Rule 6.1.7.2.2 and AS2021:2000 it is likely that this is the base standard from which the Rule was drawn and as such this forms an appropriate response.</p>
	Regarding connection to reticulation waste and wastewater systems, corresponding rules may be	6.18	Done

	required to enforce the proposed requirement in the Canterbury Regional Policy Statement.		This rule has been included in the amendments.
	Given the nature of film production facilities Regenerate Christchurch may wish to consider whether it would be appropriate to include impervious surfaces and outdoor storage areas, as well as buildings.	6.19	Done The proposed standard has been amended to address this matter.
	Paragraph 3.8 suggests any specific proposal would require resource consent in relation to the "sustainable management of natural and physical resources". This does not seem to align with the proposed rules, which suggest that consent may only be required in relation to issues such as traffic management, in most cases.	6.20	Done The proposal clarifies the basis on which consent will likely be required.
	Amending the Canterbury Regional Policy Statement suggests that Selwyn and Waimakariri District Councils would be required to amend their district plans in accordance with section 73(4) of the RMA . It is understood that Regenerate Christchurch considers it may not have the ability under the GCR Act to amend these district plans itself. This therefore raises the question of whether the changes to the Canterbury Regional Policy Statement should apply only to Christchurch district.	6.21	Done Regenerate Christchurch agrees there is a risk that the proposed changes to the RPS as shown in the draft proposal would compel reciprocal changes to the Waimakariri District Plan and the Selwyn District Plan. That was not the intent of the amendment to the RPS. The intent of this proposal is to enable the opportunity for the Christchurch district. The relevant amendments have therefore been updated to ensure they only apply to the Christchurch district.