BEFORE THE SELWYN DISTRICT COUNCIL
HEARING BEFORE INDEPENDENT COMMISSIONER

IN THE MATTER	of the Resource Management Act 1991
AND	
IN THE MATTER	of a request by Urban Holdings Ltd, Suburban Estates Ltd and Cairnbrae Developments Ltd for a plan change (Private Plan Change 68) under the First Schedule to the Resource Management Act 1991

MEMORANDUM ON BEHALF OF CHRISTCHURCH CITY COUNCIL AND CANTERBURY REGIONAL COUNCIL RE CHANGE 1 TO THE CRPS

23 March 2022

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MAY IT PLEASE THE COMMISSIONER

1. This memorandum is filed on behalf of Christchurch City Council and Canterbury Regional Council, in order to satisfy the direction made during the course of the Private Plan Change 68 (**PC68**) hearing on 22 March 2022 to:

(a) Provide relevant background documentation related to Change 1 to the CRPS to the Commissioner; and

(b) Highlight the parts of that documentation that are considered most relevant in terms of addressing or responding to the National Policy Statement on Urban Development 2020 (**NPS-UD**).

The relevant documentation

2. **Attached**, as PDFs, to this memorandum are the following documents:

(a) Report to the Minister for the Environment on Proposed Change 1 to Chapter 6 of the Canterbury Regional Policy Statement;

(b) Appendix 3 – Section 32 evaluation report;

(c) Appendix 5 – Legal and statutory framework – compliance with the requirements of relevant national direction and the RMA; and

(d) Appendix 7 – Technical peer review report prepared by Hon. Lester Chisholm for Environment Canterbury.

3. All of the above documents are available on the Environment Canterbury website at:

www.ecan.govt.nz/you-region/plans-strategies-and-bylaws/canterbury-regional-policy-statement/change-chapter-6/

Key parts of the above documentation that address the NPS-UD

4. We consider the following sections to be of most relevance:

Report to the Minister

(a) Page 17, paragraphs [89] to [94], which address submissions that raised issues as to the "extent to which the Proposed Change addresses requirements under the RMA and other national direction";

(b) Pages 23 to 26, paragraphs [122] to [133], which address submissions that concern "Sufficiency and flexibilities with the

Proposed Change". We note that these paragraphs specifically discuss the requirement of Change 1 to give effect to the NPS-UD.

Appendix 3 – Section 32 evaluation report

(c) Pages 15 to 20, Section 2.2, which discuss both the National Policy Statement on Urban Development Capacity 2016 and the NPS-UD, in the context of the relevant statutory framework. Note that the discussion on pages 19 and 20 specifically considers the 'responsive planning framework' provisions;

(d) Page 41 onwards, Section 7.2.1, which concerns the options analysis and references the NPS-UD;

(e) Page 63, Section 7.2.3, which addresses the NPS-UD in relation to Efficiency;

(f) Page 65 onwards, Section 7.2.4, which considers the NPS-UD in relation to Effectiveness;

(g) Page 76 and 77, Section 7.3, which considers the requirements placed on local authorities by the NPS-UD.

Appendix 5 – Legal and statutory framework

(h) Pages 13 to 18, paragraphs [38] to [66], which discuss the role and requirements of the NPS-UD, and the requirement for Change 1 to give effect to the NPS-UD. We note (as discussed during the hearing) that paragraphs 62 and 63 explain that Change 1 does not fully give effect to the NPS-UD, and the reasons for that.

Appendix 7 – Technical peer review report

(i) Page 4, paragraphs [21] to [24], which discuss and compare the former NPS-UDC 2016 and the NPS-UD;

(j) Pages 16 and 17, paragraphs [84] to [89], which discusses the submissions made that seek increased flexibility. See, in particular, paragraph [88], where the peer reviewer provides the view that "the 'fixed non contestable boundaries' are not, of themselves, contrary to the NPS-UD".

(k) From page 23 onwards, see the discussion under the CRC response and Review sections, which refer to reasoning provided in relation to giving effect to the NPS-UD.

5. While paragraph 4 of this memorandum identifies key parts of the documentation, there are other paragraphs, and sections, which reference the NPS-UD in a more general sense. In the time available, we have not sought to include a list of all references, and instead have focussed on the key parts that we consider will assist the Commissioner to understand the approach taken by CRC to the NPS-UD relative to Change 1.

DATED this 23rd day of March 2022

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M G Wakefield

Counsel for Christchurch City Council and Canterbury Regional Council