



Timeline and Narrative overview HFHMA/RUO/Community Engagement/Regenerate/CCC

(Compiled by CCRU)

- Tonkin and Taylor release effects of sea level rise 2013 (updated from 1999 report)
- April 2015 release Chapter 5 Natural Hazards
- Community disputes the report as being fit for purpose and was adequate to be used for policy development
- Govt overrides CCC and Dumps Sea level rise Hazards overlays from the PRDP
- Community discovers that specific coastal areas have been included in a HFHMA in the PRDP with building being a non-compliant activity. CCRU write to council to have this removed also but the request is ignored.
- Independent hearing panel commences stage 1 July 2015 where definition of 1-meter sea level rise is accepted and passed unopposed
- Chapter 5 Natural Hazards hearings commence 24 Feb 2016
- CCRU demonstrates at hearing that in the HFHMA coastal areas should not be considered the same as river hazard and that Non-compliant is incongruent to actual risk.
- 25 Feb 2016 IHP issues a minute for the CCC to supply new Maps and data indicating what a restricted discretionary building policy would look like.
- **Regenerate** starts their initial work program. The announcement of an information release to “inform important conversations” 28 October 2016
- CCC as a drafting service supplies maps and a revised RDA policy as requested by IHP via Supplementary evidence of Ruth Evans Planner CCC 20 May 2016
- IHP reconvened to present new evidence 30th of June 2016
- Decision 53 issued by the IHP for chapter 5 Natural Hazards 3rd of November 2016 indicating coastal areas contained in an overlay referred to as the RUO (residential unit overlay) where the building would be RDA
- On Monday the 20th of March 2017 the SSRA (Southshore Ratepayers Association) presented the Coastal-Burwood Community Board with a Residents Survey in regard to the Estuary Protection.
This protection is urgently required to keep the Eastern coastal communities safe and healthy. The SSRA, becoming dismayed at the lack of progress in the reinstatement of the Estuary, has taken this by the horns. They have worked with a respected Coastal Engineer to develop a solution that is both ecologically sound and fit for purpose
- The PRDP became operative 19th Dec 2017

- The **How Team** is established to design an engagement plan, outlining the best way to have a Coastal conversation with the Coastal community December 2017
- Post July 2017 residents became aware that the RUO was not being applied and that many where have difficulty getting resource consent
- CCRU questioned CCC as to why The RUO was not being applied. CCC were not forthcoming on the reason
- Drafting error in the Operative plan is indicated as the reason for not applying the RUO
- **How team** completes the engagement plan and send to CCC and Regenerate. April 2018. Working towards the communication of a Regeneration strategy
- May 2018 Linwood Central Heathcote community Board informed of effects of HFHMA and RUO in their area
- 18th of May 2018 CCRU held a meeting for affected residents in Eastern Estuary areas
- 21st of May 2018 RMA hearing was held for 153 Main road Redcliff regarding building in the RUO
- 1st of June Member of CCRU meet with the CCC to discuss Drafting error and understand the situation
- 4th June Poto Williams approached by Coastal Burwood Community Board and CCRU members to inform and discuss the issue and how it could be remedied
- 29 June 2018 Meeting with Politicians from effected areas to inform and discuss remedy
- 8th July 2018 **Regenerate** Opens the community Hub with members of the How team. A dedicated office where the community can drop in. This Hub is branded Coastal Futures. CCRU questions wither “Coastal Futures” is appropriate branding for a Regeneration strategy
- 25th July CCRU (Christchurch Coastal Residents United) organizes a meeting at Redcliffs Bowling Club, in response to Coastal Residents difficulties building in the High Flood Hazard Management Area (HFHMA) and the Residential Unit Overlay (RUO). Over 100 residents attend
- 26 July 2018 RMA Panel releases an important decision regarding the application of the RUO and reports: “In our view, the application of a strict avoidance would result in an **absurdity** and would move perilously close to a **prohibition**”.
- 30th July Given the RMA decision CCRU sends letters Local Politicians, CCC and Regenerate asking them to support the use of section 71 of the regeneration act to remedy the current situation
- To date CCRU had not received any response. In a further attempt to gain assistance CCRU sent correspondence to effected community boards asking them to write to Members of Parliament Poto Williams and Ruth Dyson. 20th August 3rd Sept. 2018
- 8th of August. Following the completion of the How team engagement plan. The How2 team was formed to establish community involvement in the Regeneration strategy for South Shore
- 3rd September 2018. Christchurch city Councilor David East released a letter from Judge Sir John Hansen, chair of the IHP confirming in his view that the enabling clause omission from the final Draft was a mistake and should be rectified.
- 5th September Councilor David East is notified he will face Code of conduct disciplinary action after the release of the letter for indicating the clause was

“tampered with” rather than omitted. Local community Board members also face disciplinary action for their support of East

- 8th September 2018 Regenerate proposes an updated map release. CCRU strongly objects and raises the issue that SLR conversions are hijacking Earthquake Regeneration and that adhoc information release is isolating the East from the context of the wider city and other effected Coastal areas
- 10th of September 2018 CCRU sends a letter to Regenerate and to the Board Members questioning the path Regenerate was taking and wither it was adhering to its legal mandate under the legislation
- 12 September 2018 CHC Mayor Lianne Dalziel attends 2 public meetings and publicly commits to getting it Fixed. Community asks CCRU to write to all stakeholders on their behalf asking for assistance. The Mayor states she will independently investigate into what circumstances lead to the clause being omitted
- 13 September 2018 a Notice of Motion was passed at the Christchurch city council meeting requesting urgency and a pathway way forward for a resolution.
- 17 September 2018 CCRU write to MPs, Regenerate, PM as requested. Asking for assistance and advice on how to remedy the error.
- 17 September 2018. A signed petition was presented to the Hon Megan woods office asking to reinstate Clause 5.2.2.1(a) into the Christchurch District Plan.
- 27 September 2018 following the motion of September 13th, Staff presented item 31. A Proposed process to provide policy support to the Residential Unit Overlay
- 27 September 2018 Mr. Peter Skelton is engaged to audit the process surrounding the omitted clause.
- 30 September 2018 CCRU were invited to be interviewed by Mr. Skelton for the Audit following communication that the Audit would lead to the establishment of a set of Terms of Reference for a following inquiry
- 7th of October CCRU issue an update for the community on the section 71 process and how it works
- 11 of October 2018 CCRU, other community representatives and experts attend a CCC initiated drafting workshop in the effort to get some agreed wording for the section 71 process
- 15th October 2018 the CCC approves the draft proposal to amend the district plan in relation to the Residential Unit overlay. This was sent to strategic partners for feedback required by November 8th, 2018
- 16th November 2018 CCRU engages with Regenerate indicating that their natural Hazards Document is misleading and needs to be corrected
- 11th December 2018 CCRU raises concerns on Regenerate progress, focus and mandate and sends through comments on Regenerates baseline documents.
- 11th December 2018 CCRU comments on the revised MFE document
- **13th December 2018 The Minister for Greater Christchurch Regeneration approves the Residential Unit overlay Plan changes under section 71**
- February Residents report CCC are indicating they may only issue time bound consents of 30-40 years on some properties
- 6th February 2019 The Peter Skelton Audit was Publicly released. CCRU question when the promised subsequent TOR for an independent inquiry will be available to view.

- 21 February 2019 Sees a public announcement that Regenerate has “paused” pending an investigation and report from the Minister on its processes in Southshore/South Brighton
- 7th of March 2019. In the absence of Regenerate, CCRU proposes a Pre-adaption strategy. This is presented to the Coastal Burwood community board who vote to unanimously support its contents and submission to CCC
- 5th of April 2019. Post the section 71 audit and after no terms of reference (TOR) for the Mayor referenced independent inquiry were forthcoming, CCRU with inputs from other community groups, submits a community acceptable set of TOR
- 6th of April CCRU makes a submission to the Local Government Funding and Financing Commission concentrating specifically on the financing of climate related issues and effect on community
- 1st of May, 2019 CCRU presents a submission at CCC regarding the annual plan and the lack of expenditure and outstanding unrepaired problems in the Coastal East.
- 5th of May 2019 CCC documents outlining options pre 9th of May meeting saying repairing the Estuary edge may lead to continued development as perceived safety.
- 9th of May 2019 Large numbers of the Community at short notice, voice submissions at a CCC meeting regarding the failure and withdrawal of Regenerate and the proposed transition of leadership for the Regeneration strategy the Southshore South Brighton area.
- 9th of May 2019 CCRU presents the Pre-adaptation strategy – option 3 previously supported by the community board, at the CCC meeting. After some negotiation and re writing a resolution was passed requiring CCC staff to work towards a solution
- 20th May 2019 on behalf of local communities CCRU engage Brighton Observatory of Environment and Economics (BOEE) to produce report on how the earthquake repairs issue has arisen.
- 29th of May 2019 as part of the process a CCC initiated an invited community workshop held in Southshore with the view to canvas community needs regarding the estuary edge repair
- 3rd of June 2019 as part of the process a CCC initiated an invited community workshop was held in South Brighton with the view to canvas community needs regarding the estuary edge repair
- 12th July Coastal Futures issue their next newsletter where CCC staff finalised the needs of the community and will use them to help identify and evaluate options to respond to earthquake-related changes to the estuary edge
- 13 July CCRU submit feedback on the CHC Draft- integrated water strategy and how it relates to coastal communities
- 1st of August the CCC releases the option they have developed following the community needs meetings. Online feedback opportunity for the effected communities provided
- 2-4 August the CCC conducts several informational drop-in meetings for the community to ask questions. The Southshore community, unhappy with the 2 options presented, believing the options did not address the issues as indicated by the community needs engagement, did not confirm any action and were scant on details found they could not support any of the options provided

- 16th August 2019, Councilor East and Community Board members have the Code of conduct disciplinary action regarding the Letter release and the missing clause dropped by CCC
- CCRU continue to follow up with CCC on the advent of time bound consents. Reports of residents being required to accept these types of consents if they wished to build on their residentially zones section- See Feb 2019 note
- 16 August the CCC staff released the Jacobs report and Councils report on the South shore and South Brighton Earthquake Estuary edge Legacy projects
- 22 August 2019 the Reports were tabled at the CCC meeting. Once again, the community made Deputations to the Council to implore them to vote on making an action plan.
The Community board drafted a resolution to request an action outcome. Due to time shortage this was deferred until the 29th of August
- 29 August 2019. Community drafted Resolution Passed. Erosion management for the area around South Brighton Reserve, and further investigations on the stopbanks north of Bridge Street were also agreed to today by Christchurch City Council, as was an investigation into erosion and flood mitigation in Southshore In Southshore, the Council has agreed to investigate proposed options to address earthquake-legacy related erosion, as well as the position of the 11.4m bund to help mitigate flooding. To help with this investigation, a collaborative group will be set up, and will include a technical expert nominated by the Southshore community
- 30 September 2019. The Department of the minister releases yearly review of the Greater Christchurch Regeneration act 2016. Southshore and South Brighton mentioned as future appropriate uses of the act
- 29 October 2019. Latest Coastal futures newsletter is issued indicating to community the CCC are undertaking some immediate projects and planning for future projects is underway
- 11 November. 2019 CCRU with support from SSRA organises a meet and greet for South of the Bridge community groups and Newly elected officials. Essentially a hand over from immediately past elected members to newly elected Councilors and community board members.
- 16 November 2019. SSRA via the Beacon asks the community to endorse the SSRA nomination of Technical expert Gary Teear to be the community representative and collaborate with the CCC on behalf of the community.
- 21 November members and experts of CCRU meet with CCC staff from the planning and consents team. This was to address issues with inconstant resources consent rules, timelines on proposed Coastal Hazards process and the anomaly of Non-compliant rules of commercial building activity in Southshore
- December 2019 CCC releases the LDRP113-Coastal-Sand-Budget-for-Southern-Pegasus-Bay-Stage-A and B-Future-Sand-Budget-Final-June-2018-Murray-Hicks-NIWA reviewed by Martin Single

1

Tonkin and Taylor release effects of sea level rise 2013 (updated from 1999 report)
April 2015 release Chapter 5 Natural Hazards
Community disputes the report as being fit for purpose and was adequate to be used for policy development

The community and experts disputed the report as being a desk top study, not area specific. This report was completed in 19 Days and the terms of reference were set by Tonkin Taylor themselves. It was stated that the report was inadequate in depth for the use by the CCC for policy development.

2

Govt overrides CCC and Dumps Sea level rise Hazards overlays from the PRDP

September 29, 2015 CHRIS HUTCHING - NBR

Government overrides Christchurch council and dumps sea rise hazard

The government has overridden Christchurch City Council and dumped a proposed controversial and wealth-destroying sea rise hazard plan. The coastal hazard plan involved tagging 18,600 land titles, forbidding any kind of development including house extensions, and leading to property devaluation and insurance premium hikes. City council natural environment manager Helen Beaumont was behind the natural hazards chapter in the plan.

But the city council and government were themselves moving ahead with several coastal ventures including building two new schools on the former QE11 site.

<https://www.ccruc.co.nz/single-post/2015/09/29/Government-overrides-Christchurch-council-and-dumps-sea-rise-hazard>

3

Community discovers that specific coastal areas have been included in a HFHMA in the PRDP with building being a non-compliant activity
Independent hearing panel commences stage 1 July 2015 where definition of 1-meter sea level rise is passed unopposed
Chapter 5 Natural Hazards hearings commence 24 Feb 2016

The community submits to the IHP that CCC have a systemic view that certain areas should be non-compliant for building and are using all avenues to achieve this outcome. Now that the Coastal inundation and Erosion Overlays have been removed by the Govt the CCC are attempting to absorb specific Coastal areas into the HFHMA which was really designed for river flooding and ponding areas up stream and river side

4

CCRU demonstrates at hearing that in the HFHMA coastal areas should not be considered the same as river hazard and that Non-compliant is incongruent to actual flood risk for Coastal areas

CCRU argue that as the HFHMA was based on the risk from a depth greater than 1-meter x Velocity, Coastal areas do not have the velocity incurred by river flooding. CCRU suggested that if SRL was removed from the equation, coastal areas would have low velocity and show low risk and therefore should not be included in the HFHMA

The IHP panel found these questions were worthy of consideration and asked the CCC if they had completed modelling on various SLR levels. The CCC had not.

High hazard flooding includes areas that flood to a depth greater than 1 metre, or the depth (m) x velocity (ms⁻¹) of the over land flow is greater than 1 in a 0.2% AEP (1 in 500-year) flood event

5

25 Feb 2016 IHP issues a minute for the CCC to supply new Maps and drafting indicating what a restricted discretionary building policy would look like.

Excerpts from IHP minutes- see attached document page 1

Mapping of further sea level rise scenarios and additional rule drafting

[3] These matters pertain to our consideration of the most appropriate provisions within High Flooding Hazard Management Areas ('HFHMA'). That is in view of the associated proposed restrictions on the subdivision, use and development of land within the HFHMA. The Notified Proposal provides for only non-complying activity classification within the HFHMA (under proposed rule 5.8.8.2) for the following:

- (a) Any subdivision which creates an additional vacant allotment or allotments within a HFHMA (NC1); and
- (b) New buildings within a HFHMA (NC2).

[4] The reach of those restrictions is significant. In addition to impacting potential for intensification and development, it would also impose significant constraint on capacity to build houses on vacant lots, or even replacement houses for earthquake-damaged ones (for which existing use rights could also have expired where a house has been demolished some years ago). The uncontested evidence from the Council's economist, Mr Butcher, identifies significant cost consequences for impacted landowners. We have also heard several representations, and some evidence, from or on behalf of impacted landowners.

[6] Therefore, we intend to make directions to require from the Council the following:

- (a) A new set of HFHMA overlay maps showing the different HFHMA boundaries that would result from each of the following assumptions concerning sea level rise by 2115:
 - (i) A sea level rise of 1 metre (ie as is presently assumed for the Notified Proposal's overlay maps);
 - (ii) A sea level rise of 0.5 metres (*adjusted as required to 2115'*); and
 - (iii) A sea level rise of 0 metres;
- (b) A set of draft provisions such as to apply to the construction of any new or replacement dwelling or addition to a dwelling on residentially zoned land within the HFHMA to the effect of:
 - (i) Classifying the activity as a restricted discretionary activity;
 - (ii) Specifying appropriate assessment matters (taking into consideration what we set out below);
 - (iii) Specifying any necessary associated policy provision for this activity class, i.e. to the extent that there is not already sufficient policy provision.

- (a) The Higher Order Documents, and particularly the NZCPS and CRPS, would not appear to dictate an approach of avoidance for all new buildings in HFHMA, but rather to also allow for risk mitigation (depending, of course, on what is adjudged proportionate and the most appropriate response, in terms of the matters in ss 32 and 32AA). In particular, we refer to CRPS Policy 11.3.1 (as recently amended).

<http://www.chchplan.ihp.govt.nz/wp-content/uploads/2015/07/Minute-re-further-mapping-in-regard-to-sea-level-rise-flood-ponding-management-areas-permitted-activities-in-rural-areas-3-3-2016.pdf>

6

IHP using CCC as a drafting service. CCC supplies maps and a revised RDA policy as requested by IHP via Supplementary evidence of Ruth Evans Planner CCC 20 May 2016

The CCC acting as a drafting service for the IHP. Ruth Evans- Planner for the CCC supplies the requested RDA Policy and Maps. The CCC at this stage was clear to say that they had reservations about RDA and that they did not support the more permissive pathway of RDA

Below is the wording of the draft Ruth Evans provided to the IHP. This version would have enabled the RUO to be applied as intended by the IHP.

4.3 It is considered that the existing policy framework contained in Chapter 5, in particular Policy 5.2.2.1(b) will require amending to support the draft RDA rule. I suggest the amended wording below:

In High Flood Hazard Management areas:

(a) provide for development for a residential unit on residentially zoned land where appropriate mitigation can be provided that protects people's safety, well-being and property; and

(b) in all other cases, avoid subdivision, use or development where it will increase the potential risk to people's safety, wellbeing and property.

Ruth Evans on behalf of the CCC indicates they do not support RDA rule that is being suggested by the panel.

4.4 While this amendment provides continuity with the draft RDA rules, I have some reservations around this approach to managing development in HFHMAs, which I have outlined in paragraph 4.18 of this evidence.

4.5 A key consideration when preparing the draft RDA provisions is the relationship with the existing Flood Management Area (**FMA**) provisions and the HFHMA provisions. All the HFHMA areas are always FMAs, and are subject to the underlying FMA rules. The draft provisions are therefore prepared on the basis that the FMA rules would apply as well. However, as the two overlays serve different purposes (the FMA is about raising floor levels, whereas the HFHMA is about protecting people and property) there is some overlap between the two sets of RDA matters of discretion and assessment criteria.

4.18 As mentioned earlier, I have concerns with the approach of providing a more permissive consenting pathway for an activity, being residential units on residentially zoned land, where people reside and spend a lot of time. When this is compared to a sports facility in an open space zone I consider there is inconsistency in the proposal. At a sports facility people only occupy the site for certain time periods, and this is classified as a non-complying activity. Further, this approach does not provide the same consenting pathway for residential units in other zones, for example rural or commercial, where mitigation options could also be provided.

<http://www.chchplan.ihp.govt.nz/wp-content/uploads/2015/07/3723-CCC-Natural-Hazards-Supplementary-Evidence-of-Ruth-Evans-20-0...-1.pdf>

Based on the newly requested SRL information, on the 20th of May the CCC provided the IHP the Evidence of Graeme Smart – A natural Hazards risk engineer. Mr. Smart undertook several Riskscape scenarios at the various SLR levels. CCRU identified a number of issues with this evidence and applied for leave to cross examine Mr Smart. CCRU also provided counter evidence from their own expert to challenge Mr Smarts evidence. CCRU were unable to question this evidence as the CCC choose to with draw it.

<http://www.chchplan.ihp.govt.nz/wp-content/uploads/2015/07/3723-CCC-Natural-Hazards-Supplementary-Evidence-of-Graeme-Smart-inc...-1.pdf>

<http://www.chchplan.ihp.govt.nz/wp-content/uploads/2015/07/3686-CCRU-Supplementary-Evidence-of-Simon-Arnold-08-06-2016-.pdf>

7

IHP reconvened to present new evidence 30th of June 2016

Decision 53 issued by the IHP for chapter 5 Natural Hazards 3rd of November 2016 indicating coastal areas contained in an overlay referred to as the RUO (residential unit overlay) where the building would be RDA

Decision 53 was issued by the IHP after considering the RDA provisions and new maps. The IHP decided that on evidence the Coastal areas posed less of a risk to life than the higher velocity river areas. The panel decided that a RUO (residential Unit Overlay) was most appropriate and that this would be based on the maps provided by the CCC. Those in the

RUO would be subjected to building as RDA and Directs the CCC to provide an appendix that depicts a Map of the RUO to which the RDA rule applies- excepts from Decision 53

IHP comments on G Harrington's evidence in the decision with regards to the fact that appropriate risk of flood mitigation in coastal areas is possible.

[100] The Council's expert in relation to the modelling and mapping of flood hazards was Mr Harrington, who also gave evidence in the Stage 1 Natural Hazards hearing. The model used various inputs. Our main area of interest in questioning was the area that was primarily affected by sea level rise.

[101] We asked him about the nature and effects of flooding in the HFHMA. While he was cautious to ensure that his answers were confined to the parameters of his investigations, he confirmed that the overwhelming majority of land was included in the HFHMA on the modelled depth of floodwaters rather than on a calculation of depth multiplied by velocity (being the first limb of the definition of "high hazard areas" in the CRPS). He also acknowledged that the CRDP's framework for the management areas was based on a progression from lifting floor levels (to keep habitable areas dry in the FMA) to preventing further development from occurring in areas that could be subject to deeper swifter water. However, he said that the modelling had not been assessed in a way that would differentiate between areas on that basis.

Even so, he accepted that velocities were likely to be higher the closer land was to a river and that this provided a basis for different policies to address the different risks.⁷⁰

[102] We accept Mr Harrington's evidence on these matters. It demonstrated to us, amongst other things, that the characteristic of the risk for coastal areas such as at New Brighton, Southshore and Redcliffs, differs from that for other more inland parts of the HFHMA also susceptible to water velocity risks.

[111] Replacement and repair of buildings can, of course, involve the construction of a new building. Even so, the Council is satisfied, as are we, that this permitted activity is appropriate for achieving what is now Strategic Objective 3.3.6. As a type of new use, it does not give rise to unacceptable risk. Given that, we also find that this extent of allowance for the replacement and repair of buildings would assist to achieve Strategic Objectives 3.3.1 (on enabling recovery and facilitating the future enhancement of the district), 3.3.4 (on housing capacity and choice) and 3.3.5 (on business and economic prosperity).

[112] The remaining issue concerns whether a greater degree of leniency can be provided for the building of new residential units on existing residentially zoned land.

[113] On the evidence, we find it would not be appropriate to do so except in the Residential Unit Overlay. What distinguishes those areas of New Brighton, Southshore and Redcliffs is the evidence that the flooding risk they face is predominantly from sea level rise (by contrast to inland areas within the HFHMA). Peppered through the residential communities of the Residential Unit Overlay are sections where once there were families and other members of these once-vibrant communities. In a number of cases, those

sections have remained vacant since the earthquakes destroyed dwellings on them. For those properties, existing use rights may have lapsed, but the evidence satisfies us that appropriate mitigation of flood risks is possible.

IHP Comments that the revised CCC version is unduly onerous, and that RDA is superior in costs and in benefits

[117] It is important to stress that an application for resource consent for an activity classified as restricted discretionary may be refused.⁷³ It is quite incorrect to regard the activity status of restricted discretionary as being somehow very close to that of a controlled activity. While the restrictions on the exercise of discretion should make the assessment of an application more focussed, any failure of a proposal to meet the requirements of the CRDP within the scope of those restrictions which are incapable of being addressed by reasonable conditions should result in such an application being declined.

[118] The Council's planning witness, Ms Ruth Evans, assisted the Panel on the limited basis we have described, on the possible drafting of a restricted discretionary activity rule. The drafting she offered, reserving her overall opinion, included matters of discretion (including specified criteria). That drafting approach was consistent with the drafting of similar RDA rules determined by Decision 6 and we found it to properly capture all matters that the evidence demonstrates as relevant.

[119] Assessing costs and benefits, on our evidential findings, we find that the Revised Version is unduly onerous. Specifically, in terms of the natural hazard risk in issue, we find no material difference between it and the option of a restricted discretionary activity classification for residential units subject to the matters of discretion that Ms Evans has offered. We find RDA classification would give relatively greater certainty and confidence to both the landowner and the community. Hence, we find it superior on our assessment of costs and benefits.

The IHP directs the CCC to provide maps depicting a RUO to which additional RDA rules will apply

[122] For those reasons, being satisfied that it is the most appropriate for responding to the Higher Order Documents and achieving related objectives, we have included in the Decision Version the modifications we have described to these rules of the Revised Version.

Accompanying these, we have directed the Council to provide to us a related Appendix that depicts, in a map, the Residential Unity Overlay to which the additional RDA rule (including non-notification) applies.

8

The PRDP became operative 19th December 2017

<http://www.chchplan.ihp.govt.nz/>

Post July 2017 residents became aware that the RUO was not being applied and that many where have difficulty getting resource consent

CCRU questioned CCC as to why The RUO was not being applied. CCC were not forth coming on the reason

Given the direction- (CCC to provide maps depicting a RUO to which additional RDA rules will apply) and context given by the considerable discussion provided by Environment court Judge Hassan in decision 53, those who were resident or owned property in the RUO were expecting the following RDA rules to apply as they had appeared in the operative plan and in Ruth Evans original draft to the Panel

discretionary activity under 5.4.6.2 RD2. The matters of discretion are limited to:

"a.The Council's discretion is limited to the following matters:

- i.Setting of minimum floor levels.
- ii.Design of buildings.
- iii.Mitigation of the effects of flooding.
- iv.Level of intensification.
- v.Safe ingress and egress.
- vi.Reducing the risk to people's safety, wellbeing and property resulting from the development.

b.These restricted discretionary activities will be assessed against the following criteria:

- i.The type of foundation and structure proposed for the residential unit and the likely impact of the building with regard to flood storage and flow of water.
- ii.The frequency at which any proposed building or addition is predicted to be flooded, the extent of damage likely to occur in such an event and the potential for injury or risk to people's safety, well-being and property from such an event.
- iii.The ability to maintain safe access to and from the residential unit from the transport network with respect to design of the access and engineering solutions."

9

Drafting error in the Operative plan is indicated as the reason for not applying the RUO

It became evident that the RUO was not being applied by the CCC.

CCRU and the community board made several approaches to the CCC to get to the bottom of the problem. It became evident from a third party and not the CCC, that the CCC were not applying the RUO due to a drafting error in the operative plan. This was allowing them to apply avoidance to all properties in the HFHMA regardless if they were also in the RUO.

On investigating further, it would appear that the original drafting requested by the IHP below

4.3 It is considered that the existing policy framework contained in Chapter 5, in particular Policy 5.2.2.1(b) will require amending to support the draft RDA rule. I suggest the amended wording below:

In High Flood Hazard Management areas:

(a) provide for development for a residential unit on residentially zoned land where appropriate mitigation can be provided that protects people's safety, well-being and property; and

(b) in all other cases, avoid subdivision, use or development where it will increase the potential risk to people's safety, wellbeing and property.

Was replaced by the CCC in their final plan submission

5.2.2.1.1 Policy - Avoid new development where there is unacceptable risk

1. Avoid new subdivision, use and development, including new urban zonings, where the risk from a natural hazard is assessed as being unacceptable.

5.2.2.2.1 Policy - Flooding

1. Map hazard risk for the Flood Management Area based on:
 1. a modelled 0.5% AEP (1 in 200-year) rainfall event plus a 5% AEP (1 in 20-year) tide event plus 250mm freeboard; OR a modelled 5% AEP (1 in 20-year flood event) plus a 0.5% AEP (1 in 200-year) tide event plus 250mm freeboard; OR 11.9m above Christchurch City Council Datum (the maximum 200-year tidal contour) plus 250mm freeboard; whichever is the greater; and
 2. allowance for 1 metre of sea level rise and an increase in rainfall intensity by 16% through to 2115 as a result of climate change; and

3. a maximum buffer extension of the modelled rainfall event areas by 60 metres in a north/south and east/west direction.

2. Avoid subdivision, use or development in the High Flood Hazard Management Area where it will increase the potential risk to people's safety, well-being and property.

You can see from point 2 that it essentially only contains point (b) from the original draft and point (a) provide for development- has fallen away.

The CCC have freely admitted that as they did not support the IHP desire to have a more permissive building pathway and a RUO and so they did not reflect this in their final draft.

This was not picked up by the panel or highlighted by the CCC until pressed by CCRU

<https://districtplan.ccc.govt.nz/pages/plan/Book.aspx?exhibit=districtplan&hid=84826>

- May 2018 Linwood Central Heathcote community Board informed of effects of HFHMA and RUO in their area

10

18th of May 2018 CCRU held a meeting for affected residents in Eastern Estuary areas

A meeting was held with over 15 effected residents. Residents told of spending thousands of dollars and still not being able to build. Lack of transparency and information by the CCC. Inconsistent application of policy. Lack of understanding of policy. At times rules being applied that were not policy. People living in caravans waiting, others buying other homes. Extreme financial hardship and mental anguish.

11

21st of May 2018 RMA hearing was held for 153 Main road Redcliff regarding building in the RUO

On the 21st of May an RMA hearing was held for a Redcliff property. The CCC and the community are waiting for the outcome of this hearing. While it may clarify some issues, it will not remedy the underlying policy of avoidance.

12

1st of June Member of CCRU meet with the CCC to discuss Drafting error and understand the situation

On the 1st of June members of CCRU, RMA lawyer Gerald Cleary, Partner at Anthony Harper met with Member of the CCC policy and consents team. CCRU posed several questions to the CCC. The discussion indicated that the CCC were aware of the problem, but indicated they had to apply the policy as it was written. They stated they were unable to change the policy until 2021 and that their hands were tied. Following are excerpts of the transcript- *See attached minute document page 11*

3

Gerard's assessment is that there is a disconnect between the rules, the objectives and the policies. His understanding is that the policy seems to be applied as if the restricted discretionary rule didn't exist. His feeling is that there has been a mistake made.

4

Council agreed with how Gerard outlined the above, however CCC said that they had to follow the District Plan as ultimately written and that they can't speculate whether a mistake had occurred.

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Gerard's view is that the Panel's decision in terms of development of Southshore and residential unit overlay areas wasn't to be avoided. It was to be enabled provided the technical matters contained in the rule are satisfied. If you can satisfy the rule it should be granted. In practice the ability to meet those technical assessment matters is being subservient to the assessment in the avoidance policy. This policy is given much more weight than it should be.

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Warwick: If the paragraph had been included would things be interpreted differently now? If the panel said that was a mistake

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Council: We can't ask the Panel as it no longer exists. We can't ask for any changes now as we still have an Order in Council in place preventing plan changes until 2021, although hopefully this restriction will be removed this year. To amend the avoidance policy would need a plan change.

CCRU asked the CCC if there was a will inside the CCC to support this change of plan so as to give the CCC and opportunity to put it right.

38

Gerard: So there is a problem, potential solutions are out of the hands of the residents. Changing a plan via the GCRA is in hands of Council or the Minister.

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-Karina: CCRU would prefer if the change was initiated by council. That is why we are here. This is a growing issue.

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Council suggested CCRU lobby their local Community Board and ask the Board to lobby the Council for a resolution to consider.

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-Gerard: The Community Board is well aware of issues. CCRU would like change to be driven from inside Council.

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-Council: That's something to be discussed internally.

43

-Karina: CCRU would rather partner in this. Agree it's the overarching policy causing this.

44

-Warwick: Can we agree that there is a problem and there is a solution to come out the other side.

45

-Council: What you are asking would need to be supported from planning/policy area, and ultimately elected members. Either way, a District Plan change or wait for the Order In Council to be removed. It will take time. Using the GCRA could be quicker.

CCRU also requested the CCC to provide current maps and figures of effected vacant sites. While Vacant sites are the most effected by this policy as they generally have no existing usage rights, other properties are also affected. Those that are replacing existing dwellings with a larger house under the usage rights banner are unable to extend their footprint. Those that wish to extend their existing house also extending their foot print are being declined extensions

See attached documents

RMA20171413 List of consents issued for dwellings in HFHMA .page 17

RMA20171413 Residential Sites in the HFHMA city wide as at 30 June 2018. page 18

Maps of Vacant sites Redcliff and Southshore Appendix 1. page 21

13

- **4th June Poto Williams approached by Coastal Burwood Community Board and CCRU members to inform and discuss the issue and how it could be remedied**
- **29 June 2018 Meeting with Politicians from effected areas to inform and discuss remedy**

Govt MPs have been called in to help solve problems people face trying to get resource consents. CCRU met with MPs Ruth Dyson, Duncan Webb and Poto Williams to discuss the problem and potential remedies

<https://www.yumpu.com/en/document/view/60944229/bay-harbour-july-04-2018>

The CCC has indicated to CCRU that the only way forward to remedy this anomaly is to use the GCRA.

Section 71 GCRA

<http://www.legislation.govt.nz/act/public/2016/0014/32.0/DLM6579297.html>

The purposes of the Greater Christchurch Regeneration Act 2016 is to support the regeneration of greater Christchurch through five specified purposes as set out in section 3(1). Section 3(2) of the GCR Act provides a definition of 'regeneration' as follows:

regeneration means—

(a) rebuilding, in response to the Canterbury earthquakes or otherwise, including—

(i) extending, repairing, improving, subdividing, or converting land:

(ii) extending, repairing, improving, converting, or removing infrastructure, buildings, and other property:

(b) improving the environmental, economic, social, and cultural well-being, and the resilience, of communities through—

(i) urban renewal and development:

(ii) restoration and enhancement (including residual recovery activity)

urban renewal means the revitalisation or improvement of an urban area, and includes—

(a) rebuilding:

(b) the provision and enhancement of community facilities and public open space.

What is the exercise of power of section 71 intended to achieve

The exercise of powers under section 71 of the GCR Act is intended to amend and correct the HFHMA policy under Chapter 5 Natural hazards. So that building can be applied as a RDA in respect to vacant and existing properties that lay within RUO as intended by the IHP

The objective of the section 71 of the GCR Act is to support the regeneration of greater Christchurch through repairing, restoration, extending, renewal and improving well being. Specifically, the exercise of power will expedite the correction of the HFHMA policy under Chapter 5 Natural hazards.

This is **necessary** to regenerate the affected communities who are at this moment effectively in a holding pattern and have not been able to repair, renew or rebuild.

Proposed amendments to the Christchurch District Plan – Is it necessary and preferable?

Under section 65 of the GCRA it indicates that any proposal to use section 71 of the act must demonstrate

(d) 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

Using section 71 of the GCR Act to make these amendments to the District Plan allows for a significantly more expedited process. This method is preferable as the CCC have indicated their hands are tied, they agree they are unable to amend the plan themselves and have suggested this maybe the only course of action.

In addition, and possibly the most important- using the CGRA section 71 can **expedite** this matter. This is both **necessary** for the social and emotional wellbeing of the community, and **preferable** is to the additional delays and costs the use of other processes (legal advice indicates there may not be other processes) would entail.

These communities have been battling to renew for over 7 years. They are starting to show signs of emotional, social and financial degradation. Evidence of family splits, stress related health issues and financial hardship specifically regarding this particular building issue are now becoming increasingly apparent

section 65 GCRA

<http://www.legislation.govt.nz/act/public/2016/0014/32.0/DLM6583402.html>

CCRU believe that using the powers of section 71 is the best and possibly only option as it supports the reasons why regenerate have asked in the past for section 71 to be used. - Speed, to allow the community to regenerate and ease of co-ordination other documents.

Regeneration has the following on their website and have publicly stated they are looking for opportunities to use the act to support regeneration.

<https://engage.regeneratechristchurch.nz/redcliffs>

Section 71 of the Greater Christchurch Regeneration Act can be used to make changes to the Christchurch District Plan and other planning documents in order to speed up planning processes. In late January this year, Regenerate Christchurch recommended using the legislation to enable the school to be relocated to Redcliffs Park and the original site converted to a park

It's the first time that Section 71 has been used, and Regenerate Christchurch is looking for more opportunities to use the Greater Christchurch Regeneration Act to support regeneration.

14

- **25th July CCRU (Christchurch Coastal Residents United) organizes a meeting at Redcliffs Bowling Club, in response to Coastal Residents' distress and difficulty in extending, rebuilding or building their houses in residential areas that are in the High Flood Hazard Management Area (HFHMA) and the Residential Unit Overlay (RUO). Over 100 residents attend**

The aims of this meeting was to share experience gained from Southshore and South Brighton residents with other coastal residents who are also in the in HFHMA/RUO and brief those residents how the situation is evolving.

The meeting was attended by over 100 residents, representatives from community boards, residents' associations and political proxies. The CCC was invited to attend but declined

<https://www.ccru.co.nz/single-post/2018/07/29/CCRU-video-of-meeting-for-coastal-residents-affected-by-RUO>

15

- **26 July 2018 RMA Panel releases an important decision regarding the application of the RUO and reports: "In our view, the application of a strict avoidance would result in an absurdity and would move perilously close to a prohibition".**

26 of July saw the release of RMA panel decision RMA/2017/1413 in regard to 153 Main Road, Redcliffs. CCRU maintains that the decision supports the stance that the operative plan has a gap that has resulted in a disconnect between the avoidance policy and the RUO causing it to be incorrectly applied. The decision highlighted numerous problems in the interpretation of and details the difficult planning and legal situations created by, the omission of the previously drafted paragraph as identified by CCRU. In support of this the panel states the following:

*“We consider the strict application of “avoid”, in the King Salmon sense to the RUO, would render the RUO redundant. Realistically, any new (and indeed many replacement), dwellings will increase potential risk. In our view, the application of a strict avoidance would result in an **absurdity** and would move perilously close to a **prohibition**”*

It was made clear by the panel that as this was an RMA hearing, it would not set a precedent for other properties in the RUO.

The concern raised by CCRU with both Politicians, CCC and Regenerate was that while the hearing would provide a view, the fact that it would not set a precedent was problematic and would not provide a solution to the issue at hand. CCRU believe that this may result in the CCC requiring an expensive and burdensome process of RMA hearings for each property. In our view this case by case basis would lead to more hardship, uncertainty and confusion in the community.

<https://www.ccru.co.nz/single-post/2018/07/27/IMPORTANT-RMA-DECISION-ALIGNS-WITH-CCRU-VIEW-OF-RUO-APPLICATION>

16

- **30th July Given the RMA decision CCRU sends letters Local Politicians, CCC and regenerate asking them to support the use of section 71 of the regeneration act to remedy the current situation**

CCRU requests from CCC, Regenerate and Politicians as local representatives of effected constituents, support in remedying the disconnect by the way of utilizing Section 71 of the Regeneration Act. This request was made to ensure that there is a clear and consistent assessment pathway that does not continue to unfairly disadvantage residents in the RUO.

There is a ground swell of awareness and discontent surrounding this issue and this is only set to increase. A resolution is urgently required.

17

- **To date CCRU had not received any response. In a further attempt to gain assistance CCRU sent correspondence to effected community boards asking them to write to Members of Parliament Poto Williams and Ruth Dyson**

This correspondence was tabled, resolved and carried as evident in both sets of board minutes Coastal Burwood Community Board on 20 August 2018 and the Linwood Central Heathcote Community Board on 3 September 2018. Both boards then sent letters to Ruth Dyson and Poto Williams asking for their assistance in resolving this issue

18

- **3rd September 2018. Christchurch city Councilor David East released a letter from Judge Sir John Hansen, chair of the IHP confirming in his view that the enabling clause omission from the final Draft was a mistake and should be rectified.**

“My understanding is that Council staff have taken the view that they have no legal basis to apply the RDA rule within the RUO in the absence of such policy. I find that somewhat surprising given the extremely clear findings of the Panel in Decision 53 as set about above. Such a course has denied land owners within the RUO the relief the IHP clearly granted them. Decision 53 would leave nobody in any doubt as to what the outcome of the hearing into this matter was”

“The jurisdiction of the IHP extended until the final appeal period had run. In that time, at the request of CCC and other parties, the IHP made a large number of minor corrections to the plan. If this matter had been brought to our attention, we would certainly have added the policy back into the plan as a minor correction. I am not sure of the exact timing, but it would appear that the omission of the Policy was known before our jurisdiction ceased.”

“I would strongly support the use of s 71 to reintroduce the policy into the relevant portion of the District Plan. It would correct an obvious oversight.”

https://docs.wixstatic.com/ugd/780895_5ecd6c846db44dcea199e6f62edaf146.pdf

<https://www.ccruc.co.nz/single-post/2018/09/03/Judge-confirms-error-in-district-plan-and-supports-CCRU-in-bid-for-swift-action-in-correction>


19

- **12 September 2018 CHC Mayor Lianne Dalziel attends 2 public meetings and publicly commits to getting it fixed. Community asks CCRU to write to all stakeholders on their behalf asking for assistance.**

<https://www.ccruc.co.nz/single-post/2018/09/12/Mayor-personally-commits-to-GETTING-IT-FIXED>

- **13 September 2018 a Notice of Motion was passed at the Christchurch city council meeting requesting urgency and a pathway way forward for a resolution.**

<https://www.ccruc.co.nz/single-post/2018/09/13/This-is-what-the-Mayor-promised>

Council 13 September 2018	Christchurch City Council 	Item 9
9. Notice of Motion		
Reference: 18/935833 Presenter(s): Councillor Johanson		
<p>Pursuant to Section 22 of Christchurch City Council's Standing Orders, the following Notice of Motion was submitted by Councillor Johanson:</p> <p>High Flood Hazard Management area policy</p> <ol style="list-style-type: none"> 1. That Council notes that the Linwood-Central-Heathcote and Coastal-Burwood Community Boards held a joint briefing following concerns regarding the High Flood Hazard Management area policy in the District Plan. 2. That Council notes that the Mayor has asked staff to provide advice as to options for resolving the issue that has been raised in relation to the Independent Hearings Panel decision on the District Plan. 3. That Council request urgency be accorded the matter so that the District Plan can be amended to reflect the intention of the Independent Hearings Panel as soon as possible. <p>Moved Councillor Yani Johanson</p>		
1. Recommendation to Council		
That the Council:		
<ol style="list-style-type: none"> 1. Accepts the Notice of Motion from Councillor Johanson regarding High Flood Hazard Management Area Policy. 2. Notes that the Linwood-Central-Heathcote and Coastal-Burwood Community Boards held a joint briefing following concerns regarding the High Flood Hazard Management area policy in the District Plan. 3. Notes that the Mayor has asked staff to provide advice as to options for resolving the issue that has been raised in relation to the Independent Hearings Panel decision on the District Plan. 4. Request urgency be accorded this matter so that the District Plan can be amended to reflect the intention of the Independent Hearings Panel as soon as possible. 		
Attachments		
There are no attachments to this report.		

21

- **17 September 2018 CCRU write to MPs, Regenerate, PM as requested. Asking for assistance and advice on how to remedy the error.**

CCRU has always felt that the omission of the policy that enabled building in the Residential Unit Overlay from the District Plan was an oversight and John Hansen's letter confirms that. However, the CCC position has been that the current Plan *is* as the panel intended. The Mayor's comments above indicate there now appears to be a desire to fix this issue, with some urgency.

CCRU therefore strongly recommend, that clear and urgent communication is provided to the community regarding:

- Confirmation of the correct and most appropriate process that will be used to remedy this issue.
- A timetable for the reinsertion of the clause
- Report back mechanism so the community is aware of where this issue is on the timeline of resolution

And on the omission, itself:

- A Timetable for the establishment of an independent hearing to investigate how the omission occurred and the circumstances surrounding the omission.
- The appointment of the most appropriate person to head the hearing be agreed on by stakeholder not appointed solely by the CCC

<https://www.ccru.co.nz/single-post/2018/09/17/We-are-asking-for-Government-assistance-to-fix-this>

22

- **27 September 2018- following the motion of September 13th, CCC Staff presented item 31. A Proposed process to provide policy support to the Residential Unit Overlay**

https://docs.wixstatic.com/ugd/780895_359e76bede644b699f9d4d3ace98acb5.pdf

Origin of Report

1.2 This report responds to the Notice of Motion put to the Council on 13 September 2018 as resolved: 1.2.1 *That the Council:*

- 1. *Accepts the Notice of Motion from Councillor Johanson regarding High Flood Hazard Management Area Policy.*
- 2. *Notes that the Linwood-Central-Heathcote and Coastal-Burwood Community Boards held a joint briefing on 13 August 2018 following concerns regarding the High Flood Hazards Management area policy in the District Plan.*
- 3. *Notes that the Mayor has asked staff to provide advice as to options for resolving the issue that has been raised in relation to the Independent Hearings Panel decision on the District Plan.*
- 4. *Request urgency be accorded this matter so that the District Plan can be amended to reflect the intention of the Independent Hearings Panel as soon as possible.*

“We do need to learn by doing and the current way in which those laws and policy statements are working is not really allowing that. It's boxing Councils in to a certain way of acting.”

“So what has gone on in Christchurch where all these people are upset, some of the things that are happening don't seem to be logical or fair. I am sure that what they have done is perfectly legal. So there is a big onus on central government to sort this.”

- Jan Wright (Parliamentary Commissioner for the Environment 2016)

Parliamentary Commissioner for the Environment
says banking industry and insurers very focused
on rising sea levels; warns coastal owners may
face negative equity; calls on Govt to investigate
fiscal, economic risks
Posted in [News](#) [HOT TOPIC](#) March 31, 2016 - 04:14pm, [Lynn Grieveson](#)

By Lynn Grieveson

Best way to get science advice to be effective is to follow these 4 principles

Inclusive

Rigorous

Transparent

And accessible

Juliet Gerrard New science advisor to the PM, radio NZ Nine To Noon (02 Jul 2018)

23

- **October 2018**

In an effort to keep the community informed, CCRU publishes the letters that the CCC have sent to Judge Hassan and Sarah Dawson asking for their assistance and views on the proposed plan change and wording. CCRU writes a post - a layman's guide to the omitted clause

11 October CCRU, experts and other community members attend a drafting workshop. The constructive and well-organized meeting was to discuss the wording of the omitted policy regarding the RUO and the section 71 process. There was general support for the wording, and you can read CCRU feedback to CCC in the link provided. Similar support was also given to the CCC by the community boards and the SSRA.

CCRU raised several issues, these issues were noted by CCC and advised CCRU that staff had started to work through them and would include responses and any necessary amendments in their final report to Council. This final report which is expected to be 8 Nov 2018 (i.e. after feedback from strategic partners, and then council staff finalise the s71 proposal).

<https://www.ccru.co.nz/single-post/2018/11/03/Changes-coming--what-happened-in-these-3-weeks-Sep-23-Oct-16>

On 15 October Councillors approved the draft proposal to amend the District Plan in relation to the Residential Unit Overlay.

The draft proposal was immediately sent to Environment Canterbury, Selwyn District Council, Waimakariri District Council and Te Rūnanga o Ngai Tahu, along with the Department of the Prime Minister and Cabinet (DPMC) and Regenerate Christchurch, for their feedback.

Link to CCC update 4

https://docs.wixstatic.com/ugd/780895_aa1a427f677e4f27940ee895b3265023.pdf

Link to CCC extraordinary agenda 15 October

https://christchurch.infocouncil.biz/Open/2018/10/CNCL_20181015_AGN_3010_AT_EXTRA.PDF

Link to CCC approval notice 15 October

<https://www.ccc.govt.nz/news-and-events/newsline/show/3079?fbclid=IwAR38krT5FcmDozQXW2FKogsdTbxj84VYJYtB02hGT47MNRLx60ZssR0yYkk>

24

- **11 DEC 2018**

CCRU begins to have concerns that Regenerate is not following there mandate under the act and has been hijacked by Coastal Hazard issues. CCRU indicate in their view it is not appropriate to be concentrating on Hazard adaption before repair issues have been addressed. There are also concerns raised on the progress so far with a view that Regenerate has now gone off track.

CCRU subsequently raises concerns and comments on regenerates baseline docs

<https://www.ccru.co.nz/single-post/2018/12/11/CCRU-raise-concerns-and-comments-on-Regenerate-Baseline-Documents>

February 21 sees a public announcement that regenerate has “paused” pending an investigation and report from the Minister on Regenerations’ processes in Southshore/South Brighton. This leads to the eventual failure and withdrawal of Regenerate from the community on May 9th 2019. The community express concern that large sums of money have been spent with no benefit to the community and are dismayed that there was no apology or accountability from Regenerate- just a “walking away”

25

- **11 December 2018 CCRU scientific members comment on the Revised MFE Document**

<https://www.ccru.co.nz/single-post/2018/12/11/CCRU-comments-on-Mfe-2017-Coastal-hazards-and-climate-change-document>

26

- **DEC 13th, 2018 - Residential Unit Overlay District Plan Changes Section 71 Proposal approved**

Christchurch City Council's Residential Unit Overlay District Plan Changes Section 71 Proposal (the Proposal) was approved on 13 December 2018 by Hon Dr Megan Woods, the Minister for Greater Christchurch Regeneration (the Minister) under sections 69 and 71 of the Greater Christchurch Regeneration Act 2016 (GCG Act). Will be publicly notified on the 17th of December 2018

The approval was [gazetted on 14 December 2018](#).

Link to the Office of PR minister announcement

<https://dpmc.govt.nz/our-programmes/greater-christchurch-recovery-and-regeneration/section-71-proposals/residential-unit>

27

- **Feb 6th 2019- The Peter Skelton Audit into the Section 71 process is released vindicating the CCC.**

CCRU saw this audit as gathering useful information but was too narrow in focus to make useful change and gather learnings. CCRU had participated in the Audit under the understanding it would produce a set of Terms of reference for the Section 71 public inquiry promised by the Mayor in the September 12th Public meeting. Multiple enquiries by CCRU on behalf of the community, regarding the development of the TOR proved fruitless and they were never developed by the CCC nor was an enquiry into the Section 71 process undertaken.

<https://www.ccru.co.nz/single-post/2019/02/06/Please-stop-using-the-T-word>

- **February 2019 Residents report CCC are indicating building only possible if they accept time bound consents**

CCRU could find no CCC policy that indicated specifically time bound consents were a requirement. CCRU found that it appeared that this was more of a recent CCC strategic direction than policy and was being used to disincentivise building on some sites

- The general view of those at council planning was that sites that are vacant and do not have Existing Use Rights (pursuant to s.10 of the RMA) would require a resource consent to build on the site (District Plan rule 5.4.6.2(RD2)). While the outcome of a resource consent application could not be pre-determined, there is a very high chance that any resource consent for these sites would have a condition limiting how long the building can stay on the site (i.e. limiting the duration of the consent or referred to as timebound consents). The reason Council said they would likely to impose this condition is because the latest flood modelling indicates that the flood risk for this site would be deemed *unacceptable* in approximately 30-40yrs (relevant because of District Plan policy 5.2.2.2.1(b)(i)). The condition would limit the duration of the consent to approximately 30 or 40 years, at which time the building would need to be removed from the site. There would also be a condition requiring a covenant be registered on the title documenting that the resource consent has a limited duration.
- As there was no policy CCRU asked the following questions.
What happens if in 30-40 years SLR has not risen as expected? It is just like any other RC you can apply for a renewal, extension or variation.
What's to stop an overzealous CCC just decided regardless you must remove the house? Nothing- but as it was issued in relation to SLR- his view was that it would be difficult to refuse if SLR had not followed the modelling.
How is this recorded – as a caveat on tile
Can you supply the wording for this- No- we do not have anything specific?
Do you need to build a removable house? You can build whatever you like under the regs- as long as you remove it
Could you build up the land- No- not sufficiently -would cause other issues to surrounding houses
What happens if you are required to remove the house? Do you still own the land?
Pay rates? What happens to the land? – we have no plan or policy in place for this.
What happens if you do not agree with the assessment? - you could take it to the RC panel- you would have to have evidence that contravened the CCC modelling.
- CCRU were curious as to where the 30-40 years came from. It appears each individual site is assessed and modelled as to flooding and SLR combined and when it hits the spot of 1mSLR the risk is indicated to be too great and the house must be removed. The time frame – will be set based on data and section height and it this

case it's the "sweet spot" of 1m as per the DP at the 30-40 year mark. Residents were not informed as to the new modelling and as it was a not a policy or plan change rather a strategic direction the community was unaware.

- This action in our view, sort to stop the building on vacant sections by making it extremely expensive and prohibitive, rendering the sections un- buildable in a residential zone.
- CCRU legal advice indicated there was concern in the precedent setting effect of it. Indicating that it is a very harsh condition for you to invest 5 or \$600,000 to build a house and 30 to 40 years later you've got nothing, not many people would be willing to do this and banks probably wouldn't be behind it.

29

- **March 7th 2019 CCRU proposes an Pre-adaption Strategy.**

Following the failure and subsequent withdrawal of Regenerate and now in their absence, CCRU asks the question "where to now?". CCRU proposes a Pre adaption strategy. This is presented to the Coastal Burwood community board who vote to unanimously support its contents and submission to CCC

<https://www.ccru.co.nz/single-post/2019/02/21/Regenerate-has-paused--CCRU-suggests-where-to-now>

See the document here

https://docs.wixstatic.com/ugd/780895_55a43ade398d4c7aa263ae70679004ba.pdf

30

- **5th of April 2019. CCRU after community consultation and input- develops and releases a set of acceptable Terms of Reference for the promised Omitted clause independent inquiry**

After no terms of reference (TOR) for the Mayor referenced independent inquiry were forthcoming from either the CCC or Mr. Skelton post his section 71 audit, CCRU, with input from other community groups submits a community acceptable set of TOR. An independent inquiry had still not been initiated.

<https://www.ccru.co.nz/single-post/2019/04/05/Terms-of-Reference-TOR-submitted-to-the-CCC-by-the-CCRU>

31

- **6th of April. Continuing its work on supporting Coastal communities - CCRU makes a submission to the Local Government Funding and Financing Commission specifically on the financing of climate related issues and effect on Coastal communities**

<https://www.ccru.co.nz/single-post/2019/04/06/Submissions-to-the-Local-Government-Funding-and-Financing-Commission>

32

- On May 1st, Simon Watts for Christchurch Coastal Residents United presented the CCRU submission on the Christchurch annual plan at the Christchurch City Council meeting. This submission pointed out the lack of expenditure on the eastern coastal estuary edge and the subsequent effects this lack of action and support has had on the wellbeing of the community.

<https://www.ccru.co.nz/single-post/2019/05/04/Submission-to-Christchurch-Annual-Plan--Urging-the-need-for-coastal-repair-budget>

33

- **May 9th A CCC meeting is held to consider leadership transition from regenerate to CCC and its final withdrawal from the Coastal Community**
- At very short notice multiple individuals and community groups turn out in force to speak out about the leadership transition from regenerate to the CCC. The focus was on the lack of progress of Regenerate, its derailment, expenditure, its failure to engage the community and the effect zero repairs and failed engagement has had on community wellbeing
CCRU presents the Community Board supported Preadaptation strategy (option 3) to further the conversation in the void left by regenerate. The wider community supports this presentation. While not initially supported by CCC staff, the deputy mayor encouraged parties to come to an agreement and a modified version of the CCRU option was passed by unanimous resolution in the effort to work towards some progression of the Coastal repair issue.
- Presentations overwhelmingly indicated that the Erosion of the Wellbeing of the community was of particular concern. This was due to the failure of multiple agencies and numerous engagement process that had seen no progress. The fact that rubble, rubbish and abandoned structures remained along the estuary edge much as it was 8 years ago, while other areas had been repaired and enhanced. The view of the community was that there was a concerted effort by the CCC to do nothing, and would do so until the community were finally too exhausted to engage.

Dr Dr John Cook – GP New Brighton - eloquently said in his deputation- “continued uncertainty around the management of equity and safety and the future of the community in Southshore and South Brighton has led many residents to dark and unhealthy places...”

*"The earthquake ruptured our village, your decision corrodes our soul
Our ground continues to shake as we and our families grow old
I want you to bring humanity to the estuary edge we live by*

We need you to resolve our fate so in peace in our land we can lie"

See the presentations here

<https://www.ccru.co.nz/single-post/2019/05/11/The-earthquakes-erupted-our-village-and-your-decisions-corrode-our-soul>

- In the report tabled for the May 9th CCC meeting, the community view of the council staff's perception of their area was seemingly confirmed. This substantiated the widely held view of inequitable treatment and rules between similar suburbs and the concept of Suburb Shaming.
"Says that repairing estuary edge may lead to continued development as a result of perceived safety"
<https://www.ccru.co.nz/single-post/2019/05/04/Council-Says-that-repairing-estuary-edge-may-lead-to-continued-development-as-a-result-of-perceived-safety>

34

- **May-August 2019- Subsequent to the CCC resolution to on the 9th of May 2019 (see below) the CCC ran several Community workshops to Canvas Community needs regarding the Estuary and Earthquake repair.**
Having voiced their views and needs multiple times, with many agencies over an extended period of years and still with no result, the community had misgivings about this process. Nevertheless, they once again participated in these workshops. The community was also requested to provide the CCC staff with photos of how the estuary edge looked pre earthquake as a form of proof that what would be fixed would be earthquake related only. Given that the residents of these properties were Red zoned, and many had moved away this was a seemingly arduous task for the community. The Community also felt that no other Coastal community in CHC had been asked to jump through so many hoops having to prove damage to get repairs, especially as the damaged structures had remained untouched in situ for the past 8 years, some standing, some as rubble and some as eroding edges.

"The Council has therefore agreed that the best way forward is to split the project into two separate projects, but have them running simultaneously so we can avoid delays and get things back on track as quickly as possible," Dr Anstiss says.

The first project will be an urgent investigation into the estuary edge. This will build a comprehensive picture of the changes that have occurred as a result of the earthquakes and to identify any outstanding community needs. This work will include specific actions and opportunities to mitigate inundation and erosion that addresses earthquake legacy.

- 20th May 2019 on behalf of local communities CCRU engage Brighton Observatory of Environment and Economics (BOEE) to produce report on how the earthquake repairs issue has arisen.

- 12th July Coastal Futures issued their next newsletter. This is where CCC staff finalised and released the compiled needs of the community, with the view to use these needs to help identify and evaluate options to respond to earthquake-related changes to the estuary edge
- 1st of August the CCC releases the option they have developed following the community needs meetings. An Online feedback opportunity for the effected communities was provided
See the Options provided by CCC and the Coastal futures Newsletter Archive here <https://coastalfutures.engagementhq.com/>
- 2-4 August the CCC conducts several informational drop-in meetings for the community to ask questions regarding the Options. Initially the time allocated for the community to provide feedback was 2 days. This was subsequently extended to 4 days.
The Southshore community were not supportive of the 2 options presented to them. Believing the options did not address the issues as indicated by the community needs engagement, did not confirm any action and were scant on details. Due to this many in the community found they could not support any of the options provided.

This Facebook post by a resident on a local community page dated 6th August - below sums up the general view of the community of the overall process

'Like most local residents even in the face of the continual battle of 8 years challenging the obvious bias in council to not invest in the provision of flood protection at Southshore and South New Brightoninstead allowing the continual erosion of the land at the estuary edge.... I held onto the hope that through becoming involved as a How Team member in the consultation process the obvious bias in council would change.

That fear of possible council bias returned strongly when council dismissed Regenerate Canterbury from the process.

I fought hard to ignore my strong feelings that removing Regen. meant the council now had full control of the process. I hoped I was wrong and that this change was signaling a positive change in council attitudes and that Southshore South New Brighton community would soon provide with the necessary degree of flood protection that would remove all risk of flooding (as provided to the southern estuary communities from Sumner to Ferrymead that has removed all risk there of flooding and erosion ensuring insurability and the value of property.

The current options offered to Southshore and South New Brighton do not offer the same level of flood management. A bund is a pile of material dumped on top of land which will erode and break down on contact with flood water. For a bund to be effective it needs to be protected from water by estuary edge erosion control which is not offered as the current options are just wasting money carrying out unnecessary further investigations. There is an obvious solution at Sumner to Ferrymead that will guarantee the future of our community which we know the council knows works. A stopbank has major foundation preparation and stops all flooding as long as it is built high enough.

A bund does not.

Building erosion protection at the estuary edge with gabion baskets and gabion mattresses on the estuary floor and edge will provide the necessary strength to build the base needed for planting a natural edge that will help counteract the impact of any storm surge.

If climate change possible increased risk of sea level rise and greater storm events does arise having the same flood management as at Sumner to Ferrymead will guarantee equity in stopping

flooding in Southshore and South New Brighton from water from the estuary for the next 100 years, and will also ensure insurability and property values.

As I feared the current council earthquake legacy process is no more than wasting more money and time on temporary fixes that will fail.

I am disappointed that all I could feedback on all options was to tick the 'strongly disagree' box."

- Throughout the Regeneration and Coastal Futures process, members of the **How Team** were consulted as a community touch point.
<https://www.renewbrighton.org/how-team>
<https://static1.squarespace.com/static/5afb80974cde7ad96cbf5d9c/t/5b4841f5758d463dce49ed21/1531462138756/How+Team+Updates+Collated.pdf>

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- **The Southshore Community disappointment in the latest Estuary edge repair process is compounded by the fact that this been a long running issue of which there appears little willingness by the CCC to resolve it with what the community sees as a fit for purpose solution. It has not been for the want of effort on the communities' part. As early as March 2017 they were already frustrated with the lack of progress by the CCC. SSRA conducted their own engagement Survey and funded their own Coastal report, referred to as the Ocel report.**
https://docs.wixstatic.com/ugd/780895_bf3131582065430296ac1f8be40b3a6a.pdf
- On Monday the 20th of March 2017 the SSRA (Southshore Ratepayers Association) presented the Coastal-Burwood Community Board with a Residents Survey in regard to the Estuary Protection. ***This protection is urgently required to keep the Eastern coastal communities safe and healthy.*** The SSRA, becoming dismayed at the lack of progress in the reinstatement of the Estuary, has taken this by the horns. They have worked with a respected Coastal Engineer to develop a solution that is both ecologically sound and fit for purpose. This design celebrates and showcases the unique environment our eastern estuary is for greater Christchurch, while providing a level of protection that is vitally needed by the community. The great news is that the design is more **sensitive and adaptive** to the area and the projected costs are substantially lower than any CCC proposed concepts. SSRA have done tremendous work in canvassing their community to ensure that residents have seen the design and can put forward their views. The survey indicates overwhelming support to the design and its intent.
<https://www.ccru.co.nz/single-post/2017/03/25/Southshore-Inundation-Protection-Levy>
- The SSRA were realistic in that they viewed the Ocel report as a starting point. As it was self-funded it was intended to kick start the CCC to engage with the community in a consensual conversation towards a possible forward plan. Until this point it appears the CCC were not keen on participating in much discussion. It was concept plan only and needed further development to get workable plans and budgets. SSRA, the community Board Representatives and CCRU canvassed both Regenerate and the CCC for funding to "flesh out" the Ocel report but to no avail.

- It was foreseeable then in 2019 given the community SSRA survey and initiative in 2017, that there was much frustration during this latest round of “needs canvassing”. (It had been indicated by CCC staff that the 2017 Survey was inadequate and therefore needs needed re canvassing) It was also understandable that with the recent 2019 options provided by the CCC being more concepts and ideas than a plan, that community referred back to the Ocel report asking again that it be updated and developed further, as to date this has been the only plan that has had input from both the community and a Coastal engineer as partners.

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- **16th August 2019, Councilor East and Community Board members have the Code of conduct disciplinary action dropped by CCC regarding the Letter release and the missing clause**

After the release of the Hansen letter Councilor East indicated that the CCC staff had “Tampered” with the clause that resulted in the omission of the said clause in the IHP decision 53. East later makes a publicly apology. CCRU posed the question to the CCC that while the CCC staff did remove the cause, something had gone wrong. Was the omission an oversight or did the CCC simply not alert the IHP and wither they could be ethically expected by the community to do so. While an independent enquiry into what went wrong was promised to the Community this has not occurred. An specifically focused audit into wither the CCC was culpable did occur but this was narrow in scope and did not address the community concerns as to what went wrong.

<https://www.stuff.co.nz/the-press/news/115031655/cloud-of-punishment-over-tampering-allegations-lifts-for-christchurch-councillor-david-east>

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- **16 August 2019 the CCC staff released the Jacobs report and Councils report on the South shore and South Brighton Earthquake Estuary edge Legacy projects item 26 on the agenda**

https://christchurch.infocouncil.biz/Open/2019/08/CNCL_20190822_AGN_3376_AT_WEB.htm

The Jacobs report is released.

The Jacobs report, bearing in mind that the TOR were instructed by the client (CCC) provides a useful evaluation of erosion, land and structures in the Estuary East. It provides information on the present-day situation and compares this to pre earthquake conditions

https://www.stuff.co.nz/the-press/news/115100867/plans-to-address-earthquake-issues-in-coastal-christchurch-fall-short-residents-say?fbclid=IwAR2_6jk6JeygJNMdxqAGc_kwJVuHghB5STc0O2Fhok_AUFoGJB5Y-m3-4Pk

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- **22 August 2019 the Reports were tabled at the CCC meeting. Once again, the community made Deputations to the Council to implore them to vote on making an action plan.**

In consultation with Community Groups the Burwood Coastal Community board drafted a resolution to request an action plan outcome. This was contrary to the Staff report recommendation for Southshore, that more investigation was required but did not specify a timetable or required action plan leading to an outcome. Due to time shortage on the day the voting on this resolution was deferred until the 29th of August

Community deputation time stamp start 14.20

<http://councillive.ccc.govt.nz/video/8680>

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- **29 August 2019. After 8 years of waiting and fighting for earthquake repairs to be done on the Estuary edge, a Community drafted Resolution was finally Passed by Christchurch City council. This ensures Budgeting and Erosion management for the area around South Brighton Reserve, and further investigations on the stopbanks north of Bridge Street were also agreed to, as was an investigation into erosion and flood mitigation in Southshore**

In Southshore, the Council has agreed to investigate proposed options to address earthquake-legacy related erosion, as well as the position of the 11.4m bund to help mitigate flooding. To help with this investigation, a collaborative group will be set up, and will include a technical expert nominated by the Southshore community

Watch the debate and resolution voting

<http://councillive.ccc.govt.nz/video/8700>

Christchurch Press and CCC press release

<https://www.stuff.co.nz/the-press/news/115187922/council-finally-agrees-to-repair-earthquake-damage-along-christchurchs-avon-heathcote-estuary>

<https://cccgovtnz.cwp.govt.nz/news-and-events/newsline/show/3854>

Southshore South New Brighton Earthquake Legacy Project
Council Resolved CNCL/2019/00001

That the Council:

Area wide

1. Requests staff to develop a continuous walkway/cycleway adjacent to the estuary edge, including renewal of the existing Estuary Walkway from Evans Ave to Ebbitide Street in South New Brighton and from Ebbitide Street through the red zone to the south end of Southshore. The track improvement component of the work will be funded by \$150,000 of the regeneration initiatives capital funding in 2019/20.
- a. Notes that funding for any proposed bund track for Southshore will be sought as part of the 2020/21 Annual Plan Process.

South New Brighton – north of Bridge Street

2. Requests staff to undertake a stopbank condition assessment and an update of previous investigations into the life-safety risk of flooding from a breach or overtopping of the stopbanks between Pages Road and Bridge Street to account for the updated 2018 high tide statistics and to report the result of that investigation to the Council and the community.
- a. Note that the process for accessing risk will be undertaken in accordance with ISO31000 (2018).

South New Brighton – south of Bridge Street

3. Request staff to proceed with the following:
 - a. For the Estuary Edge, Bridge Street to Jetty area, acknowledge the current salt marsh and implement engineered set back bunds giving protection to the South New Brighton School and Seaford Place.
 - b. For the Estuary Edge, Yacht Club to the boardwalk, implement a restoration of the edge as per earthquake legacy edge repairs using reno mattresses and gabion baskets as previously existed pre earthquake.
4. Requests staff to report separately on any flood protection measures that may be required for the area, in the context of this report.
5. Resolve works will be funded by \$750,000 of the regeneration initiatives capital funding in 2019/20, with any short fall to be reported back to Council as a matter of urgency.

Southshore

6. Requests staff to investigate immediate and longer-term erosion options in Southshore (including options for the privately owned edge structures).
 - a. Requests that a collaborative group be established which includes a technical expert nominated by the Southshore community, to investigate the immediate Earthquake Legacy edge issues for the Estuary Edge repair and protection including the development of a suitable erosion mitigation plan with costings (including options for the formerly, privately-owned edge structures, and the position of the 11.4 m bund).
 - b. Notes the above Southshore Erosion Mitigation Plan will be presented in the first instance to the Southshore Residents Association and the Coastal-Burwood Community Board for comment before presentation to Council in early 2020.
 - c. Recommend that funding be made available for implementation of the estuary edge earthquake legacy repair in 2020 and urgently prioritised.

Other recommendations

7. Resolves that the investigations referred to in resolutions 2 and 4 above for north of Bridge Street and for resolution 6 for Southshore estimated at \$400,000 will be funded from the \$1.3 million regeneration funding available for these areas.
8. Notes that the implementation of some of these actions is subject to obtaining necessary resource consents from Environment Canterbury and/or the Christchurch City Council and request staff to ensure that options under the Greater Christchurch Regeneration Act are considered to expedite processes.

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- **Annual Review of the Greater Christchurch Regeneration Act 2016**

Reviewer: Liz Sinclair

September 2019

Under Section 150 of the Greater Christchurch Regeneration Act 2016 (the Act) specifies that the Minister responsible for administration of provisions of the Act¹ must commission an annual review (the Review) of the operation and effectiveness of the Act within 12 months of the commencement of the Act, and every 12 months after that. A report must be prepared for the Minister on that review, and the Minister must present the report to the House of Representatives as soon as practicable after the Review has been completed.

The review is most interesting and mentions that the act has not been used as much as intended. The earthquake repair work in Southshore and South Brighton gets a mention as possible and appropriate uses of the act, as mentioned below. This appears to be supported by the Minister in a desire to see the act used more in its remaining life.

61. "Although there is a desire to see the Act used more during its remaining life, I did not hear a long list of specific opportunities. Those mentioned included Southshore and South New Brighton. That work now sits with the Council which has announced a forward path involving two separate projects running simultaneously to resolve the outstanding impacts of the earthquakes and do more detailed planning on responding to climate change.⁹ Others possibilities were the Brooklands and Port Hills Residential Red Zones (RRZs)".

<https://www.ccruc.co.nz/single-post/2020/01/10/Annual-Review-of-the-Greater-Christchurch-Regeneration-Act-2016>

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- **Coastal Futures newsletter for October 2019 issued**

On 29 August the Council made its decision on responses to the earthquake legacy issues in South New Brighton and Southshore. This newsletter indicates what has been done since the resolution. That Council are doing what can be done right away, and planning for what needs to go out to contract for future projects

<https://www.ccruc.co.nz/blog-news>

<https://www.ccruc.co.nz/single-post/2019/11/15/Coastal-Futures-newsletter-update-October-2019>

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- **Community Groups give newly elected City Councillors and Community Board Members a crash course on coastal earthquake legacy issues.**

A number of community groups from South of the Bridge met with the newly elected Christchurch City Councillors and Community Board Members for the Coastal Ward. The purpose of this gathering was to get them up to speed on local coastal issues and important ongoing projects. It was a chance for the representatives to see the vast range of expert knowledge in the community and encourage them to use this knowledge as a resource.

Several important points were highlighted. Many of the issues, such as the lack of estuary edge repair, surface flooding and inadequate but solvable drainage are all still earthquake legacy issues that have yet to be addressed and continue to be **incorrectly** placed in the Coastal Hazard space. The community has indicated for a long time that earthquake legacy issues must be resolved **before** Coastal Hazards can be a focus.

<https://www.ccruc.co.nz/single-post/2019/11/15/Crash-course-on-coastal-earthquake-legacy-issues>

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- **Southshore Residents Association (SSRA) ask community to endorse their Technical expert nomination.**

11 November -Southshore Residents Association ask the community to vote on whether they support the SSRA proposed nominated technical expert Gary Teear. Mr Teear from Ocel, is a qualified Marine Engineer who has already undertaken work in the area and has knowledge of the community issues. If supported in his nomination he will collaborate with the CCC as the community's technical expert representative on the estuary edge repair, from inception to its completion. CCRU and the community are keen to see the concept of "collaboration" as per the wording in the August 29th resolution, is adhered to and matches the IAP2 standard of public participation. This standard is seen as best practice and is purported to be followed by the CCC. SSRA and CCRU continue to monitor the process.

<https://www.ccruc.co.nz/single-post/2019/12/22/Southshore-Residents-Association-ask-community-to-endorse-their-technical-expert-nomination>

IAP2'S PUBLIC PARTICIPATION SPECTRUM



The IAP2 Federation has developed the Spectrum to help groups define the public's role in any public participation process. The IAP2 Spectrum is quickly becoming an international standard.

INCREASING IMPACT ON THE DECISION					
	INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
PUBLIC PARTICIPATION GOAL	To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision making in the hands of the public.
PROMISE TO THE PUBLIC	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision. We will seek your feedback on drafts and proposals.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will work together with you to formulate solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.

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- **21 November members and associated experts from CCRU met with CCC staff from the planning and consents team.**

This was to address issues with inconstant resources consent rules whereby some resource consents have been issued with time bound restrictions and others have been issues with trigger point restrictions. We asked where the CCC was heading with this, what would be the consistent application of rule and how was this calculated.

We inquired on the timeline of the proposed Coastal Hazards process and CCC idea on how that should be approached with communities

CCRU highlighted the anomaly of Non-compliant rules of commercial building activity in Southshore as it did not fit in the current RUO

The following was received from CCC on issues they would provide follow up on.

- *To identify and review decisions on resource consent applications for development in the Residential Unit overlay, incl. conditions limiting the duration of any consents vs thresholds such as sea level rise, and other areas where Policy 5.2.2.2.1(b)(i) applies across the City*
- *Prepare a guidance note and/or flow chart outlining the consenting options and pathway to assist in interpretation of the District Plan*

- *Determine the number of occasions where there have been pre-application meetings for development in the RUO and the number where an application for resource consent has subsequently been made*
- *To advise in early 2020 on the programme for adaptation planning and changes to the District Plan*
- *To consider a collaborative approach to evidence gathering for adaptation planning*

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- **December 2019 CCC releases the LDRP113-Coastal-Sand-Budget-for-Southern-Pegasus-Bay-Stage-A and B-Future-Sand-Budget-Final-June-2018-Murray-Hicks-NIWA reviewed by Martin Single**

<http://www.ccc.govt.nz/assets/Documents/Environment/Land/Costal-Hazards/19-1116247-NIWA-sediment-report-Martin-Single-review-comments.pdf>

<http://www.ccc.govt.nz/assets/Documents/Environment/Land/Costal-Hazards/LDRP113-Coastal-Sand-Budget-for-Southern-Stage-A-NIWA-Client-Report-Final-April-2018-Murray-Hicks.pdf>

<http://www.ccc.govt.nz/assets/Documents/Environment/Land/Costal-Hazards/LDRP113-Coastal-Sand-Budget-for-Southern-Pegasus-Bay-Stage-B-Future-Sand-Budget-Final-June-2018-Murray-Hicks-NIWA.pdf>

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- **Southshore Residents Association (SSRA) release results of community endorsement vote for their Technical expert nomination.**

Gary Teear confirmed as the South Shore community nomination. 31 percent of the community participated in the feedback and 99.99 percent supported Mr Teear. He will collaborate with the CCC as the community's technical expert representative on the estuary edge repair, from inception to its completion. CCRU and the community are keen to see the concept of "collaboration" as per the wording in the August 29th resolution, is adhered to. (refer Southshore Beacon issue 307 page 3)

https://89ae3c7b-cb51-4d1c-9672-8f97e68fe5c3.filesusr.com/ugd/780895_4e60c06992864886b5443097a594a51c.pdf?index=true

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- **BOEE report due to be Published early 2020 after being peer reviewed.**

|(This is a living document from CCRU. Please contact CCRU to ensure you have the current version as indicated by the document date below)

Additional Documents available on request

1. Minute re further mapping in regard to sea level rise, flood ponding management areas, permitted activities in rural areas 3-3-2016

2. CCRU chairman's Report 2019

3. RMA20171413 List of consents issued for dwellings in HFHMA

4. RMA20171413 Residential Vacant Sites in the HFHMA as at 30 June 2018

Abbreviations

CCC Christchurch City Council

CCRU Christchurch Coastal Residents' United--<https://www.ccru.co.nz/archive>

CRO Chief Resilience Officer

GCRA Greater Christchurch regeneration act

HFHMA High Flood hazard Management Area

IHP Independent hearing panel

ITE Infrastructure Transport & Environment

LDRP Land Drainage Recovery Programme

LINZ Land Information New Zealand

LTDP Long Term District Planning

LTP Long term plan

OCEL Levy Report

PRDP Proposed Replacement district plan

RDA Restricted Discretionary Activity

RMA Resource Management Act

RUO Residential Unit Overlay

SLR Sea Level Rise

SRA Sumner Residents Association

SSRA Southshore Residents Association

TOR Terms of reference

20200212

CCRU KH

