

SUMMARY STATEMENT

1. My name is **Andrew Peter Willis**. I am the Director of Planning Matters Limited, an independent planning consultancy based in Christchurch.
2. I prepared a section 42A evaluation (in the form of a brief of evidence) on behalf of the **Christchurch City Council** in respect of Central City commercial zone building heights, including the Qualifying Matters (QMs) applying to building heights in Victoria Street and Cathedral Square and in relation to Radio Communications, as well as office distribution matters in the Central City mixed use zones. That evidence responds to matters arising from the submissions and further submissions on these topics.
3. There have been different approaches to building heights pre- and post-earthquakes in the Central City, responding to the anticipated supply and demand and changes in desired built form in different Central City locations. The key post-earthquake building height drivers were principally amenity and commercial distribution. Heights were lowered from the pre-earthquake City Plan principally to achieve a lower rise high quality built form outcome and to better distribute commercial activity to reduce activity gaps in a recovery environment.
4. NPS-UD Policy 3(a) requires the Council to reassess the approach to building height limits in order to maximise the benefits of intensification whilst achieving a well-functioning urban environment. This has resulted in PC14 increasing the permitted height built form standards within the Central City Zone (CCZ) and Central City Mixed-Use Zone (CCMUZ). As a result of increasing the permitted height limits, PC14 introduced QMs that justified lowered height limits around Cathedral Square and the Victoria Street spine and to enable ongoing radio communication from the Justice and Emergency Services Precinct.
5. I note that NPS-UD Policy 3(a) does not seek unlimited height – it does not say ‘there shall be no height limit’ within the central city. Rather, building heights must maximise the benefits of intensification. This is in contrast to Policy 3(b) and (c) which specify a minimum of 6 storeys. Further, in my view all the NPS-UD objectives are relevant to consider in giving effect to Policy 3, not just the intensification requirements. As such, built form outcomes must still achieve a well-functioning urban environment that enables all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future (Objective 1) and

maximise the benefits of intensification. This interpretation is reinforced by the MfE guidance on the NPS-UD, as set out in my evidence.¹

6. There were a range of submissions seeking: no height limit; increased height limits; the PC14 limits; lowered height limits (from the PC14 limits); the status quo Christchurch District Plan height limits; and even lower height limits. Based on my analysis I support PC14's proposed 90m height limit in the CCZ if coupled with the proposed urban design rule, with a reduced 45m height limit in the Victoria Street and Cathedral Square QM areas, together with the mixture of building heights in the CCMUZ as set out in the height map contained in Ms Williams' primary evidence (21m to 32m).²
7. I support a 500m² maximum individual office tenancy rule applying to the mixed-use zones to continue to support the CCZ though the recovery period as the primary location for large scale offices.
8. I now turn to matters that have arisen since the preparation of my Section 42A Report, noting that I was overseas and did not provide rebuttal evidence, in order to provide the Panel with my updated views in light of all information currently available.

CATHEDRAL SQUARE

9. In the evidence of Mr Compton-Moen for Carter Group Limited³ he states that he supports a 45m height limit for Cathedral Square with the exception of 170-184 Oxford Terrace; this site is located on Oxford Terrace and is 54m from Cathedral Square, so he does not consider it part of the Cathedral Square precinct. He also provides shade diagrams that identify that a 90m tower on this site creates a 'very low magnitude' of change⁴. Mr Phillips also covers this matter in his evidence for Carter Group Limited⁵, referring to Mr Compton-Moen's evidence.
10. I note that the Cathedral Square Sunlight Study recommended 45m for sites immediately adjacent to Cathedral Square and 90m for more remote key sites, including 170-184 Oxford Terrace.⁶ I accept the findings of the Cathedral Square Sunlight Study and Mr Compton-Moen's assessment for

¹ MfE: Understanding and implementing intensification provisions for the NPS-UD.

² Paragraph 6

³ Paragraph 19

⁴ Paragraph 24

⁵ Paragraphs 71 to 75

⁶ Plan Change 14 Section 32: Lower height Limits: Victoria Street & Cathedral Square – Qualifying Matters (pages 42 and 43)

this site and therefore recommend that this site is removed from the Cathedral Square 45m height limit overlay.

RADIO COMMUNICATIONS PATHWAYS

11. In her rebuttal evidence⁷ Ms Gardiner responds to the evidence of Ms Small and Mr Smart on behalf of the Ministry of Justice (submission #910), Fire and Emergency NZ (842.1-10), NZ Police (2005), Hato Hone St John (909), Canterbury Civil Defence and Emergency Management (912) in relation to radiocommunications pathways in Sub-chapter 6.12 and the associated planning maps. She also considers the evidence of Mr Langman for the Council. Overall, she accepts their evidence and recommends that the relief sought by both Ms Small and Mr Langman are accepted. I concur with Ms Gardiner for the reasons she provides.

COMMERCIAL DISTRIBUTION

12. In my evidence I responded to submissions seeking to remove the total allowance (per site) for offices and commercial services.⁸ These submissions sought that only the maximum individual tenancy size of 450m² GLFA applies, i.e. the total office or commercial services cap of 450m² also required under the rules would be deleted.
13. Referring to Mr Heath's primary evidence I recommended that the individual tenancy limit of 450m² was increased to 500m² for consistency with the commercial distribution rules applying outside the Central City and I stated that I supported mixed-use developments in this location and therefore supported the retention of the total tenancy cap which is coupled with a floor area bonus to facilitate residential activity in the CCMUZ. However, I stated that I was open to considering submitter evidence to inform whether it is more appropriate for this rule to be deleted or amended.
14. In his evidence for Carter Group Limited,⁹ Mr Phillips states that there is limited risk of acting in response to the CGL submission to delete the total office / commercial services GLFA cap, given that: the requested relief would only apply to a relatively small area of the CCMUZSF that is between the Innovation and Health precincts (where no limits apply to offices or commercial services); there are limited number of undeveloped sites in this location; and that the constrained building height and density standards that

⁷ Paragraphs 19 to 23

⁸ Proposed District Plan rules 15.11.1.1 P5 and P6 (CCMUZ) and 15.12.1.1 P2 and P3 (CCMUZ(SF))

⁹ Paragraph 171 of Mr Phillips evidence

apply to the zone would limit the extent to which smaller commercial tenancies could establish.

15. I am not persuaded by Mr Phillips' arguments as I note that there are still significant undeveloped or under-developed areas available for development¹⁰ and height limits are proposed to be increased to 32m in many CCMUZ locations, enabling 8-9 floors of office development, potentially with multiple tenancies of 500m² each, collocated in each building. In addition, Mr Phillips does not comment on the bonus floor area available for mixed-use proposals including residential activity.
16. However, I am mindful that the total office tenancy cap does not apply in town centre zones (outside the Central City) and there have been significant increases in development potential in these zones. I am concerned that the total office tenancy cap applying within the Central City may result in office development eschewing this location in favour of the town centres. I consider this would not be a good outcome for central city recovery and central city primacy generally and I therefore recommend that the total tenancy cap maximums are deleted, consistent with CGL's submission and Mr Phillips' evidence.
17. Overall, I consider that the proposed approach to heights and office distribution in the CCZ, CCMUZ and CCMUZ(SF) and QM Areas as amended by my recommendations in this summary statement represent an appropriate balance between maximising the benefits of intensification, whilst still achieving a well-functioning environment.

Date: 24th October 2023



Andrew Willis

¹⁰ See paragraph 108, Table 2 of Mr Heath's primary evidence and Figure 7 (page 15) of Ms Williams primary evidence