

# **CHRISTCHURCH DISTRICT PLAN**

## **PLAN CHANGE 14**

### **HOUSING AND BUSINESS CHOICE**

#### **PLANNING OFFICER'S REPORT OF HOLLY ELIZABETH GARDINER UNDER SECTION 42A OF THE RESOURCE MANAGEMENT ACT 1991**

##### **Topics Covered:**

**City Centre Zone; Central City Mixed Use Zone; Central City Mixed Use (South Frame) Zone**

**11 August 2023**

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## LIST OF ABBREVIATIONS

|          |  |
|----------|--|
| CDP      | Christchurch District Plan                     |
| NPS-UD   | National Policy Statement on Urban Development |
| CCZ      | City Centre Zone                               |
| CCMU     | Central City Mixed Use                         |
| CCMU(SF) | Central City Mixed Use (South Frame)           |

# 1 EXECUTIVE SUMMARY

1.1.1 I have been asked by the Council to prepare this report pursuant to section 42A of the Resource Management Act 1991 (the **Act/RMA**). This report considers the issues raised by submissions to Council initiated Plan Change 14 – Housing and Business Choice (**PC14**) to the Christchurch District Plan (the **Plan/ CDP/the operative Plan**) and makes recommendations in response to the issues that have emerged from these submissions, as they apply to:

- a. City Centre Zone (**CCZ**)
- b. Central City Mixed Use Zone (**CCMU**)
- c. Central City Mixed use Zone (South Frame) (**CCMU(SF)**)

1.1.2 Collectively these zones shall be referred to as the “City Centre and Mixed Use zones”. This report is closely linked, and should be read in conjunction with the section 42A report of Mr. Andrew Willis who covers the following key aspects and Qualifying Matters (**QMs**) that will be considered as they relate to the central city:

- a. Distribution of commercial activities as part of consideration of height limits across the central city
- b. Building heights outside of QM areas in the central city
- c. QM – Central City Height Limits
- d. QM – Victoria Street Building Height & Cathedral Square
- e. QM – Radio Communication Pathways for the Justice and Emergency Precincts

1.1.3 This report forms part of the Council’s ongoing reporting obligations to consider the appropriateness of the proposed provisions; the benefits and costs of any policies, rules or other methods; and the issues raised in submissions on PC14.

1.1.4 Seventy-seven submissions were received on PC14 in relation to the City Centre and Mixed Use zones in PC14 that amount to 417 submission points. Of these submission points, 81 submitters support the provisions, 148 support the provisions with amendments, 148 oppose the provisions, and one submitter did not state their position. Recommendations on whether to accept or reject these submission points in contained in **Appendix A**.

1.1.5 One late submission was received on 10 July 2023 and this submission supported the provisions with amendments.

1.1.6 The main issues raised by the submitters relevant to this s42A report are:

- a. The distribution of commercial activities across the central city (discussed and covered by Mr. Willis in his section 42A report).
- b. The building heights across the City Centre and Mixed Use zones and either that they are too high (reasons include the need to keep the height limits that were set post-earthquake, impacts on sunlight/shading), or that the limit is too low and needs to be higher in order to give effect to the National Policy Statement for Urban Development (**NPS-UD**) (discussed and covered by Mr. Willis in his section 42A report).
- c. The role of urban design & amenity in enabling a well-functioning urban environment in the central city.
- d. Building tower provisions and whether they will effectively manage the effects of increased building heights in the central city and achieve a well-functioning urban environment.
- e. Access to sunlight and outlook provisions.
- f. Managing effects of buildings on the streetscape within the City Centre and Mixed Use zones.
- g. Requests for the re-zoning of specific sites.
- h. Requests for changes to specific provisions.
- i. Residential activity in the central city.

1.1.7 This report addresses each of these key issues, as well as any other relevant issues raised in the submissions relating to the City Centre and Mixed Use zones.

1.1.8 Having considered the notified PC14 material, the submissions, the findings of the Council's expert advisors and the additional information provided by the Council since notification, I have evaluated the PC14 provisions relating to the City Centre and Mixed Use zones and provided recommendations and conclusions in this report. These recommendations take into account all of the relevant matters raised in submissions and relevant statutory and non-statutory documents.

1.1.9 In accordance with the further evaluation undertaken under section 32AA of the RMA that has been included throughout this report, I consider that the provisions with recommended

amendments are the most appropriate way to achieve the objectives of PC14 and the purpose of the RMA.

## 2 INTRODUCTION

### 2.1 REPORTING OFFICER

2.1.1 My full name is Holly Elizabeth Gardiner. I am employed as a Policy Planner in the City Planning Team, Infrastructure, Planning and Regulatory Services Group of the Christchurch City Council (**the Council**). I have been in this position since January 2023.

2.1.2 I hold a Bachelor of Environmental Management (Hons) degree from Lincoln University. I am also an intermediate member of the New Zealand Planning Institute.

2.1.3 I have nine years' experience in planning and resource management in New Zealand, having worked as a Planner in the Resource Consents team with the Council for six years, and as a Consultant Planner with Boffa Miskell for three and a half years. My work has included the processing of land use and subdivision resource consents, providing planning advice to a wide range of stakeholders, and policy development. Most recently I worked as a Consultant Planner on the New Plymouth District Plan Review, preparation and presentation of evidence for the Noise, Contaminated Land, Hazardous Substances, and Energy topics.

2.1.4 I have been tasked with summarising submissions and preparing the s42A Report for the City Centre and Mixed Use zones. I have read the Section 32 Report – Commercial and Industrial and background documents and sought additional advice from the Council policy team in drafting this report.

2.1.5 My role in preparing this report is that of an expert planner.

2.1.6 Although this is a Council-led process, I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023 and I agree to comply with it. I confirm I have considered all the material facts I am aware of that might alter or detract from the opinions that I express. I confirm this evidence is within my area of expertise, except where I state I am relying on the evidence of another person. I confirm that while I am employed by the Council, the Council has agreed to me providing this section 42A report in accordance with the Code of Conduct.

## 2.2 THE PURPOSE AND SCOPE OF THIS REPORT

- 2.2.1 In response to the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (the **Housing Supply Amendment Act**), tier 1 territorial authorities are required to notify changes or variations to their district plans to incorporate the Medium Density Residential Standards (**MDRS**) and give effect to Policy 3 of the NPS-UD. PC14 is an Intensification Planning Instrument (**IPi**) under section 80E of the RMA.
- 2.2.2 As a tier 1 territorial authority the Council has established an Independent Hearings Panel (**IHP**) to hear submissions and make recommendations on PC14 using the Intensification Streamlined Planning Process (**ISPP**).
- 2.2.3 I have prepared this report in accordance with the ISPP and Section 42A of the RMA for the purpose of:
- a. Assisting the IHP in considering and making their recommendations on the issues raised by submissions on PC14 by presenting the key themes and associated issues in relation to the City Centre and Mixed Use zoning of PC14 that require consideration by the IHP; and
  - b. Identifying submissions related to the PC14 provisions for City Centre and Mixed Use zones, providing submitters with information on how their submissions have been evaluated and making recommendations on the applicable provisions for this topic on PC14 and the submissions received on it. Where I recommend substantive changes to the plan change provisions, I provide an assessment of those changes in terms of section 32AA of the RMA within my report.
- 2.2.4 The scope of this s42A report relates to the City Centre and Mixed Use zoning provisions and closely links to the section 42A report of Mr. Willis who covers the following matters:
- a. Distribution of commercial activities across the central city and building heights
  - b. QM – Central City Height Limits
  - c. QM – Victoria Street Building Height & Cathedral Square
  - d. QM – Radio Communication Pathways for the Justice and Emergency Precincts
- 2.2.5 This s42A report:
- a. addresses the contextual, procedural and statutory considerations and instruments that are relevant to the City Centre and Mixed Use zoning and the Central City QMs, which

have been outlined in the section 42A 'Strategic Overview' report, and addressed in the following Section 32 reports insofar as they relate to the City Centre and Mixed Use zones:

- i. Part 4 – Commercial (District Plan Chapter 15 and Industrial Chapter 16) with associated appendices;
  - Appendix 1 – Technical Report – Background to Central City Height and Density Controls – Christchurch City Council
  - Appendix 2 – Technical Report – Centres: Approach to Alignment with National Planning Standards
  - Appendix 5 – Business Land Capacity Assessment for Central City – Lincoln University
  - Appendix 6 – Technical Report – Urban Design – Commercial Zones – Christchurch City Council

- b. discusses the relevant CDP Objectives and Policies;
- c. discusses the applicable PC14 provisions;
- d. provides an overview, analysis and evaluation of submissions received on the matters noted above; and
- e. provides conclusions and recommendations on the City Centre and Mixed Use zoning and the Central City QMs including on whether to accept or reject each submission along with conclusions and recommendations for changes to PC14 provisions or maps based on the assessment and evaluation contained in the report. Where appropriate, this report groups submission points that address the same provision or subject matter.

2.2.6 A summary of my recommendations as to acceptance, acceptance in part or rejection of the submissions is included throughout this report with detail provided in **Appendix A – Table of Submissions with Recommendations and Reasons**.

2.2.7 As required by Section 32AA, a further evaluation of recommended changes (including reasonably practicable alternatives) to the amendments proposed in PC14 to the City Centre and Mixed Use zones, has been undertaken and has been included throughout this report.

2.2.8 This report is intended to be read in conjunction with the following reports, documents, assessments, expert evidence and other material which I have used or relied upon in support of the opinions expressed in this report:

- a. the Section 42A Assessment Report: Part A – Strategic Overview, including:



- ii. all statutory matters and instruments, background information and administrative matters pertaining to PC14 discussed in that report;
  - iii. the overview of the relevant operative District Plan Objectives and Policies as they relate to this topic as discussed in that report.
  - iv. the overview of PC14 in particular as it relates to City Centre and Mixed Use zones & Central City QMs as discussed in that report; and
  - v. the section 42A reports relating to the broader commercial activities across the city, and the residential topic as it contains recommendations regarding the High Density Residential (formally the Central City Residential) Zone (**HRZ**).
- b. The section 42A Assessment Report: – Central City Buildings Heights including, the qualifying matters applying to Victoria Street and Cathedral Square) and in relation to Radio Communications;
- c. the advice and recommendations of the following experts, as set out in their statements of evidence:
- i. Ms Nicola Williams (Council) – Urban Design Matters in the Central City Mixed Use & Mixed Use (South Frame) Zones
  - ii. Mr Alistair Ray (Jasmax) – Urban Design Matters in the City Centre Zone & Building Heights
  - iii. Mr Tim Heath (The Property Group) – Commercial Distribution
  - iv. Mr Mike Green (Meteorological Solutions) – Wind

2.2.9 I have considered and assessed the following reports and documents in preparing this section 42A report:

- a. the section 32 Reports listed above including all statutory matters and instruments, background information and administrative matters pertaining to PC14;
- b. Submissions related to the Centre City and Mixed Use Zones; and
- c. all other associated documentation related to PC14 prepared by the Council insofar as it relates the Centre City and Mixed Use Zones.

2.2.10 The discussion and recommendations included in this report are intended to assist the IHP and submitters on PC14. Any conclusion and recommendations made in this report are my own and are not binding upon the IHP or the Council in any way. The IHP may choose to accept or reject any of the conclusions and recommendations in this report and may come to different

conclusions and make different recommendations, based on the information and evidence provided to them by persons during the hearing.

### **3 KEY ISSUES IN CONTENTION**

3.1.1 A number of submissions were received on the provisions relating to City Centre and Mixed Use Zones.

3.1.2 I consider the following to be the key issues in contention regarding the City Centre and Mixed Use Zones:

- a. The role of urban design and amenity in enabling a well-functioning environment in the Central City;
- b. Requests from submitters for changes to the zoning of specific sites; and
- c. The wording of other objectives and policies not covered above;
- d. Other matters, including changes sought to provisions relating to building design for future uses, water supply for firefighting, and activity specific provisions.

3.1.3 I address each of these key issues in this report, as well as any other issues raised by submissions.

### **4 PROCEDURAL MATTERS**

#### **4.1 PROCEDURAL MATTERS**

4.1.1 At the time of writing this report there has been a pre-hearing meeting held on 1 August 2023. There have not been any clause 8AA meetings or expert witness conferencing in relation to submissions on any relevant provisions to date.

4.1.2 It is noted that many submissions relate to matters that will be addressed in other s42A reports. Where a submission point is included in the summary tables for the City Centre and Mixed Use zones but would be more suitable to assess under other reports, this has been noted in the relevant table.

4.1.3 I have not been involved in the preparation of the Christchurch City Council submission on PC14. Nonetheless, I understand that planning evidence will separately be given in respect of that

submission. As such, in this report I will not be considering or commenting on relief sought in the Council submission.

## **5 BACKGROUND AND STATUTORY CONSIDERATIONS**

### **5.1 THE RESOURCE MANAGEMENT ACT 1991**

- 5.1.1 The 'Strategic Overview' section 42A report and the section 32 report(s) listed above, provide a detailed overview of the key RMA matters to be considered by PC14 and will not be repeated in detail here.
- 5.1.2 In summary, PC14 has been prepared in accordance with the RMA and in particular, the requirements of:
- a. Section 74 Matters to be considered by territorial authority, and
  - b. Section 75 Contents of district plans; and
  - c. Section 76 District Rules.
- 5.1.3 As discussed in the 'Strategic Overview' S42A report and the s32 Report – Commercial and Industrial, the Housing Supply Amendment Act requires the Council to make changes to its operative District Plan for the purposes of:
- a. Incorporating MDRS into all relevant residential zones (s77G(1));
  - b. Implementing the urban intensification requirements of the NPS-UD (s77G(2)) and giving effect to Policy 3 in non-residential zones (s77N); and
  - c. Including the objectives and policies in clause 6 to Schedule 3A of the RMA (s77G(5)).
- 5.1.4 The required plan changes and variations must be undertaken using an IPI in accordance with sections 80E to 80H of the RMA. Councils must use ISPP set out in Part 6 of Schedule 1 of the RMA.
- 5.1.5 The primary focus of PC14 is to achieve the above requirements of the RMA as amended by the Housing Supply Amendment Act.
- 5.1.6 As set out in the 'Strategic Overview' section 42A report and the section 32 report for the Commercial and Industrial, there are a number of higher order planning documents and strategic plans that provide direction and guidance for the preparation and content of PC14. Broadly I

adopt the discussion of higher order planning documents set out in paragraphs 2.1.1 – 2.1.51<sup>1</sup>. This report includes a comprehensive assessment of the PC14 City Centre and Mixed Use zoning provisions and QMs in relation to these documents and plans and all statutory considerations in so far as they relate to the PC14 City Centre and Mixed Use zoning provisions and QMs.

## 5.2 SECTION 32AA

5.2.1 As noted above I have undertaken an evaluation of the recommended amendments to the City Centre and Mixed Use zones since the initial section 32 evaluation(s) were undertaken in accordance with s32AA. Section 32AA states:

### **32AA Requirements for undertaking and publishing further evaluations**

- (1) A further evaluation required under this Act—
  - (a) is required only for any changes that have been made to, or are proposed for, the proposal since the evaluation report for the proposal was completed (the **changes**); and
  - (b) must be undertaken in accordance with [section 32\(1\) to \(4\)](#); and
  - (c) must, despite paragraph (b) and [section 32\(1\)\(c\)](#), be undertaken at a level of detail that corresponds to the scale and significance of the changes; and
  - (d) must—
    - (i) be published in an evaluation report that is made available for public inspection at the same time as the approved proposal (in the case of a national policy statement or a New Zealand coastal policy statement or a national planning standard), or the decision on the proposal, is notified; or
    - (ii) be referred to in the decision-making record in sufficient detail to demonstrate that the further evaluation was undertaken in accordance with this section.
- (2) To avoid doubt, an evaluation report does not have to be prepared if a further evaluation is undertaken in accordance with subsection (1)(d)(ii).
- (3) In this section, **proposal** means a proposed statement, national planning standard, plan, or change for which a further evaluation must be undertaken under this Act.

Section 32AA: inserted, on 3 December 2013, for all purposes, by [section 70](#) of the Resource Management Amendment Act 2013 (2013 No 63).

Section 32AA(1)(d)(i): amended, on 19 April 2017, by [section 15\(1\)\(a\)](#) of the Resource Legislation Amendment Act 2017 (2017 No 15).

Section 32AA(1)(d)(i): amended, on 19 April 2017, by [section 15\(1\)\(b\)](#) of the Resource Legislation Amendment Act 2017 (2017 No 15).

Section 32AA(3): amended, on 19 April 2017, by [section 15\(2\)](#) of the Resource Legislation Amendment Act 2017 (2017 No 15).

5.2.2 The required section 32AA evaluations for changes I have proposed as a result of consideration of submissions are contained within the assessments provided in relation to submissions on the City Centre and Mixed Use zones. These evaluations are provided at the relevant sections of this s42A report, as required by s32AA(1)(d)(ii).

5.2.3 The Section 32AA evaluations contain a level of detail that corresponds to the scale and significance of the anticipated effects of the changes that have been made. Recommendations on editorial, minor, and consequential changes that improve the effectiveness of provisions

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<sup>1</sup> Section 32 Report – Commercial and Industrial

without changing the policy approach are not re-evaluated. No re-evaluation has been undertaken if the amendments have not altered the policy approach.

- 5.2.4 For changes that represent a significant departure from the PC14 City Centre and Mixed Use zones provisions as notified as notified, I have undertaken the s32AA evaluation within the report in the same location as a recommendation.

### **5.3 TRADE COMPETITION**

- 5.3.1 Trade competition is not considered relevant to the City Centre and Mixed Use Zones and the qualifying matters for Central City Height Limits, Victoria Street Building Height and Cathedral Square, and Radio Communication Pathways for the Justice and Emergency Precincts.

- 5.3.2 There are no known trade competition issues raised within the submissions.

### **5.4 MAHAANUI IWI MANAGEMENT PLAN**

- 5.4.1 The S32 Report – Commercial & Industrial for PC14 assessed the proposed changes against the relevant provisions of the Mahaanui Iwi Management Plan (**IMP**). In my opinion the changes I have discussed and recommended in this report, in response to submissions, still generally achieve the same outcomes for the built environment within the Central City when assessed against the IMP. They still seek to provide for the greatest density of development and scale in the Central City and still seek to manage bulk and location matters to achieve a good quality and well-functioning urban environment. Therefore, it is my view that the conclusions reached in the s32 Report remain accurate for the package of provisions I am proposing.

### **5.5 CHRISTCHURCH DISTRICT PLAN**

- 5.5.1 The relevant District Plan provisions also need to be considered in preparing a plan change and considering any submissions on the change. The s32 Report – Commercial & Industrial contains an evaluation of PC14 including provisions concerning the City Centre and Mixed Use zones against the relevant District Plan objectives and policies. I generally agree with the assessment carried out and consider this should be read in conjunction with this report.

- 5.5.2 The Christchurch Central City is comprised of several zones and covers the area within what is commonly known as ‘the four avenues’, these being Bealey Avenue, Fitzgerald Avenue, Moorhouse Avenue, and Deans Avenue. Within this area are a wide range of activities including

commercial, residential, open spaces, educational and entertainment land uses. This report focuses on the land uses pertaining to the existing zones of Commercial Central City Business; Commercial Central City Mixed Use and Commercial Central City (South Frame) Mixed Use, within the CDP.

5.5.3 Chapter 3 Strategic Directions of the District Plan provides overarching direction, and all other chapters of the Plan must be consistent with its objectives<sup>2</sup>. The provisions are summarised in the s32 Report – Commercial and Industrial, and are not repeated here.

5.5.4 Also contained within the s32 Report - Commercial and Industrial is a summary of the objectives and policies for the commercial zones in the Plan<sup>3</sup>. This discussion includes *Objective 15.2.1 – Recovery of Commercial Activities* and *Objective 2.2.2 – Centres-based framework for commercial activities*, these objectives and their underlying policies set the scene for the broader approach to centres-based approach to commercial and industrial zones across the city and discussed in depth in the section 42A report of Mr. Lightbody<sup>4</sup>. Of relevance to the approach taken in the Central City is that with the centres-based approach a hierarchical network of commercial centres is established across the city with the Central City given primacy followed by the lower order centres. The provisions in the City Centre and Mixed Use zones below seek to support this approach.

5.5.5 The key provisions that are relevant to the topics discussed in this report are noted below in **Table 1**.

*Table 1 Overarching relevant objectives.*

| Objective  | Summary of provisions and relevance to PC14   |
|--|---|
| <b>Objective 15.2.4 – Urban Form, scale, and design outcomes</b> | Outlines the need for central city to have a scale, form and design of development that is consistent with its role as a strategically important focal point for community and commercial investment. It identifies the urban design outcomes for centres including that development is |

<sup>2</sup> Table 1, Summary of Relevant Christchurch District Plan Strategic Directions, Section 32 Report – Commercial and Industrial.

<sup>3</sup> Table 2, Summary of Relevant Christchurch District Plan Objectives, Section 32 Report – Commercial and Industrial.

<sup>4</sup> S42a Report – Mr. Kirk Lightbody, Section 8.1

|  |   |
|--|---|
|  | <p>visually attractive, safe, easy to orientate, conveniently accessible and responds positively to local character and context.</p> <p>The proposed changes to this objective are covered in the Section 42A Report for the Commercial zones and generally seek to improve the urban design and amenity outcomes for centres.</p>                            |
| <b>Objective 15.2.5 – Diversity and distribution of activities in the Central City</b> | <p>Sets out the range of activities anticipated in the central city generally and currently seeks to limit the height of buildings to support an intensity of commercial activity across the Commercial Central City Business zone (CCBZ) and limit the extent to which retail and offices can establish outside the CCCBZ – both key tenets of the CCRP.</p> |

5.5.6 The Plan also contains specific objectives for each zone, for ease of reference these provisions are briefly summarised in **Table 2** below.

*Table 2 Zone specific Objectives*

| <b>Zone</b>   | <b>Role within the overall city framework</b>   |
|---|---|
| <b>Commercial Central City Business Zone (Objective 15.2.6) (CCB)</b> | <p>This zone serves as the “...<i>principal commercial centre for Christchurch District and is attractive for businesses, residents, workers and visitors, consistent with the Strategic Direction outcomes for the built environment.</i>”</p> <p>The objective notes that this zone is <i>redeveloping</i> into the form outlined above, and the underlying policies seek to ensure that built form is encouraged which promotes usability and adaptability of spaces, amenity, and residential intensification. The provisions also seek that a compact urban form that is pedestrian focused is developed. Further, 15.2.6.6 Policy seeks to ensure</p> |

|  |  |
|--|--|
|  | comprehensive development within the Central City Retail Precinct, and Policy 15.2.6.7 provides for an entertainment and hospitality precinct in the Central City.   |
| <b>Commercial Central City Mixed Use Zone (Objective 15.2.7) (CCMU)</b>              | <p><i>“The development of vibrant urban areas where a diverse and compatible mix of activities can coexist in support of the Commercial Central City Business Zone and other areas within the Central City.”</i></p> <p>Within this zone, a form of built development is encouraged which contributes to amenity values in the area, including the health and safety of people and the quality and enjoyment of the environment for those living, working or visiting the area (Objective 15.2.8)</p>  |
| <b>Commercial (South Frame) Mixed Use Zone (Objective 15.2.9) (CCMU South Frame)</b> | <p>The development of this zone <i>“provides a clear delineation between the Commercial Central City Business Zone and the Commercial Central City Mixed Use Zone”</i> enabling a mix of compatible activities within an open space landscape that <i>do not compromise consolidation of the Commercial Central City Business Zone”</i> including providing for the Innovation and Health Precincts. A diversity range of activities is sought to enhance and revitalise the land within this zone (Policy 15.2.9.1).</p> <p>Within this zone, built form is encouraged which improved the <i>“safety, amenity, vibrancy, accessibility and attractiveness”</i> of the area (Objective 15.2.10).</p> |

5.5.7 Further to the above, the CDP provisions for each zone seek to give effect to these objectives and their associated policies by ensuring the permitted activities and built form will reflect the development outcomes sought. I have summarised the key activities and built form provisions that are particularly relevant to the issues raised in this report in **Table 3** below.



Table 3 Permitted activities and built form provisions for CCB, CCMU and CCMU(SF)

| Zone | Permitted activities   | Key built form standards  |
|------|--|---|
| CCB  | Retail, Commercial services and Offices<br>Recreational, entertainment activities and gymnasium<br>Community facilities<br>Education and Day care facilities<br>Preschools<br>Health care facilities<br>Spiritual activities<br>Residential activities with activity specific standards<br>Visitor accommodation<br>Art studios/workshops<br>Retirement villages<br>Activity specific provision P17 for the Former Teacher’s College building 25 Peterborough St | 45° recession plane measured from maximum road wall height.<br><br>Maximum road wall height of 21m where a max building height limit of 28m applies in most areas.<br><br>Maximum building heights 28m across majority of zone, with 17m height limit in zone along Victoria Street.  |
| CCMU | Retail, Commercial services and Offices (subject to limits on scale of activity)<br>Recreational, entertainment activities and gymnasium<br>Community facility<br>Education and Day care facility<br>Preschool<br>Health care facility<br>Spiritual activity<br>Residential activities with activity specific standards<br>Visitor accommodation<br>Retirement village<br>Industrial activity<br>Motor-servicing facility  | Where a site shares boundary with residential zone, buildings shall comply with recession plane (Appendix 15.15.9) as though both sides were the same residential zone, measured at 2.3m above internal boundary.<br><br>Minimum distance between ground and first floor slab of 3m.<br><br>Maximum building heights: 17m across most of zone 14m at corner of Moorhouse and Hagley Avenues, and sites to the northeast of Forte Health |

|                        |   |  |
|------------------------|---|--|
|                        | <p>Drive-through service</p> <p>Yard based and trade suppliers</p> <p>Service stations</p> <p>Commercial film or video production</p>   |  |
| CCMU<br>South<br>Frame | <p>Retail, Commercial services and Offices subject to limits on scale of activity</p> <p>Recreational, entertainment activities and gymnasium</p> <p>Community facility</p> <p>Education and Day care facility</p> <p>Preschool</p> <p>Health care facility</p> <p>Spiritual activity</p> <p>Residential activities with activity specific standards</p> <p>Visitor accommodation</p> <p>Tertiary education and research facilities</p> | <p>33° recession plane at 8m above boundaries with South Frame Pedestrian Precinct or Open Space Community Parks Zone. Where a site adjoins northern boundary of south frame</p> <p>Minimum distance between ground and first floor slab of 3m.</p> <p>Street scene, landscaping and screening requirements</p> <p>Maximum building heights:</p> <p>17m Except 30m at Hagley Avenue;</p> <p>28m opposite Avon River and at corner of Manchester St and Tuam St;</p> <p>13m along High Street;</p> <p>28m at northern end of Innovation Precinct.</p> |

## 5.6 CENTRAL CITY RECOVERY PLAN

5.6.1 As outlined from paragraph 2.1.36 of the Section 32 Report – Commercial and Industrial, the Central City Recovery Plan 2012 (**CCRP**) provides a spatial framework for the recovery and rebuild of central Christchurch following the September 2010 and February 2011 earthquakes. Although

lesser weight needs to be placed on this legislation PC14 must still *have regard* to the directions within the CCRP. I agree with and adopt the summary in the Section 32 Report<sup>5</sup>.

5.6.2 I note Mr. Willis<sup>6</sup> has also addressed the CCRP in detail in his section 42A report in relation to building heights, I agree with his points and therefore I will not discuss the CCRP in detail here, however I note the key points raised in the section 32 Report that I consider relevant to the matters raised in my report.

5.6.3 Particularly important to the issues raised in this report is the importance of the Frame<sup>7</sup> to reduce oversupply of commercial land within the city, and that lower buildings are a defining feature of the central city in the medium term which fits with the community's wishes and the economic realities and market demand for property within the Core. The CCRP also sought to recognise the distinctive character of key heritage areas including New Regent Street, and the need to reduce wind tunnels and shading effects that arise with increased building heights.

## **5.7 IMPLEMENTING THE NPS-UD FOR THE CITY CENTRE AND MIXED USE ZONES**

5.7.1 The Section 32 Report – Commercial and Industrial, effectively summarises the implications of the NPS-UD for the City Centre Zones<sup>8</sup>. I adopt this discussion and consider it should be read in conjunction with this report. I note the discussion in the Section 32 Report – Commercial and Industrial, specifically paragraphs 2.1.12 and 2.1.13 below which outlines what Objective 1 of the NPS-UD is seeking to achieve and draws attention to Policy 1 that seeks that planning decisions contribute to well-functioning urban environments.

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<sup>5</sup> Section 32 – Industrial and Commercial, paragraphs 2.1.40 – 2.1.41, 'Christchurch Central Recovery Plan.

<sup>6</sup> Section 42A report of Mr. Andrew Willis, Section 'Pre PC14 district plan approaches to building height'

<sup>7</sup> The East Frame was proposed by the Christchurch Central Recovery Plan after the 2010–2011 earthquakes as an open space with opportunities for recreation with residential development adjoining. The effect of the East Frame was to reduce the amount of land available for commercial development and to define the CBD's new eastern edge.

<sup>8</sup> Section 32 – Industrial and Commercial, from paragraph 2.1.10, "National Policy Statement on Urban Development"

2.1.12 Objective 1 anticipates Well Functioning Urban Environments that enable people and communities to provide for their well-being, and health and safety. Policy 1 of the NPS-UD then provides a non-exhaustive list of some of the matters that define a well-functioning urban environment, and which planning decisions must contribute to. This includes urban environments that:

- Have a variety of homes that meet the needs, in terms of type, price and location, of different households, and enable Māori to express their cultural traditions and norms;
- Have or enable a variety of sites that are suitable for different business sectors in terms of location and site size;
- Have good accessibility for all people including by way of public or active transport;
- Support and limit as much as possible, the adverse effects on the operation of competitive land markets;
- Support reductions in green-house gas emissions; and
- Are resilient to the likely current and future effects of climate change.

2.1.13 These matters set the minimum requirements as to what constitutes a well-functioning environment, which local authority planning decisions must achieve, and it is left to local authorities to further identify any other relevant matters. This may, for example, include matters relating to good urban design<sup>1</sup>.

5.7.2 Policy 2 outlines that, at all times, sufficient development capacity must be provided that meets demand for both housing and business land over the short, medium and long term. This policy therefore sets a timeline that we must consider when deciding how much development capacity we need to provide. Ms. Sarah Oliver's s42A Report – Strategic Overview, helpfully outlines this further and refers to the updated 2023 Greater Christchurch Housing Capacity Assessment<sup>9</sup> which summarises recent population projections for the city (being projected to grow from an estimate of 389,300 in June 2022 to approximately 448,000 in 30 years time). Ms. Oliver further outlines her view that Policy 3 of the NPS-UD directs a level of enablement well beyond 30 years, and indeed points towards a population growth of one million people that might occur in 80 – 100 years. I adopt this discussion and view of the timeline when deciding and making recommendations on the provisions covered in this report.

5.7.3 Further, the report outlines that Objective 3 of the NPS-UD seeks to ensure that the city form enables more people to live and work in areas of the urban environment where they are located near centre zones or areas with many employment opportunities, areas well serviced by public transport, and areas which have high demand for housing or business land in the area. In addition, Policy 3 of the NPS-UD directs what District Plans need to enable to ensure Objective 3

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<sup>9</sup> S42A Report – Strategic Overview – Ms Sarah Oliver – Section 'Housing Demand'

is achieved. This provision is seeking to achieve the hierarchy of a centres approach across the city. Specific to the City Centre Zone Policy 3 requires the following:

*“...District plans enable:*

*a. In city centre zones, building heights and density of urban form to realise as much development capacity as possible, to maximise the benefits of intensification; and*

- 5.7.4 Policy 3 prescribes key parameters for development that the CDP must enable. The meaning of ‘enable’ has been the subject of much discussion, largely as to whether enable means ‘fully permitted’ or a different activity status in the context of district plans. This has been the topic of many submissions, where submitters seek fully permitted activities and the removal of largely amenity-based rules which are seen to be contrary to the direction set out in Policy 3 (a). I can understand the views of these submitters, particularly where such provisions require assessment as part of a resource consent. However, I understand that ‘enable’ includes the permitted and controlled activity statuses as these activities are clearly enabled with either no consent being required or consent being unable to be refused. Further, the restricted discretionary or fully discretionary activity statuses can be enabling, however this is dependent upon the policy context and requires an encouraging, clear policy framework that is not solely focused on managing adverse effects.
- 5.7.5 In addition, I note the advice from the Ministry for the Environment<sup>10</sup>, developed to assist with the implementation of the NPS-UD. In particular, where it states that *“You should read and consider the other provisions in the NPS-UD together with the intensification requirements. Also, local authorities should continue to ensure the intensification outcomes will support well-functioning urban environments and sensible zoning patterns.”*
- 5.7.6 Whilst Policy 3c) sets out that building heights of at least six storeys must be achieved within a walkable catchment of the edge of the central city, no minimum building heights or densities are specifically set in the context of the City Centre zones under Policy 3a), rather these parameters should be set in such a way that *“as much development capacity as possible”* is realised. Therefore, the crux of the issue for the central city broadly, is how do we set that height limit in such a way that *both* enables this development capacity whilst ensuring well-functioning urban

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<sup>10</sup> MfE: Understanding and implementing intensification provisions for the NPS-UD, Page 28

environments (**WFUE**) develop in such a way that brings to fruition the minimum requirements set out above?

- 5.7.7 Further on Policy 3(c) and relevant to this report, the Section 32 – Commercial and Industrial, outlines that the walkable catchment of the CCZ encompasses the CCMU and CCCMU(SF) Zones. This policy has the following implications for heights and densities in these zones:
- a. CCCMU and CCMU(SF) permitted building height must increase to at least 20m, being 6 stories (currently 17m)
- 5.7.8 Related to these changes is the need to also review the density controls (tenancy limits on retail and offices implemented to support the recovery of the city centre) in the CCMU and CCMU(SF) zones. Unlike height limits, these controls do not have implications for the density of all commercial activities in the CCMU and CCMU(SF) zones but rather are a method of encouraging commercial activity to establish in the CCZ. This is discussed further in Mr. Willis’ section 42A report in his general height conclusions for CCMU and CCMU(SF).
- 5.7.9 Given the direction in Policy 3, to effectively ensure the implementation of the NPS-UD we need to understand what a WFUE looks like for Christchurch’s central city. Many of the issues raised by submitters, particularly relating to the enabling of greater height limits in the central city but also the overall urban form, urban design and amenity considerations, the enabling of activities in particular zones, and the rezoning of sites, all relate to the question of what the WFUE is that we are seeking to achieve in the central city over the next 20, 40, 100 years. In the Section 32 Report – Industrial and Commercial, the background outlined above (paragraph 5.6.1) is further built on and applied to the Christchurch commercial context<sup>11</sup>, concluding that *“the areas with the most scale and range of activities, are more likely to have greater potential for adverse effects that need to be managed through the district plan.”*
- 5.7.10 Proposed *Strategic Objective 3.3.7 – Well-functioning urban environment* sets out what a WFUE looks like for the overall city, which all underlying Plan provisions need to have regard to, as is discussed further in Ms. Oliver’s section 42A report<sup>12</sup>. For the Central City, the objective seeks to establish a distinctive, legible urban form and strong sense of place across the cityspace that is

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<sup>11</sup> Section 32 – Industrial and Commercial, Paragraph 2.3.10

<sup>12</sup> S42a Report – Strategic Directions – Ms. Sarah Oliver, section 9.1

articulated by the pre-eminence of the CCZ built form, supported by enabling the highest buildings in this location. I have considered this provision in my discussion below.

- 5.7.11 To further understand what a WFUE is for the Central City context, I adopt the broad view of WFUE in Mr Willis' section 42A report<sup>13</sup>, in which he draws on the evidence of both Mr Ray and Mr Heath. Namely that a WFUE is not only its built form, but the variety and scale of activities within it, the accessibility between spaces, the behaviour of people and their needs within a particular place, and the need to apply a contextual approach as to what constitutes a WFUE specific to Ōtautahi Christchurch.
- 5.7.12 To further refine what a WFUE looks like for the central city, I utilise the Section 32 Technical Report by Mr. David Hattam in which the key features that contribute to a well-functioning central city in Christchurch and its urban form are outlined<sup>14</sup>. These features include the Otākaro Avon River corridor, significant public spaces including Cathedral Square, Victoria Square, Tākaro ā Poi Margaret Mahy playground, Cranmer and Latimer Squares, Hagley Park, and the East and South Frames which in conjunction with the Otākaro Avon River define the city edges. Further, the street grid is noted as a key feature of the urban form, along with the overall built form currently being of predominantly low to mid rise.
- 5.7.13 The above issues are discussed, and recommendations are made within issue 1 of this report.

## **5.8 NATIONAL PLANNING STANDARDS**

- 5.8.1 PC 14 seeks to align the operative CDP zone framework with the nearest equivalent zone listed in the National Planning Standards and in doing so, to give effect to the 1.4(4)(b) of the NPS-UD. The alignment of the CDP to the National Planning Standards is set out in section 2.3 of the Section 32 Report – Commercial and Industrial. I agree with and adopt this discussion and consider it should be read in conjunction with this report.

## **5.9 IMPLICATIONS OF THE WAIKANE CASE**

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<sup>13</sup> Evidence of Mr Andrew Willis, section 'What is a well-functioning urban environment?'

<sup>14</sup> Appendix 6 – Technical Report – Urban Design – Commercial Zones – Christchurch City Council, section 2.3 Central City Built Form <https://www.ccc.govt.nz/assets/Documents/The-Council/Plans-Strategies-Policies-Bylaws/Plans/district-plan/Proposed-changes/2023/PC14/Section-32-Appendices-1/PC-14-Commercial-Chapter-Technical-Report-Urban-Design.pdf>

- 5.9.1 The section 42A report prepared by Ms Oliver provides a summary of her understanding of the principles to be applied in determining whether submission points are within scope of a plan change. I have read and agree with that summary. To assist the Panel, I have identified submission points that I consider fall, or potentially fall, outside of scope in my report below. I note there are other submissions which are considered outside of scope of what can be considered under Section 80E of the RMA, and these are discussed in the section on “*Consideration of Submissions*” later in this report.
- 5.9.2 Ms. Oliver also discusses the recent Environment Court decision, *Waikanae Land Company v Heritage New Zealand Pouhere Taonga* [2023] NZEnvC 056 (**Waikanae**), which addresses the scope of local authorities' powers in notifying an Intensification Planning Instrument in accordance with section 80E of the RMA, and the potential implications for PC14. I have read, and agree with, that discussion. To assist the Panel to identify provisions potentially affected by Waikanae, I have provided in the table below a list of provisions (matters) I address in this report that impose additional controls or restrictions that affect status quo/pre-existing development rights (as per the Operative District Plan).



| <b>PC14 amendments that amend status quo</b>   |   | <b>Located in Issue X</b> |
|--|---|---------------------------|
| Permitted residential activity standards for CCZ, CCMU and CCMU(SF) <ul style="list-style-type: none"> <li>• Rule 15.11.1.1 P13; Rule 15.12.1.1 P16; Rule 15.13.1.1 P13</li> </ul>   | Issue 1   |                           |
| Enabling greater building height (up to 90m where currently 28m) in the CCZ but controlled/restricted discretionary activity for all CCZ area, not limited to only the Central City Core area. <ul style="list-style-type: none"> <li>• Rule 15.11.1.2 C1; Rule 15.11.1.3 RD1</li> </ul> | Discussed in section 42A report of Mr. Andrew Willis & Issue 1  |                           |
| <b>Submitter requests that seek to amend status quo</b>  |   |                           |
| 308.9; 308.10;<br>308.11<br><br>627.19; 627.20;<br>627.21<br><br>685.20; 685.21;<br>685.22   | Amendments to provide for climate change considerations in the CDP.   | Issue 4                   |
| 823.153; 762.31  | Amendments sought to Policy 15.2.5.1 and Rules 15.12.1.2 C1, Matter of Discretion 15.14.5.2 relating to Cathedrals in the Central City and insert a new equivalent rule in CCZ. | Issue 4                   |
| 706; 817; 872; 2077  | Rezoning requests from submitters for land within Central City where no changes are proposed.   | Issue 2                   |

## 6 PLAN CHANGE 14 – CITY CENTRE & MIXED USE ZONES

### 6.1 OVERVIEW

- 6.1.1 Section 3.2 of the s32 Report – Commercial and Industrial, sets out the Council response to the requirements of the NPS-UD and Act. This section should be read and referred to in conjunction with this report. Regarding the City Centre and Mixed Use zones, the provisions were reviewed to confirm if they would enable greater development as required under the NPS-UD. Having

determined that increased heights may be appropriate the issue becomes, how do we set a height limit and associated provisions in such a way that *both* enables this development capacity whilst ensuring WFUE<sup>15</sup>s are maintained and enhanced?

6.1.2 A summary of the notified objective and policies framework for the City Centre and Mixed Use zones is outlined below. Note that the majority of the existing CDP objectives remain fit for purpose, and are limited to changes proposed to zone names and numbers, which are considered immaterial and not mentioned below.

| Provision   | Related Policies   |
|---|--|
| <p><b>Objective 15.2.4 – Urban form, scale and design outcomes</b></p> <p>[operative – modified]</p> <ul style="list-style-type: none"> <li>• <i>Amendments proposed to seek improved urban design and amenity outcomes for centres.</i></li> <li>• <i>Add specific reference to reverse sensitivity and climate change.</i></li> </ul> | <p><b>Policy 15.2.4.1 – Scale and form of development</b></p> <p><b>Policy 15.2.4.2 – Design of new development</b></p> <p>[operative – modified]</p> <ul style="list-style-type: none"> <li>• <i>Amendments to provide policy direction of the urban form outcome for the Central City, namely of clustering high rise buildings, avoiding dominance of the sky line and retaining prominence of the Te Poho-o-Tamatea/ The Port Hills.</i></li> <li>• <i>Amendments to reinforce the primacy of the City Centre through providing for the tallest buildings and greatest scale of development.</i></li> <li>• <i>Amendments to provide policy direction for building height limits in the central city, Cathedral Square, Victoria Street, New Regent Street, and Arts Centre areas to manage effects of built form and ensure WFUEs.</i></li> </ul> |

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<sup>15</sup> Discussed above in section “Implementing the NPS-UD for the City Centre and Mixed Use Zones”

|  |  |
|--|--|
|  | <ul style="list-style-type: none"> <li>• Amendments to address design aspects of buildings including the management of effects associated with the built form (heat, refraction, wind).</li> </ul> |
| <b>City Centre Zone</b>  |  |
| <p><b>Policy 15.2.6.3 – Amenity</b></p> <p>[operative – modified]</p> <ul style="list-style-type: none"> <li>• Include “evolving” to ensure it is clear amenity values are anticipated to change.</li> <li>• Change to require urban design assessment for all buildings in CCZ, not only core, due to high standard of design sought and no difference in amenity between Victoria St and central city.</li> <li>• Amendment to reflect that height limits are no longer proposed to be set to manage effects associated with the distribution of commercial activity (with reliance on tenancy/ floorspace limits) across the zone, but rather that design standards set to manage effects of tall buildings on WFUE.</li> </ul> |  |
| <p><b>Policy 15.2.6.4 – Residential intensification</b></p> <p>[operative – modified]</p> <ul style="list-style-type: none"> <li>• Amend to add reference to support existing and proposed provisions relating to sunlight access, communal amenity space and outlook spaces.</li> <li>• Amend to reference the intention for residential development to be high quality and supporting a range of residential typologies, tenures and prices.</li> </ul>  |  |
| <p><b>Policy 15.2.6.5 – Pedestrian focus</b></p> <p>[operative – modified]</p> <ul style="list-style-type: none"> <li>• Add reference to wind generation to reflect potential new effects of tall buildings on pedestrians.</li> </ul>   |  |
| <b>Central City Mixed Use Zone</b>   |  |
| <p><b>Objective 15.2.7 – Role of the Central City Mixed Use Zone</b></p> <p>[operative – modified]</p>   | <p><b>15.2.7.1 – Diversity of activities</b></p> <p>[operative – modified]</p>   |

|   |   |
|---|---|
| <ul style="list-style-type: none"> <li>• <i>Add the words ‘high quality’ to better implement Strategic Directions 3.3.7 and 3.3.8 for the central city to be a WFUE.</i></li> </ul>   | <ul style="list-style-type: none"> <li>• <i>Add viii. to provide direction of the opportunities for taller buildings to accommodate both residential and visitor accommodation in City Centre Zone.</i></li> </ul>  |
| <p><b>Objective 15.2.8 – Built form and amenity in the Central City Mixed Use Zone</b></p> <p>[operative – modified]</p> <ul style="list-style-type: none"> <li>• <i>Add the word ‘evolving’ to implement the NPS-UD Objective that urban environments, including amenity, change and develop over time.</i></li> </ul> | <p><b>15.2.8.1 – Usability and adaptability</b></p> <p>[operative – modified]</p> <ul style="list-style-type: none"> <li>• <i>Amendments proposed to include provision of pedestrian access for each activity to ensure good accessibility from street.</i></li> <li>• <i>Add clause v) to ensure sufficient setbacks from boundaries and glazing is provided.</i></li> <li>• <i>Add clause vi) to recognise need for residential activity where located at ground floor level to be well designed to contribute to street scene.</i></li> </ul> <p><b>15.2.8.2 – Amenity and effects</b></p> <p>[operative – modified]</p> <ul style="list-style-type: none"> <li>• <i>Amend clause i) to add “ensuring buildings and /or landscaping are located adjacent to the street frontage”.</i></li> <li>• <i>Include residential activity in clauses iii) and iv).</i></li> <li>• <i>Addition of clause v) to provide for outdoor service space and car parking away from frontages and entrances to buildings.</i></li> <li>• <i>Addition of clause viii) to require an urban design assessment for large scale</i></li> </ul> |

|  |  |
|--|--|
|  | <p>developments and/or 4 or more residential units.</p> <p><b>15.2.8.3 – Residential development</b></p> <p>[operative – modified]</p> <ul style="list-style-type: none"> <li>• <i>Addition to require provision of privacy for residential</i></li> </ul> |
| <b>Central City Mixed Use (South Frame) Zone (CCMU(SF))</b>  |  |
| <p><b>Policy 15.2.10.2 – Residential development</b></p> <p>[operative – modified]</p> <ul style="list-style-type: none"> <li>• <i>Add text to recognise the mixed-use environment and that residential developments need to consider mitigation measures to manage effects of surrounding activities on future residents, e.g., noise insulation and separation of habitable spaces from boundaries.</i></li> </ul> |  |

6.1.3 In summary, the above changes result in the following proposed amendments to the plan provisions in these zones:

| <b>Zone</b> | <b>Permitted activities</b>  | <b>Key built form standards</b>   |
|-------------|--|---|
| CCZ         | <p>As outlined in the Table in section 5.4.8 above, with the addition of, and changes to:</p> <p>P18 – Small buildings for activities listed in P1 – P17, with activity specific standards including that such buildings must be built to the boundary and a maximum height of 21m.</p> <p>Activity specific standards for P13 Residential Activity, that seek to achieve greater levels of amenity in</p> | <p>45° recession plane measured from maximum road wall height. Up to 28m high, or Where located at street corner rule does not apply within 30m of that corner.</p> <p>Maximum road wall height of 21m<br/>Where at street corner, max height of 28m for distance of 30m from corner.</p> <p>Maximum building heights 90m across majority of zone, with precincts as follows:</p> |

|                  |  |  |
|------------------|--|--|
|                  | <p>the anticipated areas of higher density activity in central city.</p>   | <p>New Regent St – 8m</p> <p>Cathedral Square Height precinct - 45m</p> <p>Victoria St Height precinct – 45m</p> <p>Central City Heritage QM and Precinct – 28m</p> <p>New rules for building tower setbacks, building tower dimension and coverage, minimum building tower separation and wind.</p>   |
| CCMU             | <p>As outlined in the Table in section 5.4.8 above, with changes to:</p> <p>Activity specific standards for P13 Residential Activity, that seek to achieve greater levels of amenity in the anticipated higher density of activity in this zone.</p> | <p>Where a site shares a boundary with a residential zone, buildings shall comply with recession plane (Appendix 14.16.2) as though both sides were the same residential zone, measured at 2.3m above internal boundary.</p> <p>Maximum building heights:<br/>32m across most of zone Max height of any building base is 17m</p> <p>21m in area south of Tuam and Lichfield Streets, between Antigua and Madras Streets.</p> |
| CCMU South Frame | <p>As outlined in the Table in section 5.4.8 above, with changes to:</p> <p>Activity specific standards for P13 Residential Activity, that seek to achieve greater levels of amenity in the anticipated high density of activity in this zone.</p>   | <p>33 ° recession plane at 8m above boundaries with South Frame Pedestrian Precinct or Open Space Community Parks zone. Where a site adjoins northern boundary of south frame</p> <p>Minimum distance between ground and first floor slab of 3m.</p> <p>Street scene, landscaping and screening</p>  |

|  |  |   |
|--|--|---|
|  | <p>Addition of P16 Small buildings for activities listed in P1 – P15, with activity specific standards that seek to achieve greater levels of amenity in the anticipated higher density of activity in the central city mixed use (south frame).</p> | <p>requirements</p> <p>Maximum building heights:</p> <p>32m across most of zone,<br/>Except 21m between Antigua and Madras Streets.</p> |
|--|--|---|

## 7 CONSIDERATION OF SUBMISSIONS

### 7.1 OVERVIEW OF SUBMISSIONS

- 7.1.1 PC14 was notified on 17 March 2023, with submissions and further submissions closing on 12 May 2023 and 17 July 2023 respectively. Further submissions were subsequently invited from 24 July until 7 August on additional and amended submission points. The Council received seventy-eight submissions requesting 417 separate decisions in relation to changes for the City Centre and Mixed Use Zones, including requests for height changes addressed by the section 42A report of Mr. Andrew Willis.
- 7.1.2 For the summary of submissions relating to the City Centre and Mixed Use Zones refer to **Appendix A**. A copy of the submissions received have been provided to the Hearing Panel and copies of all submissions can also be viewed on the Council website at [\[https://makeasubmission.ccc.govt.nz/PublicSubmissionSearch.aspx\]](https://makeasubmission.ccc.govt.nz/PublicSubmissionSearch.aspx).
- 7.1.3 81 submissions express their support for PC14 in relation to City Centre and Mixed Use Zones. 148 submissions request that the plan change in relation City Centre and Mixed Use Zones be declined. 187 submissions request specific amendments to the provisions.
- 7.1.4 The section 42A report prepared by Ms. Oliver provides a summary of her understanding of the principles to be applied in determining whether submission points are within scope of a plan change. I have read and agree with that summary. To assist the Panel, I have identified submission points that I consider fall, or potentially fall, outside of scope below and in section 8 of this report.

## 7.2 OUT-OF-SCOPE OF SUBMISSIONS NOT 'ON' PC14

7.2.1 In accordance with the established legal tests for determining whether submissions are within scope or not as set out in the 'Strategic Overview' section 42A report, the following are considered to be out-of-scope submissions points:

| Sub. No.  | Summary of relief sought  | Recommendation |
|---|---|----------------|
| 669.3; 669.4<br>669.5; 669.7  | Seek amendment to Urban Design Certification Pathway and Mana Whenua engagement method to remove requirement from this rule and include "a new section of the plan... that... provide[s] this mechanism... [developed as a separate process by] CCC under its Te Tiriti o Waitangi obligations [with] Mana Whenua to a level negotiated between these parties whom jointly develop associated mechanisms within the plan."  | Reject         |
| 237.59  | Delete 15.2.6.7 Policy – Entertainment and Hospitality Precincts - (a) (ii)   | Reject         |
| 308.9;<br>308.10;<br>308.11<br>627.19;<br>627.20;<br>627.21<br>685.20;<br>685.21;<br>685.22 | Amendments to provide for climate change considerations in the CDP including: <ul style="list-style-type: none"> <li>• [New built form standards to require] provision for future solar panel installation unless orientation north is impossible.</li> <li>• [New built form standard] to require buildings to calculate their lifetime carbon footprint and be required to not exceed a sinking lid maximum.</li> <li>• [New standards for] accessibility and environmentally responsible design, [such as]: Rain and grey water harvesting / recycling; Composting / incinerating toilets; Alternative energy sources; Green roofs; Porous hardscaping.</li> </ul> | Reject         |

7.2.2 I consider the submission points in the table above fall outside the scope of PC14 due to the reasons set out briefly below.



7.2.3 S80E of the RMA requires Council to give effect to Policies 3 and 4 of the NPS-UD for Christchurch as a Tier 1 authority. This includes enabling greater heights and densities and does not extend to including changes to provisions for different activities in different areas of the City Centre or mechanisms outside the District Plan. Further, under this section Council may need to amend or include provisions relating to financial contributions, or other related provisions<sup>16</sup> including those that support or are consequential to Policies 3, 4 and 5 of the NPS-UD. PC14 is the Council response to this direction.

***Urban Design Certification Pathway and Mana Whenua engagement method***

7.2.4 Mr. Jolly has sought that the Council engage with mana whenua in separate process to jointly develop engagement mechanisms for the Plan. I firstly note that the Plan sets out in *Objective 3.3.3 – Ngāi Tahu mana whenua* the expectations of there being a strong and enduring relationship between the Council and Ngāi Tahu mana whenua in the recovery and future development of Ōtautahi (Christchurch City) and the greater Christchurch district.

7.2.5 Further, in sub-chapter 9.5 Ngāi Tahu values and the natural environment, *Policy 9.5.2.2.5 – Engagement with Rūnanga* strives for Ngāi Tahu and Council to encourage and facilitate the engagement of landowners and resource consent applicants with the relevant rūnanga. I consider that this objective and policy, together with the rules and matters of discretion throughout the Plan that require consideration of cultural values and sites of significance, provides the framework for the relief that Mr. Jolly is seeking.

7.2.6 Whilst I agree with Mr. Jolly’s submission and suggested approach for these separate discussions and a joint agreement to be reached between the Council and mana whenua, it is my view that the relief sought is not something that PC14 can implement, rather this requires a joint approach outside this planning process.

***Policy 15.2.6.7 – Entertainment and Hospitality Precinct***

7.2.7 Ms. Manthei seeks that an amendment be made to 15.2.6.7 Policy - Entertainment and Hospitality Precinct to remove clause a)ii) which relates to the protection of the viability of existing entertainment and hospitality investment in the central city, particularly since the

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<sup>16</sup> District-wide matters, fencing, infrastructure, qualifying matters, storm water management, subdivision of land.

Canterbury earthquakes. Ms. Manthei outlines that the policy was added during the review of the CDP and is of the view that protecting the viability of the existing entertainment and hospitality investments is long past any reasonable timeframe.

- 7.2.8 The Entertainment and Hospitality Precinct was implemented to enable activities that generate greater levels of noise in defined areas, and no changes are proposed to this provision as a part of PC14. In any case, Council is proposing a plan change in the near future to manage noise effects associated with entertainment and hospitality activities. Further, PC14 is Council's response to the requirements set out in the NPS-UD and Enabling Housing Amendment Act, limited only to those changes required to support the intensification of activity across the city. I note that clause ii) of Policy 15.2.6.7 would act to limit residential development and intensification, which could be argued is contrary to the intensification aims of the NPS-UD. However, in my opinion PC14 is concerned with scale and density of development, rather than activities. Therefore, I am of the view that such a change is considered outside the scope of PC14. I therefore do not recommend any changes to the provision as notified and recommend that this submission point be rejected.

***Building design for climate change considerations***

- 7.2.9 Turning to the points above relating to climate change considerations, T Pennell (308), Plain and Simple Ltd (627) and Canterbury / Westland Branch of Architectural Designers NZ (685), seek the inclusion of new standards to require the consideration of the lifetime carbon footprint of new buildings, accessibility, and rain harvesting, composting toilets and alternative energy sources. I am of the view that any requirements for buildings to incorporate such matters would be better provided for under the Building Code and such changes sit outside the RMA and PC14 processes. I therefore consider that these submission points are outside scope, but to assist the IHP I have turned my mind to the evaluation of the merits of these points.
- 7.2.10 Evaluating the relief sought, I am of the view that such amendments are difficult to quantify and set appropriate standards in an effects framework as required by the RMA. Considering the relevant Objective 15.2.4, and changes recommended by Mr. Lightbody<sup>17</sup> to promote a zoning framework that supports a reduction in greenhouse gas emissions rather than through built form provisions, I am of the view that this approach is the most effective way to achieve the objectives of the CDP. I therefore recommend that these submission points be rejected.

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<sup>17</sup> S42a Report – Mr. Kirk Lightbody, section “Objective 15.2.4 – Urban form, scale and design outcomes”

## ***Recommendations***

7.2.11 Overall, it is my view that the submission points in the table above fall outside the scope of PC14. Should the commissioners disagree and consider the submission points to be “on” the plan change, I recommended that they be rejected.

### **7.3 REPORT STRUCTURE**

7.3.1 The points made and decisions sought in submissions have been grouped according to the issues raised, as set out in Table 1 below, and they will be considered in that order further below in this section 42A report.

**Table 1 – Issues raised in submissions**

| <b>ISSUE</b>  | <b>CONCERN / REQUEST</b>  |
|---|---|
| 1. The role of urban design & amenity in enabling a WFUE in the Central City. | <ul style="list-style-type: none"><li>• That the inclusion of urban design provisions does not enable sufficient development capacity as required by Policy 3 of the NPS-UD.</li><li>• Need for clarity regarding urban design assessment requirements and associated matters of control and discretion.</li><li>• Delete Rules Rule 15.12.1.3 RD5; 15.13.1.2 C1; 15.13.1.3 RD1 because providing for new buildings, external alterations to existing buildings, and the use of any part of site not occupied by buildings, as permitted activities better gives effect to the NPS-UD.</li><li>• Oppose the notified, and some cases existing, residential activity provisions that are too onerous and do not enable sufficient development activity as required by the NPS-UD.</li><li>• Amendments required to the wording of the definition of ‘building base’ to improve clarity.</li><li>• Whether the building tower provisions will effectively manage the effects of increased building heights in the central city environment and achieve a WFUE.</li><li>• Retain Sunlight Access provisions as notified.</li></ul> |

| ISSUE   | CONCERN / REQUEST   |
|---|---|
|   | <ul style="list-style-type: none"> <li>• Clarify the impacts on neighbouring properties for sunlight access if a building is set back, as noted, at various heights above 12m.</li> <li>• Support Rule 15.11.1.3 RD3</li> <li>• Seek that Policy 15.2.6.5 – Pedestrian focus is deleted in its entirety or amended to delete “wind generation” from clause ii).</li> <li>• Oppose Rule 15.11.2.17. Seek that this be deleted.</li> <li>• Delete the matter of discretion Rule 15.14.3.39 Wind in its entirety.</li> <li>• That the street scene, landscaping and trees provisions are not enabling nor within the scope of the NPS-UD.</li> <li>• That the provisions setting minimum glazing requirements are not enabling nor within the scope of the NPS-UD.</li> </ul> <p>Submissions: <b>63; 367; 768; 297; 61; 780; 760; 235; 276; 337; 571; 657; 814; 823; 872; 834; 242; 871; 689;</b></p>  |
| <p>2. Requests from submitters for changes to the zoning of areas or specific sites in the Central City</p> | <ul style="list-style-type: none"> <li>• Supports less restrictions on increasing housing, especially mixed use zone areas and supports more housing in the city centre.</li> <li>• Retain the SPS and CCMUZ zoning of land at 136 Barbadoes Street, but delete heritage outline from planning maps.</li> <li>• Rezone the site at 132 – 136 Peterborough Steet from proposed High Density Residential to Central City Mixed Use.</li> <li>• Rezone the site at 152-158 Peterborough Street &amp; 327-333 Manchester Street from proposed High Density Residential to Central City Mixed Use.</li> <li>• Rezone the block encompassing Tuam, Madras, Lichfield, &amp; Manchester Streets from proposed Central City Mixed Use (South Frame) to CCZ or CCMU.</li> <li>• Support recognition of commercial activity at 300 and 310 Manchester Street and seek that this is retained.</li> <li>• Support mixed use zoning of South City and laneway plan.</li> </ul> |

| ISSUE                            | CONCERN / REQUEST   |
|----------------------------------|---|
|                                  | <ul style="list-style-type: none"> <li>• Rezone site at 56-72 Salisbury Street &amp; 373 Durham Street North from High Density Residential to Central City Mixed Use.</li> </ul> <p>Submissions: <b>61; 147; 223; 318; 344 823; 705; 706; 817; 872; 2077</b></p>  |
| 3. Other Objectives and Policies | <ul style="list-style-type: none"> <li>• Policy 15.2.4.1 – Scale and form of development a) Central city matters</li> <li>• Policy 15.2.4.2 – Design of new development – Central city matters</li> <li>• Objective 15.2.7 – Role of the Central City Mixed Use Zone</li> <li>• Objective 15.2.8 – Built form and amenity in the Central City Mixed Use Zone</li> <li>• Policy 15.2.8.1 – Usability and adaptability</li> <li>• Policy 15.2.8.2 – Amenity and effects</li> </ul> <p>Submissions: <b>212; 689; 705; 720; 740; 760; 762; 780; 811; 814; 823; 834; 2076;</b></p> |
| 4. Other matters                 | <ul style="list-style-type: none"> <li>• Amendments to built form standards across CCZ, CCMU, and CCMU(SF) which require flexibility in building design for future uses.</li> <li>• Provisions that enable mixed uses</li> <li>• Amendments to provisions for water supply for firefighting.</li> <li>• Cathedrals in the Central City provisions and rezoning requests.</li> <li>• Amendments to provide for the develop and use of the heritage building at 25 Peterborough Street.</li> </ul> <p>Submissions: <b>762; 799; 842; 814; 762; 150; 811</b></p>                 |

7.3.2 Some submissions raise more than one matter, and these will be discussed under the relevant issue(s) in this report.

7.3.3 For each identified topic, the consideration of submissions has been undertaken in the following format:

- a. Matters raised by submitters;
- b. Assessment;
- c. Summary of recommendations. The specific recommendations are in Appendices A and B;

d. Section 32AA evaluation where necessary.

- 7.3.4 For ease of reference, all submission points considered under a particular issue, as outlined in **Table 1**, are listed in the heading of the relevant discussion. Following discussion and evaluation of the submissions, the names of submitters and recommendations on their submissions within or at the end of the discussion, are typed in bold within this report. My recommendation on each submission and a summary of reasons are also shown in a table format in **Appendix A – Table of Submissions with Recommendations and Reasons**, attached to this report. I note that due to the number of submission points, my evaluation of the submissions is generic only and may not contain specific recommendations on each submission point, but instead discusses the issues generally.
- 7.3.5 Section 32 of the Act requires the Council to carry out an evaluation of PC14 to examine the extent to which relevant objectives are the most appropriate way to achieve the purpose of the Act, and whether, having regard to their efficiency and effectiveness, the related policies, rules, or other methods are the most appropriate for achieving the objectives.
- 7.3.6 All of the provisions proposed in PC14 have already been considered in terms of section 32 of the Act. Where amendments to PC14 are recommended, I have specifically considered the obligations arising under section 32AA (noted at the end of each issues in Section 8 below) and undertaken a s32AA evaluation in respect to the recommended amendments in my assessment as appropriate.
- 7.3.7 The evaluation of submissions provided in this S42A report should be read in conjunction with the summaries of submissions, and the submissions themselves as well as the following appendices:
- a. **Appendix A** – Recommended Responses to Submissions on City Centre and Mixed Use Zones.
  - b. **Appendix B** – Recommended Responses to Submissions for site specific re-zoning.
- 7.3.8 This report addresses all definitions that are specific to the City Centre and Mixed Use Zones provisions in PC14.

## 8 ANALYSIS OF SUBMISSIONS

### 8.1 ISSUE 1 – THE ROLE OF URBAN DESIGN & AMENITY IN ENABLING A WELL-FUNCTIONING URBAN ENVIRONMENT IN THE CENTRAL CITY

| Sub. No.  | Summary of relief sought   | Recommendation                         |
|---|--|--|
| 367; 768; 297;<br>61                                      | <p>Seek increased provisions for urban design considerations including:</p> <ul style="list-style-type: none"> <li>- Urban design panel requirements for all new developments.</li> <li>- Updating of provisions to include sensitive urban design principles and building dominance effects).</li> <li>- Requirements for each new build in CCZ to be assessed in relation to design and impact on neighbours.</li> </ul>   | See attached Appendix A and text below |
| 780; 760;   | Support for provisions as notified.  | See attached Appendix A and text below |
| 63; 235; 276;<br>337; 571; 657;<br>814; 823; 872;<br>834; | <p>Seek that urban design provisions are removed where they are unnecessary and do not enable an appropriate level of intensification as required by the NPS-UD, these provisions relate to:</p> <ul style="list-style-type: none"> <li>- The policy direction that supports these provisions including urban form and amenity objectives and policies.</li> <li>- Where new buildings, alterations to existing buildings and use of site not for buildings.</li> <li>- Erection of new buildings in Precincts.</li> <li>- Building bulk and location rules including sunlight access, maximum road wall height, street scene and landscaping</li> </ul> | See attached Appendix A and text below |

|   |  |  |
|---|--|--|
|   | <ul style="list-style-type: none"> <li>- The new provisions for glazing and outlook spaces.</li> <li>- Amend the urban design matters of discretion to require consideration of whether increased building heights, reduced setbacks or recession plane intrusions would compromise amenity of adjacent properties.</li> </ul> |  |
| 834.296                                     | Seek amendments to the definition for 'Building Base'.   | See attached Appendix A and text below |
| 814; 823; 834; 872                          | Amend or delete the activity status provision, built form rules and matters of discretion relating to a 'Building Tower'.  | See attached Appendix A and text below |
| 235; 242; 571; 871; 689; 760; 823; 814; 834 | Support locating residential activity near the Central City and commercial centres.<br><br>Amendments sought to the provisions relating to the intensification and development of residential activities and their building design, bulk, and location across the CCZ, CCMU, and CCMU(SF) zones.                               | See attached Appendix A and text below |

8.1.1 As outlined above, urban design is a key aspect in determining and realizing a WFUE<sup>18</sup>. Therefore, the overall approach to urban design needs to be assessed when considering the proposed provisions that comprise PC14 in the central city.

8.1.2 Both Mr. Ray and Ms. Williams have provided their expert views on urban design matters in the central city. Mr Ray's evidence is solely focused on the setting of building heights, related urban design matters for the CCZ, and responding to key submission points on these matters. Ms. William's evidence, relevant to this report, is centered on the CCMU and CCMU(SF) zones, the submission points related to these zones, and considers how well the zones contribute to the urban form which strengthens the role and further recovery of the Central City.

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<sup>18</sup> Discussed above in section "Implementing the NPS-UD for the City Centre and Mixed Use Zones"



8.1.3 A key influencing factor as to the effect that buildings can have on the city environment is their height. This is discussed in the section 42A report of Mr. Willis which should be read in conjunction with this discussion below.

### ***City Centre Zone***

8.1.4 Mr. Ray<sup>19</sup> is of the view that the CCZ “*has been developing into one of New Zealand’s best well-functioning urban environments*”, he considers that the approach of a lower rise city has been instrumental in its success, and notes that even before the earthquakes the character of the CCZ “*was principally determined by its low to mid-rise building form*”. On the enabling of taller buildings in the CCZ, Mr. Ray states that taller buildings within the Central City can be challenging to integrate successfully into the built environment. These challenges include the visual effect of taller buildings compared to the smaller buildings in the surrounding landscape, the activation and engagement of the street wall, the visual impact of blank walls, and the overall effect of these tall buildings on the microclimate including their effects on sunlight, access to daylight and wind effects, particularly for pedestrians at the street level.

8.1.5 The proposed changes to the provisions for the CCZ seek to mitigate the anticipated adverse effects of the additional building height proposed for the city environment. Setting aside what the proposed building height should be, which Mr. Willis<sup>20</sup> makes recommendations on in his section 42A report, Mr. Ray considers in his evidence whether the provisions for minimum road walls, the building base and tower approach including tower dimensions, tower setbacks and separation can effectively manage the potential adverse effects of tall buildings on the streetscape and urban form. I discuss these provisions further in the section on building tower provisions below.

8.1.6 Objective 15.2.6 – Role of the City Centre Zone seeks to establish that the zone is the principal commercial centre for the Christchurch district and seeks to make it an attractive place to be and work<sup>21</sup>. I consider this wording remains appropriate to ensure the CCZ retains primacy and

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<sup>19</sup> Evidence of Mr Alistair Ray, section “A well-functioning environment in the Ōtautahi Christchurch context”

<sup>20</sup> S42A of Mr. Andrew Willis, section “CCZ General Height Conclusions”

<sup>21</sup> Section 32 Industrial and Commercial, page 16.

implements the overall centres hierarchy sought by Objective 15.2.2 and the CRPS as detailed in the section 42A report of Mr. Lightbody<sup>22</sup>.

8.1.7 Some submitters seek to retain the provisions as notified which support the intensification of urban form and provide for additional development capacity (Regulus Property Investments Limited, 810.13; 810.14; J Barbour, 812.9). Others have sought relief regarding the activity standards that relate to urban design matters in the CCZ, in summary they seek changes to the following provisions.

| Provision  | PC14 amendment  | Submitter and relief sought   |
|--|---|---|
| <p><b>Rule 15.11.1.2 C1 – for activities permitted by Rule 15.11.1.1 P1 to P17</b></p> <p>Applies to new buildings or external alterations, or use of part of site not occupied by buildings, which is 28m or less in height and visible from a publicly owned and accessible open space.</p> <ul style="list-style-type: none"> <li>• Complies with built form standards for recession planes and maximum road wall height.</li> <li>• Certified by a Council-approved urban designer.</li> <li>• Consents cannot be limited or publicly notified.</li> </ul> | <p>Added “28m or less in height”.</p> <p>Added requirement to meet built form standards for Rule 15.11.2.3 Sunlight and outlook &amp; Rule 15.11.2.12 Maximum road wall height.</p> | <p>Delete the rule entirely (Oyster Management Limited, 872.12).</p> <p>Delete the proposed PC14 amendments and retain the rule as operative (Catholic Diocese of Christchurch, 834.291).</p> <p>Amend the rule so it applies to any new buildings that are:</p> <ul style="list-style-type: none"> <li>• visible from publicly owned and accessible spaces,</li> <li>• not only buildings 28m high or less</li> <li>• or those compliant with Rules 15.11.2.3 (sunlight and outlook) and 15.11.2.12 (road wall height)</li> </ul> <p>(Carter Group Limited, 814.199; Catholic Diocese of Christchurch, 823.165).</p> |

<sup>22</sup> S42A report of Mr. Kirk Lightbody, Issue 1.

|   |  |  |
|---|--|--|
| <p><b>Rule 15.11.1.3 – RD1 – for activities permitted by Rule 15.11.1.1 P1 to P17</b></p> <p>Applies to new buildings, alterations, or use of part of site not occupied by building, visible from a publicly owned and accessible space not covered by C1 above, nor captured by C2, C9 or RD10.</p> <ul style="list-style-type: none"> <li>• Consents cannot be limited or publicly notified.</li> </ul> | <p>Added reference to RD10 which is for small buildings permitted by P18.</p>  | <p>Delete the rule entirely (Oyster Management Limited, 872.13).</p>   |
| <p><b>Rule 15.11.1.3 – RD2 Any new buildings within the specified Central City areas</b></p>  | <p>Added exemption so rule does not apply to small buildings permitted by P18.</p>   | <p>No submissions received on this rule.</p>   |
| <p><b>Rule 15.11.1.3 – RD5 – for activities permitted by Rule 15.11.1.1 P1 to P17 &amp; Rule 15.11.1.3 RD1 – RD4, RD6 and RD8 that do not meet one or more built form standards</b></p>   | <p>Amendment to update name for matter of discretion 15.14.3.19.</p> <p>Added matters of discretion for maximum building height, upper floor setbacks/tower dimension/site coverage, and wind.</p> | <p>Delete amendments and retain status quo. (Carter Group Limited, 814.200; Catholic Diocese of Christchurch, 823.166)</p>   |
| <p><b>Rule 15.11.1.4 – D1 – for any activity that does not meet the clauses for building base height (28m), minimum heights for buildings in heritage settings and Arts Centre in Rule 15.11.2.11 or Rule 15.11.2.12 Maximum road wall height standards.</b></p>  | <p>Added reference to the building height clauses for building base height (28m), minimum heights for buildings in heritage settings, Arts Centre, and building base in Cathedral Square.</p>      | <p>Delete the rule entirely (Carter Group Limited, 814.202; Catholic Diocese of Christchurch, 823.168).</p> <p>Amend the rule to remove Rule 15.11.2.12 because they oppose a discretionary activity status for non-compliances with maximum</p> |

|  |  |   |
|--|--|---|
|  |  | road wall height (Oyster Management Limited, 872.15). |
|--|--|---|

- 8.1.8 In my view a core method of achieving the urban form Mr. Ray describes and retaining the CCZ as a WFUE<sup>23</sup>, is using the rule framework to provide clear direction on the built form that is anticipated for the zone. Where new buildings, or additions or alterations to existing buildings are proposed, such activities are classed as either controlled, restricted discretionary or discretionary in the CCZ to enable an assessment of these proposals against the appropriate matters of discretion. I agree with this approach and consider the notified amendments largely seek to ensure alignment with the new provisions that enable increased building heights and intensification.
- 8.1.9 In response to matters raised by submitters, together with the evidence of Mr. Ray and Mr. Heath, Mr. Willis<sup>24</sup> has made recommendations regarding the rule framework for building heights in the CCZ. I agree with the views reached by Mr. Willis regarding height limits, that buildings up to 28m are a controlled activity (retaining status quo), buildings between 28m and 90m are a restricted discretionary activity with amendments to apply specific matters of discretion in Rule 15.14.2.6. Further, Mr. Willis proposes to introduce a discretionary consent pathway to enable buildings over 90m, to provide for greater building heights where appropriate. In my opinion this framework will enable increased building heights and thus increased development capacity within the CCZ, whilst providing for the assessment of the design of tall buildings, mitigation of their potential adverse effects as outlined by Mr. Ray, and their contribution to the cityscape and urban form.
- 8.1.10 I consider that the relief sought by Victoria Neighborhood Association (61.44) is provided for in part by the rule framework proposed, as new buildings captured by the urban design provisions will require an assessment in relation to their design and impact on surrounding properties.
- 8.1.11 In my view, the activity status provisions as proposed will remain enabling in the context of the NPS-UD<sup>25</sup> with the matters of control and discretion focused on urban design considerations.

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<sup>23</sup> Discussed above in section “Implementing the NPS-UD for the City Centre and Mixed Use Zones”

<sup>24</sup> Section 42A report of Mr. Andrew Willis, section “CCZ General Height Conclusions”

<sup>25</sup> Discussed above in section “Implementing the NPS-UD for the City Centre and Mixed Use Zones”

- 8.1.12 Given the Christchurch context and outcomes sought to achieve a WFUE<sup>26</sup> including a low to mid rise urban form, I am of the view that these provisions are appropriate to achieve that. The provisions require new buildings, additions or alterations to existing buildings, or the use of any part of the site not occupied by building, to be assessed against the urban design assessment matters and such an assessment includes consideration of design and the impact of a building on neighbouring sites and the surrounding environment. The provisions support the promotion of a high standard of amenity as required Objective 15.2.6.3 - Amenity while managing effects on the environment, consistent with Part 2 of the Act. Further, as outlined above, I am of the view that the activity status provisions proposed remain enabling as required by Policy 3 of the NPS-UD.
- 8.1.13 I therefore recommend that these submission points be accepted, accepted in part, or rejected accordingly.
- 8.1.14 Property Council New Zealand (242.9) have sought that Council provides consistent and clear guidelines to provide certainty for the development community, particularly given the length of resource and time it takes to establish a project prior to its construction. They also urge the Council to work in partnership with the public and private development sectors. The Council is required to ensure that all plan provisions are clear, easy to understand and minimise reliance on consenting processes in accordance with Strategic Objective 3.3.2. Further, Council has resources such as duty planner phone advice and pre-application meetings which the development community can utilize when designing and planning a project. I therefore recommend that this submission point is accepted.

***Sunlight and outlook provisions in the CCZ***

- 8.1.15 The sunlight and outlook provisions in the CCZ include Rule 15.11.2.3 Sunlight and outlook, and Rule 15.11.2.9 Sunlight and outlook at boundary with a residential zone.
- 8.1.16 I discuss Rule 15.11.2.3 together with the provisions relating to building towers below. On Rule 15.11.2.9 Carter Group Limited, Catholic Diocese of Christchurch & K Crisley) support these provisions as notified as they will support intensification and are a more suitable response to the Christchurch context. I note K Crisley (63.85) has also sought clarification regarding the impacts

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<sup>26</sup> Evidence of Ms. Sarah Oliver, section 9.1

on neighbouring properties for sunlight access. I am of the view that this clarification is provided for the central city context in Appendix 6 to the Section 32 Report – Commercial and Industrial<sup>27</sup>.

8.1.17 Kainga Ora (834.271) have sought consequential changes to the CCZ zone provisions in Appendix 14.16.2 relating to sunlight and outlook as a result of the change they have requested to adopt the Metropolitan Centre Zone rules for Papanui, Riccarton and Hornby centers. I recommend that this submission point be considered within the wider discussion on whether to adopt the Metropolitan Centre Zone rules which Mr. Lightbody’s evidence<sup>28</sup> considers. In any case, in the event that the IHP is of the view that this zone is adopted, I am not aware of any reasons that would give rise to changes being required for the CCZ zone and would be of the view that this point be rejected as it pertains to the CCZ zone.

8.1.18 I do not consider the amendments sought to Rule 15.11.2.9 are appropriate because the provision seeks to ensure that access to sunlight and outlook is provided for residential zoned sites that are adjoining sites in the CCZ. I consider this provision is crucial to ensure residential amenity for these zones can be maintained and contribute to a WFUE<sup>29</sup> as sought in the NPD-UD. I therefore recommend that these submission points are accepted or rejected accordingly.

#### ***Small buildings in the CCZ***

8.1.19 Kainga Ora (834.290) support Rule 15.11.1.2 P18 which provides for the construction of small buildings in the CCZ and sets out specific provisions that apply to such buildings, including that they must be built up to the road boundary, are of a maximum height of 21m, do not provide vehicle access nor onsite vehicle parking, and meet glazing requirements. No changes to this provision are proposed and I recommend that this submission point is accepted.

#### ***Central City Mixed Use & Central City Mixed Use (South Frame) Zones***

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<sup>27</sup> Appendix 6 – Technical Report – Urban Design – Commercial Zones – Christchurch City Council <https://www.ccc.govt.nz/assets/Documents/The-Council/Plans-Strategies-Policies-Bylaws/Plans/district-plan/Proposed-changes/2023/PC14/Section-32-Appendices-1/PC-14-Commercial-Chapter-Technical-Report-Urban-Design.pdf>

<sup>28</sup> S42a Report – Mr. Kirk Lightbody, section 8.1

<sup>29</sup> Discussed above in section “Implementing the NPS-UD for the City Centre and Mixed Use Zones”

- 8.1.20 Ms. Williams has provided evidence on the urban design provisions relating to the CCMU and CCMU(SF) zones. I agree with and adopt her views on the urban form sought for these zones<sup>30</sup>. In summary, she has recommended the retention of the PC14 notified building height of 32m (except for a few small areas close to Bealey Ave as shown on the map in her evidence and above)<sup>31</sup>. This recommendation is subject to amendments<sup>32</sup> to the built form standards to manage the potential adverse effects of the additional building height on ensuring a WFUE<sup>33</sup> for the CCMU that sites are generally largely than those in CCZ. For the CCMU(SF) zone Ms. Williams recommends the retention of the PC14 notified height limit of 21m, with an exception to this for the block bound by Manchester, Lichfield, Madras and Tuam Streets, which do not front High Street as their legal street address. These sites currently exhibit a 28m height limit and on this basis Ms. Williams considers elevating to 32m is appropriate, particularly given the proximity of this area to Te Kaha.
- 8.1.21 B. Love (799.10; 799.11), J Schroder (780.24), Regulus Property Investments Limited (810.15) and J Barbour (812.11) seek to retain the provisions as notified which support the intensification of urban form, enable mixed land uses, and provide for additional development capacity. However, I note that (Regulus Property Investments Limited (810.20), J Barbour (812.20) also seek to remove any provisions that do not support intensification of urban form.
- 8.1.22 M Darbyshire, (768.7) seeks that the requirements for green space, tree canopy, lanes, and mid-block pedestrian connections be strengthened.
- 8.1.23 Several submitters have broadly sought removal of proposed provisions, and amendments to existing provisions relating to the activity status standards that relate to urban design matters for the CCMU and CCMU(SF), primarily where they require urban design assessment. They are of the view that the provisions are excessive, unnecessary, or inappropriate for the purposes of promoting intensification and impose additional consenting requirements. In summary they seek changes to:
- a. Rule 15.12.1.3 – RD4 – Seek that this rule be deleted because its requirement for consent for residential developments within the CCMUZ is not necessary or appropriate for the

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<sup>30</sup> From paragraph 20, Evidence of Ms. Nicola Williams

<sup>31</sup> Discussed further in the evidence of both Ms. Nicola Williams and Mr. Andrew Willis.

<sup>32</sup> Evidence of Ms. Nicola Williams, section 'Amended provisions'

<sup>33</sup> Discussed above in section "Implementing the NPS-UD for the City Centre and Mixed Use Zones"

purposes of promoting intensification and will impose additional consenting requirements with associated implications in terms of time, cost, and uncertainty (Carter Group Limited, 814.214; Catholic Diocese of Christchurch, 823.180).

- b. Rule 15.12.1.3 – RD5 – Seeks that new buildings and external alterations to existing buildings are permitted activities within the CCMUZ(SF), provided that the relevant standards, including the building height standard, are complied with (Catholic Diocese of Christchurch, 823.181; Oyster Management Limited, 872.10).
- c. Rule 15.13.1.2 – C1 – Delete rule (Oyster Management Limited, 872.3).
- d. Rule 15.13.1.3 – RD1 – Delete rule (Oyster Management Limited, 872.4).

8.1.24 Some submitters have also requested amendments to rules that require additional design standards regarding street setbacks, glazing, outlook spaces, because they consider that these provisions will not provide for the level of enablement of development sought by the policies set out in the NPS-UD. Kainga Ora (834) also consider that the matters of control and discretion need to be clear to ensure it is easily understood what matters an application will be assessed against. The affected provisions in the CCMU and CCMU(SF) are:

- a. Rule 15.12.1.3 – RD2 (Kainga Ora, 834.305; Catholic Diocese of Christchurch, 823.179).
- b. Rule 15.12.1.1 Permitted activities (Carter Group Limited, 814.211).
- c. Rule 15.12.2.12 – Glazing – Oppose and seek it is deleted – Carter Group Limited, 814.223).
- d. Rule 15.13.1.3 – RD5 – Remove proposed new clauses j) – m) (Carter Group Limited, 814.226; Catholic Diocese of Christchurch, 823.192).

8.1.25 Regarding the glazing provisions for both CCMU and CCMU(SF), Shaw (235) seeks that the built form standards relating to minimum glazing requirements for new buildings (Rule 15.12.2.12 and 15.13.2.12) allow for more flexibility in achieving the intent of the policy because the 20% figure seem arbitrary and prescriptive, which could have the negative consequence of affecting the thermal performance of a home.

8.1.26 Ms. Williams outlines that these provisions are important to achieve a WFUE<sup>34</sup> that provides adequate amenity for both residents and city users, by providing good access to sunlight and outlook particularly for apartments that are anticipated in this higher density environment. I

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<sup>34</sup> Discussed above in section “Implementing the NPS-UD for the City Centre and Mixed Use Zones”



agree with Ms. Williams view and consider these provisions should be retained as notified. I therefore recommend that these submission points be rejected.

8.1.27 Whilst several submitters, listed above, have sought changes to the status of activities in the CCMU and CCMU(SF) it is my view that the framework as notified sets appropriate triggers for assessment and remains enabling as required by the NPS-UD. As discussed above, 'enabling' in the context of ensuring that the CDP framework gives effect to Policy 3 of the NPS-UD means firstly 'permitted activities' i.e. those that the CDP permits outright, controlled and restricted discretionary activities provided the policy framework sitting behind such activities is supportive of the activities and provides sufficient direction to plan users as to what can be considered in an assessment and what the CDP is seeking to achieve. Conversely, if the policy direction is framed to require the 'avoidance' of such activities, or an activity has a non-complying status then the framework would not be considered to be 'enabling' of such activities.

8.1.28 In the context of urban design provisions for both the CCMU and CCMU(SF), the CDP sets an enabling framework by way of controlled or restricted discretionary activity status<sup>35</sup> for new buildings, additions, and alterations to buildings (or any part of the site not occupied by building) where such activities are visible from publicly owned and accessible spaces, 17m or less in height and certified by a Council-approved urban designer. If a built form standard is breached<sup>36</sup> or the building is higher than 17m<sup>37</sup>, then the activity is restricted discretionary. Both provisions have corresponding matters of discretion that provide guidance on how such activities should be assessed. In my opinion, as discussed above, these provisions can be considered to be enabling in the context of the NPS-UD and therefore I do not recommend any changes to these provisions.

8.1.29 J Carr (519.9) considers that the minimum lot size in the CCMU should be reduced as the operative District Plan site size of 500m<sup>2</sup> is too big and likely to discourage smaller developers from creating interesting buildings. I firstly note that no changes are proposed to this provision in PC14 as notified, therefore I consider this submission to potentially be out of scope. In any case, I am of the view that the provisions proposed encourage a diversity of activities within sites and mixed tenancies within buildings to encourage the interesting buildings sought by J Carr. Further, Policy 15.2.4.2 seeks that new development embodies both a human scale and fine

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<sup>35</sup> Christchurch District Plan, Rule 15.13.1.2 C1

<sup>36</sup> Christchurch District Plan, Rule 15.12.1.3 RD2 & Rule 15.13.1.3 RD5

<sup>37</sup> Christchurch District Plan, Rule 15.12.1.3 RD5 & Rule 15.13.1.3 RD1

grain, which I consider includes smaller buildings and their facades that could achieve the visual interest and amenity sought. I therefore recommend that this submission point is rejected.

- 8.1.30 On the sunlight and outlook rule for the CCMU and CCMU(SF), K Crisley (63.60; 63.61) and S Burns (276.19; 276.20) have submitted in support of these changes as notified. No changes are proposed to the provisions relating to sunlight and outlook. I recommend that these submission points be accepted or rejected accordingly.
- 8.1.31 Kainga Ora (834.272) have sought consequential changes to the CCMU zone provisions in Appendix 14.16.2 relating to sunlight and outlook as a result of the change they have requested to adopt the Metropolitan Centre Zone rules for Papanui, Riccarton and Hornby centers. I recommend that this submission point be considered within the wider discussion on whether to adopt the Metropolitan Centre Zone rules which Mr. Lightbody's section 42A report<sup>38</sup> considers. In any case, in the event the IHP is of the view that this zone is adopted, I am not aware of any reasons that would give rise to changes being required for the CCMU zone and would be of the view that this point be rejected as it pertains to the CCMU zone.
- 8.1.32 On the landscaping provisions for the CCMU and CCMU(SF) zones, Kainga Ora (834.307; 834.309; 834.320) have sought the deletion of the landscaping provisions because they are excessive and unduly constraining; whilst Carter Group Limited (814.218) and Catholic Diocese of Christchurch (823.184) seek that the proposed amendments be deleted, and landscaping requirements remain at 5% rather than 10% of the site. The landscaping provisions for CCMU and CCMU(SF) seek to ensure a level of amenity is provided within the diverse environment in these zones. I note that on this rule the Section 32 Report<sup>39</sup> *'required any setback to be landscaped'*. I agree with this approach and consider that landscaping provisions need to be retained. Further, I agree with the evidence of Ms. Williams, that a landscaping requirement for Rule 15.12.2.7 is appropriate to provide a level of amenity at the inter-zone interface with residential zoned sites. Ms. Williams considers this relief will assist with the 32m height limit proposed. I note that Fire and Emergency New Zealand (**FENZ**; 842.69) have submitted on Rule 15.12.2.7 seeking that it be retained as notified. I agree with and adopt the assessment provided by Ms. Williams, to amend Rule 15.12.2.7 to require landscaping along the boundaries and therefore recommend that the submission from FENZ is accepted in part.

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<sup>38</sup> S42a Report – Mr. Kirk Lightbody, section 8.1

<sup>39</sup> Section 32 Report – Industrial & Commercial, section 8.1

8.1.33 I accept this recommendation and therefore recommend that these submission points be rejected.

**Recommendations**

8.1.34 On reviewing the relevant provisions proposed in PC14, the urban design advice from Ms. Williams and Mr Ray, together with the submission points above, for the reasons I have discussed above, I am of the view that the proposed planning framework in the context of the urban design provisions is sufficiently 'enabling' as required by the NPS-UD and therefore accept or reject these submission points accordingly.

**Policy – Amenity 15.2.6.3**

| Sub. No. | Summary of relief sought <i>[copy from the summary of submissions table]</i>   | Recommendation |
|----------|--|----------------|
| 689; 760 | Policy 15.2.6.3 – Amenity [Retain Policy as notified]  | Accept         |
| 811.82   | Delete amendments that could limit intensification provisions of the NPS-UD, and amend the policy to include:<br><br><i>a. Promote a high standard of amenity and discourage activities from establishing where they will have an adverse effect on the <b>developing and changing evolving</b> amenity values of the Central City by: ...</i> | Reject         |
| 814; 823 | Delete the proposed amendments in clause (a)(ii) of Policy 15.2.6.3 - Amenity  | Reject         |
| 834      | In Policy 15.2.6.3 – Delete the replacement clause (a)(ii). [Retain] the deletion of existing clause (a)(ii).  | Reject         |

8.1.35 Two submitters (Environment Canterbury - 689.61; Christchurch NZ – 760.6) have submitted in support of 15.2.6.3 Policy – Amenity as notified. This Policy seeks to implement the direction

required by the NPS-UD to provide for the changing amenity anticipated in a WFUE<sup>40</sup> where the density of activity is anticipated to increase over time. Further, the amended wording in clause ii) is proposed to provide clarity and include consideration of the adverse effects of wind. The proposed amendments are outlined below:

### 15.2.6.3 Policy - Amenity

- a.** Promote a high standard of amenity and discourage activities from establishing where they will have an adverse effect on the **evolving amenity values** of the **Central City** by:
- i. requiring an urban design assessment **for development** within the **Core of the Commercial Central City Business City Centre Zone**;
  - ~~ii. setting height limits to support the provision of sunlight, reduction in wind, avoidance of overly dominant buildings on the street and an intensity of commercial activity distributed across the zone.~~
  - ii. **setting design standards to manage access to sunlight, reduce adverse effects from wind, ensure a high quality street interface and avoid the impact of overly dominant buildings on the street and other public spaces;**
  - iii. prescribing **setback** requirements at the **boundary** with any adjoining residential zone;
  - iv. ensuring protection of sunlight and outlook for adjoining residential **activity and zones**;
  - v. setting fencing and screening requirements;
  - vi. identifying entertainment and hospitality precincts and associated noise controls for these and adjacent areas, and encouraging entertainment and hospitality activities to locate in these precincts;
  - vii. protecting the efficiency and safety of the adjacent transport networks; and
  - viii. recognising the values of Ngāi Tūāhuriri/ Ngāi Tahu in the built form, and the expression of their narrative.

8.1.36 Carter Group Limited, The Catholic Diocese of Christchurch, and Kainga Ora – Homes and Communities oppose this amendment and consider that such a change places constraints on built form which in turn can limit development capacity in such a way that is inconsistent with Policy 3 in the NPS-UD and the Housing Supply Amendment Act. Kainga Ora – Homes and Communities also consider that the replacement clause ii) should be deleted because they are of the view that it acts as a proxy to otherwise limit height contrary to Policy 3 of the NPS-UD.

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<sup>40</sup> Discussed above in section “Implementing the NPS-UD for the City Centre and Mixed Use Zones”

8.1.37 As outlined in above, the urban design approach centers on the need for such provisions to ensure the development of a WFUE within the central city whilst allowing for an increase to the density and height of buildings in the area.

8.1.38 On the amended wording sought by the Retirement Villages Association (**RVA**), I consider the words proposed hold a similar meaning to the word ‘evolving’, and the wording as notified both captures that amenity values will change over time and is more concise. The Oxford dictionary defines these three words as:

*Evolving:*

*To be transformed from one form into another by a process of gradual modification, esp. from a more rudimentary to a more highly...*

*Developing*

*Verb - transitive. To bring (something) to a fuller or more advanced state; to improve, extend.*

*Adjective - That develops or is being developed (in various senses of the verb); esp. growing, maturing.*

*Changing*

*To alter, modify, or transform (a thing); to make or render different.*

8.1.39 In the interests of providing for the clarity of the District Plan wording and ease of use, as sought by Objective 3.3.2, it is my view that the wording as notified is clearer and provides for a concise policy. Further, I consider the alternate meanings of ‘developing’ could weaken the strength of the policy and cause confusion.

8.1.40 In light of this and considering the submissions in support, it is my view that the proposed policy amendments as notified will give effect to the direction in the NPS-UD and I do not recommend any changes to this policy. I therefore recommend that the submission points are accepted or rejected accordingly as noted in the table above.

***Definition of ‘Building Base’, ‘Building Tower’ and the Building Tower provisions – setbacks, dimensions, and coverage.***

8.1.41 A key topic of contention amongst submitters are the provisions relating to the form and design of a building tower, ‘building tower’ is defined in the notified provisions as:

*In respect to the City Centre and Central City Mixed Use Zones, means the part of any building that is above the maximum permitted height for that type of building in the zone. A tower comprises the upper levels of a tall building that are set back from the property boundaries.*

8.1.42 Building base is also defined in the Plan and Kainga Ora (834) have sought changes to the definition. The definition as notified is as follows:

*In respect to the City Centre and Central City Mixed Use Zones, means any part of any building that is below the maximum permitted height for that type of building in the zone.*

8.1.43 Broadly these provisions seek to clearly define what a building tower is and manage the adverse effects a tall building can have on the site, neighbouring properties, and wider Central City environment. The maximum permitted height of buildings in the Central City is covered in the section 42A report provided by Mr. Willis, and this section should be read in conjunction with his report which I agree with and adopt.

8.1.44 The building tower provisions include:

- a. Rule 15.11.1.3 – RD5 – for a building that does not meet built form standards the building tower provisions below.
- b. Rule 15.11.1.4 – D1
- c. Rule 15.11.2.3 Sunlight and outlook for the street
- d. Rule 15.11.2.11 Building height
- e. Rule 15.11.2.12 Maximum road wall height
- f. Rule 15.11.2.14 Building tower setbacks
- g. Rule 15.11.2.15 Maximum building tower dimension and building tower coverage
- h. Rule 15.11.2.16 Maximum building tower separation.
- i. Rule 15.12.1.3 RD2
- j. Rule 15.12.2.10 Building setbacks
- k. Rule 15.12.2.11 Building tower coverage
- l. Rule 15.13.2.10 Building tower setbacks
- m. Rule 15.13.2.11 Building tower coverage
- n. Together with the matters of discretion for each provision above, set out in section 15.14.3.

8.1.45 These provisions collectively seek to manage the impact of taller buildings in the Central City (Rule 15.11.2.17 - Wind specifically seeks to reduce adverse effects of wind on the street scene, and this is discussed in the next section below).

8.1.46 Mr. Ray<sup>41</sup> discusses the building base and tower approach as one method of ensuring tall buildings “do not have an overly dominant impact on the environment” and is of the view that this approach, generally retains the “vision of the CCZ as a generally mid-rise urban form but accepting an increase to building heights to enable further development capacity”. He generally supports this approach, and states that the ‘base and tower’ approach in PC14 considers the base of the building to be the part of the building up to 28m in height, whilst the tower is any parts of the building over 28m, although in his view any part of the building over 28m in height should be relatively slender, and not be larger footprints that could dominate the skyline.

***Definition of ‘building base’ and ‘building tower’***

8.1.47 Kainga Ora (834) seek that the definition of ‘building base’ is deleted in its entirety and that the rules that refer to ‘building base’ are amended because they consider that there is inconsistency between the definition and the rule.

8.1.48 It is my view that some clarity would be beneficial to ensure it is clear what these terms mean and improve clarity of how the associated rules are applied. I recommend the following changes to the definition:

***~~In respect to For~~ the City Centre Zone ~~and~~, means any part of any building that is ~~below the maximum permitted height limit for that type of building in the zone~~ 28m or less in height. For the Central City Mixed Use Zones and Central City Mixed Use Zone (South Frame) means any part of the building that is 17m or less in height.***

8.1.49 I consider including the permitted height limit ensures that it is clear what the ‘building base’ is and provides greater clarity for plan users consistent with Objective 3.2.2 of the District Plan, which seeks “...clear, concise language so that the District Plan is easy to understand and use”. To improve the clarity of the definition further, I consider changes are also required to the wording of ‘building tower’ as follows:

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<sup>41</sup> Urban Design Evidence of Mr. Alistair Ray, Section “Building base and tower approach...”

~~*In respect to For*~~ the City Centre Zone ~~and~~, means any part of any building that is ~~above the maximum permitted height for that type of building in the zone~~ more than 28m in height. For the Central City Mixed Use Zones and Central City (South Frame) Mixed Use Zone means any part of the building that is more than 17m in height. A tower comprises the upper levels of a tall building that are set back from the property boundaries.

- 8.1.50 I therefore recommend that the submission points on the ‘building base’ definition are accepted or accepted in part accordingly.
- 8.1.51 Turning to the building tower provisions, several submitters (Kainga Ora, 834; Carter Group Limited, 814; Catholic Diocese of Christchurch, 823; and Oyster Management Limited, 872) have opposed the provisions and sought that they be deleted. Oyster Management Limited (872) also seek amendments to the activity status provisions (Rule 15.11.1.4 D1; Rule 15.12.1.3 RD2; Rule 15.13.1.3 RD5) to delete the references to the building tower standards in these rules. I note that Fire and Emergency (842.71) support Rule 15.13.1.3 RD5 as notified.
- 8.1.52 Oyster Management Limited (872), Carter Group Limited (814.202) and Catholic Diocese of Christchurch (823.168) consider the proposed restricted discretionary or discretionary activity status is not appropriate for non-compliances with the rules relating to maximum road wall height and the maximum height of the building base, because they are of the view that these rules impose additional and unnecessary restrictions on building height.
- 8.1.53 Kainga Ora (834.295) have sought amendments to Rule 15.11.2.3 Sunlight and outlook, and the deletion of the building tower rules for the CCZ including maximum road wall height (Rule 15.11.2.12), building tower setback (Rule 15.11.2.14), maximum building tower dimensions and coverage (Rule 15.11.2.15) and maximum building tower separation (Rule 15.11.2.16). They also seek amendments to Rule 15.11.1.3 RD5 to remove the matters of discretion m) and n) which relate to building tower dimensions and site coverage, and wind. Overall, they are of the view that these provisions are unnecessary and “*act as proxies to restrict height and associated development capacity*”, do not give effect to the NPS-UD Policy 3 direction to enable as much development capacity as possible in the CCZ, and for which no sound resource management purpose has been provided.
- 8.1.54 A number of submitters support Rule 15.11.2.3 as notified, including Carter Group Limited, Catholic Diocese of Christchurch, S Burns, & K Crisley, and this support is noted.



8.1.55 As outlined by Mr. Ray, the building tower provisions seek to manage the adverse effects that can arise when taller buildings are constructed within the urban environment. The intention of these provisions is firstly captured in *Appendix 6 Technical Report – Urban Design – Commercial Zones*<sup>42</sup> that accompanied the s32 report – Commercial and Industrial. Mr. Ray expands on this, in the context of the CCZ, and responds to the concerns raised by submitters regarding these provisions in his evidence. I adopt and draw on the discussion outlined in Mr. Ray’s evidence as it relates to these provisions below. The diagram below shows the application of the building tower rules and how these are intended to work together, I note that is an updated version from that shown in Appendix B Chapter 15 Commercial and shows the application of the provisions for both sites within a city block and sites situated on street corners. If the IHP is of the view that the amendments discussed below be approved, then I recommend that the updated diagram replaces that shown in Rule 15.11.2.3.

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<sup>42</sup> Appendix 6 Technical Report – Urban Design – Commercial Zones <https://www.ccc.govt.nz/assets/Documents/The-Council/Plans-Strategies-Policies-Bylaws/Plans/district-plan/Proposed-changes/2023/PC14/Section-32-Appendices-1/PC-14-Commercial-Chapter-Technical-Report-Urban-Design.pdf>

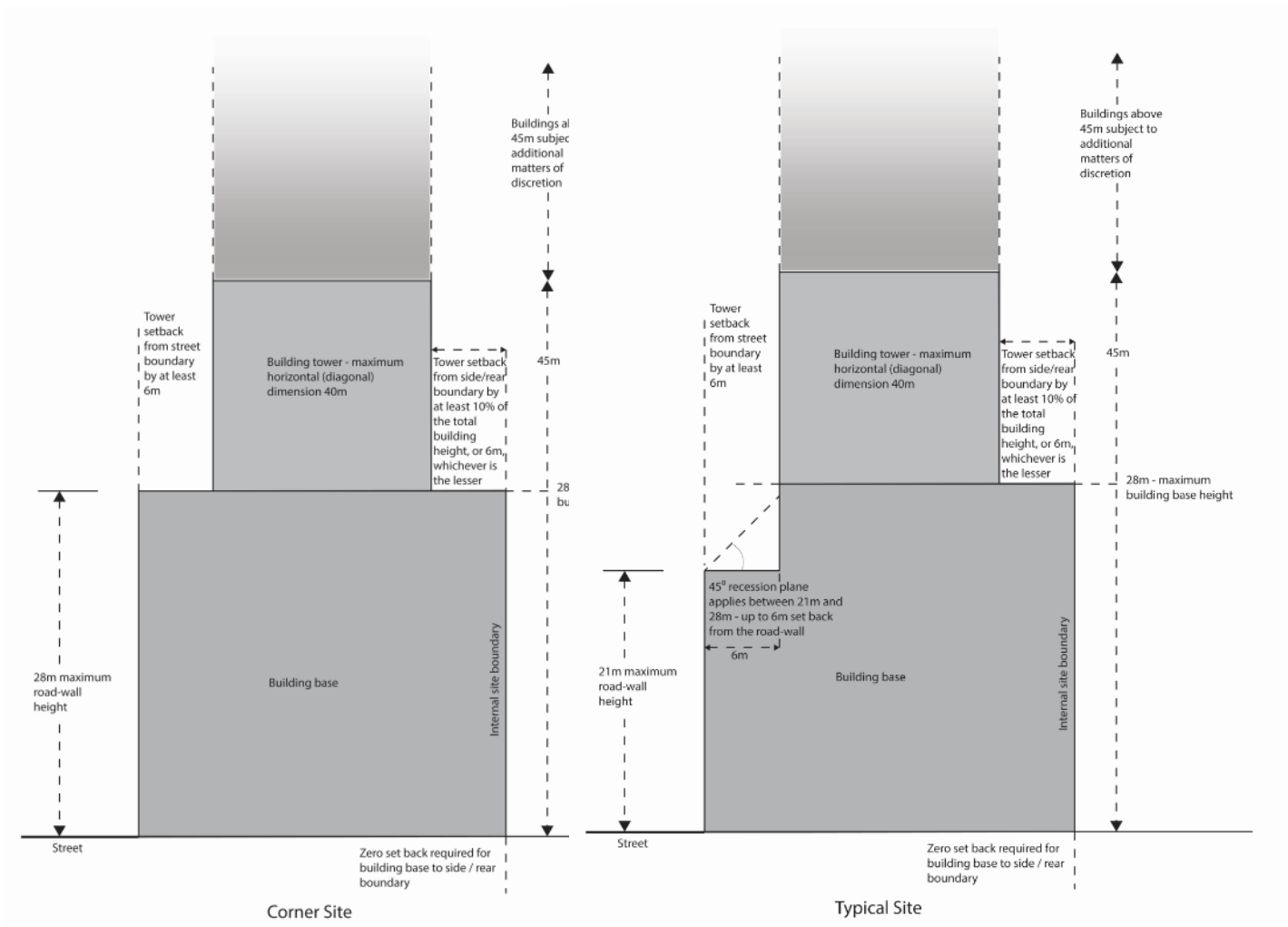


Figure 1 Images above showing the application of the building tower rules for both a corner site (left) and with a city block (right)

**Rule 15.11.2.3 Sunlight and outlook for the street and Rule 15.11.2.12 – Maximum road wall height**

8.1.56 In his assessment of Rule 15.11.2.12 – Maximum road wall height, Mr. Ray notes that “the operative plan controlled the position of parts of the building above the 21m street wall by the use of a 45° recession plane, activated at the top of the street wall.”<sup>43</sup> The maximum road wall

<sup>43</sup> Urban Design Evidence of Mr. Alistair Ray, Section “Road-wall height”, (Rule 15.10.2.3 in operative Plan)

height is 21m as proposed by PC14, and Rule 15.11.2.3 – Sunlight and outlook for the street applies from maximum road wall height (21m) to a maximum height of 28m (note that the rule does not apply to a building situation on a street corner, measured 30m from the corner). Together, these two rules are designed to ensure that buildings retain a sense of human scale when viewed at street level, and to permit access to sunlight and daylight year-round in the streetscape in the Central City. For street corners, the provisions intend to enable the construction of prominent landmark buildings with more development capacity, whilst acknowledging that the potential adverse effects are generally reduced as there is more space for access to sunlight.

8.1.57 The application of these two rules is shown in the diagrams noted above.

8.1.58 Mr. Ray<sup>44</sup> outlines that previous work for both CDP and PC14 has modelled building heights, road widths and sun angles, and this work informed the current approach of a 21m road wall height with a 45° recession plane. Together, these provisions seek to ensure the streets in the Central City still get access to sunlight. In his view, Mr. Ray considers that generally these provisions are working successfully in the current Central City environment, further he considers that “...it is important to protect daylight and sunlight to the street as well as reinforce the particular character of Ōtautahi Christchurch... (explained throughout his evidence)”. I agree with the explanation provided by Mr. Ray, and it is my view that the sunlight and outlook provisions are a key component of the Plan framework to ensure that the built form in the CCZ develops as a WFUE.

8.1.59 In the context of the built form of a building tower, Mr. Ray notes that whilst the provisions ensure that a street ratio of 1:1 is provided, which is generally comfortable for people at street-level, they can result in a staircase or ‘wedding cake’ effect. With additional storeys between 21m and 28m needing to be progressively setback from each other to comply with the 45° recession plane, Mr. Ray notes that this “can look rather awkward in built form”, particularly if the tower elements are setback further than 6m which, could also create a canyon effect in the street and “will create either a very odd building form, or a confusing / contradictory set of rules.” To address this, he recommends an amendment to Rule 15.11.2.3 to limit the recession plane so it only applies until the upper floors are set back 6m from the road wall. Mr. Ray is of the view that this

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<sup>44</sup> Evidence of Mr. Alistair Ray, paragraphs 123 and 238

setback is easy to understand and refines the application of the provisions to avoid creating an odd building form.

8.1.60 Currently PC14 does this in clause ii) by including a permitted road wall height of 28m for corners sites for a maximum distance of 30m from the corner. Mr. Ray agrees with this concept but suggests the approach is confusing when paired with the exemption in Rule 15.11.2.12. To address this, he recommends amending the wording in clause iii) as follows:

*iii. For sites located on a street intersection, ~~a maximum height of 28m for a maximum distance of this rule shall not apply within 30m from the street corner.~~*

8.1.61 The proposed wording of Rule 15.11.2.3 with the changes recommended by Mr. Ray would read as follows:

- a. *Buildings shall not project beyond a 45 degree recession plane measured from the maximum road wall height and angling into the site:
  - i. Up to a maximum height of 28m; or
  - ii. For sites located on a street intersection, this rule shall not apply within 30m of the street corner
  - iii. Except that this rule shall not apply to access ways, service lanes, or to New Regent Street.*
- b. **This rule applies only until the upper floors of the building tower are set back 6m from the road wall.**
- c. *Any application arising from this rule shall not be limited or publicly notified.*
- d. *This rule does not apply to new buildings and alterations permitted by Rule 15.11.1.1 P18.*

8.1.62 I consider that the proposed minor amendment Rule 15.11.2.12 will make the rule clearer to apply and achieve the desired slender building tower form for Christchurch, as outlined Mr. Ray. Further, I consider that the amendment could enable greater development capacity to a small degree by reducing the ‘wedding cake’ effect of built form, which could otherwise reduce the floor space provided in commercial towers *whilst* providing for a WFUE<sup>45</sup> as required by the NPS-UD.

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<sup>45</sup> Discussed above in section “Implementing the NPS-UD for the City Centre and Mixed Use Zones”

8.1.63 In addition to the above, Kainga Ora (834.271) have sought consequential changes to the CCZ zone provisions in Appendix 14.16.2 relating to sunlight and outlook, resulting from the change they have requested to adopt the Metropolitan Centre Zone rules for Papanui, Riccarton and Hornby centers. I recommend that this submission point be considered within the wider discussion on whether to adopt the Metropolitan Centre Zone rules which Mr. Lightbody's section 42A report<sup>46</sup> considers. In any case, in the event that the IHP is of the view that this zone is adopted, I am not aware of any reasons that would give rise to changes being required for the CCZ zone and would be of the view that this point be rejected as it pertains to the CCZ zone.

8.1.64 For the reasons outlined above, I recommend minor amendments to Rule 15.11.2.3. I recommend that the submission points on these matters be accepted or rejected accordingly.

***Rule 15.11.2.15 – Maximum building tower dimension and building tower coverage***

8.1.65 Mr. Ray explains and discusses the intention of Rule 15.11.2.15, clause a) which sets a maximum tower dimension<sup>47</sup>. The District Plan sets a maximum tower dimension of 40m, and this is measured horizontally between the exterior faces of the two most separate parts of the building. For a rectangular or square floorplate this would be a diagonal measurement. I agree with the points raised by Mr. Ray on this provision, including that the Ōtautahi Christchurch environment has specific characteristics, such as climate conditions and a generally lower city form, that mean a slender tower form is appropriate. I therefore do not recommend any substantive changes to this provision nor the 40m dimension proposed as notified. I do recommend a minor amendment to include a diagram to assist with the application of the rule.

***Rule 15.11.2.14 Building tower setbacks and Rule 15.11.2.16 Minimum building tower separation***

8.1.66 These provisions set both a boundary setback (that all parts of the building tower above 28m are set back by a distance equal to 10% of the total building height) and a requirement for building towers on the same site to be at least 12m from each other. As Mr. Ray<sup>48</sup> states, these provisions seek to allow for sky views and sunlight penetration for the street environment.

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<sup>46</sup> S42a Report – Mr. Kirk Lightbody, section 8.1

<sup>47</sup> Urban Design Evidence of Mr. Alistair Ray, Section 'Maximum tower dimension'

<sup>48</sup> Urban Design Evidence of Mr. Alistair Ray, Section 'Tower setback and tower separation'

8.1.67 Rule 15.11.2.14 Building tower setbacks as notified is as follows:

- a. All parts of the building tower shall be set back from any boundary by a distance equal to 10% of the total height of the building.
- b. This rule does not apply to new buildings and alterations permitted by Rule 15.11.1.1 P18.

8.1.68 On the 10% setback, I agree with Mr. Ray's view that the provision seeks to provide greater flexibility for the positioning of a building tower. However, as Mr. Ray notes this could be problematic in some situations where, for example, the rule is applied to a lower building of 35m in height and the setback would need to be 3.5m, where a taller building of 75m would need to be setback 7.5m. He is of the view that a 6m boundary setback is reasonable *"even for buildings taller than 60m, when considering the other controls such as the maximum tower dimension and also relates to the proposed consistent 6m setback from the road-wall."* To address this, he recommends the following amendment:

- a. *All parts of the building tower shall be setback **at least 6m from the street boundary, and from side / rear boundaries** by ~~a~~ **at least the** distance equal to 10% of the total height of the building, **or at least 6m, whichever is the lesser.***

8.1.69 I agree with the reasoning outlined by Mr. Ray. I am of the view that this amendment refines the application of the rule and allows a more site-specific approach to the requirements for a building tower, depending on their height as to what setbacks are appropriate.

8.1.70 I recommend a slight change to wording for clarity.

8.1.71 Mr. Ray agrees with the approach taken in Rule 15.11.2.16 and considers that whilst the rule may not be used frequently due to the typical size of sites in Christchurch, the standard will ensure each tower has sufficient access to outlook and access to sunlight. Noting Mr. Ray's views I do not recommend any changes to this provision as notified.

### ***Recommendations***

8.1.72 For the reasons set out above, and in the evidence of Mr. Ray, I recommend the retention of the package of provisions collectively referred to here as the 'building base and tower' provisions, with some minor amendments to improve their application to the Christchurch context. I

consider they are crucial to ensure that intensification is encouraged in the CCZ, via increased building heights, whilst providing for a WFUE<sup>49</sup> as required by the NPS-UD.

***Building tower provisions for CCMU and CCMU(SF)***

8.1.73 Turning to the CCMU and CCMU(SF) provisions, Kainga Ora (834) consider that the rules regarding building tower setbacks (Rules 15.12.2.10 and 15.13.2.10) and building tower coverage (Rules 15.12.2.11 and 15.13.2.11) should be deleted. For the reasons set out above in relation to the building tower provisions in the CCZ, I am of the view that these provisions are appropriate to ensure the increased building heights and development capacity can be implemented in the CCMU and CCMUS(SF), whilst ensuring that a WFUE<sup>50</sup> can be achieved by still providing access to sunlight and avoid overshadowing in the streetscape and laneways in the CCMU area. I therefore recommend that these submission points be rejected.

8.1.74 As discussed above, Ms. Williams recommends the retention of the PC14 notified building height of 32m (except for a few small areas close to Bealey Ave as shown on the map in her evidence and above)<sup>51</sup>. Further, she recommends changes to include a 40m diagonal tower dimension (Rule 15.12.2.11) and a 45° recession plane (Rule 15.12.2.10) to ensure the potential overshadowing and visual bulk effects of greater development envelope (from that in the operative Plan) can be managed. For the reasons outlined in her evidence<sup>52</sup>. I agree with this recommended minor amendment to assist with the enablement of greater intensification of activities whilst ensuring the realisation of a WFUE<sup>53</sup> and a high quality streetscape. I note that I do not consider equivalent changes to be required for the CCMU(SF) due to the permitted building height proposed being lower at 21m and the proposed rules as notified being adequate to manage the built form in these locations.

8.1.75 Turning the appropriateness of the activity status for non-compliances with the building base and tower provisions for CCMU and CCMU(SF), Oyster Management Limited (872) considers that the restricted discretionary or discretionary activity status is not appropriate for non-compliances

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<sup>49</sup> Discussed above in section “Implementing the NPS-UD for the City Centre and Mixed Use Zones”

<sup>50</sup> Discussed above in section “Implementing the NPS-UD for the City Centre and Mixed Use Zones”

<sup>51</sup> Evidence of Ms. Nicola Williams, Section ‘PC14 Amendments’

<sup>52</sup> Evidence of Ms. Nicola Williams, Section ‘PC14 Amendments’

<sup>53</sup> Discussed above in section “Implementing the NPS-UD for the City Centre and Mixed Use Zones”

with the rules relating to maximum road wall height and the maximum height of the building base, because they are of the view that these rules impose additional and unnecessary restrictions on building height.

8.1.76 It is my view that the activity status for non-compliances with the building tower provisions for the CCMU and CCMU(SF) are appropriate because:

- d. They allow for limited council discretion to consider applications where they comply with all other built form standards, and wider discretion for applications that there may be a wider ambit of effects that cannot be easily prescribed as matters of discretion for a Restricted Discretionary activity. The risk of trying to write matters of discretion in such circumstances is that the framework would work in practice like a full Discretionary activity.
- e. There could be circumstances where the scale of a building is not appropriate in the context of its surroundings and where declining of the application is warranted, particularly where there are significant adverse effects.

8.1.77 Ms. Williams has recommended a minor amendment to Rule 15.12.1.3 RD5, which sets the activity status for new, or additions or alterations to, buildings 17m or greater in height, to change the matters of discretion to refer to those for upper floor setbacks, tower dimensions and site coverage (Rule 15.14.3.35) and building height (Rule 15.14.3.36), rather than the broad urban design matters of discretion in Rule 15.14.2.6. I am of the view that the amendment recommended by Ms. Williams is appropriate to improve the clarity of the rule. Further, I consider this change will ensure that the discretion applied to the assessment of an application is limited to the relevant built form non-compliances. In doing so, the matters are more focused and there is a greater level of certainty and clarity for the applicant of what they need to consider in an application.

8.1.78 I do not recommend any other changes to the activity status provisions and recommend that the submission points from Oyster Management Limited (872) are rejected.

### ***Recommendations***

8.1.79 Except where noted above, I agree with and adopt the discussion in the evidence of both Mr. Ray and Ms. Williams on the building base and tower provisions. I recommend that the submission points noted are accepted or rejected accordingly.



**Management of wind effects arising due to taller buildings**

| Sub. No.  | Summary of relief sought   | Recommendation                 |
|---|--|--------------------------------|
| 689.62; 760.8   | Policy 15.2.6.5 – Pedestrian Focus [Retain Policy as notified]   | Accept                         |
| 811.84; 814.190<br>814.210; 814.237<br>823.156; 823.176<br>823.210; 834.250<br>834.301; 834.329 | Oppose and seek deletion of Rule 15.14.3.39 – Wind.<br>Oppose and seek deletion of built form standard Rule 15.11.2.17 – Wind.<br>Seek that clause (ii) is removed from Policy 15.2.6.5. | See Appendix A and text below. |

8.1.80 A key change in the notified provisions for the CCZ is the introduction of Rule 15.11.2.17 and its subsequent policy change to add “wind generation” to clause ii) in Policy 15.2.6.5 - Pedestrian Focus, and the matter of discretion Rule 15.14.3.39. Collectively the approach seeks to require the consideration of wind effects where new buildings, structures, or additions above 30m in height are proposed, to consider the impacts of wind caused by tall buildings on the safety and comfort of people within the central city environment.

8.1.81 Six submissions were received on these provisions, with Environment Canterbury / Canterbury Regional Council and ChristchurchNZ supporting the provisions as notified, whilst the Retirement Villages Association of New Zealand Inc (811.84), Carter Group Limited (814), Catholic Diocese of Christchurch (823) and Kainga Ora (834) seek the removal of ‘wind generation’ from the rule, matter of discretion, and amendments to Policy 15.2.6.5 accordingly. Overall, the submitters opposing this approach consider that the section 32 analysis did not demonstrate sufficient evidence that the proposed approach was the most efficient and effective means to manage wind effects, that the changes undermine the enablement of building height and intensification as required by the NPS-UD, and that it imposes additional consenting requirements which create uncertainty for applicants. Finally, they consider the inclusion of the provision is outside the scope of PC14.

- 8.1.82 As outlined above and in his evidence, Mr. Ray<sup>54</sup> considers that wind effects are one of the crucial considerations when considering the impact of taller buildings within the CCZ. Indeed, as discussed by Mr. Willis, when contemplating what an appropriate maximum building height limit for the city might be, the consideration of wind and the need to avoid the creation of wind tunnels to support a WFUE<sup>55</sup> within the central city for people is one of the key effects we are seeking to manage and avoid.
- 8.1.83 Mr. Mike Green<sup>56</sup> provided technical advice to inform the development of the proposed provisions that seek to manage the impact of wind caused by tall buildings, and he has provided evidence to address matters arising from submissions. He reiterates that wind can have negative effects on pedestrian comfort and safety within the streetscape, and that in the CBD *“wind impacts at ground level increase for building heights above around 30 m which is cause by taller buildings intercepting stronger winds above the sheltered zone. Taller buildings cause deflection of stronger winds towards street level, while buildings with larger footprints can create wind tunnel effects at street level.”* Further, he notes that Auckland, Wellington, and Dunedin all require wind assessments for new tall buildings, albeit at varying height thresholds.
- 8.1.84 I accept Mr. Green’s statements and do not agree with Carter Group Limited, Catholic Diocese of Christchurch, Kainga Ora, who are of the view that the proposed changes undermine the enablement of building height and intensification as required by the NPS-UD. It is my view that it is appropriate to consider and mitigate the potential adverse effects of new tall buildings, or additions and alterations to existing tall buildings, particularly where they could have a detrimental effect on people at street level such that they could make it an unsafe or unpleasant environment to be which does not support a WFUE<sup>57</sup>. I consider this is a crucial consideration in the central city where the greater intensification of activities is likely to result in people relying on, and using, shared open spaces, parks, and laneway outside their homes.
- 8.1.85 I now turn my mind to consider the proposed framework and whether it will achieve the purpose of the amendments to Policy 15.11.2.17.

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<sup>54</sup> Evidence of Mr. Alistair Ray, section “Wind”

<sup>55</sup> Discussed above in section “Implementing the NPS-UD for the City Centre and Mixed Use Zones”

<sup>56</sup> Evidence of Mr. Mike Green

<sup>57</sup> Discussed above in section “Implementing the NPS-UD for the City Centre and Mixed Use Zones”

- 8.1.86 Catholic Diocese (823.210) and Carter Group Limited (814.237) consider that requiring wind assessments will add additional cost and complexity to the resource consent process. Mr. Green states in his evidence that wind assessments require the use of complex tools and that the cost can vary depending on the building and complexity of the surroundings, however he states that a wind impact study would likely cost in the range of \$5,000 to \$15,000. I am of the view that this cost is not unreasonable within the overall costs associated with constructing a new building in the central city, and I am of the view that the benefits of undertaking such an assessment are significant for the contribution that a new building designed well will make to a WFUE<sup>58</sup>.
- 8.1.87 I am concerned with the potential difficulties that could arise when determining whether a proposal complies with a rule or not, where that rule requires a technical assessment to determine compliance. Whilst other provisions in the CDP also require technical information to assess compliance (such as those for acoustic insulation to address adverse noise effects) in my view, such information can often be provided later in the process if required. I do not consider this approach would be as feasible for wind assessments as it is apparent this modelling and analysis is far more complex and changes to building design early on in the process could be significant mitigating factors to reduce such effects. Further, because of the level of complexity that wind assessments entail, I do not consider it is appropriate in a built form standard particularly when such assessments could be undertaken during a resource consent assessment process, rather than in an initial 'compliance check' against CDP provisions. For these reasons, and those expressed by Mr. Green, I am of the view that it is important to ensure consideration of these effects early in the process, but I do not consider a built form standard is the most appropriate way to do this. Particularly in the context of the CCZ where any new buildings, or additions and alterations to existing buildings, will require resource consent and assessment against the urban design matters in Rule 15.14.2.6. I note that city-wide approach is proposed for the wider city, with wind provisions proposed to be contained in Chapter 6. I have considered whether the CCZ provisions would be more appropriate there, however I am of the view that the CCZ context is different as resource consent will be required for tall buildings due to urban design considerations. I therefore consider it is helpful to also have the wind matters of discretion kept together, with the other matters people need to be aware of when proposing tall buildings in the city, as these matters are also closely interrelated.

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<sup>58</sup> Discussed above in section "Implementing the NPS-UD for the City Centre and Mixed Use Zones"

8.1.88 Taking into account the views of the submitters, together with the expert advice received, it is apparent that taller buildings can have detrimental wind effects on the streetscape, particularly for pedestrians moving through the city. I therefore consider it is important to provide a planning framework to allow for the assessment of such effects. Having said that, I can also see the reservations of requiring a rule in the District Plan of a technical nature that needs expert advice before determining whether a proposal meets the requirements is permitted or not. Therefore, I consider it would be more beneficial to remove the rule and instead include a matter of discretion contained within the matters of discretion applying to taller buildings. To make this change I recommend including a reworded matter of discretion below and referring to this in the matters of discretion for urban design in Rule 15.14.2.6. I recommend deleting Rule 15.11.2.7.

**a. The extent to which the building or use:...**

viii. **For buildings or parts of buildings over 30m in height, considers the adverse impacts of wind caused by tall buildings on the safety and comfort of people, whether ~~sedentary~~ stationary or moving, at street level and in other public open spaces including Cathedral Square, Victoria Square, the Otākaro Avon River Corridor, the Margaret Mahy Family Playground, any public open space zoned Open Space Community Park Zone, Central City Heritage Triangles and other parks, and any mitigation measures proposed, demonstrated through the use of wind modelling and analysis.**

**Advice Note:**

- **For the purpose of this assessment, safety and comfort will be demonstrated where the building does not result in wind conditions that exceed the following cumulative wind condition standards (Gust Equivalent Mean) more than 5% annually at ground level, within 100m of the site based on modelling:**
  - i. **4 m/s at the boundary of the site street frontage for the width of the footpath;**
  - ii. **6 m/s within any carriageway adjacent to the site;**
  - iii. **4 m/s at the following listed public open spaces:**
    - A. **The Avon River Precinct Zone;**
    - B. **Cathedral Square;**
    - C. **Victoria Square;**
    - D. **Any public open space zoned Open Space Community Park Zone;**

**E. The Margaret Mahy Family Playground.**

- **New buildings, structures or additions greater than 30 metres in height shall not result in wind speeds exceeding 15m/s more than 0.3% annually at ground level.**

8.1.89 I recommend that the submission points relating to the wind provisions are accepted or rejected accordingly.

***Residential activity provisions in the City Centre and Mixed Use Zones***

| Sub. No.  | Summary of relief sought   | Recommendation                 |
|---|--|--------------------------------|
| 305.14; 305.15;<br>305.17   | [S]upport[s] the idea of developing a new town plan.<br>[Seeks more appropriate design outcomes for higher density housing]                                    | Accept in part                 |
| 422.5; 422.6;<br>422.8  | [Reduce] the density of inner city dwellings.  | Reject                         |
| 242.10  | Support the proposed adjustments to the requirements for new housing in some of the surrounding Central City Mixed-Use Zone and the Commercial Mixed-Use Zone. |                                |
| 760.7; 834.249<br>271.31; 814.189<br>834.293;<br>823.155 811.83   | <b>CCZ - Policy 15.2.6.4 – Residential intensification</b>   | See Appendix A and text below. |
| 760.12; 834.255<br>689.69; 811.88                                 | <b>CCMU - Policy 15.2.8.3 – Residential development</b>  | See Appendix A and text below. |
| 760.13; 834.256<br>571.32; 689.70                                 | <b>CCMU(SF) - Policy 15.2.10.2 – Residential development</b>   | See Appendix A and text below. |
| 834.302;<br>834.302<br>834.304;<br>834.314<br>834.315;<br>834.316 | Residential activity specific standards, built form standards, and their associated matters of discretion  | See Appendix A and text below. |

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|--|--|--|
| 834.317;<br>834.328 235.10;<br>235.8; 814.225;<br>814.198<br>814.236;<br>823.160<br>823.164;<br>823.177<br>823.191;<br>823.211 |  |  |
|--|--|--|

8.1.90 Several submitters have commented on the residential provisions pertaining to residential activities across the CCZ, CCMU and CCMU(SF) zones. Environment Canterbury/Canterbury Regional Council (689), ChristchurchNZ (760), J Hardwood (571) and Kainga Ora (834) have submitted in support of the residential policies for each zone, with some exceptions as noted below.

**CCZ - Policy 15.2.6.4 – Residential Intensification**

8.1.91 Six submissions were received on this policy, three submitters supported the changes to this policy as notified. Carter Group Limited (814) and The Catholic Diocese of Christchurch (823) oppose the notified amendments and seek that they are deleted, whilst Kainga Ora (834) seeks that the wording is amended to moderate the qualifier ‘*high quality*’ with either ‘*good*’ or ‘*positively contributes*’.

8.1.92 The amendments to this policy as notified add reference to provisions relating to amenity, and for residential development in these areas to be of a high quality supporting a range of housing typologies, tenures and prices. The proposed policy is as follows:

- a. *Encourage the intensification of residential activity within the ~~Commercial-Central-City Business-City Centre Zone~~ by enabling **high quality residential development that supports a range of types of residential ~~development~~ typologies, tenures and prices**, with an appropriate level of amenity including:*
  - i. *provision for outdoor living space and service areas;*

- ii. *screening of outdoor storage areas and outdoor service space;*
- iii. *separation of balconies or habitable spaces from internal site boundaries;*
- iv. *prescribed minimum unit sizes; and*
- v. *internal noise protection standards.;*
- vi. ***sufficient access to daylight and sunlight;***
- vii. ***where required, communal space including interior and exterior space; and***
- viii. ***outlook for every residential unit.***

8.1.93 The ‘*high quality*’ wording has been the topic of particular interest to submitters in PC14, with consideration given to this matter in Mr. Lightbody’s section 42A report<sup>59</sup>, and in other plan changes including Plan Change 5 (PC5) relating to brownfield regeneration<sup>60</sup>. In the context of PC5, the wording of Policy 16.2.2.2 Brownfield Redevelopment was reviewed. Submitters sought the removal of ‘*high quality urban design*’ from the policy because this wording set an unnecessarily high bar for the redevelopment of brownfield sites in industrial areas, where the existing industrial context is areas that had very low amenity and therefore requiring that new developments be of ‘*high quality design*’ did not give effect to the enabling direction contained in the CRPS for brownfield regeneration. Council Planner Mr. Davison agreed with this view and also considered that “*it could generate perverse outcomes by leading to reverse sensitivity effects if there is an anticipated outcome of a high quality residential amenity adjoining existing industrial activities.*”

8.1.94 For the CCZ, the policy framework seeks that the CCZ is “attractive for businesses, residents, workers and visitors” (Objective 15.2.6) and that a “high standard of amenity” is promoted (Policy 15.2.6.3). Further, the CCZ is primarily a commercial environment with a built form that contributes positively to the evolving amenity values, and to the quality and enjoyment of the environment for the business community, residents, and visitors to the central city in accordance with Objective 15.2.8.

8.1.95 As the principal centre for Christchurch and the sub-region, it is important that a high quality of design is achieved to attracting business and visitors alike. It is a destination with significant investment in spaces and buildings in a post-earthquake environment e.g., Ōtākaro Avon River

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<sup>59</sup> S42A Report – Mr. Kirk Lightbody, section “Policy 15.2.3.2 Mixed use areas outside the central city”

<sup>60</sup> S42A Report – Industrial (Amendments to Chapter 2 & Chapter 16 of the Christchurch District Plan, 12 August 2021. From paragraph 8.7.16

corridor, as well as spaces that are valued for their historical significance e.g. Cathedral Square. In addition, I agree with Mr. Hattam's<sup>61</sup> view that it is important to ensure high quality design, and in turn amenity, for the residential activities in the CCZ particularly when it *"has the potential to have greater impacts on daylight and outlook as the result of the potential for much higher-rise buildings."* Therefore, I consider that it is appropriate to require high quality design in this context and I do not agree that a qualifier is appropriate. I recommend that this submission point be rejected.

8.1.96 Further, I consider that the policy framework requires updating to ensure it reflects the level of amenity sought by the Plan for residential activity in the CCZ, commensurate with the predominately commercial nature of the environment. I therefore recommend that the submission points from Carter Group Limited (814) and The Catholic Diocese of Christchurch (823) seeking the deletion of these provisions be rejected, and that the supporting submission points be accepted.

#### **CCMU - Policy 15.2.8.3 – Residential development**

8.1.97 Four submitters sought relief on this policy with two submitters supporting the wording as notified. Kainga Ora (834.255) seeking that the amendment *"... and which compensates for the predominantly commercial nature of the area..."* is deleted, including the existing text *"consistent with the intended built form and mix of activities within that environment..."* because they consider that these provisions dis-enable the ability to provide differing housing typologies and intensification opportunities as required by the NPS-UD.

8.1.98 RVA (811.88) seek an amendment to clause b) as follows:

b) *~~Require~~ Encourage a level of private amenity space for residents that is proportionate to the extent of residential activity proposed, and which compensates for the predominantly commercial nature of the area, through: i. ...*

8.1.99 This policy seeks to set out what the anticipated level of amenity is for residential activity in the CCMU and acknowledges that the zone occupies an area that has a mix of commercial activities.

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<sup>61</sup> Appendix 6 – Technical Report – Urban Design – Commercial Zones – Christchurch City Council, section 3.4.3 'Residential development in the central city' <https://www.ccc.govt.nz/assets/Documents/The-Council/Plans-Strategies-Policies-Bylaws/Plans/district-plan/Proposed-changes/2023/PC14/Section-32-Appendices-1/PC-14-Commercial-Chapter-Technical-Report-Urban-Design.pdf>



8.1.100 The policy is designed to provide a framework for the underlying activities and built form standards and provides guidance to planners when assessing consent applications. Given this context in the CCMU, I am of the view that it would be inappropriate for the proposed amendment to be removed as this text sets the minimum amenity standards sought for residential activities in the zone. The policy sets out how private residential amenity for residents needs to be in proportion to the extent of residential activity proposed, e.g., if both residential and commercial uses are proposed on a site, then not all of the site would be expected to be in private residential amenity space. Further, such space needs to be provided and designed in such a way that it ensures some privacy for residents and provides a usable space. As set out by Mr. Hattam<sup>62</sup>, the CCMU “*generally has very low public space amenity, with limited landscape and open space, large industrial blocks and a generally more potential for reserve sensitivity and nuisance impacts*”. The amendments seek to address this and ensure some private amenity is provided for residents in these mixed use areas, whilst providing for the intensification of development sought by the NPS-UD. For the same reasons, I do not consider it appropriate to weaken the wording of this policy to ‘encourage’ instead of ‘require’ as sought by RVA.

8.1.101 Given this assessment above, I recommend that the submission points from Kainga Ora and RVA be rejected and the submission points in support of the policy as notified be accepted.

#### ***CCMU(SF) - Policy 15.2.10.2 – Residential development***

8.1.102 Four submissions were received on this policy and three are in support as noted above. ChristchurchNZ seeks an amendment to the policy to add “*standards for*” to clause v) so it would read:

... to provide for an appropriate level of amenity for residents **that recognises the mixed use context of the development and is proportionate to the amount of residential development proposed**, by including:

v) **standards for minimum landscaping, and outlook requirements; and...**

8.1.103 I am of the view that this amendment is appropriate, as it improves the clarity and readability of the policy and thereby supports Strategic Objective 3. I recommend that this relief be accepted and that the submissions in support of the policy as notified are accepted in part.

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<sup>62</sup> Section 3.4.3 Residential development in the central city

***Residential activity specific standards, built form standards and associated matters of discretion***

8.1.104 Six submitters have submitted specifically on the activity specific standards and built form standards relating to residential activities (RVA, 811; Catholic Diocese of Christchurch, 823; Shaw, 235; Carter Group Limited, 814; Kainga Ora, 834; Property Council New Zealand, 242). The Property Council New Zealand (242.10) has submitted broadly in support of the proposed adjustments to the requirements for new housing in some of the surrounding CCMU. RVA have submitted on the provisions across CCZ and CCMU that provide for retirement village activities, I discuss these provisions collectively at Issue 4 below.

8.1.105 Looking at the residential activity standards broadly for CCZ (Rule 15.11.1.1 P13), CCMU (Rule 15.12.1.1 P16) and CCMU(SF) (Rule 15.13.1.1 P13), the Catholic Diocese of Christchurch (823) and Carter Group Limited (814) have submitted opposing the changes to these provisions and seek that the status quo is retained for both zones. They also seek that the matter of discretion Rule 15.14.3.38 Outlook Spaces is deleted in its entirety because the changes are not necessary or appropriate for the purposes of promoting intensification and will add additional consenting requirements and complexity to the process.

8.1.106 Kainga Ora (834) have also submitted on these provisions, seeking that activity specific standards for both CCMU (Rule 15.12.1.1 P16) and CCMU(SF) (Rule 15.13.1.1 P13) are amended to remove requirements relating to communal outdoor living spaces (where the communal space needs to be in addition to the landscaping requirements for the site), outdoor service spaces (because they consider this is appropriately managed through the Rule 15.12.2.5 – Screening), and that the operative District Plan wording for internal boundary setbacks should be retained and the proposed wording in g) and j) should be deleted. In addition, they oppose the new clause j) that permits a max site coverage of 50% if more than 50% of the GFA of a building is used for residential activity.

8.1.107 Ms. Williams has provided an assessment of the submission points on these matters, she is of the view that the provisions relating to street setbacks, glazing, and outlook space requirements need to be retained to ensure adequate access to sunlight for the streets and lower floors of developments to support their livability, walkability, and good urban design outcomes. Further with the intensification of residential activities in these environments, she notes that outlook spaces ensure good onsite amenity, achieving basic livability standards. I agree with Kainga Ora regarding the duplication in Rule 15.12.1.1 P16 a) iii) as this clause is captured by Rule

15.12.2.5. Further, I agree with Ms. Williams that the site coverage of 50% in Rule 15.12.1.1 P16 j) should be amended to 55% to accommodate the requirements for accessible parking within the Transport chapter. I therefore recommend a minor amendment to amend these clauses in Rule 15.12.1.1 P16 and recommend these submission points be accepted and accepted in part.

8.1.108 Shaw (235) seeks that the activity specific standards and linked built form standards relating to minimum glazing requirements for new units in the CCMU (Rule 15.12.1.1 P16 i)) and CCMU(SF) (Rule 15.13.1.1 P13 i)) allow for more flexibility in achieving the intent of the policy, because the 20% figure seems arbitrary and prescriptive. Further, Shaw considers this glazing requirement could have the negative consequence of affecting the thermal performance of a home. As discussed in relation to glazing above, I am of the view that the glazing provisions as notified are appropriate to achieve a high-quality residential amenity, as sought by the policy framework. Further, I note that a requirement for at least 20% glazing is consistent with the minimum level of glazing required across the residential zones in the Plan. Therefore, I do not consider that a different glazing requirement would be appropriate as it would be contrary to the Strategic Objective 3.3.2 – Clarity of language and efficiency to ensure consistency and ease of use across the provisions. In addition, whilst this activity standard and built form standard set a minimum level that needs to be met, I consider that some flexibility is provided for, as sought by Shaw, as resource consent can be sought to provide a different level of glazing. Such a pathway enables assessment of the proposal and consideration as to whether a different approach addresses the matter of discretion.

8.1.109 In regards to the broader comments made by submitters, that these provisions are onerous and do not sufficiently implement the intensification sought by the NPS-UD, it has been widely discussed in Council's section 42A reports and evidence that Christchurch has a housing surplus of plan-enabled, feasible development capacity, and this capacity will be further increased with the proposed changes in PC14.

8.1.110 The central city zones are primarily commercial areas, with high-density residential activity permitted to enable a wide range of housing typologies across the city and create the vibrant, mixed-use environment that is sought by the objectives and policies. It is my view that the proposed provisions strike the appropriate balance for achieving these objectives and are the most appropriate for achieving the Strategic Objectives. They enable high-density residential activity to occur, encouraging mixed-use developments where up to 50% of the proposal could be occupied by residential use, and impose a site coverage if over 50% of the Gross Floor Area is

used for residential activity<sup>63</sup>. The approach seeks to ensure that the future residents on these sites are provided with sufficient amenity and standards of living by providing adequate outdoor living space and setbacks from surrounding neighbours.

8.1.111 Whilst the activity specific standards outlined for residential activity impose constraints, the intention of these provisions is to ensure a minimum standard of living is achieved and the central city is maintained and enhanced as a high quality, WFUE<sup>64</sup> which is consistent with Policy 6 of the NPS-UD, as discussed above. I note that these changes could impact on status quo operative CDP development rights, in light of the recent decision on Waikanae by the Environment Court this raises issues of scope with the changes proposed. However, flexibility is provided for with the restricted discretionary consenting pathway for developments that do not meet one or more of these activity specific standards which enables assessment of proposals against the matters of discretion on a case-by-case basis. I note that these requirements are not density standards and do not necessarily restrict intensification per se, rather they manage how intensive developments it can be designed so as to provide high quality outcomes.

8.1.112 Overall, it is my view that the intention of the NPS-UD is met with these provisions, ensuring that residential intensification is provided for in a way that achieves a WFUE<sup>65</sup>. I note that P Troon (422.8) has sought that the density of inner city dwellings be reduced, whilst V Hearnshaw (305.16; 305.17) supports the development of a town plan but seeks more appropriate design outcomes for higher density housing. I am of the view that the relief sought by P Troon is not able to be considered as the NPS-UD requires Council to realise as much development capacity as possible in the City Centre, and development capacity includes that for housing. On the relief sought by V Hearnshaw, I am of the view that the proposed provisions are appropriate to ensure that residential activities can be intensified in a way that provides high quality design and amenity for future residents in the central city.

8.1.113 I therefore do not recommend changes to these provisions and recommend that the submission points be accepted, accepted in part, or rejected accordingly.

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<sup>63</sup> Christchurch District Plan, Rule 15.12.1.1 P16 j); Rule 15.13.1.1 P13 j)

<sup>64</sup> Discussed above in section "Implementing the NPS-UD for the City Centre and Mixed Use Zones"

<sup>65</sup> Discussed above in section "Implementing the NPS-UD for the City Centre and Mixed Use Zones"

***Response to submissions on general urban design matters encompassing CCZ, CCMU, and CCMU(SF)***

8.1.114 A Melling (337.19; 337.22; 337.24) seeks that maximum building heights be lowered to account for the lower sun height further south across both the CCZ and CCMU zone. I am of the view that the amended building heights approach proposed by Mr. Willis<sup>66</sup>, together with the built form provisions, including sunlight and access (recession plane) rules, to manage the effects of such buildings on the environment including, at the boundary with a residential zone, Open Space Community Parks Zone, Open Space Water and Margins Zone and Avon River Precinct/Te Papa Ōtakāro Zone, will provide a tailored approach to intensification for the Christchurch context and the more limited winter sun access. I therefore recommend that these submission points be accepted in part.

8.1.115 All new buildings, or extensions and alterations to existing buildings (when viewed from a publicly owned and accessible area in the central city will require urban design assessment, and assessments where specific built form standards are not met (with varying activity status depending on location and building height). I therefore do not consider that it is appropriate to require all applications to be assessed by an urban design panel (J Bennett; 367.15; 367.17), however I note that taking a proposal to the urban design panel is an option that all applicants have and recommendations from the Panel can help to shape the process<sup>67</sup>. Further, in assessing applications, particularly for those over 28m high, in my view the Council will likely encourage applicants to provide urban design assessments from suitably qualified and experienced urban designers. I therefore recommend that these submission points be rejected.

8.1.116 Kate Z (297.31; 297.32; 297.34) seeks that resource consent be required for all buildings greater than two storeys and all subdivisions. I consider that the provisions proposed for the CCZ, CCMU and CCMU(SF) zones will partially give effect to this relief sought as resource consents will be required for all new buildings where the urban design provisions are triggered or where provisions are not complied with. I therefore recommend that this submission point be accepted in part.

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<sup>66</sup> Section 42A report of Mr Andrew Willis

<sup>67</sup> Evidence of Mr Alistair Ray, paragraph 250

8.1.117 Turning to the matters of discretion that relate to urban design matters, C Higginson (657.1) seeks an amendment to Rule 15.14.2.6 which sets out urban design matters of discretion for the CCZ and CCMU zones. They seek to include the ability to consider building bulk and dominance effects on surrounding neighbours; privacy and shading effects on surrounding neighbours, including on habitable rooms or outdoor living spaces. M Darbyshire (768.5; 768.9) has also sought changes to the matters of discretion in Rule 15.14.2.6 and seeks that the provision is amended to include the matters relating to sensitive urban design principles and building dominance effects included in Rule 14.15.3 a) or c) to assist with the assessment of high-rise buildings.

8.1.118 I consider the intent of the matter of discretion is that it applies to the assessment of new buildings in the CCZ and CCMU and how they fit within the context of the city environment. The relief sought by Higginson is covered by the matters of discretion for maximum building height (Rule 15.14.3.1), minimum separation from the internal boundary with a residential or open space zone (Rule 15.14.3.3), and sunlight and outlook at the boundary with a residential zone (Rule 15.14.3.4). Where a proposed building, or addition or alteration to an existing building, does not comply with the applicable built form standard then a resource consent is required and during this process an assessment against the relevant matters of discretion is to be made, including consideration of effects on neighbouring property owners and occupiers as appropriate.

8.1.119 Regarding the request from M. Darbyshire to include matters such as those in Rule 14.15.3 a) or c) regarding urban design principles and building dominance effects. I consider that the amendments proposed by Mr. Willis relating to building height will give effect to the relief sought. Further, I note that this relief is also captured by clauses iii) and iv) which require consideration of the scale of a building and human scale where it is visible from a public space, and the buildings in the surrounding context. In addition, I consider that urban design principles are embedded within the matters of discretion broadly and are more specific as appropriate for activity specific matters of discretion, e.g., 15.14.2.9 relating to residential activity in the CCMU and CCMU(SF), and 15.14.31 regarding maximum building height.

8.1.120 Therefore, with the changes recommended by Mr. Willis to enable increased building heights in the CCZ as a restricted discretionary activity for buildings above 28m requiring assessment against the matters relating to urban design, I consider the relief sought by submitters in relation

to the matters of discretion in Rule 15.14.2.6 has been partially provided and I recommend that these submission points be accepted in part and rejected accordingly.

### ***Section 32AA Evaluation of Issue 1***

8.1.121 The majority of the changes recommended above are for clarification purposes and do not require a further evaluation under section 32AA. A Section 32AA evaluation for the recommendations to delete Rule 15.11.2.36 Wind and rehome these matters of discretion in 14.15.2.6 is outlined below.

#### ***Effectiveness and Efficiency***

8.1.122 The recommended changes allow for some flexibility in the administration of wind assessments and allow the 'tall building' related matters of discretion to be kept together in the same place which I consider provides for an efficient, 'one-stop-shop' for plan users to look to.

#### ***Benefits/Costs***

8.1.123 Listing the matters of discretion for wind together with the other matters for taller buildings in Rule 15.14.3.6 provides greater clarity which should benefit plan users by providing more certainty.

8.1.124 The costs of adding these matters are minimal or low because the rule framework already reflects these factors.

#### ***Risk of acting or not acting***

8.1.125 There is no risk in accepting the recommended amendments as there is sufficient information to act on the submissions, together with the technical information provided by Mr. Green.

#### ***Decision about most appropriate option***

8.1.126 The recommended amendment is therefore considered to be more appropriate in achieving the purpose of the RMA than the notified version of the CDP.

## 8.2 ISSUE 2 – REQUESTS FROM SUBMITTERS FOR CHANGES TO THE ZONING OF AREAS OR SPECIFIC SITES IN THE CENTRAL CITY

| Sub. No.                         | Submitter name                           | Summary of relief sought  | Recommendation |
|----------------------------------|--|---|----------------|
| 61.43                            | Victoria Neighbourhood Association (VNA) | Redraw the CCZ zone boundary to be the southern side of Victoria Square to be consistent with other CCZ boundary locations which do not include the park areas around the River Avon. | Reject         |
| 147.2<br>147.6<br>147.7<br>147.8 | R A Collett                              | That all of the CBD is rezoned Mixed Use  | Reject         |
| 223.2<br>223.3<br>223.4          | D Lough                                  | Support intensification inside the CBD and the west of Hagley Park.   | Accept         |
| 318.2                            | N Latham                                 | [Seeks] less restrictions on increasing housing, especially mixed zone areas.<br>Support[s] more housing, with an especially in the city centre                                       | Accept in part |
| 344.17<br>344.16<br>344.19       | L Barker-Garters                         | Amend plan change 14 to zone all of the central city to mixed use zoning.   | Reject         |
| 705.9                            | Foodstuffs                               | Retain CCMUZ zoning for 300 and 310 Manchester St Lot 1 DP 56552 and Lot 2 DP 56552   | Accept         |



|                   |                                      |  |                |
|-------------------|--------------------------------------|--|----------------|
| 706.1             | NHL Properties Ltd                   | Rezone the site at 132 – 136 Peterborough Street, and adjoining HDRZ land, to Central City Mixed Use (CCMU).   | Reject         |
| 817.1             | E Harris                             | Rezone the submitters site at 850-862 Colombo Street and 139 Salisbury Street- from High Density Residential to Central City Mixed Use.  | Reject         |
| Number unassigned | E Harris                             | Rezone the submitters site at 152-158 Peterborough Street and 327-333 Manchester Street from High Density Residential to Central City Mixed Use.   | Reject         |
| 823.207           | The Catholic Diocese of Christchurch | Retain the SPS and CCMUZ zoning of the land at 136 Barbadoes Street [identified in original submission], but delete the heritage listing/outline from the planning maps.   | Accept in part |
| 872.1             | Oyster Management Limited            | Seek to rezone the block Tuam St, Madras St, Lichfield Street and Manchester Street from the proposed Central City Mixed Use (South Frame) zone to City Centre Zone. Alternatively, rezone the block to Central City Mixed Use Zone. | Reject         |
| 2077.6            | Christchurch Casinos Limited         | Seek to rezone site at 72 Salisbury Street & 373 Durham Street North from High Density Residential to enable mixed use development, such as the CCZ.   | Reject         |

8.2.1 Linked to the need for the proposed PC14 changes to provide for as much development capacity as possible (in accordance with NPS-UD Policy 3), four submitters have sought zoning changes to specific sites within the central city, as outlined in the table above. These changes and the recommendations on whether to accept or reject these submission points are discussed separately in **Appendix B**. The submission points are included in the table above for ease of reference. I am of the view that these considerations impact on status quo operative CDP development rights, the recent decision on Waikanae by the Environment Court raises issues of

scope with the submitters request. Regardless of the scope of these requests I consider the merits of the requests and whether the relief sought is the most appropriate way to achieve the objectives of the CDP.

8.2.2 Other submission points have sought zoning changes more broadly. These submission points are discussed below.

#### ***Discussion and Recommendations***

8.2.3 D Lough (223) supports intensification inside the CBD and west of Hagley Park. Broadly I consider that PC14 has made changes to the plan provisions to implement intensification in these areas and therefore I recommend that this submission point be accepted.

8.2.4 Victoria Neighbourhood Association (**VNA**; 61.43) have sought that the CCZ boundaries be amended so that it adjoins the southern side of Victoria Square and does not include the park area around the Avon River, which they consider would be consistent with other CCZ boundary locations that do not include the Avon River.



*Figure 2 Extract from PC14 Central City Zoning map above showing the zoning for Victoria Square and surrounding properties.*

8.2.5 As illustrated in **Figure 2** above which is an extract from the Central City Zoning Planning Map, I am of the view that the CCZ zone boundaries only include the properties which adjoin Victoria Square, and not the open space of the square itself and land either side of the Avon River, which is zoned as Avon River Precinct (Te Papa Ōtākaro). The Avon River Precinct/ Te Papa Ōtākaro is shown in green, this precinct provides for the restoration and enhancement of the established

and important public open space that extends alongside the Avon River through the CBD from Rolleston Avenue to Barbadoes Street. I note that the way this is shown in the interactive map is not necessarily clear and acknowledge that this could have made the zoning unclear, whereas this approach is more clearly conveyed in the notified map. I therefore consider that the relief sought by VNA has been provided for in the notified planning maps and I recommend that this submission point is rejected.

- 8.2.6 N Latham (318.2) has sought less restrictions on increasing housing, especially in mixed zone areas, and supports the provision of more housing within the City Centre. Broadly, the CCZ, CCMU, and CCMU(S) zones all permit residential activity within the zone. Specific building bulk, location and amenity provisions are proposed to ensure a standard of amenity for both future residents of new buildings and neighbours are provided that is commensurate with the range of activities anticipated in that environment. I am therefore of the view that the proposed provisions enable such activity. Other than the changes recommended elsewhere in this report (for example, the increased building heights as outlined by Mr. Willis) which reduces the restrictions on development, I do not consider any changes necessary beyond that recommended elsewhere in this report. I therefore recommend that this submission point be accepted in part.
- 8.2.7 L Barker-Garters (344.17; 344.19) and R.A Collett (147.2; 147.6; 147.7) seek that all of the central city is changed to mixed use zoning. I am of the view that the proposed CCZ, CCMU and CCMU(SF) all permit a wide range of activities across the city, with built form and amenity controls to manage effects on the environment and distribution of activities.
- 8.2.8 The consideration of the extent of the CCZ and alternatives to the notified proposal are considered in section 4.2 to Appendix 2 of the section 32 report for Commercial and Industrial provisions<sup>68</sup>. The option to zone the operative Business and Mixed Use zones as one zone would provide for a variety of uses, and range and scale of retail and office activities. However, without limits on tenancy size in the mixed use zone as per the operative District Plan, there is a risk of not supporting the primacy, recovery and regeneration of the principal commercial area of the CCZ.

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<sup>68</sup> <https://www.ccc.govt.nz/assets/Documents/The-Council/Plans-Strategies-Policies-Bylaws/Plans/district-plan/Proposed-changes/2023/PC14/Section-32-Appendices-1/Appendix-2-Commercial-Technical-Report-Centres-Approach-to-Alignment-with-National-Planning-Standards-FINAL.PDF>

8.2.9 The CCMUZ provides specific provisions for identified parts of the central city including lower height limits and restrictions on commercial activity. In my view it would not be appropriate to rezone all of the central city to CCMU and in doing so, limiting commercial activity to 450m<sup>2</sup> per tenancy across the whole Central City. This would not be appropriate as we need to provide opportunities for large office activities, such as government agencies, large accounting and legal firms and local government in the core area of the central business district. Nor would it be appropriate to provide for the level of commercial activity enabled in the CCMUZ within residentially zoned areas of the central city. This would displace residential activity from the central city and ‘bleed’ commercial activity away from the CCZ and existing CCMUZ areas. For these reasons I recommend that these submission points be rejected.

8.2.10 Both Foodstuffs (705.9) and the Catholic Diocese of Christchurch (823.207) support the zone proposed for each of their sites. I note that Ms. Appleyard requested an amendment to remove the heritage outline from the planning maps at 136 Barbadoes Street site. Ms. Richmond<sup>69</sup> has made recommendations on this in her section 42A Report relating to heritage items, and she recommends that this request be accepted. I agree with and adopt the reasoning stated by Ms. Richmond. No further changes are proposed to this zoning as notified and therefore I recommend that these submission points are accepted.

***Section 32AA Evaluation of Issue 2***

8.2.11 Regarding the Section 32AA evaluation, no changes are proposed in response to the rezoning requests discussed above. On this basis, no evaluation under Section 32AA is required.

**8.3 ISSUE 3 – OTHER OBJECTIVES AND POLICIES**

| Sub. No.  | Summary of relief sought  | Recommendation                         |
|---|---|--|
| 689.59; 720.45<br>762.29; 780.21<br>814.185<br>823.151; | Policy 15.2.4.1 – Scale and form of development – a) – Central City matters | See attached Appendix A and text below |

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<sup>69</sup> Section 42A Report – Ms. Suzanne Richmond, section “Removal of Protection for Cathedral of the Blessed Sacrament”

|  |  |  |
|--|--|--|
| 834.244;<br>2076.58  |  |  |
| 212.17; 689.60<br>740.8; 760.5<br>780.22; 814.186<br>823.152;<br>834.245; 811.81 | Policy 15.2.4.2 – Design of new development – Central City matters           | See attached Appendix A and text below |
| 689.63;<br>834.251; 760.9  | Objective 15.2.7 – Role of the Central City Mixed Use Zone                   | See attached Appendix A and text below |
| 689.66; 811.86   | Objective 15.2.8 – Built form and amenity in the Central City Mixed Use Zone | See attached Appendix A and text below |
| 689.67; 705.17;<br>760.10;<br>814.192;<br>823.158;<br>834.253                    | Policy 15.2.8.1 – Usability and adaptability                                 | See attached Appendix A and text below |
| 689.68; 760.11<br>811.87; 814.193<br>823.159;<br>834.254                         | Policy 15.2.8.2 – Amenity and effects  | See attached Appendix A and text below |

***Policy 15.2.4.1 – Scale and Form of Development a) Central City Matters***

- 8.3.1 This policy is split into two parts, part a) relates to the central city and part b) relates to the wider commercial activities across the city. This discussion relates to part a) only, and reference should also be made to Mr. Lightbody’s section 42A Report<sup>70</sup> that makes recommendations on part b). Part a) seeks to provide for development that is of a “scale and massing that reinforces the city’s

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<sup>70</sup> S42A Report – Mr Kirk Lightbody – Section “Policy 15.2.4.1”

distinctive sense of place and a legible urban form”, and outlines that this is done by setting height limits in the central city and limiting building heights in specific areas (these being Cathedral Square, Victoria Square, New Regent Street, and the Arts Centre). I acknowledge the support for the broad policy approach and the submitters who seek to retain the provision as notified (689.59, 780.21).

8.3.2 Overarching Objective 15.2.4 seeks a *“a scale, form and design of development that is consistent with the role of a centre and its contribution to city form”*. Policy 15.2.4.1 then seeks to ensure that the urban form remains consistent with the role of the centre, aligning with Policy 15.2.2.1 – Role of Centres, and the Policy 3 in the NPS-UD which establishes the approach of using heights commensurate with a centre (in this case the central city) to establish anticipated intensification.

8.3.3 Carter Group Limited (814.185) and Catholic Diocese of Christchurch (823.151) seek that the proposed amendments to a) are deleted, because they consider that the proposed amendments introduce wording that is unclear, subjective, and inappropriate. Further, they are of the view that a) also seeks to constrain building heights and form within the central city in a manner that is inconsistent with the NPS-UD and the Housing Supply Amendment Act.

8.3.4 M Coll (720.45), New Zealand Institute of Architects Canterbury Branch (762.29) and Ian Cumberpatch Architects Ltd (2076.58) seek that an additional clause is added to require the limiting of heights along the Te Papa Ōtākaro Avon River Corridor.

8.3.5 Kainga Ora (834.244) oppose clauses a)i) – a)v) and seek that these are deleted, they have also sought the following amendment:

~~a. Provide for development of a **significant** scale and **form** massing that reinforces the ~~City's City~~ **Centre Zone's distinctive sense of place and a legible urban form by enabling as much development capacity as possible to maximise the benefits of intensification, whilst managing building heights adjoining Cathedral Square, Victoria Street, New Regent, Street, High Street, and the Arts Centre to account for recognised heritage values. in the core of District Centres and Neighbourhood Centres, and of a lesser scale and form on the fringe of these centres.**~~

8.3.6 For the reasons set out in the section 42A report of Mr. Willis, I consider that the setting of triggers for assessment of taller buildings and building heights are an appropriate response to

both providing for intensification whilst ensuring a WFUE<sup>71</sup>. In particular, regarding the relief sought by M Coll (720.45), New Zealand Institute of Architects Canterbury Branch (762.29) and Ian Cumberpatch Architects Ltd (2076.58) which Mr. Willis addresses, I note that Mr. Willis reaches the conclusion that “... *the presence of the roads on either side of the corridor (Durham and Oxford Terraces), Victoria Square and the Margaret Mahy Family Playground... provide additional setbacks from the corridors.*” He is therefore of the view that additional setbacks from the corridors are not justified, I agree with this view and recommend that these submission points be rejected.

8.3.7 I consider that the changes proposed to this provision are appropriate to provide policy guidance as to what can be considered when assessing resource consents in relation to breaches of the height rules in the central city. Further, this policy provides an overview as to the scale and form of development that is sought, and how such development can affect the broader sense of place and urban form in Christchurch.

8.3.8 It is therefore my view that the proposed approach as notified is the most appropriate way to ensure the Plan accords with Policy 3 of the NPS UD and gives effect to Objective 15.2.4. I therefore recommend that the submission points noted above be accepted or rejected accordingly.

***Policy 15.2.4.2 – Design of New Development***

8.3.9 This policy captures a wide range of matters that apply to both the broader commercial zones and the central city. Reference should be made to section 8.4 of Mr. Lightbody’s s42A report where he addresses relief sought that is related to the broader commercial zones.

8.3.10 The aspects of Policy 15.2.4.2 in contention that relate to the City Centre and Mixed Use zones are as follows:

***a. Require new development to be well-designed and laid out by:***

*viii. achieving a visually attractive setting when viewed from the street and other public spaces, **that embodies a human scale and fine grain**, while managing effects on adjoining environments; and*

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<sup>71</sup> Discussed above in section “Implementing the NPS-UD for the City Centre and Mixed Use Zones”

- x. increasing the prominence of buildings on street corners;**
- xi. ensuring that the design of development mitigates the potential for adverse effects such as heat islands, heat reflection or refraction through glazing, and wind-related effects;**
- xii. ensuring that the upper floors (including roof form and associated mechanical plant are well-modulated and articulated to provide visual interest to the building when viewed from beyond the Central City or from adjacent buildings above; and**
- xiii. recognising the importance of significant public open space by maintaining sunlight access to, and managing visual dominance effects on, these spaces;**

8.3.11 The Fuel Companies (212.17), Environment Canterbury/Canterbury Regional Council (689.60), ChristchurchNZ (760.5), and J Schroder (780.22) support the provision as notified and seek that it be retained.

8.3.12 Carter Group Limited (814.186) and Catholic Diocese of Christchurch (823.152) oppose the proposed amendments as notified because they consider that they are uncertain, unreasonable, and/or do not support the purpose of PC14. Similarly, Kainga Ora consider that there is no basis for such amendments within the Act or the NPS-UD and seek that all amendments be deleted, and the policy is retained as operative.

8.3.13 Amendments have been sought to amend the policy wording, whilst others seek to delete the changes in their entirety and retain the policy as operative (Kainga Ora, 834). The specific changes sought are as follows:

- a. Clause vii)
  - Replace ‘attractive’ with ‘appealing’ and remove “that embodies a human scale and fine grain” - Carter Group Limited (814.186) and Catholic Diocese of Christchurch (823.152).
  - Remove “that embodies a human scale and fine grain” – Woolworths (740).
- b. Clauses x) – xv) delete - Carter Group Limited (814.186) and Catholic Diocese of Christchurch (823.152)
- c. Clauses x), xi) and xii) – delete - Woolworths (740).



- 8.3.14 The proposed amendments intend to update the policy to achieve a WFUE<sup>72</sup>, while responding to the NPS-UD in the enabling of increased building height and density of urban form.
- 8.3.15 In considering 15.2.4.2(a)(viii), Objective 15.2.4 directs a scale, form and design of development that is consistent with the intended scale for the role of its centre and its contribution to city form, e.g., it would be inappropriate to enable a building tower in a small town centre which is not designed to accommodate that building typology. I agree with Woolworths that large anchor retailers do not necessarily ‘embody a human scale and fine grain’ by their functional and practical requirements, however in my view the use of ‘human scale’ and ‘finely grained’ are facets of design. I consider this clause applies to buildings and their street facing facades, rather than an entire building, given that first part of this clause includes the qualifier “... *when viewed from the street and other public spaces*”. An assessment of a supermarket against this policy would therefore focus on how the articulation of the building as it appears from the road and public spaces, is there a clear and legible main entrance? Is there ample glazing into the car park to provide passive surveillance? Notwithstanding this, Clause (b) of the same policy seeks to “*Recognise the scale, form and design of the anticipated built form within a site and the immediately surrounding area and the functional and operational requirements of activities*”. I therefore consider gives the ability to consider the practicalities of a particular use on a site and the functional requirements associated with the full range of commercial activities.
- 8.3.16 Regarding clauses x) – xiii), these provisions provide the policy framework for the consideration of the impact a building has on the street corner, the consideration of glazing and wind-related effects, the articulation of upper floors, and the need to provide protections for significant open spaces. For the reasons outlined in the urban design discussion in Issue 1 and set out in both the evidence of Mr. Ray and Ms. Williams, I consider these matters are important considerations to take into account when assessing the design of new buildings and therefore recommend that they be retained.
- 8.3.17 On Clause (a)(x) Woolworths considers that, in the context of ‘requiring’ such an outcome, the clause extends beyond the enabling function of the RMA, does not link to any subsequent rule provision, and is uncertain and subjective. I disagree and consider that increasing prominence of a building on a street corner has regard to the context, and this can be achieved through a range of methods including via greater building height, architectural features, or different cladding

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<sup>72</sup> Discussed above in section “Implementing the NPS-UD for the City Centre and Mixed Use Zones”

treatments. With regard to the comment that it does not link to any subsequent rule provision, the clause is intended to provide an avenue for assessment of buildings at street corners, allowing for different building design approaches and development. When assessing proposed new developments against this policy, the provision would only apply where buildings located at the corner and in such cases focus on building design and articulation to emphasise their presence on a corner.

8.3.18 Regarding clause (a)(xi) I am of the view that this policy wording provides a framework for the consideration of how new development may change wind patterns, and cause wind to produce uncomfortable and unsafe environments in the streetscape. These effects are discussed in Issue 1 above. Further, I consider the consideration of heat islands, heat reflection and refraction caused by glazing are linked to the consideration of the potential future effects of climate change and support consideration of such effects. However, I agree with Woolworths (740) that the need to include this in the policy has not been clearly established in terms of s32, is uncertain and subjective. I therefore recommend a minor amendment to remove these requirements from the policy. I do however consider the technical advice provided by Mr. Green provides a sufficient basis to retain the requirements concerning the wind-related effects and I therefore recommend this wording is retained. On this basis I recommend that this submission point be accepted in part.

8.3.19 On clause (a)(xiii) Woolworths considers it fails to recognise that for larger scale commercial developments roof plant and utilities are a necessity in terms of functional amenity. I disagree and consider that the provision is seeking that roof plant and utilities simply be considered in the design of the upper floors of a new development and that, where possible, designs incorporate plant and seek to screen it. In any case, clause (b) of the same policy recognizes the functional requirements of buildings.

8.3.20 For these reasons, I consider is that the notified policy is the most appropriate way to achieve the objectives of the CDP and NPS UD. I recommend that these submission points be accepted in part or rejected accordingly.

***Objective 15.2.7 – Role of the Central City Mixed Use Zone***

8.3.21 PC14 seeks to amend Objective 15.2.7 – Role of the CCMU Zone to include the words ‘*high quality*’ to better implement Strategic Objectives 3.3.7 and 3.3.8 which set the direction for the Central City to be a high quality urban environment for residents, visitors, and workers in

achieving a WFUE<sup>73</sup> as sought by Objective 1 of Schedule 3 to the RMA. The proposed wording is as follows:

*The development of vibrant, **high quality** urban areas where a diverse and compatible mix of activities can coexist in support of the ~~Commercial Central City Business City Centre Zone~~ and other areas within the Central City Central City.*

8.3.22 ChristchurchNZ (760.9) and Environment Canterbury / Canterbury Regional Council (689.63) support the provision as notified, whilst Kainga Ora (834.251) seek an amendment to require the removal of 'high quality' as they consider that this sets the bar too high for developments to meet within the context of the mixed use environment.

8.3.23 The CCMU permits, and contains, a wide variety of activities, including both industrial and residential and I therefore consider that it is crucial to ensure high quality urban areas are developed to enable these activities to coexist together. As discussed in Issue 1 above, in relation to urban design in CCZ and Policy 15.2.6.4, I am of the view that it is appropriate to use the 'high quality' qualifier in the context of the Central City in both the CCZ, CCMU and CCMU(SF).

8.3.24 I therefore consider the proposed approach as notified is the most appropriate to achieve the "high quality urban environment..." sought by Strategic Objective 3.3.8 and WFUE<sup>74</sup> as sought by Objective 1 of Schedule 3 to the RMA and proposed Strategic Objective 3.3.7. I do not recommend any changes and that the submission points on Objective 15.2.7 be accepted or rejected accordingly.

***Objective 15.2.8 – Built form and amenity in the CCMU, Policy 15.2.8.1 – Usability and Adaptability & Policy 15.2.8.2 – Amenity and effects***

*Objective 15.2.8 – Built form and amenity in the Central City Mixed Use Zone*

8.3.25 Environment Canterbury / Canterbury Regional Council, (689.66) supports this objective as notified. As discussed regarding Policy 15.2.6.4 Residential Intensification above, RVA (811.86) seek an amendment to clause a) as follows:

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<sup>73</sup> Discussed above in section "Implementing the NPS-UD for the City Centre and Mixed Use Zones"

<sup>74</sup> Discussed above in section "Implementing the NPS-UD for the City Centre and Mixed Use Zones"

- b. *Ensure a form of built development that contributes positively to the **developing and changing evolving** amenity values of the area, including people’s health and safety, and to the quality and enjoyment of the environment for those living, working within or visiting the area.*

8.3.26 For the reasons discussed above, I do not consider this amendment is appropriate as the wording “evolving amenity values” is proposed to give effect to the requirements of Objective 4 of the NPS-UD. I therefore recommend these submission points are accepted and rejected accordingly and the wording of the objective is retained as notified.

*Policy 15.2.8.1 – Usability and adaptability*

8.3.27 This policy seeks to ensure that when constructing a new building consideration is given to the whole life of the building, not only the immediate use which the building will be constructed for. The clauses in contention are:

*iv. providing dedicated pedestrian access for each activity within a development, directly accessed from the street or other publicly accessible space;*

*v. providing sufficient setbacks and glazing at the street frontage; and*

*vi. where residential activity is located at the ground floor, ensuring the design of development contributes to the activation of the street and other public spaces.*

8.3.28 ChristchurchNZ (760.10) support this provision as notified. Foodstuffs (705.17), Carter Group Limited (814.192), and Catholic Diocese of Christchurch (823.158) oppose the amendments and seek that these be deleted because they do not consider the operational or functional requirements of activities in the CCMU. Kainga Ora (834.253) opposes the amendments because they consider the amenity provisions are too finely grained for a policy and do not respond to an RMA issue.

8.3.29 I agree with the submitters that operational and functional requirements are an important consideration in the CCMU, particularly with the wide range of activities permitted in the zone. However, I consider that the policy wording seeks to “encourage” built form that enhances the usability and adaptability of buildings and does not contain stronger policy action such as “ensure” or “avoid” which would create a barrier to considering the different requirements of an activity.

8.3.30 I accept the recommendation made by Ms. Williams to add the word '*residential*' to clause a)iv) to clarify the intent of this clause and note the practical considerations for fire safety reasons (residential activity entrances often need to be separate from commercial activity entrances. I remain of the view the clause v) is appropriate for both commercial and residential activities to achieve the intent of Objective 15.2.8 and a WFUE<sup>75</sup> and recommend that the remaining clauses be retained as notified. I therefore recommend that these submissions points be accepted in part or rejected accordingly.

*Policy 15.2.8.2 – Amenity and effects*

8.3.31 Underlying Policy 15.2.8.2 – Amenity and effects sets out the methods by which a high standard of built form and amenity can achieved in the CCMU. Amendments proposed to the policy seek to ensure that buildings are well designed and achieve a WFUE<sup>76</sup>, including via built form standards and urban design assessments for taller buildings and residential developments.

8.3.32 Five submitters have sought relief in relation to this policy, with two submitters in support of the provision as notified (Environment Canterbury / Canterbury Regional Council, 689.68; ChristchurchNZ, 760.11) and three submitters seeking amendments.

8.3.33 Carter Group Limited (814.193) and Catholic Diocese of Christchurch (823.159) seek that the sub clauses (a)(v) and (vii) are deleted because "*locating outdoor service space and car parking away from street frontages and entrances to buildings may not always be practicable or desirable and may establish a policy barrier to activities in such cases*". In addition, they oppose the requirement for urban design assessments. They are of the view that these two changes are unnecessary and inappropriate, for the purposes of promoting intensification. They support the other amendments proposed.

8.3.34 RVA (811.87) seek an amendment to clause a) to replace the word "*evolving*" with "*developing and changing*".

8.3.35 Kainga Ora (834.254) opposes the proposed amendments and considers the policy should remain as existing in the operative District Plan except for clause (viii) which is sought to be retained.

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<sup>75</sup> Discussed above in section "Implementing the NPS-UD for the City Centre and Mixed Use Zones"

<sup>76</sup> Discussed above in section "Implementing the NPS-UD for the City Centre and Mixed Use Zones"

8.3.36 I consider that the proposed changes to this policy are largely a refinement of the existing policy, ensuring a WFUE<sup>77</sup> can be achieved in the CCMU. I do not consider that this policy creates a “barrier to activities”, as noted by Carter Group Limited and Catholic Diocese of Christchurch, because the policy seeks to “*Promote a high standard of built form... by:*”. It does not contain stronger policy wording such as “ensure” or “avoid” which would create the barrier described by these submitters. However, I agree with the recommendation made by Ms. Williams to add ‘*directly*’ to clause a)v) to clarify that the intent of the clause is to ensure safe entry points into buildings can be provided that are not impeded by vehicles nor the odours and hazards that can arise in outdoor services spaces.

8.3.37 For the reasons discussed in earlier in my report, I do not consider the requested amendment to replace ‘*evolving*’ with ‘*developing and changing*’ is appropriate in the context of amenity values.

8.3.38 Based on the above considerations, I recommend that these submissions points be accepted in part or rejected accordingly.

**Section 32AA Evaluation of Issue 3**

8.3.39 Regarding the Section 32AA evaluation, the changes recommended above are points of clarification with no material changes to the provision. On this basis, no evaluation under Section 32AA is required.

**8.4 ISSUE 4 – OTHER MATTERS**

| Sub. No.                 | Summary of relief sought   | Recommendation |
|--------------------------|--|----------------|
| 762.35; 762.36<br>762.37 | Amendments sought to built form standards across CCZ, CCMU and CCMU(SF) which require flexibility in building design for future uses | Reject         |
| 799.10; 799.11           | [Retain provisions that enable mixed uses]   | Accept         |

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<sup>77</sup> Discussed above in section “Implementing the NPS-UD for the City Centre and Mixed Use Zones”

|   |   |  |
|---|---|--|
| 842.66; 842.67;<br>842.68; 842.70<br>842.72   | Amend Rules 15.11.2.13; 15.12.2.8; and 15.13.2.9-<br>Water supply for firefighting as follows:<br><br>Any application arising from this rule shall not be publicly notified and shall be limited notified only to <del>New Zealand Fire Service Commission</del> <b>Fire and Emergency New Zealand</b> (absent its written approval). | Accept   |
| 814.212; 814.237;<br>814.238; 823.153;<br>823.178 823.202;<br>823.203 823.204<br>762.31             | Amendments sought to Policy 15.2.5.1 and Rules 15.12.1.2 C1, Matter of Discretion 15.14.5.2 relating to Cathedrals in the Central City and insert a new equivalent rule in CCZ.   | Reject   |
| 150.1; 150.2; 150.3<br>150.4; 150.5;<br>150.6; 150.7<br>150.11; 150.12;<br>150.13; 150.14<br>150.15 | Amendments to provisions to provide for the development of the Former Teacher's College at the heritage building at 25 Peterborough Street  | Addressed in Appendix B of Ms. Richmond's s42A Report. |
| 811.94; 811.96<br>811.95; 811.97  | Activity specific provisions for retirement villages  | Reject   |

***Building design for future uses***

- 8.4.1 The CDP contains provisions that seek to ensure that new buildings in the CCZ (Rule 15.11.2.5), CCMU (Rule 15.12.2.3) and CCMU(SF) (Rule 15.13.2.2) are designed in such a way that allows them to be used for a variety of activities in the future. New Zealand Institute of Architects (NZILA) seeks that the minimum height between the top of the ground floor surface and the bottom of the first floor slab is changed from 3.5m, to between 4.2m and 4.5m to enable a wider range of future functions to occur within the ground floor space because they consider that the 3.5m height is restrictive.
- 8.4.2 No changes were proposed to this rule in the PC14 notified provisions. I therefore consider that the changes sought by this submitter could be outside the scope of PC14 and it also raises a question of natural justice, as some members of the public, who could be affected by the

proposed change, would not necessarily be aware of the change sought and may not have made a submission. It is therefore my recommendation that these submission points be rejected.

- 8.4.3 However, if the IHP is of the view that these points are within scope I do not consider that the change sought should be made. The 3.5m minimum floor height was carefully considered during the development of the CCRP and reviewed as part of the District Plan.
- 8.4.4 In the decision on the Central City chapter the IHP<sup>78</sup> outlined: “There was agreement between CCC and the Crown that the rationale for such a requirement was based on providing sufficient height to allow a range of uses, including retail in the future, and providing a generous ground floor and attractive street scene that is consistent with other approved developments in the Central City.”
- 8.4.5 At that time, the operative District Plan required a minimum ground floor height of 4m, which was inserted to give effect to Policy 12.3.4 inserted by the CCRP to encourage built form where the usability and adaptability of buildings are enhanced by setting minimum ground floor heights. The IHP considered that the 3.5m minimum height was considered an appropriate reduction, to ensure that the CDP would remain consistent with the CCRP whilst acknowledging the evidence heard.
- 8.4.6 No changes are proposed to existing Policies 15.2.6.2 and 15.2.8.1 that would require a different response to the current approach. I am of the view that the reasoning set out in the evidence is still relevant, and I do not consider that NZILA has provided sufficient information to inform any further changes to these provisions. I therefore recommend that these submissions points are rejected.

#### ***Rules for water supply for firefighting***

- 8.4.7 **FENZ** (842.67; 842.70; 842.72) support the addition of (b) to the provisions pertaining to CCZ, CCMU and CCMU(SF) which ensures that non-reticulated water supply for firefighting is provided in accordance with SNZ PAS 4509:2008. They seek a minor amendment to the water supply rules for each zone to update reference from New Zealand Fire Service Commission to ‘Fire and Emergency New Zealand’. I consider that this change ensures the reference is correct and

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<sup>78</sup> Decision 43, Central City, paragraph 178. <https://proposeddistrictplan1.ccc.govt.nz/assets/Documents/proposed-Christchurch-Replacement-District-Plan/DPR-Decisions-Decision-43-Central-City-Stages-2-and-3-20-09-2016-Optimized.pdf>



improves the usability of the Plan for the community. I recommend that this change adopted and that these submission points are accepted.

- 8.4.8 FENZ (842.66) has also submitted on Rule 15.11.1.3 RD5, Rule 15.12.1.3 RD2, and Rule 15.13.1.3 RD5. They seek that these provisions are retained as notified, insofar as the permitted activities listed for each zone are subject to the built form standards<sup>79</sup> requires a water supply for firefighting. Where compliance with the provisions are not achieved, FENZ support the restricted discretionary activity status and the supporting matter of discretion 15.14.3.8 that requires consideration of whether sufficient firefighting water supply is available to ensure the health and safety of the community, including neighbouring properties. Whilst some changes to the activity specific standards within the provisions are proposed, no changes to the water supply provisions nor the restricted discretionary status of activities where the standard cannot be met are proposed. I therefore recommend that this point be accepted in part.

#### ***Cathedrals in the Central City***

- 8.4.9 Catholic Diocese of Christchurch (823), Carter Group Limited (814) and Daniel Crooks for New Zealand Institute of Architects Canterbury Branch (762.31) seek amendments to the policy and provisions that specifically provide for the previous site of the Catholic Diocese at 136 Barbadoes Street. These provisions were implemented as a part of the District Plan Review to provide a pathway for the rebuild of the significant heritage buildings on these sites.
- 8.4.10 No changes are proposed to these provisions are proposed in PC14. I consider that the changes sought impact on status quo operative CDP development rights. The recent decision on Waikanae by the Environment Court raises issues of scope with the submitters request and matters of natural justice. It is my view that members of the public who may be affected by this change would not have reasonably known that such a change could be considered by PC14, because it relates to the intensification of housing and commercial development across the city to increase development capacity, not development opportunities for spiritual activities. I therefore consider the requested changes are beyond the scope of PC14. Regardless of the scope of these requests, I consider below the merits of the requests and whether the relief sought is the most appropriate way to achieve the objectives of the CDP.

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<sup>79</sup> CCZ – Rule 15.11.2.13; CCMU – Rule 15.12.2.8; CCMU(SF) Rule 15.13.2.9

- 8.4.11 During the District Plan Review, the consideration of whether to provide specific provisions for the Christ Church Cathedral and Catholic cathedral were the topic of much debate. The IHP concluded that two activity classes were appropriate, these being a controlled activity status for a new cathedral building and restricted discretionary status for any other building<sup>80</sup>. I agree with the approach taken and subsequent provisions that provide for the reinstatement of the cathedral at 136 Barbadoes Street. I am of the view that the Catholic cathedral at its previous site at 136 Barbadoes Street was a well-known landmark and significant heritage item, therefore a new cathedral at this site is not unexpected by surrounding property owners and occupiers nor the wider public.
- 8.4.12 A project to reinstate the building, with its significant heritage fabric, would have been a substantial undertaking and therefore providing activity specific provisions was an appropriate response in the context of the recovery of the city at that time, particularly in light of the loss of many heritage buildings which heightened the desire to retain and reinstate what remained.
- 8.4.13 The Catholic Diocese of Christchurch has outlined that they have three potential sites they are considering for the location of a new Catholic cathedral in the Central City. Two of these sites are in the CCZ (Armagh Street) and the CCMU (the existing 136 Barbadoes Street site). Whilst the third site is in HRZ (Manchester Street) I have also considered this in my assessment below as this site is also in the central city.
- 8.4.14 In their submission they have provided images to show where each of these sites are located and a brief outline of the relief sought. They have not provided any evidence to show what a new cathedral might look like, nor that it would have any role in contributing to or maximizing as much development capacity as possible, nor a WFUE<sup>81</sup> as required by the NPS-UD. Further, I consider that neither Catholic Diocese of Christchurch nor Carter Group Limited have provided sufficient evidence to demonstrate that a new cathedral on any of these sites would be of a similar scale to the previously building at 136 Barbadoes Street, such that it would require activity specific District Plan provisions to enable the establishment of the building. As outlined earlier, the Catholic cathedral on the previous site at 136 Barbadoes Street was a significant heritage

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<sup>80</sup>Decision 43 of the Independent Hearings Panel – Central City, paragraph 200  
<https://proposeddistrictplan1.ccc.govt.nz/assets/Documents/proposed-Christchurch-Replacement-District-Plan/DPR-Decisions-Decision-43-Central-City-Stages-2-and-3-20-09-2016-Optimized.pdf>

<sup>81</sup> Discussed above in section “Implementing the NPS-UD for the City Centre and Mixed Use Zones”

item and landmark building that contributed to the identity of the city, and providing for its reinstatement enabled a pathway for what would be an extensive project.

- 8.4.15 Although the built form for a new cathedral is not specifically provided for, I consider an appropriate pathway is provided as spiritual activities are permitted under Rules 15.11.1.1 – P11 and Rule 15.12.1.1 – P15, therefore such a proposal would be assessed against the built form standards it did not comply with. I am of the view that this pathway is appropriate both to ensure the building would be in keeping with the context of the site and its zoning, and that potential effects on surrounding properties could be considered commensurate to the degree of non-compliance.
- 8.4.16 Overall, given my discussion on the merits of this request, I do not recommend any changes to the District Plan provisions and recommend that these submission points be rejected. For clarity, in coming to this conclusion I also consider the requests to be out of scope of PC14.

***Provisions relating to the Former Christchurch Teachers College at 25 Peterborough Street***

- 8.4.17 Ceres NZ has sought amendments to delete Rules 15.11.1.1 c) and 15.11.1.1 (P17) which specify site specific permitted activities and activity standards that apply to 25 Peterborough Street; and seeks to retain Rules 15.11.1.1 (P13) b) (Residential Activity) and (P14) (b) (Visitor Accommodation). Standard b) is an exemption for 25 Peterborough Street from standard a) which requires a 10m ground floor setback from the road boundary, thereby providing more flexibility for uses to establish in this heritage building.
- 8.4.18 Ms. Suzanne Richmond has discussed the relief sought by Ceres NZ in her evidence and supports the requests to delete Rule 15.11.1.1 c) and Rule 15.11.1.1 (P17), and to retain standard b) in Rule 15.11.1.1 (P13) and (P14). For the reasons outlined in her evidence Ms. Richmond does not support the other changes requested by Ceres NZ. I agree with and adopt the recommendations made by Ms. Richmond and have included the changes requested in the amended zone provisions. I recommend these submission points are accepted or rejected accordingly.

***Retirement villages***

- 8.4.19 RVA have submitted in support of the permitted activity provisions for retirement villages in the CCZ (811.94) and CCMU (811.96). I do not recommend any changes to these provisions as notified and recommend that these submission points be accepted.
- 8.4.20 RVA seek changes to the restricted discretionary activity provisions under Rule 15.1.1.3 RD6 and RD7 (CCZ) and Rule 15.12.1.3 RD3 (CCMU) to provide for the construction of a retirement village as a restricted discretionary activity with a specific set of matters of discretion that apply to retirement villages (811.95; 811.97). They seek amendments to make retirement villages restricted discretionary regardless of whether or not the built form standards are complied with and updates to matters of discretion pertaining to retirement villages in Rule 15.14.2.14, to better acknowledge the specific requirements that retirement village shave and NPS-UD and Housing Enablement Act.
- 8.4.21 I firstly consider that the amendments sought could be outside the scope of PC14, as the notified changes proposed are in response to the requirement of the NPS-UD to amend the Plan to enable greater heights and density of development as described in section *'Implementing the NPD-US for the City Centre and Mixed Use Zones'* above. I do not consider that sufficient information has been provided to demonstrate that such changes would contribute to the intensification of commercial activities and a WFUE<sup>82</sup> in Christchurch, and in doing so give effect to the direction in the NPS-UD to which PC14 responds. Further, I consider that retirement villages are already appropriately provided for by the provisions listed above, with matters of discretion that are appropriate for the assessment of new buildings in the CCZ and CCMU. For the same reasons, I do not consider that amendments to the activity status provisions are appropriate within PC14.
- 8.4.22 I therefore recommend that these submission points be rejected.

#### ***Section 32AA Evaluation of Issue 4***

- 8.4.23 Regarding the Section 32AA evaluation, as recommended the changes are minor points of clarification, therefore no Section 32 AA evaluation is required.

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<sup>82</sup> Discussed above in section "Implementing the NPS-UD for the City Centre and Mixed Use Zones"

## 9 MINOR AND INCONSEQUENTIAL AMENDMENTS

- 9.1.1 Pursuant to Schedule 1, clause 16 (2) of the RMA, a local authority may make an amendment, without using the process in this schedule, to its proposed plan to alter any information, where such an alteration is of minor effect, or may correct any minor errors.
- 9.1.2 Any minor and inconsequential amendments relevant to CCZ, CCMU and CCMU (SF) provisions will be listed in the appropriate sections of this s42A report.

## 10 CONCLUSIONS AND RECOMMENDATIONS

- 10.1.1 Having considered all of the submissions and reviewed all relevant instruments and statutory matters, I am satisfied that the PC14 provisions for the CCZ, CCMUZ, and CCMUZ(SF), with the amendments I am suggesting, will:
- a. result amended objectives that better achieve(s) the purpose of the RMA;
  - b. result in amended policies that better achieve(s) the operative and proposed objectives;
  - c. result in amended rules that better implement the operative and proposed policies;
  - d. give effect to relevant higher order documents, in particular the NPS-UD;
  - e. ensure the provisions can provide for a well-functioning urban environment in the central city, blending city recovery with planning for the long term; and
  - f. more appropriately achieve the District Plan objectives and better meet the purpose of the Act than the current Plan provisions.
- 10.1.2 For the reasons set out in the Section32AA evaluation included throughout this report, I consider that the proposed objectives and provisions, with the recommended amendments, will be the most appropriate means to:
- a. Achieve the purpose of the RMA where it is necessary to revert to Part 2 and otherwise give effect to higher order planning documents, in respect to the proposed objectives, and
  - b. Achieve the relevant objectives of the District Plan, in respect to the proposed provisions.
- 10.1.3 I recommend therefore that:
- a. Submissions on PC14 be accepted or rejected as set out in **Appendix A** and **Appendix B**.

**APPENDIX A - TABLE OF SUBMISSIONS WITH RECOMMENDATIONS AND REASONS**

**Appendix A – Table of submissions with recommendations on City Centre and Mixed Use Zones**

| <b>Sub. No.</b>      | <b>Submitter name</b>                      | <b>Summary of relief sought</b>  | <b>Recommendation</b> |
|----------------------|--|--|-----------------------|
| <b>Outside Scope</b> |  |  |                       |
| 237.59               | Marjorie Manthei                           | Delete 15.2.6.7 (a) (ii)   | Reject                |
| 669.3                | Edward Jolly                               | Seek amendment to Urban Design Certification Pathway and Mana Whenua engagement method to remove requirement from this rule and include "a new section of the plan... that... provide[s] this mechanism... [developed as a separate process by] CCC under its Te Tiriti o Waitangi obligations [with] Mana Whenua to a level negotiated between these parties whom jointly develop associated mechanisms within the plan." | Reject                |
| 669.4                | Edward Jolly                               | Seek amendment to Urban Design Certification Pathway and Mana Whenua engagement method to remove requirement from this rule and include "a new section of the plan... that... provide[s] this mechanism... [developed as a separate process by] CCC under its Te Tiriti o Waitangi obligations [with] Mana Whenua to a level negotiated between these parties whom jointly develop associated mechanisms within the plan." | Reject                |
| 669.5                | Edward Jolly                               | Seek amendment to Urban Design Certification Pathway and Mana Whenua engagement method to remove requirement from this rule and include "a new section of the plan... that... provide[s] this mechanism... [developed as a separate process by] CCC under its Te Tiriti o Waitangi obligations [with] Mana Whenua to a level negotiated between these parties whom jointly develop associated mechanisms within the plan." | Reject                |
| 669.7                | Edward Jolly                               | Seek amendment to Urban Design Certification Pathway and Mana Whenua engagement method to remove requirement from this rule and include "a new section of the plan... that... provide[s] this mechanism... [developed as a separate process by] CCC under its Te Tiriti o Waitangi obligations [with] Mana Whenua to a level negotiated between these parties whom jointly develop associated mechanisms within the plan." | Reject                |
| 308.10               | Tony Pennell                               | [New built form standard to require] provision for future solar panel installation unless orientation north is impossible.   | Reject                |
| 308.11               | Tony Pennell                               | [New built form standard to require] provision for future solar panel installation unless orientation north is impossible.   | Reject                |
| 308.9                | Tony Pennell                               | [New built form standard to require] provision for future solar panel installation unless orientation north is impossible.   | Reject                |
| 627.19               | Simon Bartholomew for Plain and Simple Ltd | [New standards for] accessibility and environmentally responsible design, [such as]: Rain and grey water harvesting / recycling; Composting / incinerating toilets; Alternative energy sources; Green roofs; Porous hardscaping  | Reject                |

|   |  |   |        |
|---|--|---|--------|
| 627.20  | Simon Bartholomew for Plain and Simple Ltd                                   | [New standards for] accessibility and environmentally responsible design, [such as]: Rain and grey water harvesting / recycling; Composting / incinerating toilets; Alternative energy sources; Green roofs; Porous hardscaping | Reject |
| 627.21  | Simon Bartholomew for Plain and Simple Ltd                                   | [New standards for] accessibility and environmentally responsible design, [such as]: Rain and grey water harvesting / recycling; Composting / incinerating toilets; Alternative energy sources; Green roofs; Porous hardscaping | Reject |
| 685.20  | Glenn Murdoch for Canterbury / Westland Branch of Architectural Designers NZ | [New built form standard] to require buildings to calculate their lifetime carbon footprint and be required to not exceed a sinking lid maximum.  | Reject |
| 685.21  | Glenn Murdoch for Canterbury / Westland Branch of Architectural Designers NZ | [New built form standard] to require buildings to calculate their lifetime carbon footprint and be required to not exceed a sinking lid maximum.  | Reject |
| 685.22  | Glenn Murdoch for Canterbury / Westland Branch of Architectural Designers NZ | [New built form standard] to require buildings to calculate their lifetime carbon footprint and be required to not exceed a sinking lid maximum.  | Reject |
| <b>Issue 1 - The role of urban design &amp; amenity in enabling a WFUE in the Central City.</b> |  |   |        |
| 760.12  | Adele Radburnd for ChristchurchNZ  | Retain as notified  | Accept |
| 760.13  | Adele Radburnd for ChristchurchNZ  | Amend a.v. to insert "standards for" as follows:<br>(a)...<br>v. minimum standards for landscaping, and outlook requirements; and   | Accept |
| 760.6   | Adele Radburnd for ChristchurchNZ  | Retain as notified  | Accept |
| 760.7   | Adele Radburnd for ChristchurchNZ  | Retain as notified  | Accept |
| 760.8   | Adele Radburnd for ChristchurchNZ  | Retain as notified  | Reject |
| 810.13  | Anita Collie for Regulus Property Investments Limited                        | [Retain provisions that] support the intensification of urban form to provide for additional development capacity, particularly near the city and commercial centres  | Accept |



|         |  |  |                |
|---------|--|--|----------------|
| 810.14  | Anita Collie for Regulus Property Investments Limited  | [Retain provisions that] support the intensification of urban form to provide for additional development capacity, particularly near the city and commercial centres   | Accept in part |
| 810.15  | Anita Collie for Regulus Property Investments Limited  | [Retain provisions that] support the intensification of urban form to provide for additional development capacity, particularly near the city and commercial centres   | Accept in part |
| 337.19  | Anna Melling   | That maximum heights will be lowered to account for lower sun height further south.  | Accept in part |
| 337.22  | Anna Melling   | That maximum heights will be lowered to account for lower sun height further south.  | Accept in part |
| 337.24  | Anna Melling   | That maximum heights will be lowered to account for lower sun height further south.  | Accept in part |
| 799.11  | Benjamin Love  | [Retain provisions that enable mixed uses]   | Accept         |
| 834.248 | Brendon Liggett for Kainga Ora – Homes and Communities | Delete the replacement Clause (a)(ii). [Retain] the deletion of existing clause (a)(ii).   | Reject         |
| 834.249 | Brendon Liggett for Kainga Ora – Homes and Communities | Amend Policy 15.2.6.4(a) as follows: <i>Encourage the intensification of residential activity within the <del>Commercial Central City Business City Centre Zone</del> by enabling <b>high good</b> quality residential development that <del>positively contributes to supports</del> a range of types of residential development typologies, tenures and prices, with an appropriate level of amenity including:...</i> | Reject         |
| 834.250 | Brendon Liggett for Kainga Ora – Homes and Communities | Amend Policy 15.2.6.5(ii) [to delete "wind generation"]  | Reject         |
| 834.256 | Brendon Liggett for Kainga Ora – Homes and Communities | Retain policy as notified  | Accept in part |
| 834.271 | Brendon Liggett for Kainga Ora – Homes and Communities | Consequential amendments associated with Appendix 14.16.2. Adopt Metropolitan Centre Zone Rules proposed in the Kāinga Ora submission Appendix 2 and amend these rules as appropriate.   | Reject         |
| 834.272 | Brendon Liggett for Kainga Ora – Homes and Communities | Consequential amendments associated with Appendix 14.16.2. Adopt Metropolitan Centre Zone Rules proposed in the Kāinga Ora submission Appendix 2 and amend these rules as appropriate.   | Reject         |
| 812.9   | James Barbour  | [Retain provisions that] support the intensification of urban form to provide for additional development capacity, particularly near the city and commercial centres   | Accept         |
| 834.295 | Brendon Liggett for Kainga Ora – Homes and Communities | Delete the rule.   | Reject         |

|         |  |  |                |
|---------|--|--|----------------|
| 834.296 | Brendon Liggett for Kainga Ora – Homes and Communities | Amend definition of Building Base as:<br><del><b>Building Base: In respect to the City Centre and Central City Mixed Use Zones, means any part of any building that is below the maximum permitted height for that type of building in the zone.</b></del> -2.<br>Amend rule as follows: [not coded] Delete clauses i) B), iv) B), v) B) that require a 28m building base height | Accept in part |
| 834.297 | Brendon Liggett for Kainga Ora – Homes and Communities | Delete all these provisions.   | Reject         |
| 834.298 | Brendon Liggett for Kainga Ora – Homes and Communities | Delete all these provisions.   | Reject         |
| 834.299 | Brendon Liggett for Kainga Ora – Homes and Communities | Delete provision.  | Accept in part |
| 834.300 | Brendon Liggett for Kainga Ora – Homes and Communities | Delete provision   | Accept in part |
| 834.301 | Brendon Liggett for Kainga Ora – Homes and Communities | Delete provision   | Accept         |
| 834.302 | Brendon Liggett for Kainga Ora – Homes and Communities | 15.12.1.1(P16)(a)(iii)<br>Amend rule by deleting clause (a)(iii).  | Reject         |
| 834.303 | Brendon Liggett for Kainga Ora – Homes and Communities | 15.12.1.1(P16)(c)(iii)<br>Amend rule by deleting clause (c)(iii).  | Reject         |
| 834.304 | Brendon Liggett for Kainga Ora – Homes and Communities | 15.12.1.1(P16)(j)<br>Amend rule by deleting clause (j).  | Reject         |
| 834.305 | Brendon Liggett for Kainga Ora – Homes and Communities | 15.12.1.3(RD2) – Buildings<br>Amend rule by deleting clauses (k) upper floor setbacks and (l) glazing.   | Reject         |
| 834.306 | Brendon Liggett for Kainga Ora – Homes and Communities | 15.12.1.3(RD4) – Four or more residential units<br>Amend rule by deleting clauses (b) outdoor living space and (c) glazing.  | Reject         |

|         |  |  |        |
|---------|--|--|--------|
| 834.307 | Brendon Liggett for Kainga Ora – Homes and Communities | Delete PC14 amendments and retain operative plan rule.   | Reject |
| 834.309 | Brendon Liggett for Kainga Ora – Homes and Communities | Delete PC14 amendments and retain operative plan rule.   | Reject |
| 834.311 | Brendon Liggett for Kainga Ora – Homes and Communities | Amend the rule by deleting clauses (b) and (c).  | Reject |
| 834.312 | Brendon Liggett for Kainga Ora – Homes and Communities | Delete the rule  | Reject |
| 834.313 | Brendon Liggett for Kainga Ora – Homes and Communities | Delete this rule   | Reject |
| 834.314 | Brendon Liggett for Kainga Ora – Homes and Communities | 15.12.1.1(P13)(a)(iii)<br>Amend the rule by deleting clause (a)(iii).  | Reject |
| 834.315 | Brendon Liggett for Kainga Ora – Homes and Communities | 15.12.1.1(P13)(d)(iii)<br>Amend the rule by deleting clause (d)(iii).  | Reject |
| 834.316 | Brendon Liggett for Kainga Ora – Homes and Communities | 15.12.1.1(P13)(f)(g)(j)<br>1. Amend the rule by retaining the operative Plan wording for clause (f).<br>2. Delete clauses (g) and (j).           | Reject |
| 834.317 | Brendon Liggett for Kainga Ora – Homes and Communities | 15.13.1.3(RD4)<br>Amend the rule by deleting clauses (b) - glazing and (c) – outlook.  | Reject |
| 834.318 | Brendon Liggett for Kainga Ora – Homes and Communities | 15.13.1.3(RD5)<br>Amend the rule by deleting clauses (l) – upper floor setbacks and (m) – glazing.   | Reject |
| 834.320 | Brendon Liggett for Kainga Ora – Homes and Communities | 15.13.2.4(f) 'Street scene, landscaping and trees' Amend the rule by deleting the PC14 amendments and retaining the Operative Plan rule wording. | Reject |
| 834.321 | Brendon Liggett for Kainga Ora – Homes and Communities | 15.13.2.10 – Building Tower<br>Setbacks - delete rules   | Reject |

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| 834.322 | Brendon Liggett for Kainga Ora – Homes and Communities                  | Delete 15.13.2.11 – tower coverage   | Reject |
| 834.323 | Brendon Liggett for Kainga Ora – Homes and Communities                  | Delete Rule 15.13.2.12   | Reject |
| 834.325 | Brendon Liggett for Kainga Ora – Homes and Communities                  | Delete the following assessment matters: 15.14.3.35 – upper floor setbacks   | Reject |
| 834.327 | Brendon Liggett for Kainga Ora – Homes and Communities                  | 15.14.3.37 Glazing - delete assessment matters   | Reject |
| 834.328 | Brendon Liggett for Kainga Ora – Homes and Communities                  | 15.14.3.38 Outdoor Spaces - delete the following assessment matters  | Reject |
| 657.1   | Clair Higginson   | Add new point (viii) to 15.13.14.2.6 Commercial Central City Business City Centre and Central City Mixed Use Zones urban design:<br><i>Whether the increased height, or reduced setbacks, or recession plane intrusion would result in that do not compromise the amenity of adjacent properties planned urban built, taking into account the following matters of discretion apply:</i><br><i>Building bulk and dominance effects on surrounding neighbours;</i><br><i>Privacy and shading effects on surrounding neighbours, including on habitable rooms or outdoor living spaces</i> | Reject |
| 657.6   | Clair Higginson   | Include a clause from '14.15.3 Impacts on neighbouring property' in relation to the change in maximum building height in the Central City Mixed Use Zone   | Reject |
| 762.35  | Daniel Crooks for New Zealand Institute of Architects Canterbury Branch | [Increase measurement] from 3.5m to a minimum between 4.2 & 4.5m [This rule is not to be changed under PC14],  | Reject |
| 762.36  | Daniel Crooks for New Zealand Institute of Architects Canterbury Branch | [Increase measurement] from 3.5m to a minimum between 4.2 & 4.5m [This rule is not to be changed under PC14],  | Reject |
| 762.37  | Daniel Crooks for New Zealand Institute of                              | [Increase measurement] from 3.5m to a minimum between 4.2 & 4.5m [This rule is not to be changed under PC14],  | Reject |

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|        | Architects Canterbury Branch                 |  |                |
| 235.10 | Geordie Shaw                                 | [That P13.i. the minimum glazing standard allows more flexibility in achieving the intent of the policies]   | Accept in part |
| 235.11 | Geordie Shaw                                 | [That the minimum glazing standard allows more flexibility in achieving the intent of the policies]  | Accept in part |
| 235.8  | Geordie Shaw                                 | [That P16.f. the minimum glazing standard allows more flexibility in achieving the intent of the policies]   | Accept in part |
| 235.9  | Geordie Shaw                                 | [That the minimum glazing standard allows more flexibility in achieving the intent of the policies]  | Accept in part |
| 872.10 | Henry Sullivan for Oyster Management Limited | Delete Rule 15.12.1.3 RD5.   | Reject         |
| 872.16 | Henry Sullivan for Oyster Management Limited | Retain Standard 15.11.2.11(a)(i)(A) and delete (a)(i)(B) re maximum height for building base.  | Reject         |
| 872.17 | Henry Sullivan for Oyster Management Limited | Delete Standard 15.11.2.12.  | Reject         |
| 872.3  | Henry Sullivan for Oyster Management Limited | Delete Rule 15.13.1.2 C1   | Reject         |
| 872.4  | Henry Sullivan for Oyster Management Limited | Delete Rule 15.13.1.3 RD1.   | Reject         |
| 872.5  | Henry Sullivan for Oyster Management Limited | Amend Rule 15.13.1.3 RD5 as follows: Any activity listed in Rule 15.13.1.1 P1 to P156 and Rule 15.13.1.3 RD1 to RD4 and RD6 that does not meet one or more of the built form standards in Rule 15.13.2, except 15.13.2.1(a)(i)(b), unless otherwise specified. | Reject         |
| 872.6  | Henry Sullivan for Oyster Management Limited | Delete Rule 15.13.1.4 D2.  | Reject         |
| 872.8  | Henry Sullivan for Oyster Management Limited | Amend Rule 15.12.1.3 RD2 as follows: Any activity listed in Rule 15.12.1.1 P1 to P20 that does not meet one or more of the built form standards in Rule 15.12.2, except 15.12.2.2(b), unless otherwise specified.  | Reject         |
| 872.9  | Henry Sullivan for Oyster Management Limited | Delete Rule 15.12.1.4 D2.  | Reject         |
| 812.10 | James Barbour                                | [Retain provisions that] support the intensification of urban form to provide for additional development capacity, particularly near the city and commercial centres   | Accept         |
| 812.11 | James Barbour                                | [Retain provisions that] support the intensification of urban form to provide for additional development capacity, particularly near the city and commercial centres   | Accept         |

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| 834.291 | Brendon Liggett for Kainga Ora – Homes and Communities              | C1 - Delete proposed PC14 amendments to the rule i.e. retain the Operative Plan provision.   | Reject         |
| 519.9   | James Carr  | Seeks the minimum lot size in Central City Mixed Use Zone is reduced.<br>A minimum lot size of 500 square metres in the Central City Mixed Use Zone is big and is likely to discourage smaller developers from creating more interesting smaller buildings. For example, [submitter has] been working with a developer on a proposal for a rather loud building on a 250 square metre site on High Street, with a retail ground floor and perhaps five stories of apartments above. There is no good reason why such things should be discouraged. This is probably getting close to the lower size limit for a medium rise building with a single stair and lift to be economic, but it still seems to be viable, and a smaller building is a smaller financial commitment (and risk) if the developer wants to do something more daring architecturally or conceptually. | Reject         |
| 571.31  | James Harwood   | I support high-density housing near the city and commercial centres.   | Accept         |
| 571.32  | James Harwood   | I support high-density housing near the city and commercial centres.   | Accept in part |
| 689.61  | Jeff Smith for Environment Canterbury / Canterbury Regional Council | [Retain Policy as notified]  | Accept         |
| 689.62  | Jeff Smith for Environment Canterbury / Canterbury Regional Council | [Retain Policy as notified]  | Accept         |
| 689.69  | Jeff Smith for Environment Canterbury / Canterbury Regional Council | [Retain Policy as notified]  | Accept         |
| 689.70  | Jeff Smith for Environment Canterbury / Canterbury Regional Council | [Retain Policy as notified]  | Accept in part |
| 814.188 | Jo Appleyard for Carter Group Limited                               | Delete the proposed amendments in clause (a)(ii) of Policy 15.2.6.3.   | Reject         |
| 814.189 | Jo Appleyard for Carter Group Limited                               | Delete the proposed amendments in clauses (a)(vi)-(viii) of Policy 15.2.6.4.   | Reject         |
| 814.190 | Jo Appleyard for Carter Group Limited                               | Oppose Policy 15.2.6.5. Seek that this is deleted.   | Reject         |

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| 834.293 | Brendon Liggett for Kainga Ora – Homes and Communities | 15.12.1.3(RD)(b) and (c) Amend the rule by deleting clauses (b) and (c) as follows:<br><i>a. Residential activity in the <del>Commercial-Central-City Business-City Centre and Central City Mixed Use Zones – Rule 15.134.2.9</del></i><br><del><i>b. Glazing – 15.14.3.37</i></del><br><del><i>c. Outlook spaces – 15.14.3.38.</i></del>  | Reject |
| 872.12  | Henry Sullivan for Oyster Management Limited           | Delete Rule 15.11.1.2.C1   | Reject |
| 814.199 | Jo Appleyard for Carter Group Limited                  | Rule 15.11.1.2 C1 - Amend as follows:<br><i>a. Any new building, external alteration to any existing building, or the use of any part of a site not occupied by a building, for an activity listed in Rule 15.101.1.1 P1 to P17, which is:</i><br><del><i>i. within the Central City Core area 28m or less in height; and</i></del><br><del><i>ii. visible from a publicly owned and accessible space; and</i></del><br><del><i>iii. meets the following built form standards:</i></del><br><del><i>A. Rule 15.11.2.3 Sunlight and outlook for the street; and/or</i></del><br><del><i>B. Rule 15.11.2.12 Maximum road wall height;</i></del><br><i>iv. iii. is certified by a qualified expert on a Council approved list as meeting each of the urban design provisions/ outcomes...</i> | Reject |
| 814.203 | Jo Appleyard for Carter Group Limited                  | Support Rule 15.11.2.3. Retain as notified.  | Accept |
| 814.204 | Jo Appleyard for Carter Group Limited                  | Support Rule 15.11.2.9. Retain as notified.  | Accept |
| 814.206 | Jo Appleyard for Carter Group Limited                  | Oppose Rule 15.11.2.12. Seek that this be deleted.   | Reject |
| 814.207 | Jo Appleyard for Carter Group Limited                  | Oppose Rule 15.11.2.14. Seek that this be deleted.   | Reject |
| 814.208 | Jo Appleyard for Carter Group Limited                  | Oppose Rule 15.11.2.15. Seek that this be deleted.   | Reject |
| 814.209 | Jo Appleyard for Carter Group Limited                  | Oppose 15.11.2.16. Seek that this be deleted.  | Reject |
| 814.210 | Jo Appleyard for Carter Group Limited                  | Oppose Rule 15.11.2.17. Seek that this be deleted.   | Accept |
| 814.211 | Jo Appleyard for Carter Group Limited                  | Oppose 15.12.1.1 Seek that the status quo is retained.   | Reject |
| 814.214 | Jo Appleyard for Carter Group Limited                  | Oppose 15.12.1.3 RD4. Seek that this be deleted.   | Reject |

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| 814.215 | Jo Appleyard for Carter Group Limited                  | Oppose 15.11.1.3 RD2. Seek that this be deleted.  | Reject |
| 814.218 | Jo Appleyard for Carter Group Limited                  | Retain the status quo in clause (a)(iv) of rule 15.12.2.1 – i.e. 5% rather than 10% site landscaping.   | Reject |
| 823.165 | Jo Appleyard for The Catholic Diocese of Christchurch  | <p>Rule 15.11.1.2 C1 - Amend as follows:</p> <p><i>a. Any new building, external alteration to any existing building, or the use of any part of a site not occupied by a building, for an activity listed in Rule 15.101.1.1 P1 to P17, which is:</i></p> <p><del><i>i. within the Central City Core area 28m or less in height; and</i></del></p> <p><del><i>ii. visible from a publicly owned and accessible space; and</i></del></p> <p><del><i>iii. meets the following built form standards:</i></del></p> <p><del><b>A. Rule 15.11.2.3 Sunlight and outlook for the street; and/or</b></del></p> <p><del><b>B. Rule 15.11.2.12 Maximum road wall height;</b></del></p> <p><i>iv. iii. is certified by a qualified expert on a Council approved list as meeting each of the urban design provisions/ outcomes...</i></p> | Reject |
| 814.221 | Jo Appleyard for Carter Group Limited                  | Oppose 15.12.2.10. Seek that this be deleted.   | Reject |
| 814.222 | Jo Appleyard for Carter Group Limited                  | Oppose 15.12.2.11. Seek that this be deleted.   | Reject |
| 872.15  | Henry Sullivan for Oyster Management Limited           | <p>Amend Rule 15.11.1.4.D1 as follows:</p> <p><i>Any activity that does not meet one or more of built form standards in Rules 15.11.2.11 <del>(a)(i)(B)</del>, (a)(ii), (a)(iii) and (a)(iv)(B) (Building Height) and/or 15.11.2.12 (Maximum Road Wall Height) unless otherwise specified.</i></p>  | Reject |
| 814.202 | Jo Appleyard for Carter Group Limited                  | Oppose 15.11.1.4 D1. Seek that this be deleted.   | Reject |
| 823.168 | Jo Appleyard for The Catholic Diocese of Christchurch  | Delete Rule 15.11.1.4 D1 in its entirety.   | Reject |
| 834.290 | Brendon Liggett for Kainga Ora – Homes and Communities | Retain P18 as notified.   | Accept |
| 814.223 | Jo Appleyard for Carter Group Limited                  | Oppose 15.12.2.12. Seek that this be deleted.   | Reject |
| 814.225 | Jo Appleyard for Carter Group Limited                  | Retain the status quo in respect of Rule 15.13.1.1 P13.   | Reject |



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| 814.226 | Jo Appleyard for Carter Group Limited                  | Delete proposed new clauses (j)-(m) in Rule 15.13.1.3 RD5.  | Reject |
| 814.228 | Jo Appleyard for Carter Group Limited                  | Oppose 15.13.2.10. Seek that this be deleted.   | Reject |
| 814.198 | Jo Appleyard for Carter Group Limited                  | Oppose plan changes to Rule 15.11.1.1.  | Reject |
| 814.230 | Jo Appleyard for Carter Group Limited                  | Oppose 15.13.2.11. Seek that this is deleted.   | Reject |
| 814.231 | Jo Appleyard for Carter Group Limited                  | Oppose 15.13.2.12. Seek that this is deleted.   | Reject |
| 814.233 | Jo Appleyard for Carter Group Limited                  | Delete Rule 15.14.3.35 in its entirety.   | Reject |
| 814.235 | Jo Appleyard for Carter Group Limited                  | Delete Rule 15.14.3.37 in its entirety.   | Reject |
| 814.236 | Jo Appleyard for Carter Group Limited                  | Delete Rule 15.14.3.38 in its entirety.   | Reject |
| 823.154 | Jo Appleyard for The Catholic Diocese of Christchurch  | Delete the proposed amendments in clause (a)(ii).   | Reject |
| 823.155 | Jo Appleyard for The Catholic Diocese of Christchurch  | Delete the proposed amendments in clauses (a)(vi)-(viii).   | Reject |
| 823.160 | Jo Appleyard for The Catholic Diocese of Christchurch  | 15.11.1.1 P13 (CCZ Residential activity). Delete  | Reject |
| 823.156 | Jo Appleyard for The Catholic Diocese of Christchurch  | Delete.   | Reject |
| 823.164 | Jo Appleyard for The Catholic Diocese of Christchurch  | 15.11.1.1 - P13 - Delete  | Reject |
| 834.294 | Brendon Liggett for Kainga Ora – Homes and Communities | Amend rule [15.11.1.3 RD5] by deleting clauses (m) and (n) as follows:<br><del>m. Upper floor setbacks, tower dimension and site coverage – Rule 15.14.3.35</del><br><del>n. Wind – Rule 15.14.3.39</del> | Reject |

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| 61.44   | Geoffrey Banks for Victoria Neighbourhood Association (VNA) | That each new build needs to be assessed in relation to design and impact on neighbours. | Accept in part |
| 872.13  | Henry Sullivan for Oyster Management Limited                | Delete Rule 15.11.1.3.RD1  | Reject         |
| 814.200 | Jo Appleyard for Carter Group Limited                       | Oppose 15.11.1.3 RD5. Seek that the status quo provisions is retained.                   | Reject         |
| 823.166 | Jo Appleyard for The Catholic Diocese of Christchurch       | Retain the status quo in respect of Rule 15.11.1.3 RD5.                                  | Reject         |
| 823.169 | Jo Appleyard for The Catholic Diocese of Christchurch       | Adopt  | Accept         |
| 823.170 | Jo Appleyard for The Catholic Diocese of Christchurch       | Adopt  | Accept         |
| 823.172 | Jo Appleyard for The Catholic Diocese of Christchurch       | Delete Rule 15.11.2.12 in its entirety.  | Reject         |
| 823.173 | Jo Appleyard for The Catholic Diocese of Christchurch       | Delete Rule 15.11.2.14 in its entirety.  | Reject         |
| 823.174 | Jo Appleyard for The Catholic Diocese of Christchurch       | Delete Rule 15.11.2.15 in its entirety.  | Reject         |
| 823.175 | Jo Appleyard for The Catholic Diocese of Christchurch       | Delete Rule 15.11.2.16 in its entirety.  | Reject         |
| 823.176 | Jo Appleyard for The Catholic Diocese of Christchurch       | Delete Rule 15.11.2.17 in its entirety.  | Accept         |
| 823.177 | Jo Appleyard for The Catholic Diocese of Christchurch       | Retain the status quo in respect of Rule 15.12.1.1 P16.                                  | Reject         |

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| 823.179 | Jo Appleyard for The Catholic Diocese of Christchurch | Retain the status quo in respect of Rule 15.12.1.3 RD2.                             | Reject |
| 823.180 | Jo Appleyard for The Catholic Diocese of Christchurch | Delete Rule 15.12.1.3 RD4.  | Reject |
| 823.181 | Jo Appleyard for The Catholic Diocese of Christchurch | Rule 15.12.1.3 RD5. Delete  | Reject |
| 823.184 | Jo Appleyard for The Catholic Diocese of Christchurch | Retain the status quo in clause (a)(iv) – i.e. 5% rather than 10% site landscaping. | Reject |
| 823.187 | Jo Appleyard for The Catholic Diocese of Christchurch | Delete Rule 15.12.2.10 in its entirety.   | Reject |
| 823.188 | Jo Appleyard for The Catholic Diocese of Christchurch | Delete Rule 15.12.2.11 in its entirety.   | Reject |
| 823.189 | Jo Appleyard for The Catholic Diocese of Christchurch | Delete Rule 15.12.2.12 in its entirety.   | Reject |
| 823.191 | Jo Appleyard for The Catholic Diocese of Christchurch | Retain the status quo in respect of Rule 15.13.1.1 P13.                             | Reject |
| 823.192 | Jo Appleyard for The Catholic Diocese of Christchurch | Delete proposed new clauses (j)-(m) in Rule 15.13.1.3 RD5.                          | Reject |
| 823.195 | Jo Appleyard for The Catholic Diocese of Christchurch | Delete Rule 15.12.2.10 in its entirety.   | Reject |
| 823.196 | Jo Appleyard for The Catholic Diocese of Christchurch | Delete Rule 15.12.2.11 in its entirety.   | Reject |
| 823.197 | Jo Appleyard for The Catholic Diocese of Christchurch | Delete Rule 15.12.2.12 in its entirety.   | Reject |

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| 823.199 | Jo Appleyard for The Catholic Diocese of Christchurch | Delete Rule 15.14.3.35 in its entirety.   | Reject         |
| 823.201 | Jo Appleyard for The Catholic Diocese of Christchurch | Delete Rule 15.14.3.37 in its entirety.   | Reject         |
| 823.211 | Jo Appleyard for The Catholic Diocese of Christchurch | Delete Rule 15.14.3.38 in its entirety.   | Reject         |
| 367.16  | John Bennett  | Require all developments to be assessed by a professionally qualified urban design panel.   | Reject         |
| 367.15  | John Bennett  | require all developments to be assessed by a professionally qualified urban design panel.   | Reject         |
| 367.17  | John Bennett  | Require all developments to be assessed by a professionally qualified urban design panel.   | Reject         |
| 780.23  | Josie Schroder  | Retain the rules in 15.12 as notified.  | Accept in part |
| 780.24  | Josie Schroder  | Retain the rules in 15.13 as notified.  | Accept in part |
| 297.31  | Kate Z  | That resource consent to be required for buildings greater than two stories and all subdivisions.   | Accept in part |
| 297.32  | Kate Z  | That resource consent to be required for buildings greater than two stories and all subdivisions.   | Accept in part |
| 297.33  | Kate Z  | That resource consent to be required for buildings greater than two stories and all subdivisions.   | Accept in part |
| 297.34  | Kate Z  | That resource consent to be required for buildings greater than two stories and all subdivisions.   | Accept in part |
| 297.35  | Kate Z  | That resource consent to be required for buildings greater than two stories and all subdivisions.   | Accept in part |
| 63.58   | Kathleen Crisley                                      | Retain provisions in relation to recession planes in final plan decision.   | Accept         |
| 63.59   | Kathleen Crisley                                      | Retain provisions in relation to recession planes in final plan decision.   | Accept         |
| 63.60   | Kathleen Crisley                                      | Retain provisions in relation to recession planes in final plan decision.   | Accept         |
| 63.61   | Kathleen Crisley                                      | Retain provisions in relation to recession planes in final plan decision.   | Accept         |
| 63.85   | Kathleen Crisley                                      | Clarify the impacts on neighbouring properties for sunlight access if a building is set back, as noted, at various heights above 12 metres.   | Accept in part |
| 842.69  | Lydia Shirley for Fire and Emergency                  | Retain 15.12.2.7-Minimum setback from the boundary with a residential zone or from an internal boundary as notified.  | Accept         |
| 768.5   | Mark Darbyshire                                       | Seeks that 15.14.2.6 is amended to incorporated matters of discretion similar to those in 14.15.3.a or 14.15.3.c (regarding sensitive urban design principles and building dominance effects).  | Reject         |
| 768.7   | Mark Darbyshire                                       | Seeks that requirements for green space, tree canopy, lanes, and mid-block pedestrian connections be strengthened   | Accept in part |
| 768.9   | Mark Darbyshire                                       | That consideration be given to incorporating some of the matters of discretion from 14.15.3.a or 14.15.3.c into 15.14.2.6 to ensure consented high-rise buildings in the city centre are sensitive to urban design principles and building dominance effects. That the Council allows buildings up to 90 metres high as proposed (with lower limits in certain areas as proposed). That requirements for green space, tree canopy, lanes, and mid-block pedestrian connections be strengthened. | Accept in part |

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| 422.6  | Peter Troon   | [Reduce] the density of inner city dwellings.   | Reject         |
| 422.8  | Peter Troon   | [Reduce] the density of inner city dwellings.   | Reject         |
| 242.10 | Sandamali Ambepitiya for Property Council New Zealand | Support the proposed adjustments to the requirements for new housing in some of the surrounding Central City Mixed-Use Zone and the Commercial Mixed-Use Zone.  | Accept         |
| 242.9  | Sandamali Ambepitiya for Property Council New Zealand | Council provides consistent and clear guidelines to provide certainty for the development community, particularly given the length of resource and time it takes to establish a project prior to its construction. We urge the Council to work in partnership with the public and private development sectors   | Accept         |
| 276.18 | Steve Burns   | [Retain sunlight access provisions]   | Accept in part |
| 276.19 | Steve Burns   | [Retain sunlight access provisions]   | Accept         |
| 276.20 | Steve Burns   | [Retain sunlight access provisions]   | Accept         |
| 305.13 | Vickie Hearnshaw                                      | [S]upport[s] the idea of developing a new town plan. [Seeks more appropriate design outcomes for higher density housing]  | Accept in part |
| 305.14 | Vickie Hearnshaw                                      | [S]upport[s] the idea of developing a new town plan. [Seeks more appropriate design outcomes for higher density housing]  | Accept in part |
| 305.15 | Vickie Hearnshaw                                      | [S]upport[s] the idea of developing a new town plan. [Seeks more appropriate design outcomes for higher density housing]  | Accept in part |
| 305.17 | Vickie Hearnshaw                                      | [S]upport[s] the idea of developing a new town plan. [Seeks more appropriate design outcomes for higher density housing]  | Accept in part |
| 811.82 | Retirement Villages Association of New Zealand Inc    | [S]eeks to amend Policy 15.2.6.3 as follows to reflect the NPSUD and to remove provisions that have the potential to refine / limit the intensification provisions of the Enabling Housing Act: <i>Policy 15.2.6.3</i><br><i>a. Promote a high standard of amenity and discourage activities from establishing where they will have an adverse effect on the <del>developing and changing evolving</del> amenity values of the Central City by: ...</i> | Reject         |
| 811.83 | Retirement Villages Association of New Zealand Inc    | Retain Policy 15.2.6.4 as notified.   | Reject         |
| 811.84 | Retirement Villages Association of New Zealand Inc    | Delete the reference to "wind generation" in Policy 15.2.6.5.   | Reject         |
| 811.88 | Retirement Villages Association of New Zealand Inc    | [S]eeks to amend Policy 15.2.8.3(b) as follows:<br><i>(b) <del>Require Encourage</del> a level of private amenity space for residents that is</i>   | Reject         |

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|  |   | <i>proportionate to the extent of residential activity proposed, and which compensates for the predominantly commercial nature of the area, through: i ...</i>   |                |
| <b>Issue 2 – Requests from submitters for changes to the zoning of areas or specific sites in the Central City</b> |   |  |                |
| 705.9  | Foodstuffs  | Retain CCMUZ zoning for 300 and 310 Manchester St Lot 1 DP 56552 and Lot 2 DP 56552  | Accept         |
| 706.1  | NHL Properties Limited  | Rezoning the site and adjoining HDRZ land to Central City Mixed Use (CCMU).  | Reject         |
| 817.1  | Wigram Lodge (2001) Limited, Elizabeth Harris, and John Harris      | Rezoning the submitters site at 850-862 Colombo Street and 139 Salisbury Street from High Density Residential to Central City Mixed Use.   | Reject         |
| Unassigned   | Wigram Lodge (2001) Limited, Elizabeth Harris, and John Harris      | Rezoning the submitters site at 152-158 Peterborough Street and 327-333 Manchester Street from High Density Residential to Central City Mixed Use.   | Reject         |
| 872.1  | Oyster Management Limited   | Seek to rezone the block Tuam St, Madras St, Lichfield Street and Manchester Street from the proposed Central City Mixed Use (South Frame) zone to City Centre Zone. Alternatively, rezone the block to Central City Mixed Use Zone. | Reject         |
| 344.16;<br>344.17  | Luke Baker-Garters  | Amend plan change 14 to zone all of the central city to mixed use zoning.  | Reject         |
| 61.43  | Victoria Neighbourhood Association                                  | Redraw the CCZ zone boundary to be the southern side of Victoria Square to be consistent with other CCZ boundary locations which do not include the park areas around the River Avon.  | Reject         |
| 147.2; 147.6<br>147.7; 147.8   | Rohan A Collett   | That all of the CBD is rezoned Mixed Use   | Reject         |
| 223.2; 223.3<br>223.4  | David Lough   | Support intensification inside the CBD and the west of Hagley Park.  | Accept         |
| 823.207  | The Catholic Diocese of Christchurch                                | Retain the SPS and CCMUZ zoning of the land at 136 Barbadoes Street [identified in original submission] but delete the heritage listing/outline from the planning maps.  | Accept in part |
| 2077.6   | Christchurch Casinos Limited  | Seek to rezone site at 72 Salisbury Street & 373 Durham Street North from High Density Residential to enable mixed use development, such as the CCZ.   | Reject         |
| 318.2  | Nicholas Latham   | [Seeks] [l]ess restrictions on increasing housing, especially mixed zone areas Support[s] m  | Accept in part |
| <b>Issue 3 – Other objectives and policies</b>   |   |  |                |
| 689.59   | Jeff Smith for Environment Canterbury / Canterbury Regional Council | [Retain Policy as notified]  | Accept         |
| 720.45   | Mitchell Coll   | Add a subclause to 15.2.4.1 limiting building height along the Te Papa Otakaro corridor and implement appropriate built form standards.  | Reject         |

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| 762.29  | Daniel Crooks for New Zealand Institute of Architects Canterbury Branch | [That] an additional height limit area is placed around the Te Papa Otakaro within the CBD.  | Reject         |
| 780.21  | Josie Schroder  | Retain Policy 15.2.4.1 as notified.  | Accept         |
| 814.185 | Jo Appleyard for Carter Group Limited                                   | Delete the amendments to clause (a) of Policy 15.2.4.1.<br>Adopt the amendments to clause (b) of the policy.   | Reject         |
| 823.151 | Jo Appleyard for The Catholic Diocese of Christchurch                   | Delete the amendments to clause (a) of the policy. Adopt the amendments to clause (b) of the policy.   | Reject         |
| 834.244 | Brendon Liggett for Kainga Ora – Homes and Communities                  | Amend Clause (a) as follows:<br><i>Provide for development of a <del>significant</del> scale and <del>form</del> massing that reinforces the <del>City's City Centre Zone's</del> distinctive sense of place and a legible urban form by <b>enabling as much development capacity as possible to maximise the benefits of intensification, whilst managing building heights adjoining Cathedral Square, Victoria Street, New Regent, Street, High Street, and the Arts Centre to account for recognised heritage values. in the core of District Centres and Neighbourhood Centres, and of a lesser scale and form on the fringe of these centres.</b></i> | Reject         |
| 2076.58 | Ian Cumberpatch Architects Ltd  | Add a subclause to 15.2.4.1 limiting building height along the Te Papa Otakaro corridor and implement appropriate built form standards.  | Reject         |
| 212.17  | The Fuel Companies - BP Oil, Z Energy and Mobil Oil (joint submission)  | Retain as notified   | Accept in part |
| 689.60  | Jeff Smith for Environment Canterbury / Canterbury Regional Council     | [Retain Policy as notified]  | Accept in part |
| 740.8   | Matt Bonis for Woolworths   | Amend Policy 15.2.4.2(a)<br><i>a. Require new development to be well designed and laid out by:</i><br><i>viii. achieving a visually attractive setting when viewed from the street and other public spaces, <del>that embodies a human scale and fine grain,</del> while managing effects on adjoining environments;</i><br><i>and ...</i><br>[Delete clauses x. to xii]   | Accept in part |
| 760.5   | Adele Radburnd for ChristchurchNZ                                       | Retain as notified   | Accept in part |

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| 780.22  | Josie Schroder  | Retain Policy 15.2.4.2 as notified.   | Accept in part |
| 811.81  | Retirement Villages Association of New Zealand Inc                  | [S]eeks to amend Policy 15.2.4.2 to reflect the NPSUD and to remove provisions that unduly restrict the development of a diversity of housing typologies, including retirement villages.  | Reject         |
| 814.186 | Jo Appleyard for Carter Group Limited                               | Amend Policy 15.2.4.2 clause (a) as follows:<br>a. Require new development to be well-designed and laid out by: ...<br>viii. achieving a visually <del>appealing attractive</del> setting when viewed from the street and other public spaces, <del>that embodies a human scale and fine grain,</del> while managing effects on adjoining environments; [delete proposed clauses x-xv.]<br>Retain the balance of the policy and amendments as proposed. | Reject         |
| 823.152 | Jo Appleyard for The Catholic Diocese of Christchurch               | Amend Policy 15.2.4.2 clause (a) as follows:<br>a. Require new development to be well-designed and laid out by: ...<br>viii. achieving a visually <del>appealing attractive</del> setting when viewed from the street and other public spaces, <del>that embodies a human scale and fine grain,</del> while managing effects on adjoining environments; [delete proposed clauses x-xv.]<br>Retain the balance of the policy and amendments as proposed. | Reject         |
| 834.245 | Brendon Liggett for Kainga Ora – Homes and Communities              | Delete all inclusions introduced and retain existing Operative Plan Policy 15.2.4.2.  | Reject         |
| 689.63  | Jeff Smith for Environment Canterbury / Canterbury Regional Council | [Retain Objective as notified]  | Accept in part |
| 760.9   | Adele Radburnd for ChristchurchNZ                                   | Retain as notified  | Accept         |
| 834.251 | Brendon Liggett for Kainga Ora – Homes and Communities              | "Amend 15.2.7.a: <i>The development of vibrant, <del>high</del> <u>good</u> quality urban areas...</i> "  | Accept in part |
| 689.66  | Jeff Smith for Environment Canterbury / Canterbury Regional Council | [Retain Objective as notified]  | Accept         |
| 811.86  | Retirement Villages Association of New Zealand Inc                  | [S]eeks to amend Objective 15.2.8 as follows to reflect the provisions of the NPSUD:<br>Objective 15.2.8  | Reject         |



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|         |   | a. Ensure a form of built development that contributes positively to the <b>developing and changing evolving</b> amenity values of the area, including people's health and safety, and to the quality and enjoyment of the environment for those living, working within or visiting the area.  |                |
| 689.67  | Jeff Smith for Environment Canterbury / Canterbury Regional Council | [Retain Policy as notified]  | Accept in part |
| 705.17  | Alex Booker for Foodstuffs  | Amend <i>Policy 15.2.8.1 Policy – Usability and adaptability a.v. providing sufficient setbacks and glazing at the street frontages.</i> Amend to include an exception where operational or functional requirements prevent glazing at the street frontages.   | Reject         |
| 760.10  | Adele Radburnd for ChristchurchNZ                                   | Retain as notified   | Accept in part |
| 814.192 | Jo Appleyard for Carter Group Limited                               | Delete subclauses (a)(iv)-(vi) of Policy 15.2.8.1 as follows:<br><i>a. Encourage a built form where the usability and adaptability of sites and buildings are enhanced by:...</i><br><del><i>iv. providing dedicated pedestrian access for each activity within a development, directly accessed from the street or other publicly accessible space;</i></del><br><del><i>v. providing sufficient setbacks and glazing at the street frontage; and</i></del><br><del><i>vi. where residential activity is located at the ground floor, ensuring the design of development contributes to the activation of the street and other public spaces.</i></del> | Accept in part |
| 823.158 | Jo Appleyard for The Catholic Diocese of Christchurch               | Delete subclauses (a)(iv)-(vi) of Policy 15.2.8.1 as follows:<br><i>a. Encourage a built form where the usability and adaptability of sites and buildings are enhanced by:...</i><br><del><i>iv. providing dedicated pedestrian access for each activity within a development, directly accessed from the street or other publicly accessible space;</i></del><br><del><i>v. providing sufficient setbacks and glazing at the street frontage; and</i></del><br><del><i>vi. where residential activity is located at the ground floor, ensuring the design of development contributes to the activation of the street and other public spaces.</i></del> | Accept in part |
| 834.253 | Brendon Liggett for Kainga Ora – Homes and Communities              | Retain Policy 15.2.8.1 as existing in the Operative Plan and delete all PC14 amendments.   | Reject         |
| 689.68  | Jeff Smith for Environment Canterbury / Canterbury Regional Council | [Retain Policy as notified]  | Accept in part |

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| 760.11                         | Adele Radburnd for ChristchurchNZ                                       | Retain as notified  | Accept in part |
| 814.193                        | Jo Appleyard for Carter Group Limited                                   | Delete subclauses (a)(v) and (viii) of Policy 15.2.8.2.   | Accept in part |
| 823.159                        | Jo Appleyard for The Catholic Diocese of Christchurch                   | Delete subclauses (a)(v) and (viii) of the policy.  | Accept in part |
| 834.254                        | Brendon Liggett for Kainga Ora – Homes and Communities                  | Retain Policy 15.2.8.2 as existing in the Operative Plan and delete all PC14 amendments, with the exception of clause (viii) which is sought to be retained.  | Reject         |
| 811.87                         | Retirement Villages Association of New Zealand Inc                      | [S]eeks changes to address possible overlap between Policy 15.2.8.2 and Policy 15.2.6.3 and amendments to Policy 15.2.8.2 as follows to reflect the provisions of the NPSUD:<br><i>Policy 15.2.8.2</i><br><i>a. Promote a high standard of built form and amenity and discourage activities from establishing where they will have an adverse effect on the <del>developing and changing evolving</del> amenity values of Central City, by: ...</i> |                |
| <b>Issue 4 – Other Matters</b> |   |   |                |
| 762.31                         | Daniel Crooks for New Zealand Institute of Architects Canterbury Branch | [That 136 Barbadoes street should be removed].  | Reject         |
| 799.10                         | Benjamin Love   | [Retain provisions that enable mixed uses]  | Accept         |
| 814.212                        | Jo Appleyard for Carter Group Limited                                   | Amend Rule 15.12.1.2 C1 as follows:<br><i>a. Any building on the site at 136 Barbadoes Street within the city block bounded by <b>Colombo Street, Armagh Street, Manchester Street and Oxford Terrace</b></i><br><i>b...</i>  | Reject         |
| 814.238                        | Jo Appleyard for Carter Group Limited                                   | Amend Rule 15.14.5.2 as follows:<br><i>15.14.5.2 The Building of a new Catholic Cathedral Buildings at 136 Barbadoes Street</i><br><i>a. The extent to which the building of a new Catholic Cathedral within the city block <b>bounded by Colombo / Armagh / Manchester Streets and Oxford Terrace ...</b></i>  | Reject         |
| 823.178                        | Jo Appleyard for The Catholic Diocese of Christchurch                   | Amend Rule 15.12.1.2 C1 to include the whole of the Barbadoes Street Site, and the Manchester Street Site.  | Reject         |

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| 823.187 | Jo Appleyard for The Catholic Diocese of Christchurch | Delete Rule 15.12.2.10 in its entirety.   | Reject         |
| 823.153 | Jo Appleyard for The Catholic Diocese of Christchurch | Amend Policy 15.2.5.1 to provide for a new catholic cathedral at one of the three sites identified in the covering submission.  | Reject         |
| 823.203 | Jo Appleyard for The Catholic Diocese of Christchurch | Insert an equivalent Rule 15.12.1.2 C1 in the City Centre Zone, for the Armagh Street Site.   | Reject         |
| 823.204 | Jo Appleyard for The Catholic Diocese of Christchurch | Insert an equivalent Rule 15.12.1.2 C1 in the City Centre Zone, for the Armagh Street Site.   | Reject         |
| 823.202 | Jo Appleyard for The Catholic Diocese of Christchurch | Retain as notified, noting some consequential amendments might be required to the rule title given other submission points sought.  | Reject         |
| 842.72  | Lydia Shirley for Fire and Emergency                  | Amend Rule 15.13.2.9-Water supply for fire fighting as follows:<br>... Any application arising from this rule shall not be publicly notified and shall be limited notified only to<br><del>New Zealand Fire Service Commission</del> <b>Fire and Emergency New Zealand</b> (absent its written approval). | Accept         |
| 842.68  | Lydia Shirley for Fire and Emergency                  | [15.12.1.3 Restricted discretionary activities RD2] Retain as notified.   | Accept in part |
| 842.70  | Lydia Shirley for Fire and Emergency                  | Amend Rule 15.12.2.8-Water supply for fire fighting as follows:<br>... Any application arising from this rule shall not be publicly notified and shall be limited notified only to<br><del>New Zealand Fire Service Commission</del> <b>Fire and Emergency New Zealand</b> (absent its written approval). | Accept         |
| 842.66  | Lydia Shirley for Fire and Emergency                  | [15.11.1.3. Restricted discretionary activity RD5] Retain as notified.  | Accept         |
| 842.67  | Lydia Shirley for Fire and Emergency                  | Amend 15.11.2.13-Water supply for fire fighting as follows:<br>... Any application arising from this rule shall not be publicly notified and shall be limited notified only to<br><del>New Zealand Fire Service Commission</del> <b>Fire and Emergency New Zealand</b> (absent its written approval).     | Accept         |

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| 811.94 | Retirement Villages Association of New Zealand Inc | Retain Rule 15.11.1.1 (P16) as notified.  | Reject |
| 811.95 | Retirement Villages Association of New Zealand Inc | <p>[S]eek[s] the amendment of Rule 15.12.1.3 (RD3) to provide for the construction of retirement villages as a restricted discretionary activity and to include a set of focused matters of discretion that are applicable to retirement villages:</p> <p><b>15.12.1.3 (RD3) Construction or alteration of or addition to any building or other structure for Retirement villages. that do not meet any one or more of the built form standards, unless otherwise specified.</b></p> <p><i>Matters for discretion - The exercise of discretion in relation to Rule 15.12.1.3 (RD3) is restricted to the following matters:</i></p> <ol style="list-style-type: none"> <li>1. <i>The extent and effects arising from exceeding any of the relevant built form standards (both individually and cumulatively).</i></li> <li>2. <i>The effects of the retirement village on the safety of adjacent streets or public open spaces.</i></li> <li>3. <i>The effects arising from the quality of the interface between the retirement village and adjacent streets or public open spaces.</i></li> <li>4. <i>The extent to which articulation, modulation and materiality addresses visual dominance effects associated with building length.</i></li> <li>5. <i>The relevant objectives and policies in 15.2 (specifically 15.2.8.3) and the proposed new policies as inserted.</i></li> <li>6. <i>The positive effects of the construction, development and use of the retirement village. For clarity, no other rules or matters of discretion relating to the effects of density apply to buildings for a retirement village.</i></li> </ol> <p><i>Notification: An application for resource consent associated with a retirement village made in respect of Rule 15.12.1.3 (RD3) is precluded from being publicly notified. An application for resource consent associated with a retirement village made in respect of Rule 15.12.1.3 (RD3) that complies with the relevant external amenity standards is precluded from being limited notified.</i></p> | Reject |
| 811.96 | Retirement Villages Association of New Zealand Inc | Retain Rule 15.12.1.1 (P21) as notified.  | Reject |
| 811.97 | Retirement Villages Association of New Zealand Inc | [S]eek[s] the amendment of Rule 15.12.1.3 (RD3) to provide for the construction of retirement villages as a restricted discretionary activity and to include a set of focused matters of discretion that are applicable to retirement villages:   | Reject |

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|  |   | <p><b>15.12.1.3 (RD3) Construction or alteration of or addition to any building or other structure for Retirement villages. that do not meet any one or more of the built form standards, unless otherwise specified.</b></p> <p><i>Matters for discretion - The exercise of discretion in relation to Rule 15.12.1.3 (RD3) is restricted to the following matters:</i></p> <ol style="list-style-type: none"> <li>1. <i>The extent and effects arising from exceeding any of the relevant built form standards (both individually and cumulatively).</i></li> <li>2. <i>The effects of the retirement village on the safety of adjacent streets or public open spaces.</i></li> <li>3. <i>The effects arising from the quality of the interface between the retirement village and adjacent streets or public open spaces.</i></li> <li>4. <i>The extent to which articulation, modulation and materiality addresses visual dominance effects associated with building length.</i></li> <li>5. <i>The relevant objectives and policies in 15.2 (specifically 15.2.8.3) and the proposed new policies as inserted.</i></li> <li>6. <i>The positive effects of the construction, development and use of the retirement village. For clarity, no other rules or matters of discretion relating to the effects of density apply to buildings for a retirement village.</i></li> </ol> <p><i>Notification: An application for resource consent associated with a retirement village made in respect of Rule 15.12.1.3 (RD3) is precluded from being publicly notified. An application for resource consent associated with a retirement village made in respect of Rule 15.12.1.3 (RD3) that complies with the relevant external amenity standards is precluded from being limited notified.</i></p> |        |
| <b>Submissions relating to building height and office tenancy provisions</b> |   |  |        |
| 834.247  | Brendon Liggett for Kainga Ora – Homes and Communities              | Amend Objective 15.2.5[a.i.] as follows: <i>i. Defining the <del>Commercial Central City Business-City Centre Zone</del> as the focus of retail activities and offices <del>and limiting the height of buildings to support an intensity of commercial activity across the zone;</del></i>   | Reject |
| 689.64   | Jeff Smith for Environment Canterbury / Canterbury Regional Council | [Retain Policy as notified]  | Accept |
| 689.65   | Jeff Smith for Environment Canterbury / Canterbury Regional Council | [Retain Policy as notified]  | Accept |
| 814.191  | Jo Appleyard for Carter Group Limited                               | Support Policy 15.2.7.1. Seek that this is retained as notified.   | Accept |

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| 823.157 | Jo Appleyard for The Catholic Diocese of Christchurch  | Adopt  | Accept         |
| 834.252 | Brendon Liggett for Kainga Ora – Homes and Communities | Amend Clause (a)(viii) as follows:<br><i>viii. opportunities for taller buildings to accommodate residential activity and visitor accommodation, to support the vibrancy of the City Centre Zone, <del>where co-located with the and</del> <u>the nearby large-scale community facilities, Te Kaha and Parakiore.</u></i>  | Reject         |
| 812.19  | James Barbour  | [Remove any Qualifying Matters and provisions that do not support] the intensification of urban form to provide for additional development capacity  | Reject         |
| 810.21  | Anita Collie for Regulus Property Investments Limited  | [Remove any Qualifying Matters and provisions that do not support] the intensification of urban form to provide for additional development capacity  | Reject         |
| 812.20  | James Barbour  | [Remove any Qualifying Matters and provisions that do not support] the intensification of urban form to provide for additional development capacity  | Reject         |
| 810.22  | Anita Collie for Regulus Property Investments Limited  | [Remove any Qualifying Matters and provisions that do not support] the intensification of urban form to provide for additional development capacity  | Reject         |
| 582.1   | Andrew Hill  | <p>Following changes to provisions are requested</p> <ul style="list-style-type: none"> <li>- 32m high limit in CCMU South Frame, 20m step back.</li> <li>- Greater flexibility with how the buildings are leased/used. Ie different forms of retail/office.</li> <li>- Allow for larger much larger office tenancy sizes than the current 450sqm Max, allow for one company to lease many tenancies. Ie a co working space company that might want to lease a 800sqm floor. A easier rule would be max open plan areas of 450sqm.</li> <li>- Allow for up to 70% of building to be commercial activities/services, if residential units are included in the development.</li> <li>- Allow for greater retail size.</li> <li>- For apartments above ground level, allow for only shared outdoor areas, or areas not attached to unit. Ie rooftop garden.</li> <li>- Restrict/reduce balcony sizes for non-ground units.</li> <li>- If building is a mixed development including apartments, not be restricted by setback rules till 20m.</li> <li>- For living area, 3 by 6 meter is far easier to achieve than 4 by 4 meter living area outlined in the changes. Alternatively a min width on the entire residential units of 4meter could also achieve similar results.</li> </ul> <p>The street facing area is very narrow in Christchurch, making many sites very hard to develop,</p> | Accept in part |

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|         |  | while meeting fire requirements, enough daylight area and be able to offer reasonable priced housing.  |                |
| 823.190 | Jo Appleyard for The Catholic Diocese of Christchurch      | Delete activity standard (a) from Rule 15.13.1.1 P3, as follows:<br>a. Outside the Health Precinct and/or the Innovation Precinct:<br>i. Where office activities or commercial services are proposed on a site, individual tenancies shall not exceed 450m <sup>2</sup> of GLFA; and<br><del>ii. The total area used for office activities and/or commercial services shall not exceed 450m<sup>2</sup> of GLFA per site, or 450m<sup>2</sup> of GLFA per 500m<sup>2</sup> of land area; whichever is greater. This limit may be exceeded where office activities and/or commercial services form part of a mixed use development comprising residential activities, in which case the office activities and commercial services collectively shall not exceed 50% of the GLFA of the overall development.</del> | Accept in part |
| 814.224 | Jo Appleyard for Carter Group Limited                      | Delete activity standard (a) from Rule 15.13.1.1 P3, as follows:<br>a. Outside the Health Precinct and/or the Innovation Precinct:<br>i. Where office activities or commercial services are proposed on a site, individual tenancies shall not exceed 450m <sup>2</sup> of GLFA; and<br><del>ii. The total area used for office activities and/or commercial services shall not exceed 450m<sup>2</sup> of GLFA per site, or 450m<sup>2</sup> of GLFA per 500m<sup>2</sup> of land area; whichever is greater. This limit may be exceeded where office activities and/or commercial services form part of a mixed use development comprising residential activities, in which case the office activities and commercial services collectively shall not exceed 50% of the GLFA of the overall development.</del> | Accept in part |
| 774.2   | Dru Hill   | Seek amendment to increase the Innovation Precinct to cover Central City South Frame, allow the exclusion of communal spaces from GLFA; and allow for a certain percentage of offices to be larger than 450m <sup>2</sup> .  | Reject         |
| 224.19  | Richard Ball for Atlas Quarter Residents Group (22 owners) | That the permitted height limits within the existing District Plan (prior to PC14) are retained to the maximum extent possible.  | Reject         |
| 171.6   | Paul McNoe   | [Reduce permitted building height] That the permitted height limits within the existing District Plan (prior to PC14) are retained to the maximum extent possible  | Reject         |
| 422.9   | Peter Troon  | [Reduce] the height and density of inner city dwellings.   | Reject         |
| 805.3   | Stuart Pearson for Waka Kotahi (NZ Transport Agency)       | [T]hat the maximum enabled height of 32m (10 storeys) for residential activities should be applied to the City Centre, rather 3 than the current proposed approach with two heights (32m in the immediate surrounds, then 20m thereafter).   | Reject         |
| 834.319 | Brendon Liggett for Kainga Ora – Homes and Communities     | 15.13.2.1<br>Delete the rule and replace as follows: <b><i>The maximum height of all buildings shall be 32m.</i></b> Retain clause (b).  | Reject         |

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| 823.193 | Jo Appleyard for The Catholic Diocese of Christchurch                   | Delete Rule 15.13.2.1 as proposed and replace with the following:<br><b>15.13.2.1 Building height</b><br><b>a. The maximum height of any building shall be 32 metres.</b><br><b>b. Any application arising from this rule shall not be limited or publicly notified.</b>   | Reject         |
| 814.227 | Jo Appleyard for Carter Group Limited                                   | Delete Rule 15.13.2.1 as proposed and replace with the following:<br><b>15.13.2.1 Building height</b><br><b>a. The maximum height of any building shall be 32 metres.</b><br><b>b. Any application arising from this rule shall not be limited or publicly notified.</b>   | Reject         |
| 893.11  | Susanne and Janice Antill   | Oppose increased height limits of buildings.   | Reject         |
| 870.10  | Susanne Antill  | Oppose increased height limits of buildings.   | Reject         |
| 26.9    | Rosemary Fraser   | Opposes change to height limits and having buildings 90m tall. Make sure that wind and winter conditions are taken into consideration when considering building height controls.   | Reject         |
| 344.15  | Luke Baker-Garters  | Removal of all central city maximum building height overlays.  | Reject         |
| 338.13  | Kate Revell   | Restrict building heights to a maximum of 22 metres.   | Reject         |
| 339.13  | Chris Neame   | Restrict maximum height for development to 22 metres   | Reject         |
| 872.7   | Henry Sullivan for Oyster Management Limited                            | Retain Standard 15.13.2.1(a)(i)(a) and delete 15.13.2.1(a)(i)(b).  | Reject         |
| 378.4   | Marina Steinke  | Retain the existing height limits for the central city.  | Reject         |
| 276.29  | Steve Burns   | Seek maximum height of 5 stories in Christchurch   | Reject         |
| 337.23  | Anna Melling  | That maximum heights will be lowered to account for lower sun height further south.  | Reject         |
| 762.34  | Daniel Crooks for New Zealand Institute of Architects Canterbury Branch | [A]dd a minimum height restriction to aid in producing larger scale buildings within the city centre zone and restrict the development of unfittingly small-scale developments   | Accept         |
| 195.1   | Kevin Arscott   | 15.12.1.1(c) P5 and P6-(a) Offices and Commercial services should <u>not</u> only be required ancillary to any permitted activity located on the site. 15.12.1.1(c) P5 and P6-(b)(i) individual tenancies should be unrestricted in scale rather than limited to being ancillary and restricted in area to 450 sq.m GLFA; and 15.12.1.1(c) P5 and P6-(b)(ii) the total area used for office activities and/or commercial services should be unrestricted and not limited to 450m <sup>2</sup> GLFA per site, or 450m <sup>2</sup> GLFA per 500 sq me of land area; whichever is the greater. | Accept in part |
| 814.213 | Jo Appleyard for Carter Group Limited                                   | Oppose 15.12.1.3 RD5. Retain the status quo in respect of Rule 15.12.1.3 RD5   | Reject         |
| 237.4   | Marjorie Manthei  | Allow max height up to 40m from Kilmore to Salisbury St  | Reject         |
| 171.5   | Paul McNoe  | [Reduce permitted building height] That the permitted height limits within the existing District Plan (prior to PC14) are retained to the maximum extent possible  | Reject         |
| 422.7   | Peter Troon   | [Reduce] the height and density of inner city dwellings.   | Reject         |
| 805.2   | Stuart Pearson for Waka Kotahi (NZ Transport Agency)                    | [T]hat the maximum enabled height of 32m (10 storeys) for residential activities should be applied to the City Centre, rather than the current proposed approach with two heights (32m in the immediate surrounds, then 20m thereafter).   | Reject         |
| 814.219 | Jo Appleyard for Carter Group Limited                                   | Amend Rule 15.12.2.2 as follows:<br><b>a. The maximum height of any building shall be 32 metres.</b>   | Reject         |



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|                 |  | <del><i>b. The maximum height of any building shall be in accordance with the height specified Unless identified on the Central City Maximum Building Height planning map the maximum height of any building shall be 32 metres.</i></del><br><del><i>b. The maximum height of any building base shall be 17 metres.</i></del><br><i>c. b. Any application arising from this rule shall not be limited or publicly notified</i>  |        |
| 768.6           | Mark Darbyshire  | Amend 15.12.2.2 to allow the maximum building height to be 90m   | Reject |
| 872.11          | Henry Sullivan for Oyster Management Limited               | Retain Standard 15.12.2.2(a) and delete 15.12.2.2(b) re maximum height for building base.  | Reject |
| 823.185         | Jo Appleyard for The Catholic Diocese of Christchurch      | Amend Rule 15.12.2.2 as follows:<br><del><i>a. The maximum height of any building shall be 32 metres.</i></del><br><del><i>b. The maximum height of any building shall be in accordance with the height specified Unless identified on the Central City Maximum Building Height planning map the maximum height of any building shall be 32 metres.</i></del><br><del><i>b. The maximum height of any building base shall be 17 metres.</i></del><br><i>c. b. Any application arising from this rule shall not be limited or publicly notified</i> | Reject |
| 834.308         | Brendon Liggett for Kainga Ora – Homes and Communities     | Amend the rule as follows:<br>15.12.2.2 Maximum building height<br><del><i>a. The maximum height of any building shall be in accordance with the height specified Unless identified on the Central City Maximum Building Height planning map the maximum height of any building shall be 32 metres.</i></del><br><del><i>b. The maximum height of any building base shall be 17 metres.</i></del><br><i>b. Any application arising from this rule shall not be limited or publicly notified.</i>   | Reject |
| 224.18          | Richard Ball for Atlas Quarter Residents Group (22 owners) | That the permitted height limits within the existing District Plan (prior to PC14) are retained to the maximum extent possible   | Reject |
| 893.10          | Susanne and Janice Antill                                  | Oppose increased height limits of buildings.   | Reject |
| 26.8            | Rosemary Fraser  | Opposes change to height limits and having buildings 90m tall. Make sure that wind and winter conditions are taken into consideration when considering building height controls.   | Reject |
| 870.9           | Susanne Antill   | Oppose increased height limits of buildings.   | Reject |
| 200.12          | Robert J Manthei   | Reduce height limits   | Reject |
| 344.7<br>344.14 | Luke Baker-Garters   | Removal of all central city maximum building height overlays.  | Reject |
| 338.12          | Kate Revell  | Restrict building heights to a maximum of 22 metres.   | Reject |
| 339.12          | Chris Neame  | Restrict maximum height for development to 22 metres   | Reject |
| 378.3           | Marina Steinke   | Retain the existing height limits for the central city.  | Reject |
| 276.28          | Steve Burns  | Seek maximum height of 5 stories in Christchurch   | Reject |
| 337.21          | Anna Melling   | That maximum heights will be lowered to account for lower sun height further south.  | Reject |
| 812.18          | James Barbour  | [Remove any Qualifying Matters and provisions that do not support] the intensification of urban form to provide for additional development capacity  | Reject |

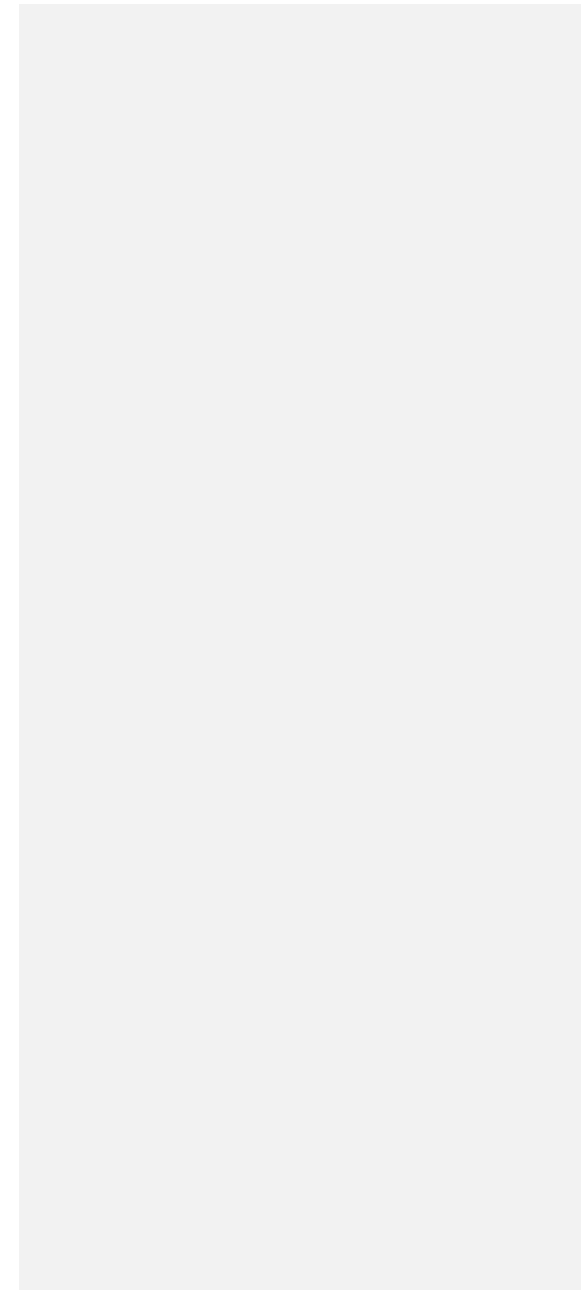
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| 810.20  | Anita Collie for Regulus Property Investments Limited                   | [Remove any Qualifying Matters and provisions that do not support] the intensification of urban form to provide for additional development capacity   | Reject         |
| 670.2   | Mary-Louise Hoskins   | Contain the super high-rise [buildings] to the central area, [restrain its area] [and] review [the city center zone area] every 5 years.  | Reject         |
| 431.1   | Sonia Bell  | Many commercial properties around Christchurch remain unleased, keep inner city commercial area as is.  | Reject         |
| 818.4   | Anita Collie for Malaghans Investments Limited                          | [That a new NC rule is added] for a height breach within the area bound by Gloucester, Manchester, Oxford and Columbo streets [the Central City Heritage Interface Overlay].  | Reject         |
| 422.5   | Peter Troon   | [Reduce] the density of inner city dwellings.   | Reject         |
| 61.45   | Geoffrey Banks for Victoria Neighbourhood Association (VNA)             | Retain current District Plan Rules as permitted within Victoria Neighbourhood area.   | Reject         |
| 338.11  | Kate Revell   | Restrict building heights to a maximum of 22 metres.  | Reject         |
| 339.11  | Chris Neame   | Restrict maximum height for development to 22 metres  | Reject         |
| 193.20  | Christine Whybrew for Heritage New Zealand Pouhere Taonga (HNZPT)       | Retain RD11 as proposed   | Accept         |
| 823.167 | Jo Appleyard for The Catholic Diocese of Christchurch                   | Rule 15.11.1.3 RD11 - Delete  | Reject         |
| 834.107 | Brendon Liggett for Kainga Ora – Homes and Communities                  | 15.11.2.11 Building height in area-specific precincts<br>Retain sites of historic heritage items and their settings (City Centre Zone) - Cathedral Square, New Regent Street, the Arts Centre.  | Accept         |
| 519.8   | James Carr  | Seeks to amend the height limits in the Central City zones to allow exemptions for spires, domes, sculptural caphouses or other architectural features [etc.] that add visual interest to the skyline without adding bulk or significant shading. | Accept in part |
| 762.40  | Daniel Crooks for New Zealand Institute of Architects Canterbury Branch | [Reconsider] height limits and controls.  | Reject         |
| 171.4   | Paul McNoe  | [Reduce permitted building height] That the permitted height limits within the existing District Plan (prior to PC14) are retained to the maximum extent possible   | Reject         |
| 422.4   | Peter Troon   | [Reduce] the height and density of inner city dwellings.  | Reject         |
| 191.9   | Logan Brunner   | [Retain provisions that enable] 20-30 lvs in the central city   | Accept         |

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| 317.1   | Sandra (Sandy) Bond for Dr Sandy Bond LLC (self)                        | [Seeks that] the height limits reduced. [Seeks that buildings are limited to] 5-6 storey buildings as the maximum height.   | Reject         |
| 818.3   | Anita Collie for Malaghans Investments Limited                          | [T]hat the [permitted] building height for the properties bound by Gloucester, Manchester, Oxford and Columbo streets [within the Central City Heritage Interface Overlay] be a maximum of no more than 3 stories in height above ground. | Reject         |
| 762.47  | Daniel Crooks for New Zealand Institute of Architects Canterbury Branch | [That] an additional height limit area is placed around the Te Papa Otakaro within the CBD.   | Reject         |
| 199.7   | Joshua Wight  | Amend provisions to enable taller buildings, especially [within the] central city (20-30 lvls). Commercial centres and surrounding residential sites have increased height limits, generally to between 4 and 6 storeys.                  | Accept in part |
| 70.17   | Paul Wing   | Amend Rule 15.11.2.11 - Building height such that the height of all buildings in the central city should be limited to no more than 5 storeys.  | Reject         |
| 61.10   | Geoffrey Banks for Victoria Neighbourhood Association (VNA)             | Amend Rule 15.11.2.11 to reduce height limits in the Central City Zone from 90m to 45m.   | Reject         |
| 309.1   | Jack van Beynen   | [Retain existing height limits in the City Centre Zone]   | Reject         |
| 367.2   | John Bennett  | Lower height limit in the Central City to be...26m (10 stories).  | Reject         |
| 823.171 | Jo Appleyard for The Catholic Diocese of Christchurch                   | Delete Rule 15.11.2.11 in its entirety.   | Reject         |
| 237.3   | Marjorie Manthei  | i: Decrease maximum height in the City Centre from 90m to 60m as far north as Kilmore Street v. Reduce the proposed maximum heights on Victoria Street (from Salisbury Street to Bealey Avenue) to 20m                                    | Reject         |
| 224.17  | Richard Ball for Atlas Quarter Residents Group (22 owners)              | That the permitted height limits within the existing District Plan (prior to PC14) are retained to the maximum extent possible  | Reject         |
| 429.1   | Bob Hou   | Increase maximum building height in the central city  | Reject         |
| 26.7    | Rosemary Fraser   | Opposes change to height limits and having buildings 90m tall. Make sure that wind and winter conditions are taken into consideration when considering building height controls.  | Reject         |
| 893.9   | Susanne and Janice Antill   | Oppose increased height limits of buildings.  | Reject         |
| 814.205 | Jo Appleyard for Carter Group Limited                                   | Oppose Rule 15.11.2.11. Seek that this be deleted.  | Reject         |
| 870.8   | Susanne Antill  | Oppose increased height limits of buildings.  | Reject         |

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| 200.11  | Robert J Manthei  | Reduce height limits  | Reject |
| 344.13  | Luke Baker-Garters  | Removal of all central city maximum building height overlays.   | Reject |
| 378.2   | Marina Steinke  | Retain the existing height limits for the central city.   | Reject |
| 276.27  | Steve Burns   | Seek maximum height of 5 stories in Christchurch  | Reject |
| 625.7   | Pamela-Jayne Cooper   | Seek amendment to a maximum height of 60m (with consent).   | Reject |
| 337.20  | Anna Melling  | That maximum heights will be lowered to account for lower sun height further south.   | Reject |
| 835.12  | Lynne Lochhead for Historic Places Canterbury                           | The submitter suggests that creating a Qualifying Interface Area similar to that proposed for Riccarton Bush may be a more flexible means of providing a buffer for the heritage areas of Hagley Park, Cranmer Square and Latimer Square than adjusting the height limits around them. The submitter believes that it is important that some mechanism be put in place to protect their heritage values, their open space landscape values and the views outwards from within those spaces. | Reject |
| 762.33  | Daniel Crooks for New Zealand Institute of Architects Canterbury Branch | [A]dd a minimum height restriction to aid in producing larger scale buildings within the city centre zone and restrict the development of unfittingly small-scale developments  | Reject |
| 670.1   | Mary-Louise Hoskins   | [Reduce] the 92m height limit for the central city [or ensure done with great architectural merit].   | Reject |
| 834.326 | Brendon Liggett for Kainga Ora – Homes and Communities                  | Delete assessment matters 15.14.3.36 – Height in Central City Mixed Use Zone  | Reject |
| 814.234 | Jo Appleyard for Carter Group Limited                                   | Delete Rule 15.14.3.36 in its entirety  | Reject |
| 823.200 | Jo Appleyard for The Catholic Diocese of Christchurch                   | Delete Rule 15.14.3.36 in its entirety.   | Reject |
| 205.10  | Graham Robinson for Addington Neighbourhood Association                 | Qualifying matters are needed to protect existing residents from losing their sunlight and warmth. Putting 2 & 3 story buildings next to some existing properties with solar panels could negate the usefulness of said panels through shading.   | Reject |
| 834.324 | Brendon Liggett for Kainga Ora – Homes and Communities                  | Delete clause (b), with the exception of clause (v) (subject to the below amendment):<br><i>v. The individual or cumulative effects of shading, visual bulk and dominance, <del>and reflected heat from glass</del> on sites in adjoining residential zones or on the character, quality and use of public open space and in particular the Ōtākaro Avon River corridor, Earthquake Memorial, Victoria Square and Cathedral Square;</i>   | Reject |

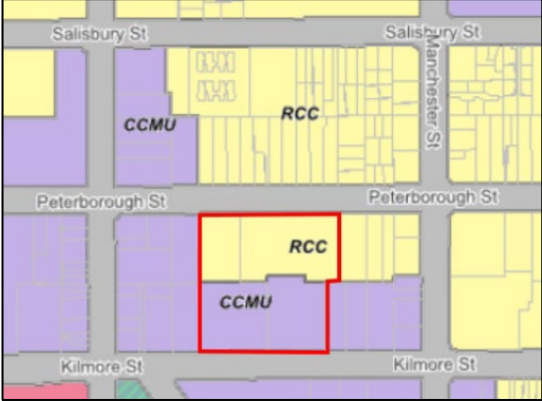
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| 823.198           | Jo Appleyard for The Catholic Diocese of Christchurch                        | Retain the status quo in respect of Rule 15.14.3.1 (and delete the proposed assessment matters in clause (b) in their entirety). | Reject |
| 814.232           | Jo Appleyard for Carter Group Limited  | Retain the status quo in respect of Rule 15.14.3.1 (and delete the proposed assessment matters in clause (b) in their entirety). | Reject |
| 685.80;<br>685.79 | Glenn Murdoch for Canterbury / Westland Branch of Architectural Designers NZ | [New qualifying matter] limiting building height along the Te Papa Otakaro corridor within the central city.                     | Reject |
| 762.45            | Daniel Crooks for New Zealand Institute of Architects Canterbury Branch      | [T]hat the Victoria Street [Height] overlay is extended to include the section between Kilmore Street and Chester street west.   | Reject |
| 842.10            | Lydia Shirley for Fire and Emergency   | Retain as notified.  | Accept |
| 909.8             | Fiona Small for St John  | [Regarding the radiocommunication pathways qualifying matter and Planning Map 39] Retain as notified.                            | Accept |
| 910.8             | Fiona Small for Ministry of Justice  | [Regarding the radiocommunication pathway qualifying matter and planning map 39] Retain as notified.                             | Accept |
| 911.8             | Fiona Small for Department of Corrections                                    | [Regarding the radiocommunication pathway qualifying matter and planning map 39] Retain as notified.                             | Accept |
| 912.8             | Fiona Small for Canterbury Civil Defence and Emergency Management Group      | [Regarding the radiocommunication pathway qualifying matter and planning map 39] Retain as notified.                             | Accept |
| 2005.3            | Fiona Small for New Zealand Police   | Delete references to Appendices, otherwise retain as notified.   | Accept |
| 2005.4            | Fiona Small for New Zealand Police   | Retain as notified   | Accept |
| 2005.5            | Fiona Small for New Zealand Police   | Delete references to Appendices, otherwise retain as notified.   | Accept |
| 2005.6            | Fiona Small for New Zealand Police   | Delete references to Appendices, otherwise retain as notified.   | Accept |
| 2005.7            | Fiona Small for New Zealand Police   | Delete references to Appendices, otherwise retain as notified  | Accept |

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| 2005.8 | Fiona Small for New Zealand Police | Delete references to Appendices, otherwise retain as notified. | Accept |
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## APPENDIX B – CENTRAL CITY – SITE SPECIFIC REZONING REQUESTS

**Appendix B – City Centre and Mixed Use Zones – Site-Specific Zoning Requests**

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| <b>Submission</b>                             | <b>706.1 – Ms. S Kealy for NHL Properties Ltd</b>   |
| <b>Address</b>                                | <p>132 – 136 Peterborough Street (also own and operate site at 137-151 Kilmore Street located adjacent to southern boundary of application site.)</p>  <p><i>Figure 1 Map above showing the operative zoning of the site in the District Plan.</i></p>  |
| <b>Operative Zoning</b>                       | Residential Central City  |
| <b>Notified Zoning</b>                        | High Density Residential Zone   |
| <b>Relief Sought (Zoning / Change Sought)</b> | Central City Mixed Use  |
| <b>Recommendation: Accept/ Reject/ Amend</b>  | Reject  |
| <b>Reasons for Recommendation</b>             | <p>NHL Properties Ltd outline in their submission that the zone change sought would better reflect the existing use of the site (currently as car parking for the Forté Health Hospital located on the Kilmore Street site), the site context in the Central City and better give effect to the NPS-UD.</p> <p>The submitter considers that the existing activity status (as non-complying) under the HRZ rules unnecessarily complicates future maintenance, improvement work, or expansion of the private hospital into the existing car park. NHL Properties is of the view that rezoning the site and surrounding land to Central City Mixed Use would provide an appropriate zone that reflects the current use while better enabling future activities on the site.</p> |



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|  | <p>In outlining its rationale for the zone sought, NHL Properties Ltd outlines sub clause (a) of Policy 3 of the NPS-UD which <i>“directs that the district plan is to enable building heights and density of urban form to realise as much development capacity as possible, to maximise benefits of intensification in city centre zones.”</i></p> <p>In assessing the merits of the rezoning request, I have considered the scope of PC14; the direction outlined in the NPS-UD; and the existing use and pattern of development on the site and surrounding environment. These matters are addressed in turn below.</p> <p>It is my view that the rezoning request cannot be considered within the scope of PC14, firstly because the spatial extent of the zones within the Central City are not proposed to be changed, nor are any changes proposed to the zoning in the area of the subject site.</p> <p>NHL Properties raises the issue of the development capacity enabled on the site (in relation to Policy 3 of the NPS-UD), and also notes that the split zoning of the site would unnecessarily complicate future expansion of the private hospital into the existing parking areas, or future maintenance or improvement work.</p> <p>In the context of the city centre zones, Policy 3 of the NPS-UD requires that <i>“building heights and density of urban form [is enabled] to realise as much development capacity as possible, to maximise benefits of intensification.”</i> The building heights within the Central City Mixed Use zone are proposed to be amended from 17m to 32m (Rule 15.12.2.2 proposed District Plan). This is an increase of 15m and provides for additional development capacity on the Central City Mixed Use zone portion of the site.</p> <p>If such insufficient development capacity is provided by changing height and density provisions, then it follows that increases to building heights and densities of activity should be made via changes to these provisions (rather than changing the underlying zoning to achieve the desired development capacity). I do not consider that the intention of this Policy, nor the overall NPS-UD provides for wholesale changes to the zoning of commercial sites within the city centre zones unless specific circumstances exist to warrant such a change.</p> <p>Further, modelling completed by Dr Dyason and peer reviewed by Mr. Lees<sup>1</sup> outlines that, prior to the changes proposed by PC14 there was sufficient land capacity to meet demand over the next 30 years within the central city. With demand to 2051 forecasted to be 25.6ha across retail, office, industrial, warehousing, and short-stay land uses; and the total land supply being 61.5ha. I therefore consider</p> |
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<sup>1</sup> Statement of Evidence, Mr. Kirdan Lees, page 4. I note the study area included Addington and Sydenham as well as the central city.

that, with the additional building heights enabled in the CCZ there is no need for this land to be rezoned and instead indicates a surplus of 35.9ha.

Turning to the surrounding land use and pattern of development, as shown in figure 2 below, land to the west of the site is wholly within the Central City Mixed Use Zone, and appears to be in a transitory phase of development, consisting of surface level carparking areas and some commercial activity. Remaining land in the block to the east of the subject site is also proposed to have a split zoning between High Density Residential and Central City Mixed Use. It is also in a transitory phase of development, consisting of surface level carparking on the Central City Mixed Use portion of the land; and an urban farm on the residential portion of the land. Land to the north of the subject site is zoned for, and developed for, residential purposes.

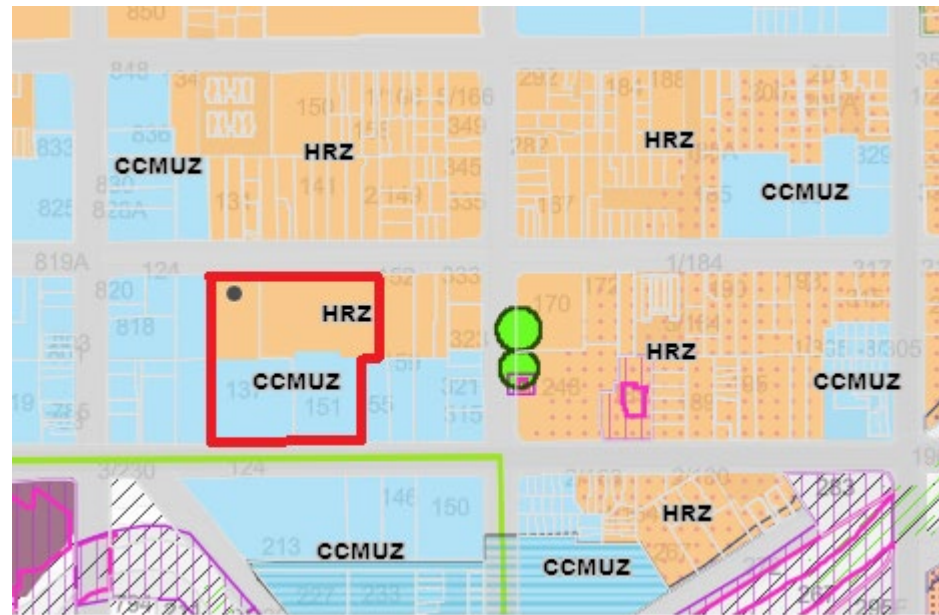
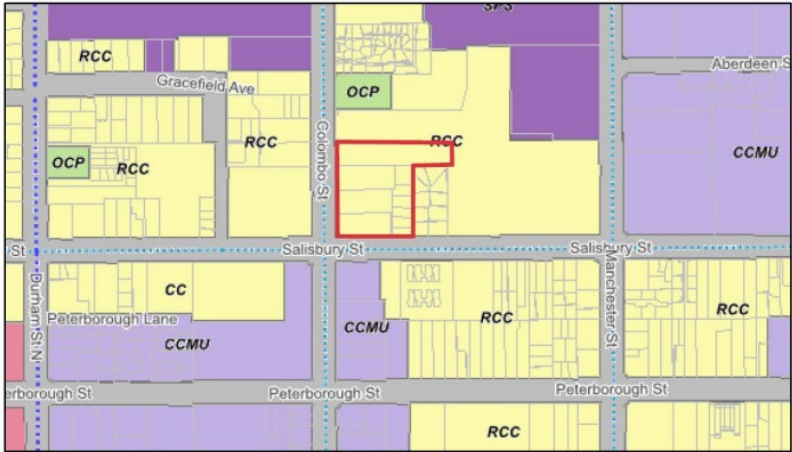


Figure 2 Extract from planning maps showing PC14 proposed zoning for the subject site

When looking at the wider zoning context and land use in the surrounding area, the split zoning on the subject site (and adjoining land to the east) provides a transition between the areas of Central City Mixed Use land in the area and those areas zoned for residential activity. In relation to Peterborough Street, the residential zoning on this part of the street reflects the residential zone to the north of the

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|  | <p>street. Similarly, the Central City Mixed Use zoning on the southern portion of the subject site reflects the same zoning across the street on Kilmore Street. Areas of Central City Mixed Use zoned land further to the east in the next blocks of land appear to reflect existing land uses on those blocks. In conclusion, it is my recommendation that this submission point be rejected.</p> |
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| <b>Submission</b>                             | <b>817.1 – Ms. E Harris (Wigram Lodge (2001) Limited, Elizabeth Harris, and John Harris)</b>   |
| <b>Address</b>                                | 850-862 Colombo Street and 139 Salisbury Street  |
|   |  <p><i>Figure 3 Map above showing the operative zoning in the District Plan</i></p>  |
| <b>Operative Zoning</b>                       | Residential Central City   |
| <b>Notified Zoning</b>                        | High Density Residential Zone  |
| <b>Relief Sought (Zoning / Change Sought)</b> | Central City Mixed Use   |
| <b>Recommendation: Accept/ Reject/ Amend</b>  | Reject   |
| <b>Reasons for Recommendation</b>             | The submitter has intentions to undertake a comprehensive redevelopment of the entire site, which could comprise a mix of commercial and residential activities. The submitter notes that both southern corner sites at this intersection are in the Central City Mixed Use zone, and that the north western |

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|  | <p>corner of the intersection contains a large scale community facility (the Salvation Army). Overall, the submitter considers that the character of the area is transitory between more commercial land uses to the south and residential areas to the north of Salisbury Street.</p> <p>In light of Policy 3(a) of the NPS-UD, the submitter considers that an appropriate outcome for the subject site would be to provide for housing and business uses, and to enable greater building heights and densities; and therefore seeks that the site is rezoned 'to enable mixed use development', such as the Central City Mixed Use Zone.</p> <p>In assessing the merits of the rezoning request, I have considered the scope of PC14; the direction outlined in the relevant policies of the NPS-UD; and the existing use and pattern of development on the site and surrounding environment. These matters are addressed in turn below.</p> <p>It is my view that the rezoning request cannot be considered within the scope of PC14, firstly because the spatial extent of the zones within the Central City are not proposed to be changed, nor are any changes proposed to the zoning in the area of the subject site.</p> <p>In the context of the city centre zones, Policy 3 of the NPS-UD requires that <i>"building heights and density of urban form [is enabled] to realise as much development capacity as possible, to maximise benefits of intensification."</i></p> <p>If such insufficient development capacity is provided by changing height and density provisions, then it follows that increases to building heights and densities of activity should be made via changes to these provisions (rather than changing the underlying zoning to achieve the desired development capacity levels). I do not consider that the intention of this Policy, nor the overall NPS-UD provides for wholesale changes to the zoning of commercial sites within the city centre zones unless specific circumstances exist to warrant such a change.</p> <p>Further, modelling completed by Dr Dyason and peer reviewed by Mr. Lees<sup>2</sup> outlines that, prior to the changes proposed by PC14 there was sufficient land capacity to meet demand over the next 30 years within the central city. With demand to 2051 forecasted to be 25.6ha across retail, office, industrial, warehousing, and short-stay land uses; and the total land supply being 61.5ha. I therefore consider that, with the additional building heights enabled in the CCZ there is no need for this land to be rezoned and instead indicates a surplus of 35.9ha.</p> <p>Turning to the surrounding land use and pattern of development, I concur with the submitter's description of the surrounding land use and zoning in the immediacy of the site. However, looking at</p> |
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<sup>2</sup> Statement of Evidence, Mr. Kirdan Lees, page 4. I note the study area included Addington and Sydenham as well as the central city.

the wider area from a zoning perspective, as shown in figure 4, land on the northern side of Salisbury Street between Durham Street North and Manchester Street is all within the High Density Residential zone, forming a sleeve of residentially zoned land at the edge of the Central City Mixed Use zone. Amending the zoning of the subject site to the Central City Mixed Use zone would interrupt this zoning pattern and the land uses it is seeking to provide.

In conclusion, it is my recommendation that this submission point be rejected.

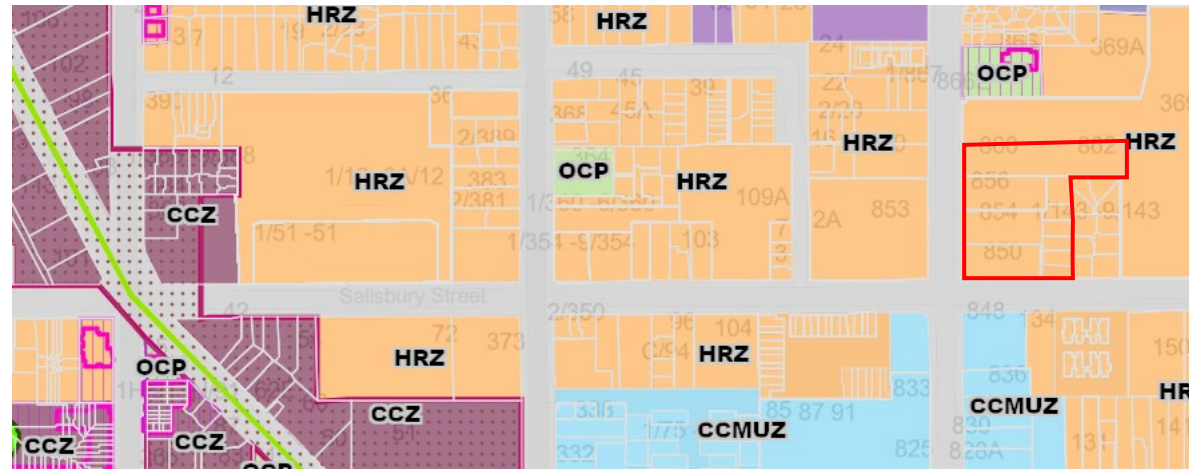


Figure 4 Extract from planning maps showing PC14 proposed zoning for the subject site and wider area.

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| <b>Submission</b> | Number unassigned – Ms. E Harris (Wigram Lodge (2001) Limited, Elizabeth Harris, and John Harris) |
| <b>Address</b>    | 152-158 Peterborough Street and 327-333 Manchester Street   |

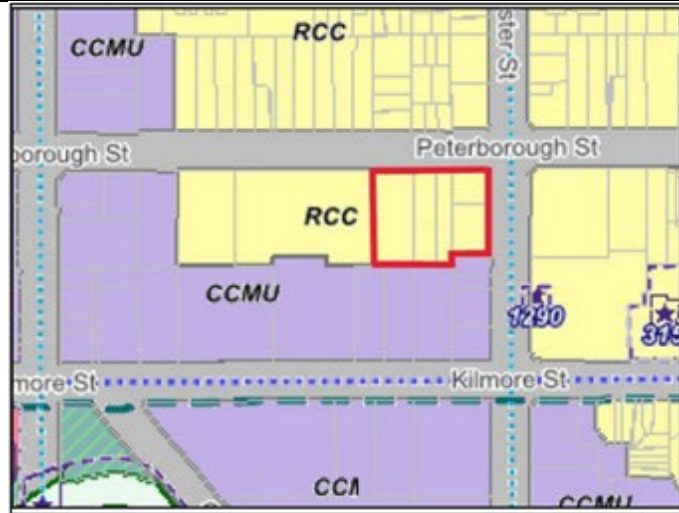


Figure 5 Map above showing the operative zoning in the District Plan

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| <b>Operative Zoning</b>                       | Residential Central City   |
| <b>Notified Zoning</b>                        | High Density Residential Zone  |
| <b>Relief Sought (Zoning / Change Sought)</b> | Central City Mixed Use   |
| <b>Recommendation: Accept/ Reject/ Amend</b>  | Reject   |
| <b>Reasons for Recommendation</b>             | <p>The submitter has intentions to undertake a comprehensive redevelopment of the entire site, which could comprise a mix of commercial and residential activities. The submitter states that the area is transitory between more commercial land uses on the Central City Mixed Use zoned land to the south, and residential areas on to the north of Peterborough Street. Further they note that the property adjoining the site to the west is a relatively newly developed car parking facility for Forte Health and unlikely to be redeveloped for residential use in the near future.</p> <p>In light of Policy 3(a) of the NPS-UD, the submitter considers that an appropriate outcome for the subject site would be to provide for housing and business uses, and to enable greater building heights and densities; and therefore seeks that the site is rezoned 'to enable mixed use development', such as the Central City Mixed Use Zone.</p> |

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|  | <p>In assessing the merits of the rezoning request, I have considered the scope of PC14; the direction outlined in the relevant policies of the NPS-UD; and the existing use and pattern of development on the site and surrounding environment. These matters are addressed in turn below.</p> <p>It is my view that the rezoning request cannot be considered within the scope of PC14, firstly because the spatial extent of the zones within the Central City are not proposed to be changed, nor are any changes proposed to the zoning in the area of the subject site.</p> <p>In the context of the city centre zones, Policy 3 of the NPS-UD requires that <i>“building heights and density of urban form [is enabled] to realise as much development capacity as possible, to maximise benefits of intensification.”</i></p> <p>If such insufficient development capacity is provided by changing height and density provisions, then it follows that increases to building heights and densities of activity should be made via changes to these provisions (rather than changing the underlying zoning to achieve the desired development capacity levels). I do not consider that the intention of this Policy, nor the overall NPS-UD provides for wholesale changes to the zoning of commercial sites within the city centre zones unless specific circumstances exist to warrant such a change.</p> <p>Further, modelling completed by Dr Dyason and peer reviewed by Mr. Lees<sup>3</sup> outlines that, prior to the changes proposed by PC14 there was sufficient land capacity to meet demand over the next 30 years within the central city. With demand to 2051 forecasted to be 25.6ha across retail, office, industrial, warehousing, and short-stay land uses; and the total land supply being 61.5ha. I therefore consider that, with the additional building heights enabled in the CCZ there is no need for this land to be rezoned and instead indicates a surplus of 35.9ha.</p> <p>Turning to the surrounding land use and pattern of development, I concur with the submitter’s description of the surrounding land use and zoning in the immediacy of the site. However, as shown in figure 6 below, looking at the wider area from a zoning perspective, land on the northern side of Peterborough Street between Colombo Street and Cambridge Terrace is largely all within the High Density Residential zone. This area is part of a wider high density residential block between Salisbury Street, Colombo Street, Cambridge Terrace and Barbadoes Street forming at the edge of the Central City Mixed Use zone. Amending the zoning of the subject site to the Central City Mixed Use zone would interrupt this zoning pattern and the land uses it is seeking to provide.</p> <p>In conclusion, it is my recommendation that this submission point be rejected.</p> |
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<sup>3</sup> Statement of Evidence, Mr. Kirdan Lees, page 4. I note the study area included Addington and Sydenham as well as the central city.

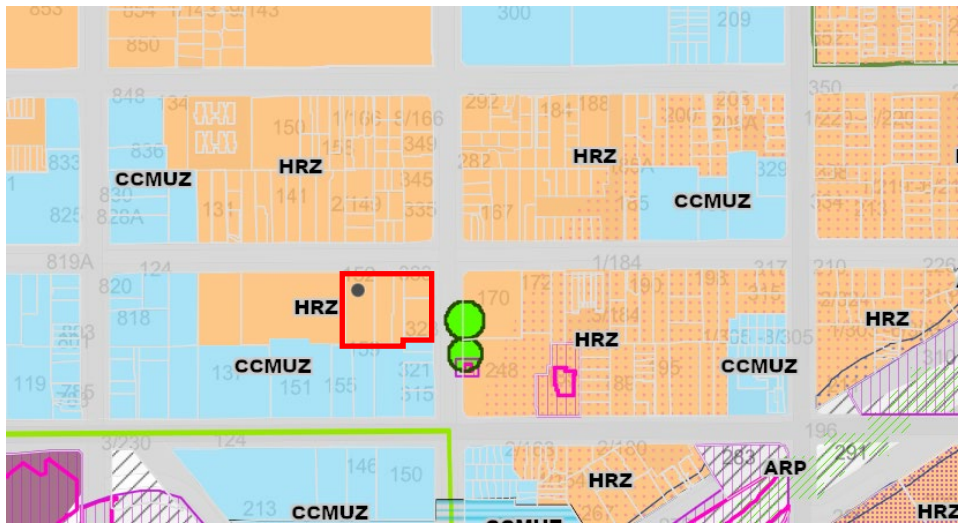



Figure 6 Extract from planning maps showing PC14 proposed zoning for the subject site and wider area.



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| <b>Submission</b>                             | <b>872.1 – Mr. H Sullivan for Oyster Management Limited</b>   |
| <b>Address</b>                                | <p>The block bordered by Tuam Street, Madras Street, Lichfield Street, and Manchester Street, which includes the submitter’s site at 229 Tuam Street.</p>  <p><i>Figure 7 Extract from submission showing subject site zoning in operative District Plan</i></p>  |
| <b>Operative Zoning</b>                       | Central City Mixed Use (South Frame)  |
| <b>Notified Zoning</b>                        | Central City Mixed Use (South Frame)  |
| <b>Relief Sought (Zoning / Change Sought)</b> | City Centre Zone (or alternatively Central City Mixed Use)  |
| <b>Recommendation: Accept/ Reject/ Amend</b>  | Reject  |
| <b>Reasons for Recommendation</b>             | <p>Oyster Management Limited (Oyster) opposes the inclusion of the block bounded by Tuam, Manchester, Madras and Lichfield Streets in the Central City Mixed Use (South Frame) Zone. Oyster considers that the block should be rezoned to either:</p> <ul style="list-style-type: none"> <li>- City Centre Zone (preferred); or</li> <li>- City Centre Mixed Use Zone</li> </ul> <p>The reasons for this rezoning request are cited by Oyster as follows:</p> <ul style="list-style-type: none"> <li>- The block is contiguous with these zones;</li> </ul> |

- The preferred zones will better give effect to the direction in the NPS-UD to provide sufficient development capacity to meet the expected increase in demand for business land in Christchurch.

In assessing the merits of the rezoning request, I have considered the scope of PC14; the direction outlined in the NPS-UD; and the existing use and pattern of development on the site and surrounding environment. These matters are addressed in turn below.

It is my view that the rezoning request cannot be considered within the scope of PC14, firstly because the spatial extent of the zones within the Central City are not proposed to be changed, nor are any changes proposed to the zoning in the area of the subject site.

In the context of the city centre zones, Policy 3 of the NPS-UD requires that *"building heights and density of urban form [is enabled] to realise as much development capacity as possible, to maximise benefits of intensification."* If such insufficient development capacity is provided by changing height and density provisions, then it follows that increases to building heights and densities of activity should be made via changes to these provisions (rather than changing the underlying zoning to achieve the desired development capacity levels).

Plan Change 14 proposes that the height limits of the Central City Mixed Use Zone (South Frame) are increased from 17m to 21m. An increase of 17m to 32m is proposed within the Central City Mixed Use Zone. The submitter's preferred zoning for the block of land is to include it in the City Centre Zone. This would enable a far greater increase in height limit (up to 90m as a restricted discretionary activity, and above 90m as a discretionary activity), but would also disrupt the function of the South Frame when viewed in the wider context of the zoning in the area (figure 8).

Further, modelling completed by Dr Dyason and peer reviewed by Mr. Lees<sup>4</sup> outlines that, prior to the changes proposed by PC14 there was sufficient land capacity to meet demand over the next 30 years within the central city. With demand to 2051 forecasted to be 25.6ha across retail, office, industrial, warehousing, and short-stay land uses; and the total land supply being 61.5ha. I therefore consider that, with the additional building heights enabled in the CCZ there is no need for this land to be rezoned and instead indicates a surplus of 35.9ha.

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<sup>4</sup> Statement of Evidence, Mr. Kirdan Lees, page 4. I note the study area included Addington and Sydenham as well as the central city.

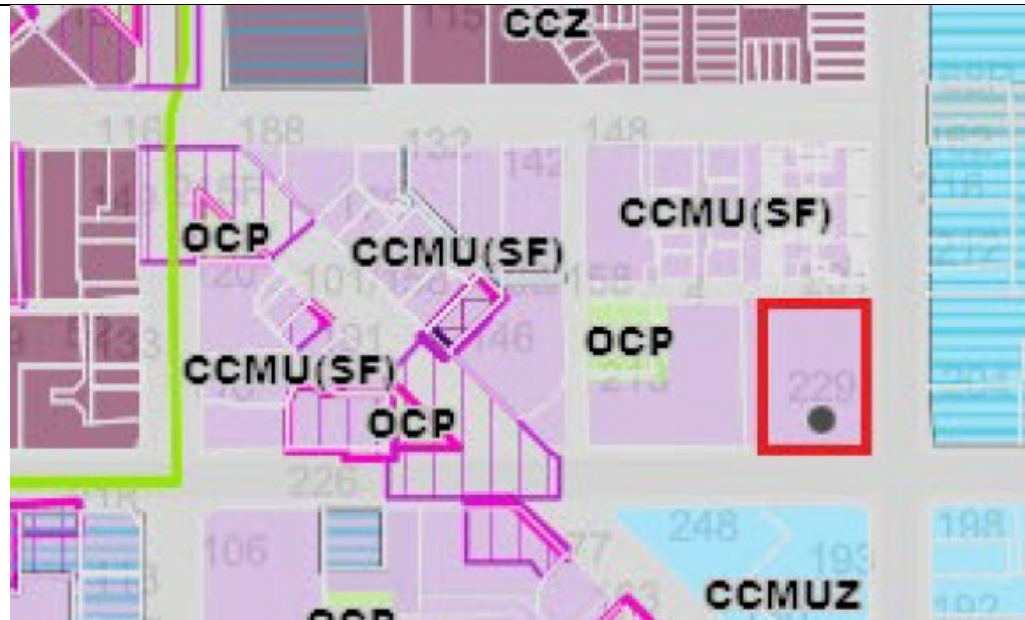
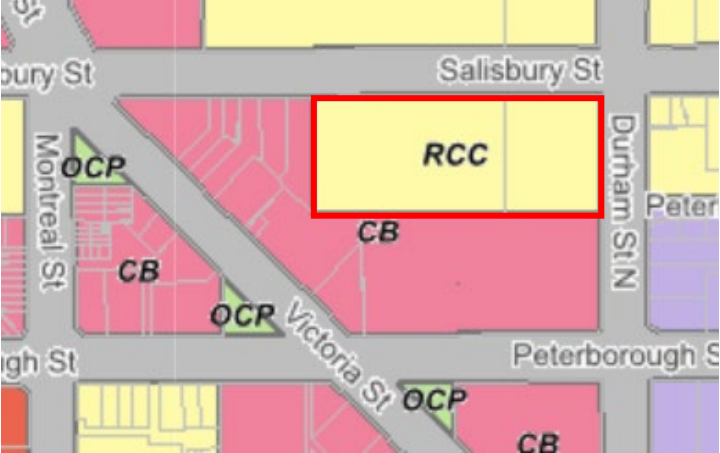


Figure 8 Extract from submission above showing PC14 proposed zoning for the subject site and wider area.

In conclusion, it is my recommendation that this submission point be rejected.

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| <b>Submission</b>                             | <b>2077.6 – Ms. A Collie for Christchurch Casinos Limited</b>   |
| <b>Address</b>                                | <p>56-72 Salisbury Street &amp; 373 Durham Street North</p>  <p><i>Figure 9 Map of site above showing operative District Plan zoning.</i></p>   |
| <b>Operative Zoning</b>                       | Residential Central City  |
| <b>Notified Zoning</b>                        | High Density Residential Zone   |
| <b>Relief Sought (Zoning / Change Sought)</b> | Central City Mixed Use  |
| <b>Recommendation: Accept/ Reject/ Amend</b>  | Reject  |
| <b>Reasons for Recommendation</b>             | <p>Christchurch Casinos Limited seeks that the part of their site that is proposed to be zoned High Density Residential be rezoned to Central City Zone to enable mixed use development i.e., to provide for both residential and commercial activity. The submitter considers that the zone change sought would better reflect the site context in the Central City and better give effect to the NPS-UD.</p> <p>In assessing the merits of the rezoning request, I have considered the scope of PC14; the direction outlined in the NPS-UD; and the existing use and pattern of development on the site and surrounding environment. These matters are addressed in turn below.</p> |

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|  | <p>It is my view that the rezoning request cannot be considered within the scope of PC14, firstly because the spatial extent of the zones within the Central City are not proposed to be changed.</p> <p>Further, in the context of the city centre zones, Policy 3 of the NPS-UD largely requires consideration of the existing building heights and density of activity that is currently enabled and then an assessment of whether the existing provisions “realise as much development capacity as possible, to maximise benefits of intensification in city centre zones”. If such an assessment finds that the current provisions do not achieve this, then it follows that increases to buildings heights and densities of activity should be made via changes to these provisions (rather than changing the underlying zoning to achieve the desired development capacity). I do not consider that the intention of this Policy, nor the overall NPS-UD provides for wholesale changes to the zoning of commercial sites within the city centre zones unless specific circumstances exist to warrant such a change.</p> <p>The submitter notes that the mixture of commercial business and residential zoning has made this exercise challenging to the point that redevelopment has not been advanced with the land currently being used for car parking.</p> <p>When looking at the wider zoning context and land use in the surrounding area, as shown in figure 10 below, the split zoning on the subject site provides a transition between the areas of City Centre zoned land in the area and those areas zoned for residential activity (to the north, north-east, and east of the block). In relation to Salisbury Street, the residential zoning on this part of the street reflects the residential zone to the north of the street. Similarly, the City Centre zoning on the southern portion of the subject site reflects the same zoning across the street on Peterborough Street, and on adjacent land on Victoria Street.</p> <p>Further, modelling completed by Dr Dyason and peer reviewed by Mr. Lees<sup>5</sup> outlines that, prior to the changes proposed by PC14 there was sufficient land capacity to meet demand over the next 30 years within the central city. With demand to 2051 forecasted to be 25.6ha across retail, office, industrial, warehousing, and short-stay land uses; and the total land supply being 61.5ha. I therefore consider that, with the additional building heights enabled in the CCZ there is no need for this land to be rezoned and instead indicates a surplus of 35.9ha.</p> |
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<sup>5</sup> Statement of Evidence, Mr. Kirdan Lees, page 4. I note the study area included Addington and Sydenham as well as the central city.

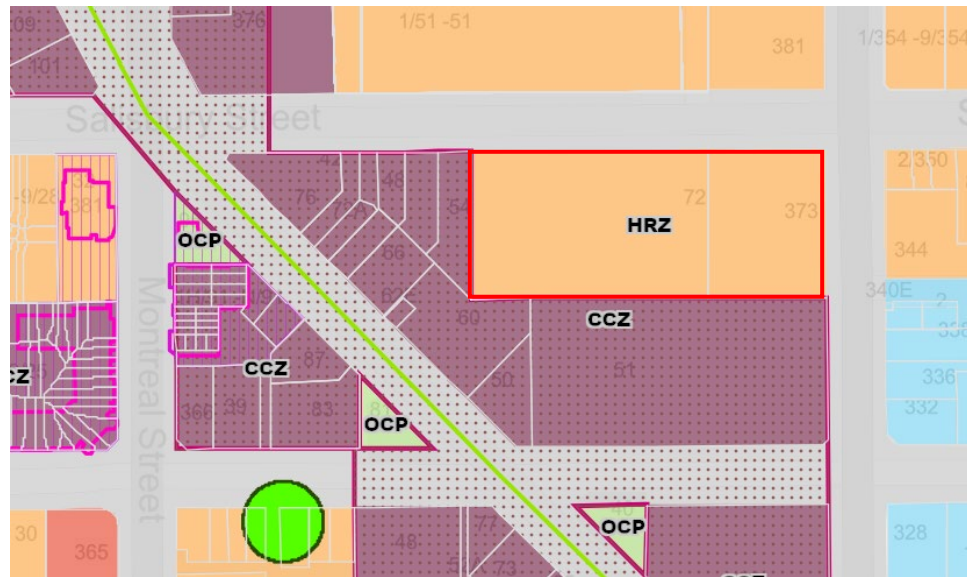


Figure 10 Extract above showing the PC14 proposed zoning of the subject site and surrounding area

In conclusion, it is my recommendation that this submission point be rejected.