

SUMMARY STATEMENT

1. Tēnā koutou katoa, my name is **Holly Elizabeth Gardiner**. I am employed as a policy planner at the **Christchurch City Council**. My qualifications and experience are further detailed at paragraphs 2.1.1 and 2.1.4 of my Section 42A Report.
2. I have prepared evidence on behalf of the Council to consider the issues raised in submissions and further submissions and make recommendations in response to the issues that emerged. Broadly the key issues relate to the role of urban design and amenity in enabling a thriving urban environment in the central city; rezoning requests; and other matters raised by submitters including building design for future uses, water supply for firefighting, and activity-specific changes, including those for cathedrals in the central city and retirement villages. The Council documents relevant to these issues are:
 - a) The Part 4 - Commercial s32 report - including:
 1. Appendix 1 - Technical Report - Background to Central City Height and Density Controls,
 2. Appendix 2 – Technical Report – Centres: Approach to Alignment with National Planning Standards,
 3. Appendix 5 – Business Land Capacity Assessment for Central City,
 4. Appendix 6 – Technical Report – Urban Design – Commercial Zones – Christchurch City Councilwithin the s32 report of relevance to the central city are pages 57 - 66 of the s32 report that considers the options regarding an intensification response for the City Centre Zone, including Option 2 which considers the option of having no upper height limit, classifying all development as restricted discretionary.
 - b) My section 42A report and supplementary evidence;
 - c) The section 42A reports of Mr Willis, Mr Lightbody, Ms Oliver, and Mr Kleynbos;
 - d) The evidence and where applicable rebuttal evidence of the following Council witnesses:

1. Mr Alistair Ray - Urban design
2. Ms Nicola Williams - Urban design
3. Mr Tim Heath - Economics
4. Mr Mike Green - Wind

e) My rebuttal evidence.

3. In my Section 42A Report, I have largely recommended that the framework in the notified proposal be implemented which aligns the operative Plan provisions with the National Planning Standards and gives effect to the NPS-UD direction to increase height and density in the CCZ. My recommended changes reflect the maximum building heights and urban design thresholds proposed across the three commercial zones, amendments to improve the application of the building tower provisions, adding diagrams to assist readability, and minor wording changes for clarification in response to requests from submitters. On listening to the evidence and discussions that have taken place through the hearing, I am of the view that the provisions would benefit from further refinement to improve clarity.
4. Regarding the urban design matter of discretion Rule 15.14.2.6, I proposed changes to this provision to further refine the wording from that notified in August. This amended version was tabled by Mr. Ray on Wednesday 25th October. For clarity I note that a key amendment is the change to the trigger for wind assessments amended from 30m to 28m to align with the additional urban design matters that apply to buildings over this height.
5. As noted last week in discussions regarding the urban design assessment triggers for the CCZ with planners for submitters, including Mr. Cleese and Mr. Phillips, I confirm I am happy to participate in expert conferencing and note the directions made by the Panel in their Minute 20 dated 30th October 2023.
6. As set out in Appendix C of my report, five site rezoning requests were received from submitters regarding sites in the central city. I consider these to be outside the scope of PC14; in any event, I concluded that these requests should be rejected on the merits. As previously mentioned last week, Ms. Anita Collie and I met on Friday 20th October to determine the matters in agreement and disagreement prior to the hearing. The minutes from this meeting have been made available to the Panel and relevant legal

counsel; and include a summary of the outstanding matters in contention which relate to differing perspectives on capacity, whether the rezoning requests are 'on' the plan change, and the potential economic and distribution effects that could arise from rezoning these sites that may affect the primacy of the City Centre Zone.

7. Turning to other matters raised last week, I agree with Mr Langman and the Panel that the building base and building tower definitions would benefit from further refinement. We are working through this, and the agreed position can be the subject of a joint statement once this is complete.
8. I note that I generally agree with the matters raised by Ms. Small for the Ministry of Justice on Thursday 26th October, and confirm we will conference regarding the provisions for the radiocommunication pathways qualifying matter.

Clarification

9. I wish to correct an error in the provisions relating to Rule 15.11.1.4, D1 for discretionary activities. The proposed provision includes the heritage qualifying matters for New Regent St, the Arts Centre, and Cathedral Square. New Regent Street and the Arts Centre are already provided for in RD11, and therefore I recommend that these points are struck out and D1 only applies to buildings over 90m in height, buildings that do not comply with the maximum building base height of 28m, and buildings that exceed the height limits in the Cathedral Square and Victoria Street Height Precincts.

Matters of Discretion applying where building height is exceeded in the Operative District Plan

10. In response to requests for clarification from the Panel, I will briefly explain the matters of discretion that apply in the Operative Plan where building height is exceeded.
11. In the Commercial Central City Zone, the Plan requires resource consent for new buildings, external alterations to existing buildings, or the use of any part of a site not occupied by building, within the Central City Core and visible from public spaces, either as a controlled activity with certification from a Council approved Urban Designer, or as a restricted discretionary activity if not certified under RD1. For controlled activities the only matter of control is that the proposal is certified, in certifying a proposal the urban designer needs to assess the proposal against the matters of discretion in

Rule 15.13.2.6 Commercial Central City Business Zone Urban Design.

Where a proposal is restricted discretionary the matter of discretion is Rule 15.13.2.6. A non-notification clause also applies. If a building exceeds the building height limits (of 28m in most places), then it falls to be considered as a discretionary activity and can be limited or publicly notified.

12. For the Commercial Central City Mixed Use Zone, the Operative Plan sets a maximum height limit of 17m in most places and there is not a certification pathway. If buildings exceed the maximum building height, then resource consent required as a restricted discretionary activity under RD2, and discretion is limited to the matters outlined in *Rule 15.13.3.26 Commercial Central City Mixed Use Zone - Maximum building height*. Applications cannot be limited or publicly notified.
13. For the Commercial Central City Mixed Use (South Frame) Zone, the Operative Plan also sets a maximum height of 17m, with a controlled activity pathway for buildings if they are certified by a Council approved Urban Designer. A non-notification clause applies. Where not certified, buildings fall to be assessed as a restricted discretionary activity under RD1, and such applications also cannot be notified. If a building does not comply with the maximum height limit of 17m, it falls to be a restricted discretionary activity under RD5, and the application cannot be notified. Discretion is limited to the matters outlined in *Rule 15.13.2.11 Urban design in the Commercial Central City (South Frame) Mixed Use Zone*.

Minimum heights

14. I agree with Mr Osborne's description of the city, in Week 1 of the hearing, that the city consists of a mature market with an immature CBD, and that the setting of minimum heights (above those already in effect) may inadvertently hinder development and the revitalisation of the city in the short-medium term.
15. I note that the operative Plan sets a minimum height of two storeys for the City Centre Zone within the Core and Central City Mixed Use South Frame Zone. This control came out of the Central City Recovery Plan as a 'light touch' approach to try and ensure that sites were not occupied by single storey buildings. Through PC14, this provision is proposed to be introduced to the Central City Mixed Use Zone.
16. Whilst a height of two storeys is low in comparison to the heights enabled to give effect to the NPS-UD, I consider this approach is still relevant as it seeks

to avoid the opportunity costs that could be lost if single storey buildings were built on vacant sites, whilst not being so restrictive that it discourages buildings to be built on these sites in the short to medium term, e.g. between now and say 30 years into the future. If the minimum height was greater, e.g., four storeys or more, the vacant sites might not be built on for some time, until it becomes viable to do so.

Conclusion

17. Overall, I consider that the changes proposed for the City Centre and Mixed-Use Zones have sought to enable the increased height limits and density required by the NPS-UD and provide for the realisation of this intensification in a way that ensures the city establishes itself as a well-functioning urban environment. In other words, PC14 strives to achieve 'density done well' in a central city environment which is continuing to recover after the Canterbury earthquakes.
18. I now welcome questions from the panel.

Date: 31 October 2023

Holly Gardiner