

# CHRISTCHURCH DISTRICT PLAN

## PLAN CHANGE 14

*HOUSING AND BUSINESS CHOICE*

**PLANNING OFFICER'S REPORT OF ELIZABETH (LIZ) JANE WHITE UNDER  
SECTION 42A OF THE RESOURCE MANAGEMENT ACT 1991**

**Residential Character Areas Qualifying Matter**

**11 AUGUST 2023**

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## LIST OF ABBREVIATIONS

<b>IHP</b>	Independent Hearings Panel
<b>IPI</b>	Intensification Planning Instrument
<b>ISPP</b>	Intensification Streamlined Planning Process
<b>MDRS</b>	Medium Density Residential Standards
<b>NPS-UD</b>	National Policy Statement – Urban Development 2020
<b>OCHT</b>	Otautahi Community Housing Trust
<b>QM</b>	Qualifying matter
<b>RCA(s)</b>	Residential Character Area(s)
<b>RHA(S)</b>	Residential Heritage Areas(s)
<b>RRBA</b>	Richmond Residents and Business Association (We are Richmond)
<b>RMA / the Act</b>	Resource Management Act 1991
<b>the Plan /CDP/the operative plan</b>	Christchurch District Plan
<b>the plan change/the proposed plan</b>	Proposed Plan Change 14
<b>WSCHCB</b>	Waihoru Spreydon-Cashmere-Heathcote Community Board

## 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 (**the plan change / PC14 / PPC14**) 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 the Residential Character Area (**RCA**)<sup>1</sup> Qualifying Matter (**QM**).
- 1.1.2 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.
- 1.1.3 Approximately 183 submission points were received on PC14 in relation to the RCA QM. Of these, 48 support the provisions, 120 seek amendments, and 15 oppose the provisions.
- 1.1.4 The main issues raised by the submitters relevant to this s42A report are:
- a. The appropriateness of RCAs being identified as a QM.
  - b. Whether the identification of some proposed RCAs is appropriate, including:
    - Whether some RCAs should be removed, due to their suitability for intensification overriding the need to maintain the existing character of these areas.
    - Whether RCAs proposed in PC14 which are additional to, or expansions of, existing RCAs in the operative Plan, should be removed from PC14.
    - Whether specific sites should be removed from a RCA.
  - c. Whether additional areas should be identified as a RCA.
  - d. Whether the provisions responding to the QM are appropriate, including both the proposed activity status applying to development within RCAs, as well as the proposed built form standards.

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<sup>1</sup> These are referred to as ‘Character Areas’ within the Residential Chapter of the Plan. For ease and consistency, and reflecting their location and application within residential zones only, they are referred to throughout this report as ‘Residential Character Areas’ or RCAs.

- 1.1.5 For completeness, I note that some submitters have questioned the relationship or overlap between RCAs and Residential Heritage Areas. This matter is addressed in Ms Glenda Dixon's s42A report for Residential Heritage Areas and not in this s42A report.
- 1.1.6 This report addresses each of these key issues, as well as any other relevant issues raised in the submissions relating to RCAs.
- 1.1.7 Having considered the notified PC14 material, the submissions and further submissions received, 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 RCA QM and provided recommendations and conclusions in this report. The PC14 provisions / planning maps with my recommended amendments are included in Appendix C. These recommendations take into account all of the relevant matters raised in submissions and relevant statutory and non-statutory documents.
- 1.1.8 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 / as notified 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 Elizabeth (Liz) Jane White. I am a self-employed planning consultant.
- 2.1.2 I hold a Master of Resource and Environmental Planning with First Class Honours from Massey University and a Bachelor of Arts with Honours from Canterbury University. I am also a full member of the New Zealand Planning Institute.
- 2.1.3 I have over 15 years' experience in planning and resource management in New Zealand, having worked in both local government and the private sector. My experience includes both regional and district plan development, including the preparation of plan provisions and accompanying s32 evaluation reports, and preparing and presenting s42A reports. I also have experience undertaking policy analysis and preparing submissions for clients on various RMA documents, and preparing and processing resource consent applications and notices of requirements for territorial authorities.

- 2.1.4 I was the principal author of the Residential Character Areas section<sup>2</sup> of the overall s32 report, which drew on the technical information contained in various appendices to the s32 report.<sup>3</sup>
- 2.1.5 My role in preparing this report is that of an expert planner. 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.
- 2.1.6 Although this is a Council-level 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.

## 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 were 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 National Policy Statement – Urban Development 2020 (**NPS-UD**). PC14 is an Intensification Planning Instrument (**IPI**) under section 80E of the Resource Management Act 1991 (**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 and further submissions on PC14 by presenting the key themes and

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<sup>2</sup> Section 6.29, in Section 32 Report, Part 2 - Qualifying Matters (District Plan Chapters 6, 8, 9, 13, 14, 18) p. 237-353.

<sup>3</sup> Section 32 Report, Part 2 – Qualifying Matters (District Plan Chapters 6, 8, 9, 13, 14, 18): Appendix 21, *Investigation of Qualifying Matters – Ōtautahi Christchurch Suburban Character Areas*, Boffa Miskell Ltd, 1 June 2022; Appendix 22, *Investigation of Qualifying Matters – Ōtautahi Christchurch Suburban Character Areas – Stage 2A Addendum Report*, Boffa Miskell Ltd, 22 July 2022; Appendix 23, *Investigation of Qualifying Matters - Lyttelton Character Area*, Boffa Miskell Ltd, 22 July 2022; , Appendix 36 – *Planning Assessment of District Plan Character Areas*, Christchurch City Council, 20 February 2023; Appendix 37 - *Technical Analysis of Proposed Character Area Provisions*, Christchurch City Council, 19 January 2023.

associated issues in relation to the RCA provisions of PC14 that require consideration by the IHP; and

- b. identifying submissions related to the RCA provisions of PC14, provide submitters with information on how their submissions have been evaluated and make recommendations on the RCA provisions of PC14 and the submissions and further 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.

2.2.4 The scope of this s42A report relates to Residential Character Areas Qualifying Matter.

2.2.5 This s42A report:

- c. addresses the contextual, procedural and statutory considerations and instruments that are relevant to the RCA provisions 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 above qualifying matters:
  - Part 2 - Qualifying Matters (District Plan Chapters 6, 8, 9, 13, 14, 18) (which is in the third PDF 'part' of that document<sup>4</sup>);
  - Appendix 21 (to Part 2 of the section 32 report), Investigation of Qualifying Matters – Ōtautahi Christchurch Suburban Character Areas, Boffa Miskell Ltd, 1 June 2022;
  - Appendix 22 (to Part 2 of the section 32 report), Investigation of Qualifying Matters – Ōtautahi Christchurch Suburban Character Areas – Stage 2A Addendum Report, Boffa Miskell Ltd, 22 July 2022;
  - Appendix 23 (to Part 2 of the section 32 report), Investigation of Qualifying Matters - Lyttelton Character Area, Boffa Miskell Ltd, 22 July 2022;
  - Appendix 36 (to Part 2 of the section 32 report) *Planning Assessment of District Plan Character Areas*, Christchurch City Council, 20 February 2023;
  - Appendix 37 (to Part 2 of the section 32 report)- Technical Analysis of Proposed Character Area Provisions, Christchurch City Council, 19 January 2023.
- d. discusses the relevant Christchurch District Plan Objectives and Policies as they relate specifically to the RCA QM;
- e. discusses the PC14 provisions as they relate to the RCA QM;

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<sup>4</sup> See: <https://www.ccc.govt.nz/assets/Documents/The-Council/Plans-Strategies-Policies-Bylaws/Plans/district-plan/Proposed-changes/2023/PC14/Section-32/Plan-Change-14-HBC-NOTIFICATION-Section-32-Qualifying-Matters-Part-3-15-March.pdf>

- f. provides an overview, analysis and evaluation of submissions and further submissions received on the RCA provisions and the qualifying matters listed above; and
- g. provides conclusions and recommendations.

2.2.6 In this s42A report I consider the issues raised and the relief sought in submissions and further submissions received by the Council in relation to the RCA QM along with relevant objectives, policies, rules, definitions as they apply to RCAs. I then make recommendations on whether to accept or reject each submission and further submission point along with conclusions and recommendations for changes to PC14 provisions or maps relating to the RCA QM 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. A summary of my recommendations as to acceptance, acceptance in part or rejection of the submissions and further submissions is included throughout this report with detail provided in Appendix B – 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 RCAs 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. Ms Sarah Oliver's section 42A assessment report (relating to a strategic overview of PC14 and other matters), including:
  - all statutory matters and instruments, background information and administrative matters pertaining to PC14 discussed in that report;
  - the overview of the relevant Christchurch District Plan Objectives and Policies as they relate to the RCAs QM as discussed in that report.
- b. the overview of PC14 in particular as it relates to the RCAs QM as discussed in that report; and
- c. Mr Ike Kleynbos' section 42A report relating to the residential provisions in PC14 (including in respect of medium and high density areas);
- d. Ms Glenda Dixon's section 42A report relating to the Residential Heritage Areas QM;



- e. the advice and recommendations of Jane Rennie (urban designer, Boffa Miskell), providing urban design evidence relevant to the RCAs QM, as set out in her statement of evidence.<sup>5</sup>

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

- f. the following section 32 reports including all statutory matters and instruments, background information and administrative matters pertaining to PC14, in particular the RCAs QM discussed in that report and all other matters relevant to RCAs discussed in those reports:
- section 32 report(s) Part 2 - Qualifying Matters (District Plan Chapters 6, 8, 9, 13, 14, 18); and
  - Appendix 21, Investigation of Qualifying Matters – Ōtautahi Christchurch Suburban Character Areas, Boffa Miskell Ltd, 1 June 2022;
  - Appendix 22, Investigation of Qualifying Matters – Ōtautahi Christchurch Suburban Character Areas – Stage 2A Addendum Report, Boffa Miskell Ltd, 22 July 2022;
  - Appendix 23, Investigation of Qualifying Matters - Lyttelton Character Area, Boffa Miskell Ltd, 22 July 2022;
  - Appendix 36 – *Planning Assessment of District Plan Character Areas*, Christchurch City Council, 20 February 2023;
  - Appendix 37 - Technical Analysis of Proposed Character Area Provisions, Christchurch City Council, 19 January 2023.
- g. the following section 32 reports prepared in relation to the Christchurch District Plan Review, which relate to the current Character Areas:
- Appendix 19 of the s32 Report for Residential Chapter 14, notified 2 May 2015. *Background Report on Character Areas*, Christchurch City Council;
  - Appendix 20 of the s32 Report for Residential Chapter 14, notified 2 May 2015. *Christchurch Suburban Character Area Assessments*, Beca Ltd, 9 January 2015; and
- h. Submissions and further submissions related to RCAs.

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

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<sup>5</sup> *Statement of Primary Evidence of Jane Maree Rennie of Behalf of Christchurch City Council, Residential Character Areas*, 11 August 2023.

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 and further submissions were received on the provisions relating to RCAs.

3.1.2 I consider the following to be the key issues in contention in relation to residential character areas:

- a. The application of RCAs as a QM;
- b. Submissions opposing particular RCAs, or seeking a reduction in their extent;
- c. Additional RCAs sought through submissions; and
- d. The appropriateness of the provisions responding to the RCA QM.

3.1.3 I address each of these key issues in this report, as well as any other relevant 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 conference on 1 August 2023. There have not yet been any clause 8AA meetings or expert witness conferencing in relation to submissions on any RCA provisions.

### **5 BACKGROUND AND STATUTORY CONSIDERATIONS**

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

5.1.1 Ms Oliver's 'Strategic Overview' section 42A report and the section 32 report(s) 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' section 42A report and the section 32 reports, the Housing Supply Amendment Act requires the Council to make changes to its operative 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 the 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 Part 2 - Qualifying Matters (District Plan Chapters 6, 8, 9, 13, 14, 18) there are a number of higher order planning documents and strategic plans that provide direction and guidance for the preparation and content of PC14. This report includes a comprehensive assessment of the PC14 Residential Character Area provisions in relation to these documents and plans and all statutory considerations in so far as they relate to the RCAs.

5.1.7 I consider that Objectives 6.2.2 and 6.2.3 of the Canterbury Regional Policy Statement (**CRPS**) are particularly relevant to the consideration of RCAs. Objective 6.2.2 seeks that the urban form and settlement pattern in Greater Christchurch provides higher density living environments including mixed use developments and a greater range of housing types, particularly in and around the Central City, in and around Key Activity Centres, and larger neighbourhood centres. Objective 6.2.3 seeks that recovery and rebuilding is undertaken in Greater Christchurch that retains areas of special amenity. The relevance of these is discussed further in my evidence.

## 5.2 SECTION 32AA

5.2.1 As noted above I have undertaken an evaluation of the recommended amendments to the Residential Character Area provisions since the initial section 32 evaluation(s) was/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 Residential Character Areas. 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 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 RCA 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 RCAs.

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

### **5.4 CHRISTCHURCH DISTRICT PLAN**

5.4.1 The relevant District Plan provisions also need to be considered in preparing a plan change and considering any submissions on the change. The section 32 report Part 2 - Qualifying Matters (District Plan Chapters 6, 8, 9, 13, 14, 18) contains an evaluation of PC14 including provisions concerning RCAs against the relevant District Plan objectives and policies. I generally agree with the assessment carried out. The following objectives are those of particular relevance to the RCAs.

5.4.2 Chapter 3 Strategic Directions of the Plan provides overarching direction for all other chapters of the Plan must be consistent with its objectives (3.1). It provides a direction/framework for the RCA provisions. I consider 3.3.7 Objective – Urban growth, form and design (re-numbered 3.3.8 through PC14) to be of particular relevance, which seeks (amongst other things) a high quality urban environment that is attractive to residents and has its areas of special character and amenity value identified and their specifically recognised values appropriately managed. . I note that Ms Oliver is recommending changes to this objective, which would remove the specific reference to “areas of special character and amenity values”. However, I note that instead it would refer to: the protection and/or maintenance of specific characteristics of qualifying matters; and the urban environment providing for a strong sense of place, including with respect to specific design controls and lower heights for development in more sensitive environments. In my view, these changes would continue to provide the direction/framework for RCA provisions. For ease, where considering this objective within this report, I have referred to the notified wording, but for the avoidance of doubt, the changes recommended by Ms Oliver do not alter the conclusions reached.

5.4.3 Within Chapter 14 Residential, the objectives of most relevance to Residential Character Areas are 14.2.3 and 14.2.5. The former seeks that relevant residential zones provide for a variety of housing types and sizes that respond to housing needs and demands as well as the neighbourhood’s planned urban built character. The latter seeks high quality, sustainable, residential neighbourhoods which are well designed to reflect the planned urban character and the Ngāi Tahu heritage of Ōtautahi.

## 6 PLAN CHANGE 14 – RESIDENTIAL CHARACTER AREAS

### 6.1 OVERVIEW

6.1.1 The Operative District Plan includes 15 RCAs as neighbourhoods that are distinctive from their wider surroundings, and which are considered to have a special character that, on the whole, is worthy of retention. This character is a combination of built form and landscape elements, which contribute to tūrangawaewae, a sense of place of and belonging and the identity of the area, as well as making a place appealing and attractive.

6.1.2 Under the Operative District Plan, Policy 14.2.4.7 includes direction in relation to RCAs, seeking that the identified special character values of these areas, which arise from those elements which are listed in the policy, are maintained or enhanced. The rules pertaining to RCAs are contained in area-specific rules included in each relevant zone and:

- a. Require relocations, new buildings, alterations and additions to existing buildings, accessory buildings, and fences and walls associated with the previous buildings, (hereafter referred to as “**building works**”) to obtain consent as a controlled activity,<sup>6</sup> subject to also meeting site density standards. An exception applies in the Lyttelton and Akaroa Character Areas, where a restricted discretionary activity status applies.<sup>7</sup>
- b. Sets site density standards of 600m<sup>2</sup> where the RCA is within the Residential Suburban Zone; 400m<sup>2</sup> where within the Residential Suburban Density Transition Zone or Residential Medium Density Zone; and 500m<sup>2</sup> within the Beverley Character Area.<sup>8</sup>
- c. Requires planting of a landscape strip along the length of the road boundary (excluding access areas).<sup>9</sup>
- d. Provides a restricted discretionary activity status for residential units that do not comply with the site density standard;<sup>10</sup> and a controlled activity status for activities that do not comply with the landscaping requirements.<sup>11</sup>

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<sup>6</sup> E.g., Residential Suburban and Residential Suburban Density Transition zones, Rule 14.4.3.1.2 C1; Residential Medium Density Zone, Rule 14.5.3.1.2 C1.

<sup>7</sup> Residential Banks Peninsula Zone, Rule 14.8.3.1.3 RD3 and RD4.

<sup>8</sup> E.g., Residential Suburban and Residential Suburban Density Transition zones, Rule 14.4.3.2.1; Residential Medium Density Zone, Rule 14.5.3.2.7.

<sup>9</sup> E.g., Residential Suburban and Residential Suburban Density Transition zones, Rule 14.4.3.2.17; Residential Medium Density Zone, Rule 14.5.3.2.6.

<sup>10</sup> E.g., Residential Suburban and Residential Suburban Density Transition zones, Rule 14.4.3.1.3 RD8; Residential Medium Density Zone, Rule 14.5.3.1.3 RD6.

<sup>11</sup> E.g., Residential Suburban and Residential Suburban Density Transition zones, Rule 14.4.3.1.2 C1 c.

- 6.1.3 In all other respects, the built form standards and requirements of the residential zone within which the RCA is located apply, such as building heights, setbacks, site coverage, daylight recession planes, requirements for outdoor living spaces, and so on.
- 6.1.4 As part of the development of PC14, the RCAs contained in the Operative District Plan were reviewed, to confirm if they continued to have a level of integrity and character worth retaining. Additional areas put forward in public feedback were also investigated. The result of this is detailed in reports included in the section 32 report.<sup>12</sup> In summary, PC14 proposes to remove two of the 15 existing RCAs (Esplanade and Clifton) and reduce the extent of eight others (Cashmere, Beckenham, Piko, Heaton, Malvern, Francis, Dudley, Englefield). Three new areas (Bewdley, Roker and Ryan) are also proposed, as are expansions to two existing RCAs (Beckenham and Lyttelton).
- 6.1.5 PC14 proposes to retain Policy 14.2.4.7 (but renumber it to 14.2.5.9) and to:
- a. Provide a permitted activity status for interior conversions of an existing residential unit into two residential units;<sup>13</sup> or in the Lyttelton RCA, for a minor residential unit.<sup>14</sup>
  - b. Apply a controlled activity status for the erection of new residential unit to the rear of an existing residential unit on the same site, where it is less than 5m in height and the built form standards (discussed below) are met.<sup>15</sup>
  - c. Require building works, as well as demolitions or removal of buildings above 30m<sup>2</sup>, to obtain consent as a restricted discretionary activity.<sup>16</sup>
  - d. Provide a restricted discretionary activity status for residential units that do not comply with the number of residential units per site;<sup>17</sup> or activities that do not comply with the landscaping requirements;<sup>18</sup> or in the Lyttelton RCA, non-compliance with various built form standards.<sup>19</sup>
  - e. Introduce a suite of built form standards with standards specific to each character area, including height, front entrances and facades, landscaping, number of residential units

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<sup>12</sup> Section 32 Report, Part 2 – Qualifying Matters (District Plan Chapters 6, 8, 9, 13, 14, 18): Appendix 21, *Investigation of Qualifying Matters – Ōtautahi Christchurch Suburban Character Areas*, Boffa Miskell Ltd, 1 June 2022; Appendix 22, *Investigation of Qualifying Matters – Ōtautahi Christchurch Suburban Character Areas – Stage 2A Addendum Report*, Boffa Miskell Ltd, 22 July 2022; Appendix 23, *Investigation of Qualifying Matters - Lyttelton Character Area*, Boffa Miskell Ltd, 22 July 2022.

<sup>13</sup> Medium Density Residential Zone, Rule 14.5.3.1.1 P4.

<sup>14</sup> Residential Bank Peninsula Zone, Rule 14.8.3.1.1 P5.

<sup>15</sup> Medium Density Residential Zone, Rule 14.5.3.1.2 C1; Residential Bank Peninsula Zone, Rule 14.8.3.1.2 C3.

<sup>16</sup> Medium Density Residential Zone, Rule 14.5.3.1.3 RD14; Residential Bank Peninsula Zone, Rule 14.8.3.1.3 RD3.

<sup>17</sup> Medium Density Residential Zone, Rule 14.5.3.1.3 RD6; Residential Bank Peninsula Zone, Rule 14.8.3.1.3 RD5.

<sup>18</sup> Medium Density Residential Zone, Rule 14.5.3.1.3 RD14; Residential Bank Peninsula Zone, Rule 14.8.3.1.3 RD8.

<sup>19</sup> Residential Bank Peninsula Zone, Rule 14.8.3.1.3 RD6, RD7, RD9, RD10, RD11.

per site, setbacks, building coverage, outdoor living space, glazing, fencing, location of garages and carports, and internal separation.<sup>20</sup>

- f. Apply minimum net site areas for subdivision within each RCA.<sup>21</sup>

6.1.6 The purpose of these changes is to enable residential activity while maintaining and enhancing the special character values of these areas. These values arise from the combination of those elements set out in Policy 14.2.4.7 (14.2.5.9 in PC14), being:

- a. the continuity or coherence of the character;
- b. the pattern of subdivision, open space, buildings and streetscape;
- c. the landforms or features that contribute to the qualities of the landscape and built form;
- d. the scale, form and architectural values of buildings and their landscape setting; and
- e. the qualities of the streetscape.

6.1.7 The redevelopment of sites within RCAs has the potential to adversely affect these elements, and detract from the values of these areas. At a broad level, this includes changes to:

- a. the overall pattern of development within the neighbourhood;
- b. the number and scale of buildings, structures and hard surfaces and vegetation, and to the topography and vegetation;
- c. the landscape quality, including the relationship between the site elements and the street; and
- d. the loss of the coherence and consistency in built character elements.<sup>22</sup>

6.1.8 As set out in detail in the Part 2 - Qualifying Matters (District Plan Chapters 6, 8, 9, 13, 14, 18) section 32 Report for each RCA, the level of development provided by Policy 3 of the NPS-UD and the MDRS would result in substantial changes to these elements and therefore undermine the values of these areas. PC14 therefore proposes to introduce a suite of built form standards that are intended to provide for some increased development opportunities within these areas, while still maintaining the key attributes of each area and retaining their values.

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<sup>20</sup> Medium Density Residential Zone, Rule 14.5.3.2, Residential Bank Peninsula Zone, Rule 14.8.3.2.2-14.8.3.2.12.

<sup>21</sup> Rule 8.6.1, Table 1, Row a, Additional Standard d.

<sup>22</sup> Section 32 Report, Part 2 – Qualifying Matters (District Plan Chapters 6, 8, 9, 13, 14, 18) Appendix 37 - *Technical Analysis of Proposed Character Area Provisions*, Christchurch City Council, 19 January 2023, p. 7-8.



- 6.1.9 As part of the development of the standards included in PC14, an assessment was also undertaken of a number of resource consents granted by the Council for development within RCAs, to determine their effectiveness at maintaining the attributes of the RCA.<sup>23</sup> This identified that the controlled activity status removed the ability for consents to be declined or for consent conditions to be imposed where such conditions would effectively prevent the proposal applied for from taking place, even where development would be inconsistent with the values. This has led to some development in existing RCAs which is considered to have undermined the character values.
- 6.1.10 As the application of Policy 3 and the MDRS means that the built form standards of the underlying zone will change, the continuation of a controlled activity consent pathway would therefore increase the risk of development which could undermine the values in a Character Area and lead to the integrity of an Area being compromised. PC14 therefore proposes that most building works are managed under a restricted discretionary activity status.
- 6.1.11 The section 42A report prepared by Ms Sarah Oliver 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 a summary below of how the provisions relevant to RCAs, which I address in this report, impose (or potentially impose) additional controls or restrictions that affect status quo/pre-existing development rights (as per the Operative District Plan):
- a. Application of an RCA to new or extended areas to which the current Character Area Overlay does not apply (all of Bewdley, Roker and Ryan RCAs and parts of the Beckenham and Lyttelton RCA);
  - b. The activity status applying to building works within all RCAs, which in most cases will change from controlled to restricted discretionary (in particular, amendments to 14.5.3.1.2 C1 and introduction of 14.5.3.1.3 RD14); and
  - c. The built form standards proposed, which in several cases are reduced from those applying under the current underlying residential zone, and the addition of new standards (Rules in 14.5.3.2.1).

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<sup>23</sup> Section 32 Report, Part 2 – Qualifying Matters (District Plan Chapters 6, 8, 9, 13, 14, 18) Appendix 36 – *Planning Assessment of District Plan Character Areas*, Christchurch City Council, 20 February 2023.

6.1.12 An evaluation of the application of a qualifying matter to RCAs, the changes to the boundaries of these areas, the introduction of the proposed built form standards and the approach taken to activity status is set out in the Part 2 - Qualifying Matters (District Plan Chapters 6, 8, 9, 13, 14, 18) section 32 Report.<sup>24</sup> As these are matters that have been challenged in submissions, they are considered further in Section 7 below, and are discussed in sections under the topic headings below:

- d. The identification of Residential Character Areas as a QM;
- e. Support for or Opposition to Particular Residential Character Areas or Properties within them;
- f. Additional Residential Character Areas sought through submissions; and
- g. The appropriateness of the provisions responding to the Residential Character Area QM.

## **7 CONSIDERATION OF SUBMISSIONS AND FURTHER SUBMISSIONS**

### **7.1 OVERVIEW OF SUBMISSIONS AND FURTHER 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. The Council received approximately 183 separate decisions (submission points numbered as SX.Y) in relation to the RCA QM.

7.1.2 For the summary of submissions relating to RCAs refer to Appendix B. A copy of the submissions and further 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>.

7.1.3 Forty-eight submission points express their support for PC14 in relation to RCAs. One hundred and twenty submissions request amendments to the approach taken or to the provisions. Fifteen submission points oppose the approach taken to RCAs or to the specific provisions. Some of the decisions requested have been supported or opposed by further submissions.

### **7.2 OUT-OF-SCOPE SUBMISSIONS**

7.2.1 The section 42A report prepared by Ms Sarah Oliver provides a summary of her understanding of the principles to be applied in determining whether submission points are within scope of a plan

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<sup>24</sup> Pages 237 – 353.

change. I have read, and agree with that summary. To assist the Panel, I have considered whether any submission points fall, or potentially fall, outside of scope. In doing so I have not identified any submission points relevant to RCAs that are not 'on' PC14, to highlight to the Panel.

7.2.2 I note that submissions relating to sections of PC14 that have already been addressed or will be considered other section 42A reports (or hearing streams) are not considered in this S42A report. Notably, the following matters will not be addressed in detail in this report:

- a. Submissions relating to the objectives which the RCA provisions seek to achieve, particularly Objective 3.3.8 and Objective 14.2.5.
- b. Submissions that question the overlap between RCAs and Residential Heritage Areas.

### 7.3 REPORT STRUCTURE

7.3.1 The points made and decisions sought in submissions and further submissions can be 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**

ISSUE	CONCERN / REQUEST
1. The identification of Residential Character Areas as a QM	<ul style="list-style-type: none"> <li>• Support RCAs being identified as a QM.</li> <li>• Oppose RCAs being identified as a QM.</li> </ul> <p>Submissions:  <b>S180.4, S225.8, S437.5, S630.2, S630.3, S737.11, S745.4, S755.3, S755.4, S773.2, S773.3, S799.1, S799.2, S804.4, S835.3</b></p>
2. Support for or Opposition to Particular Residential Character Areas or Properties within them	<ul style="list-style-type: none"> <li>• Retain proposed Character Areas (various)</li> <li>• Remove Cashmere, Beckenham, Piko and Roker RCAs.</li> <li>• Reconsider costs and benefits and reduce extent of RCAs to take into account areas with higher accessibility and in proximity to centres.</li> <li>• Remove: 75a Hackthorne Road and 20 Macmillan Ave / 20b Macmillan Ave from Cashmere RCA; and those parts of Heaton RCA within the SP Hospital Zone.</li> <li>• Reject the expansion of any existing Residential Character Areas and addition of any new areas proposed through PC14.</li> </ul> <p>Submissions:  <b>S1.1, S33.3, S33.4, S33.5, S35.1, S41.4, S121.6, S128.1, S128.2, S128.3, S135.1, S136.1, S141.1, S143.1, S168.2, S168.3, S174.1, S191.3, S217.2, S228.1, S341.1, S436.1, S482.1, S499.3, S700.6, S732.1, S770.1, S776.1, S791.6, S791.7, S804.9, S805.4, S805.5, S805.6, S816.1, S835.21, S834.38, S834.39, S834.40, S834.41, S834.42, S834.43, S834.44, S834.45, S834.46,</b></p>

ISSUE	CONCERN / REQUEST
	<b>S834.47, S834.48, S834.49, S834.50, S834.51, S877.9, S877.10, S877.11, S1008.2, S1053.2, S1077.2.</b>
3. New Residential Character Areas sought	<ul style="list-style-type: none"> <li>• Add additional Residential Character Areas to the Plan as a QM.</li> </ul> Submissions: <b>S15.6, S18.2, S19.3, S20.3, S25.2, S27.2, S62.1, S86.1, S92.1, S101.2, S119.3, S124.1, S125.1, S136.1, S162.2, S164.3, S165.1, S182.2, S188.13, S188.16, S227.1, S241.1, S247.1, S255.1, S255.2, S255.3, S255.4, S278.1, S278.2, S303.3, S316.1, S376.1, S381.1, S381.2, S381.3, S502.2, S530.1, S581.1, S583.2, S584.3, S665.1, S698.1, S703.1, S710.3, S726.1, S737.12, S755.3, S755.4, S769.9, S868.2, S1006.1, S1054.1, S1079.1, S1088.2, S1090.2.</b>
4. The appropriateness of provisions responding to the Residential Character Areas QM	<ul style="list-style-type: none"> <li>• Support for applying a restricted discretionary activity status</li> <li>• Amend to apply a controlled activity status.</li> <li>• Do not apply built form standards</li> <li>• Review the built form standards to allow greater levels of development</li> <li>• Amend specific built form standards</li> </ul> Submissions: <b>S18.1, S98.2, S99.2, S123.1, S124.2, S125.2, S126.2, S127.1, S127.2, S127.3, S127.4, S127.5, S205.12, S217.1, S242.20, S381.12, S381.22, S519.7, S519.26, S630.4, S630.5, S665.5, S685.77, S685.78, S695.8, S695.17, S695.18, S695.19, S695.20, S695.21, S698.4, S720.43, S720.44, S737.11, S762.20, S762.27, S762.21, S769.3, S769.4, S769.5, S769.6, S769.7, S769.8, S773.4, S773.5, S805.4, S805.5, S834.38, S834.39, S834.40, S834.41, S834.42, S834.43, S834.44, S834.45, S834.46, S834.47, S834.48, S834.49, S834.50, S834.51, S835.21, S853.9, S877.9, S877.10, S877.11, S1003.15, S1003.16, S1031.1.</b>

7.3.2 Some submissions raise more than one matter, and these will be discussed under the relevant issue(s) in this report. I note that I have considered substantive commentary on primary submissions contained in further submissions as part of my consideration of the primary submissions to which they relate.

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 Appendix C;
- 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 a table following the heading of the relevant discussion. Following discussion and evaluation of the submissions and further 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 B – 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 As a result of consideration of submissions, for the reasons discussed below I recommend some amendments to the District Plan provisions. I have provided a consolidated ‘track changes’ versions of the Residential Character Area provisions with my recommended amendments in response to submissions as Appendix C. In Appendix C, the operative District Plan text is shown as normal text in italics. Amendments proposed by PC14 as notified are shown as ***italicised bold underlined text in black*** or ~~***black bold strikethrough text***~~. Any text recommended to be added by this report will be shown as ***red bold underlined text in italics*** and that to be deleted as ~~***red bold strikethrough text in italics***~~. Text in green denotes existing defined expressions and in ***bold green underlined*** shows proposed new definitions. Text in blue represents cross-reference jump links to other provisions in e-plan. Appendix C shows all of the proposed PC14 amendments in one place in a similar way but without italics.
- 7.3.6 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.
- 7.3.7 All of the provisions proposed in PC14 have already been considered in terms of section 32 of the Act (**s32**). Where amendments to PC14 are recommended, I have specifically considered the obligations arising under section 32AA (**s32AA**) and undertaken a s32AA evaluation in respect to the recommended amendments in my assessment.
- 7.3.8 The evaluation of submissions provided in this section 42A report should be read in conjunction with the summaries of submissions and further submissions, and the submissions themselves as well as the following appendices:

- a. Appendix A – Section s77J and s77L Assessment of Inclusion of Cashmere View as a Residential Character Area
- b. Appendix B – Recommended Responses to Submissions and Further Submissions on Residential Character Areas
- c. Appendix C – Recommended Amendments to the Residential Character Area Provisions

## 8 ANALYSIS OF SUBMISSIONS AND FURTHER SUBMISSIONS

### 8.1 ISSUE 1 – THE IDENTIFICATION OF RESIDENTIAL CHARACTER AREAS AS A QM

Sub. No.	Submitter name	Summary of relief sought
S180.4	Josiah Beach	[F]ully support[s] the Residential Character Area Qualifying Matter
S225.8	Michael Dore	The History, Character and Heritage of our City of Christchurch should be protected at all costs.
S437.5	David Allan	[Supports] the character areas [qualifying matter]
S630.2 S630.3	Murray Cullen	[Retain Character areas]
S737.11	Christian Jordan	Retain character areas across the city.
S745.1 S745.4	Richmond Residents and Business Association (We are Richmond) (RRBA)	Seek that SAMS and Suburban Character Areas are retained.
S755.3 S755.4	Margaret Stewart	Retain Character areas. Add Woodville Street, St Albans
S773.2 S773.3	Beckenham Neighbourhood Association Inc	[Retain Character areas]
S799.1 S799.2	Benjamin Love	[That Residential Character Areas are removed.]
S804.4	Waihoru Spreydon-Cashmere-Heathcote	The Community Board supports the qualifying matters in the proposal and in particular the following are of local interest in Waihoru Spreydon-Cashmere-Heathcote:  ... Residential Character areas...

	Community Board ( <b>WSCHCB</b> )	
S835.3	Historic Places Canterbury	The submitter supports this qualifying matter.

- 8.1.1 Nine submitters (Josiah Beach S180.4; David Allan S437.5; Murray Cullen, S630.2 and S630.3; Christian Jordan S737.11, RRBA S745.1 & S745.4; Margaret Stewart S755.3 & S755.4; Beckenham Neighbourhood Association Inc S773.2 & S773.3; WSCHCB S804.4; Historic Places Canterbury S835.3) support the identification of Character Areas as a QM in PC14. Michael Dore (S225.8) more broadly supports protecting the history, character and heritage of Christchurch City. RRBA (S745.1 & S745.4) also seek that SAMS are retained, and Margaret Stewart (S755.3 & S755.4) requests an additional RCA is identified, both of which are addressed under Issue 3.
- 8.1.2 Benjamin Love (S799.1, S799.2) opposes RCAs, as the submitter considers that as Christchurch does not have many historical or character buildings, entire subdivisions should not be excluded from intensifying, because some residents oppose new developments. The submitter expresses concerns that application of a character area is often used as a way to prevent new developments; but considers that these areas often lack character/historical significance when compared to many historical foreign cities/towns.
- 8.1.3 For completeness, I note that in part of their submission, Kāinga Ora and Otautahi Community Housing Trust (**OCHT**) state that they oppose RCAs being applied as a QM.<sup>25</sup> However, their submissions also state that they support RCAs in principle, and more specifically oppose the identification of new/expanded areas<sup>26</sup> (which is discussed in a separate section of this report).
- 8.1.4 Section 77J(3)(a)(i) (and related provisions) of the RMA requires that a section 32 evaluation be undertaken to demonstrate why the territorial authority considers an area is subject to a qualifying matter. As detailed in the s32 Report, the District Plan includes 15 residential areas which are identified as Character Areas. In essence, these are neighbourhoods that are distinctive from their wider surroundings and are considered to have a character that is, in the whole, worthy of retention. At a broad level, they are areas which are considered to be special and unique enough to warrant specific management and are related to s7(c) of the RMA, in terms of the maintenance and enhancement of the amenity values associated with these areas. The identification of each RCA has been determined through consideration of various elements, both built form and

<sup>25</sup> Kāinga Ora: Paragraph 5.a) and Table 1, point 5 (page 14); OCHT: Paragraph 1. i.

<sup>26</sup> Kāinga Ora: Table 1, point 15 (page 27); OCHT Table 1, point 5 (page 14).

landscape elements, which collectively make up the overall character of each area, contributing to its identity and appeal.

- 8.1.5 The section 32 Report also more specifically identifies the key elements of each RCA,<sup>27</sup> which collectively contribute to their distinctiveness and sense of place.
- 8.1.6 The methodology for how these areas has been identified is set out in appendices to the section 32 Report,<sup>28</sup> and also summarised in the evidence of Ms Rennie. Of note, for an area to be identified as a RCA, a minimum of 50% of properties within it must be assessed as ‘Primary’ sites, and generally a minimum of 30% as ‘Contributory’ sites, totaling 80% of ‘Primary’ and ‘Contributory’ sites. In some cases, where an Area does not meet 80% overall, but the Primary sites exceed 50% by some margin, the RCA has been retained, due to the greater ‘value’ of the Primary sites and the key elements they retain in terms of defining the Area’s character.<sup>29</sup> A Primary site is one with buildings, structures, landscape, garden and other features that define the character of an area, while a contributory site has features that support the character of an area. While initially assessed for the District Plan review in 2015, the section 32 report details the process undertaken to review the existing RCAs to confirm if they still met the criteria, including refinement of boundaries.<sup>30</sup> This process is also summarised by Ms Rennie, and as she notes, involved a desktop review, followed by a site visit evaluation.
- 8.1.7 For sites identified through public consultation, a similar methodology was applied, with draft boundaries identified, attributes identified (against which the integrity of the area was evaluated), a preliminary desktop review undertaken, and sites ground-truthed through site visits to these areas.<sup>31</sup> Additions and expansions have been recommended where they meet the minimum thresholds set out above, and these were included in PC14 as notified.
- 8.1.8 It is my view that the technical assessments undertaken, and summarised in Ms Rennie’s evidence, demonstrate that these areas have been appropriately investigated to determine whether they are subject to a qualifying matter (and, if so, why). In particular, the evaluation undertaken

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<sup>27</sup> Section 32 Report – Part 2 – Qualifying Matters (District Plan Chapters 6, 8, 9, 13, 14, 18), page 242 – 342.

<sup>28</sup> Appendix 21, *Investigation of Qualifying Matters – Ōtautahi Christchurch Suburban Character Areas*, Boffa Miskell Ltd, 1 June 2022; Appendix 22, *Investigation of Qualifying Matters – Ōtautahi Christchurch Suburban Character Areas – Stage 2A Addendum Report*, Boffa Miskell Ltd, 22 July 2022; Appendix 23, *Investigation of Qualifying Matters - Lyttelton Character Area*, Boffa Miskell Ltd, 22 July 2022; Appendix 37 - *Technical Analysis of Proposed Character Area Provisions*, Christchurch City Council, 19 January 2023.

<sup>29</sup> *Statement of Primary Evidence of Jane Maree Rennie of Behalf of Christchurch City Council, Residential Character Areas*, 11 August 2023.

<sup>30</sup> Section 32 Report – Part 2 – Qualifying Matters (District Plan Chapters 6, 8, 9, 13, 14, 18) Appendix 21, *Investigation of Qualifying Matters – Ōtautahi Christchurch Suburban Character Areas*, Boffa Miskell Ltd, 1 June 2022.

<sup>31</sup> Section 32 Report – Part 2 – Qualifying Matters (District Plan Chapters 6, 8, 9, 13, 14, 18) Appendix 22, *Investigation of Qualifying Matters – Ōtautahi Christchurch Suburban Character Areas – Stage 2A Addendum Report*, Boffa Miskell Ltd, 22 July 2022; Appendix 23, *Investigation of Qualifying Matters - Lyttelton Character Area*, Boffa Miskell Ltd, 22 July 2022;



identifies those areas which have a consistent character which provides a particular level of amenity that should be maintained or enhanced, and which would not be achieved if full intensification (in line with the MDRS and as otherwise provided through PC14) occurred in those areas. In particular, I note that the identification of RCAs as a QM is not intended to protect existing amenity values associated with any suburban-scale development; rather it is targeted only to areas which have been identified through Ms Rennie's assessment as having a particular character (and related level of amenity) which is worthy of protection. I therefore disagree with Mr Love that RCAs either represent areas where some residents oppose new developments, or have been used to prevent new developments for a broader reason.

- 8.1.9 Because the special character within these areas is related to built form and landscape elements, and how collectively they contribute to the character of an area, redevelopment of these areas has the potential to undermine the elements which make up the overall character, and therefore affect the cohesiveness and integrity of these areas. This includes changes to:
- a. the overall pattern of development within the neighbourhood;
  - b. the number and scale of buildings, structures and hard surfaces and vegetation, and to the topography and vegetation;
  - c. the landscape quality, including the relationship between the site elements and the street; and
  - d. the loss of the coherence and consistency in built character elements.<sup>32</sup>
- 8.1.10 In essence, the potential changes identified above would result if the MDRS were applied to these areas without modification, and therefore demonstrate, at a broad level, why the level of development permitted by the MDRS and Policy 3 is incompatible with the RCA QM. In accordance with s77J(3)(a)(ii), s77L(a), s77L(b) and s77L(c)(i) and s77L(c)(ii) of the RMA, more specific assessment of this is included in the Section 32 report in relation to each RCA.<sup>33</sup>
- 8.1.11 I consider that the evaluation of each RCA is appropriate to demonstrate why each area is subject to a qualifying matter (s77J(3)(a)(i)), and why the level of development provided by the MDRS and Policy 3 is incompatible with, and inappropriate within, each RCA (s77J(3)(a)(ii) and s77L(a)). I also consider that the process undertaken in assessing RCAs aligns with the requirement in s77L(c)(ii) to evaluate the specific characteristics of these Areas on a site-specific basis, to appropriately

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<sup>32</sup> Section 32 Report – Part 2 – Qualifying Matters (District Plan Chapters 6, 8, 9, 13, 14, 18), Appendix 37 - *Technical Analysis of Proposed Character Area Provisions*, Christchurch City Council, 19 January 2023, p. 7-8.

<sup>33</sup> Section 32 Report – Part 2 – Qualifying Matters (District Plan Chapters 6, 8, 9, 13, 14, 18) pages 242 – 342.

determine the geographic area where intensification needs to be compatible with the values of the RCA. I also consider that the assessments demonstrate why the values of these areas make the level of development provided by the MDRS and Policy 3 inappropriate in light of the national significance of urban development and the objectives of the NPS-UD (s77L(b)), in most instances.

8.1.12 I therefore consider that the RCAs meet the requirements of the RMA to be identified as a QM. Notwithstanding this, in the following section of this report, I have further considered the question of the national significance of urban development and the objectives of the NPS-UD in relation to specific RCAs, and whether or not all of them should be retained.

8.1.13 I also consider that the retention of RCAs will better achieve the objectives of the NPS-UD. This is because their retention will contribute to a well-functioning urban environment and better enable people/communities to provide for their social, and cultural well-being (Objective 1), given the contribution these areas make to community well-being. The provisions relating to RCAs (discussed further in later sections of this report) still allow for these parts of the urban environment to develop and change over time (Objective 4), but in a way that is compatible with the underlying values of these areas. This also reflects the outcome sought in Objective 3.3.8 of the District Plan, that the specifically recognised values of areas of special character and amenity value in urban environments are appropriately managed.<sup>34</sup> This similarly meets s5 and s7(c) of the RMA in terms of maintaining amenity values that have been identified as making a particular contribution to the wellbeing of Christchurch's people and communities.

### ***Recommendation***

8.1.14 On the basis of the above analysis, and that contained in more detail in the Section 32 Report, I recommend that Residential Character Areas are retained as a QM.

8.1.15 I therefore I recommend that:

- a. Josiah Beach's submission S180.4, David Allan's submission S437, Murray Cullen's submissions S630.2 and S630, Christian Jordan's submission S737.11, Margaret Stewart's submissions S755.3 & S755, WSCHCB's submission S804.4, and Historic Places Canterbury's submission S835.3 are accepted;

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<sup>34</sup> Or, considering the alternate wording recommended by Ms Oliver, that the specific characteristics of these parts of the urban environment are maintained, and that these areas continue to provide a strong sense of place.

- b. RRBA’s submissions S745.4 and S745.4 and Michael Dore’s submission S225.8 are accepted in part; and
- c. Benjamin Love’s submissions S799.1 and S799.2 are rejected.

**8.2 ISSUE 2 – SUPPORT FOR OR OPPOSITION TO PARTICULAR RESIDENTIAL CHARACTER AREAS OR PROPERTIES WITHIN THEM**

S805.5	Waka Kotahi NZ Transport Agency	[O]pposes the current approach in relation to including Residential Character Areas as a qualifying matter. The submitter seeks that residential character is provided for by instituting design controls in the overlays which allow for special/residential character to be considered and incorporated in design while enabling levels of development anticipated by the zones.
S805.6	Waka Kotahi (NZ Transport Agency)	That the designated Character Areas are reduced in extent.
S835.21	Historic Places Canterbury	The submitter welcomes the addition of three new character areas and while they regret the removal of two character areas in Sumner and the reduction in size of 7 of the existing character areas, they recognise that these no longer meet the criteria and should therefore be removed or require boundary adjustments.
<b>New or Expanded Character Areas Proposed in PC14</b>		
S191.3	Logan Brunner	[No changes to existing character areas]
S834.38 S834.39 S834.40 S834.41 S834.42 S834.43 S834.44 S834.45 S834.46 S834.47 S834.48	Kāinga Ora	Delete all new or extended character areas as qualifying matters and undertake further analysis to determine the exact values of the resources that the Council seeks to manage in the District Plan.

S834.49		
S834.50		
S834.51		
S877.9	OCHT	Delete all new or extended character areas as qualifying matters.
S877.10		
S877.11		
<b>Bewdley Character Area</b>		
S1.1	Polly Grainger	Seek that Bewdley Street and Evesham Crescent (Barrington) be added to the Residential Character Areas list.
S33.3	Joanne Knudsen	Support the identification of Bewdley Street and Evesham Crescent within the Residential Evesham/Bewdley Character Area.
S42.1	Michael Down	Support inclusion of Evesham Crescent and Bewdley Street in a Residential Character Area.
S217.2	Catharina Schupbach	Retain Evesham Crescent and Bewdley Street Residential Character Area.
S341.1	Rosemary Baird Williams	Retain the Evesham Crescent and Bewdley Street Residential Character Area.
S804.9	WSCHCB	Supports the inclusion of the new character areas in Roker St, Spreydon and Bewdley and Evesham Crescent on Barrington.
S1077.2		
<b>Beckenham Character Area</b>		
S35.1	Keith Shaw	Retain 23 Birdwood Avenue in a Residential Character Area.
S121.6	Cameron Matthews	Request removal of the [Character Areas]: Beckenham Loop.
S791.6	Marie Dysart	Support QM- Character area over the Beckenham Loop (Tennyson Street, Heathcote River, Colombo Street).
S791.7	Marie Dysart	Support QM- Character area over the Beckenham Loop expanded area (Tennyson Street, Heathcote River, Colombo Street).
S816.1	Linda Morris	The submitter supports the Character Area for Beckenham.
<b>Beverley Character Area</b>		
S1008.2	Mark Winter	Retain a heritage and character status for Beverley Street.
<b>Cashmere Character Area</b>		

S121.6	Cameron Matthews	Request removal of the Cashmere [Character Areas]: (Hackthorn Road)
S228.1	Martin Winder	Retain the Character Area on Hackthorne Road but exclude the vacant property at 75a Hackthorne Road.
S499.3	Daniel Rutherford	Please remove both titles of our property at 20 Macmillan ave/20b Macmillan ave from the residential character area.
S732.1	Antony Ellis	[E]ndors[es] the extend of the character area overlay in Cashmere.
<b>Englefield Character Area</b>		
S482.1	Richard Scarf	[S]upport[s] the reduction of the Character Area that includes Hanmer and Gilby street.
S700.6	Hilary Talbot	[Re: Englefield Character Area] support the creation of the Heritage Area and the continuation of the character area with more stringent controls.
<b>Heaton Character Area</b>		
<b>Ryan Character Area</b>		
S33.5	Joanne Knudsen	Support the identification of Ryan Street as within the Residential Ryan Character Area.
S41.4	Sharina Van Landuyt	Support[s] the proposal to include Ryan Street within a Residential Character Area.
S128.1 S128.2 S128.3	Sulekha Korgaonkar	Retain Ryan as a residential character area and the provisions that maintain the streets character.
S136.1	Irene Marks	Support inclusion of Ryan Street as a residential character area with provisions that maintain its character as a street of bungalows (and trees).
S141.1 S141.2	Aaron Jaggar	List Ryan Street as a Residential Character Area.
S143.1	Bill Marks	Supports the identification of Ryan Street as a Character Area.
S168.1 S168.2 S168.3	Bernard Hall JP (Retired)	Please retain RYAN STREET, CHRISTCHURCH, 8011 as a CHARACTER STREET without multistory infill structures.
S174.1	Sonya Grace	Seek that Ryan Street becomes a Character Street and to not allow medium to high density housing into Ryan Street.
S770.1	Robert Smillie	[S]upport[s] the making of Ryan Street into a 'character' [area] and thereby give it some protections.

S776.1	Rebecca Lord	[S]eek[s] that the council does make Ryan Street a character area.
<b>Malvern Character Area</b>		
S135.1	Melissa Macfarlane	Retain any applicable residential character qualifying matters for the St Albans Malvern Street area.
<b>Piko Character Area</b>		
1053.2	Jono De Wit	Oppose the Piko Crescent Character Area.
<b>Roker Character Area</b>		
S804.9 1077.2	WSCHCB	Supports the inclusion of the new character areas in Roker St, Spreydon and Bewdley and Evesham Crescent on Barrington.
S33.4	Joanne Knudsen	Support the identification of Roker Street as in the Residential Roker Character Area.
S121.6	Cameron Matthews	Request removal of the [Character Areas]: Roker and Penrith [streets].
S436.1	Johnny Phelan	That Roker Street West of Selwyn street not be included in a character area.

8.2.1 As set out above, there are a number of submitters who support the identification of specific Residential Character Areas. This support is noted.

8.2.2 Two submitters seek that particular properties are removed from the Cashmere Character Area (Martin Winder (S228.1) in relation to 75a Hackthorne Road; and Daniel Rutherford (S499.3) in relation to 20 Macmillan Ave / 20b Macmillan Ave). In her evidence, Ms Rennie considers it inappropriate to exclude these properties, as while the properties themselves have been classified as ‘neutral’ in terms of their contribution to the character area, as they front the street, they form part of a consistent, coherent grouping of properties overall. I further note that the process for defining RCAs has been done looking across a residential neighborhood as a whole and while that includes assessment of the contribution of each individual site to the character of that area, it is the consistency and integrity of the area as a whole which has determined the extent of a Character Area. If individual properties within this are excluded, then development of these sites without application of the RCA controls has the potential to undermine the consistency and integrity of the wider area. I therefore do not consider it appropriate to remove these properties.

8.2.3 I also accept that there are costs associated with the need to obtain resource consent for alterations and additions to existing houses, or establishment of new dwellings within a RCA. However, these apply to properties within RCAs already, and have therefore, through the District

Plan review process, been identified as being outweighed by the benefits of maintaining the values of these areas. I do not consider that this is altered through PC14.

- 8.2.4 Johnny Phelan (S436.1) seeks that Roker Street, west of Selwyn Street is excluded from the Roker Character Area, as while the tree lined part of Roker Street (east of Selwyn Street) has good character, Roker Street west of Selwyn Street is not tree lined and in the submitter's view does not have any special character features whatsoever. The submitter considers that it would be better if more people can live on West Roker Street and be nearby and enjoy the look of tree-lined East Roker Street. I note that the proposed Roker RCA does not extend to the west, beyond Selwyn Street, so it appears that the RCA aligns with what the submitter has requested in any case.
- 8.2.5 With respect to the Cashmere RCA, Cameron Matthews (S121.6) is concerned with not allowing increased density in this location, where public transport service provision is good, and that this might encourage growth in locations that are less suitable in terms of local business and employment, and public and active transport access. The submitter considers that this is contrary to NPS-UD, specifically: Objective 8(a); Policy 1(3); Policy 1(c). They also consider that there is an assumption that applying the MDRS would lead to removal of front gardens or retaining walls at the street, or building materials and features which define the character of the area not being used.
- 8.2.6 With respect to Beckenham RCA, Cameron Matthews (S121.6) considers that these is "*nothing special about the housing in this area*" that is not also found in Somerfield, or other areas built before 1930. The submitter considers that the character is not special enough to warrant retention of low-density housing in an area proximate to the city centre and with good public and active transport provision.
- 8.2.7 In relation to Roker RCA, Cameron Matthews (S121.6) considers that there is nothing special about the character of this area that would be negatively affected by increased housing density. In particular, the submitter considers that the particularly valuable character of these areas is the regular lining of mature street trees rather than the built form, which the proposed Character Area does not propose to protect. They also consider that the proximity of this area to key cycling routes makes the area suited to increased density.
- 8.2.8 Jono De Wit (S1053.2) opposes the RCA for Piko, due to its close proximity to the Riccarton Road public transport corridor and the surrounding areas of green spaces. The submitter notes that this is one of the most important public transport corridors in the city and the proposed route for the future MRT line, and does not consider that the heritage value of the state houses in the area is as

important of allowing more people to live close to this corridor. They are also opposed to the RCA resulting in a limit of the number of people who can live a short walk from Barrington Park.

- 8.2.9 Waka Kotahi (S805.5 and S805.6) submits that some RCAs are in areas highly accessible to active and public transport, and within walkable catchments of centres, as well as in locations where the NPS-UD directs greater intensification. It also notes that the related consenting regime is focused on amenity values within a RCA, allowing the Council to decline a consent where this is not met, and therefore significantly restricting the ability to utilise the development capacity provided for by the zoning. It considers that the extent and nature of the approach is contrary to the intent of the Housing Supply Amendment Act and NPS-UD. It also submits that special character is only one aspect of urban development, which should be balanced against the benefits of increased densities in these locations, including reduced greenhouse gas emissions and vehicle kilometres travelled. Ultimately, it considers that growth should be enabled in areas of Christchurch which are the most accessible by active and public transport and which best support a well-functioning urban environment.
- 8.2.10 Kāinga Ora (S834.38, S834.39, S834.40, S834.41, S834.42, S834.43, S834.44, S834.45, S834.46, S834.47, S834.48, S834.49, S834.50, S834.51) and OCHT (S877.9, S877.10, S877.11) also more broadly oppose the changes proposed to Character Areas through PC14, i.e. the expansion of two existing Character Areas (which applies to parts of the Beckenham and Lyttelton RCAs) and addition of three new areas (Bewdley, Roker and Ryan). These submitters state that they support, in principle, the management of character as a qualifying matter, but *“does not consider appropriate justification has been provided for the proposed new or extended ‘character areas’ set out in PC13 and PC14 to demonstrate that they contain specific characteristics that make the level of development provided by the MDRS or policy 3 inappropriate in the area.”*
- 8.2.11 Logan Brunner (S191.3) states that character value should not be used as a reason to protect existing housing that is not up to standard and is concerned that such areas may not reflect the reality of the value that these houses actually provide to their residents. The submitter considers that the aesthetic value of these houses should not trump the need of residents to live in comfortable, safe, and healthy homes.
- 8.2.12 With respect to comments on the Beckenham and Roker RCAs not being special, I note that the identification of these areas has been subject to assessment, with those elements which contribute



to the distinctiveness and sense of place of each set out in the s32 report,<sup>35</sup> and the related appendices.<sup>36</sup> I note that the character of these areas has therefore been assessed by appropriately qualified and experienced experts, and has included identification of those various key elements that are considered to contribute to the distinctiveness and sense of place in each of these areas. These reports also identify the potential impacts of intensification on the attributes of the Character Areas, and those design parameters that are considered necessary to maintain consistency with the identified characteristics of each area. I therefore do not agree with Mr Matthews that the character of these areas is not special, nor that intensification would not detrimentally affect the identified characteristics of each area.

8.2.13 I also consider that while application of MDRS may not necessarily lead to removal of gardens or retaining walls, if these areas are not included in a RCA, then there is nothing to restrict this from happening. Similarly, if these areas are not included in a RCA, there is no mechanism by which to ensure building materials and features which define the character are used in building works. In my view, if the RCAs are worthy of protection (which the technical evidence supports) then there needs to be a measure of control to ensure that key attributes making up the character, such as front gardens, consistent fencing and buildings materials are retained.

8.2.14 With respect to the additional areas proposed to be included as RCAs in PC14 (including extensions to existing areas), the process for their inclusion, including the methodology applied, is set out in technical reports that were included in the Section 32 report.<sup>37</sup> This identifies that the methodology used to assess these areas was similar to that applied to review existing RCAs, and included defining initial boundaries for investigation, identifying the attributes relevant to each area to assist in evaluating the integrity of that area, undertaking a desktop site-by-site assessment and then confirming this through a ground truthing exercise. Areas which under this preliminary application did not meet the thresholds (refer para 8.1.6 above), were not further investigated. Those meeting the thresholds were mapped, including identification of the classification of each site within the proposed RCA. Each proposed area or extension was then investigated with respect to the potential impacts of intensification on the identified attributes of each area, and design parameters identified that would provide increased development opportunity whilst minimising impacts and retaining RCA values.

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<sup>35</sup> Section 32 Report, Part 2 – Qualifying Matters (District Plan Chapters 6, 8, 9, 13, 14, 18), p. 242 (Beckenham); p. 259 (Cashmere).

<sup>36</sup> Appendix 21, *Investigation of Qualifying Matters - Ōtautahi Christchurch Suburban Character Areas*, Boffa Miskell, 1 June 2022, Bekenham – p. 32 and Cashmere - p. 45.

<sup>37</sup> Appendix 22, *Investigation of Qualifying Matters – Ōtautahi Christchurch Suburban Character Areas – Stage 2A Addendum Report*, Boffa Miskell Ltd, 22 July 2022; Appendix 23, *Investigation of Qualifying Matters - Lyttelton Character Area*, Boffa Miskell Ltd, 22 July 2022.

- 8.2.15 I consider it important to note that while PC14 proposes to expand two RCAs, and introduce three new areas, it also proposes to remove two existing RCAs and reduce the extent of eight other RCAs. This is because the same methodology has been applied to assess whether these areas have a level of integrity and character worthy of retaining, and the new/expanded areas have been identified as having the same level of integrity and coherence as other existing areas. Conversely, where existing areas have been reassessed and determined to no longer have that level of integrity and coherence, it is proposed that they be removed or reduced.
- 8.2.16 In my view, if the elements that give a particular area a special character that is worthy of retention are present, and the area meets the thresholds set out in the methodology, then they should be treated in the same manner as existing RCAs, and therefore included in PC14. This is because the effects of development of these areas has the same potential to undermine the elements which make up their overall character, and their cohesiveness and integrity, regardless of when the areas have been identified, i.e. whether through the original process undertaken in the mid-1990s and confirmed through the 2015 District Plan review; or through the reassessment of RCAs undertaken as part of PC14. I do, however, note that the inclusion of new and extended RCAs does have an impact on the status quo development rights in these areas, and therefore may be affected by the application of the Waikanae case.
- 8.2.17 In addition, my view is that the technical reports provide appropriate identification of the specific characteristics of the new or extended Character Areas and justification of why the level of development permitted by the MDRS or policy 3 is inappropriate. This is further expanded on in the section 32 Report for each of these areas.<sup>38</sup> I therefore disagree that insufficient justification has been provided to support the proposed new or extended RCAs.
- 8.2.18 I do, however, accept that there is a need to consider whether some of the RCAs should be applied as a qualifying matter or not. This is not with respect to whether these areas meet the thresholds for being included as RCAs, nor whether the level of development permitted under the MDRS or provided for by Policy 3 would be incompatible with the identified character values, as I consider Ms Rennie's evidence and the previous technical assessments firmly establish this. Rather I consider there is a planning question as to whether, on balance, the potential loss of these character values is outweighed by the benefits of intensification. In particular, it is whether the

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<sup>38</sup> Section 32 Report Part 2 - Qualifying Matters (District Plan Chapters 6, 8, 9, 13, 14, 18): Beckenham RCA – p. 242-247; Bewdley RCA – p. 254-258; Lyttelton RCA – p. 288-294; Roker RCA – p. 319-324; Ryan RCA – p. 325-330.

values of the RCA make the level of development inappropriate “*in light of the national significance of urban development and the objectives of the NPS-UD*”, a consideration required under s77L(b).

8.2.19 In relation to this, and although not specific to RCAs, I note the submission of the Ministry of Housing and Urban Development (S859) outlines evidence that has been gathered in relation to intensification, which outlines its social, economic and environmental benefits, and states that these benefits tend to outweigh costs “*and do so substantially in areas that are well-suited to development*” (emphasis added). As noted above, Mr Matthews and Waka Kotahi also argue that it is appropriate to provide for intensification (regardless of character values) in areas which are well serviced by public transport and active transport access; and in good proximity to/walkable catchments of commercial centres.

8.2.20 I consider the key direction in the NPS-UD that is relevant to this consideration, is:

- a. The outcome sought in Objective 1 of well-functioning urban environments that provide for the well-being of communities.
- b. The aim in Objective 3 for more people to live in areas of the urban environment which are: in or near a centre zone (or other area with many employment opportunities); well-serviced by existing or planned public transport; or where there is comparatively high demand for housing in the area.
- c. The expectation in Objective 4 that the amenity values of urban environments will change over time in response to the needs of people and communities.
- d. The direction in Policy 1 that planning decisions contribute to well-functioning urban environments, which as described in the policy include that these environments have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and
- e. The direction in Policy 3 to enable building heights of least 6 storeys within walkable catchment of defined areas; and to otherwise enable building heights and density commensurate with public and active transport accessibility to commercial activities and community services or relative demand for housing and business use in that location.

8.2.21 I also consider the following objectives of the CRPS to be relevant:

- a. Objective 6.2.2, which seeks that the urban form and settlement pattern in Greater Christchurch provides higher density living environments including mixed use

developments and a greater range of housing types, particularly in and around the Central City, in and around Key Activity Centres, and larger neighbourhood centres; and

- b. Objective 6.2.3, which seeks that recovery and rebuilding is undertaken in Greater Christchurch that retains areas of special amenity.

8.2.22 In my view, the key question is whether the benefits of retaining areas of special amenity (in this case RCAs) – which have a particular level of amenity associated with them, and which contribute to the social and cultural well-being of people and communities – outweigh the benefits of intensification in areas which are suited to, and otherwise anticipated to provide for a higher density of development – namely areas to which Policy 3(c) and (d) applies, being areas to which High Density Residential zoning, or an Intensification Precinct would have applied (in absence of a RCA being identified). In most cases, these are areas which are predominantly surrounded by High Density Residential zoning (HRZ). This applies to the Beverley, Ranfurly, and Englefield RCAs, which are largely or entirely surrounded by HRZ.

8.2.23 Other RCAs requiring consideration in this regard include Heaton and Piko. The eastern portion of the Heaton RCA also adjoins HRZ, but the western portion does not. Piko adjoins HRZ at its northern and eastern sides and I understand is partially located within the 600m walking catchment of Riccarton Town Centre, and therefore, in absence of the RCA (and Residential Heritage Area (**RHA**)) applying, the north-eastern part of it would have been included in the HRZ. I note the recommendation by Mr Kleynbos is to expand this walking catchment to 800m. This would also, in absence of the RCA or RHA, expand into most if not all of the RCA.

8.2.24 Ms Rennie has noted in her evidence that in smaller RCAs which are otherwise surrounded entirely or in large part by High Density Residential Areas, the development of the adjoining areas at much higher height limits and density is likely to result in a greater contrast with the key attributes within these RCAs, due to both the scale of adjoining development, as well as the smaller extent of these RCAs. She notes that the visual prominence of high density development could impact negatively on the community's appreciation of a RCA's values. This applies to the Beverley, Ranfurly, and Englefield RCAs. I therefore consider that retaining these areas as RCAs might only go some way to maintaining their identified special character values, because of the impact that adjoining development could have on how they are experienced.

8.2.25 Taking into account the impact of high density development on these areas, as well as the direction in the NPS-UD and CRPS, on balance, I consider the objectives of the NPS-UD and CRPS are better

met by removing Beverley and Ranfurly as RCAs, and also rezoning them to HRZ. The latter recommendation reflects that were they not identified as RCAs, this is the zoning that would have otherwise applied, and therefore removal of the RCA goes hand in hand with application of HRZ. I therefore broadly agree with the submission of Waka Kotahi, as while they did not identify specific RCAs to be removed, I agree that when balancing the special character against the benefits of increased density in these locations, removal of the RCA in these two instances is appropriate. In terms of s32AA of the RMA, because I consider that the removal of the Beverley and Ranfurly as RCAs is more consistent with the higher order direction in the NPS-UD and CRPS, I consider that their removal is the most appropriate way to achieve the purpose of the RMA.

8.2.26 For Englefield, I note that a large portion of the proposed RCA is also located within an RHA, and Heaton is also almost entirely located within an RHA. Piko RCA is entirely located within a RHA. I also note the request made by CIAL to extend the Airport Noise Contour QM, which would also apply to this RCA, and which I understand would have the effect of retaining the density applying under the current underlying zoning.

8.2.27 Because of the RHA, removal of these RCAs would have limited impact in terms of enabling greater built form within those areas, because the provisions applying to RHAs reduce the permitted level of built form in these areas from those of the MDRS. In particular, while removal of the RCA from these areas would remove the requirement for resource consent to be obtained under Rule 14.5.3.1.2 C1 or Rule 14.5.3.1.3 RD14, in any case, the built form would still be limited, and a restricted discretionary consent would be required under the framework applying within RHAs. Similarly, if the IHP recommend accepting the request to extend the Airport Noise Contour, increased density in the Piko RCA would also be otherwise limited by this.

8.2.28 Therefore, while in principle I agree with removing the RCA from Englefield for the same reasons as apply to Beverley and Ranfurly, its removal would have limited impact in terms of built form within those areas which are within the RHA. I therefore consider it appropriate to retain the RCA as its removal would not provide for any greater intensification opportunities, and its application would allow for character values as well as heritage values to be considered in any consent process.

8.2.29 I have also considered whether it would be more appropriate to reduce the Englefield RCA to align with the boundary of the RHA. I note that Ms Rennie's evidence on this is that those properties which are within the proposed RCA but outside the RHA are predominately classified as Primary sites, and those at the end of Hanmer Street are important in providing a "sense of arrival" and visual transition into the area, and that if the Armagh/Hanmer Street corner properties are

removed they would isolate the properties to the east. Because of this, she considers that retaining the current boundary is important to maintain the integrity of the RCA as a whole. I also note that the additional density that might be enabled from removal of these few properties from the RCA will be limited. On balance, I consider that the benefits of maintaining the integrity of RCA as a whole outweigh the limited intensification that might be enabled if they were removed from the RCA. I further note that other sites in this area adjoining the RHA are included in the Residential Heritage Area Interface. Therefore, if the IHP were minded to reduce the extent of the RCA to align with the RHA, I would recommend that further consideration be given as to whether the Residential Heritage Area Interface should be applied to some of these sites instead.

8.2.30 With respect to the Piko and Heaton RCAs, as they are also within the RHA, I see no practical benefit in removing the RCA.<sup>39</sup> I therefore recommended that these RCAs are retained as their removal would not provide for any greater intensification opportunities, and their retention would allow for character values as well as heritage values to be considered in any consent process.

8.2.31 For completeness, while my recommendation is that these RCAs are retained because of the RHA, if the IHP comes to a different view, then I consider that further thought and assessment would need to be given to what the most appropriate approach to Heaton is, given it would not fall entirely within an area that would otherwise be HRZ. More specifically, reducing the RCA to remove those areas which would otherwise be HRZ would likely undermine the integrity and coherence of the RCA, because it would leave only a few properties within it, making it much smaller than any other RCAs.<sup>40</sup> I consider that further thought would be required as to whether that provides appropriate justification to remove the RCA entirely, or whether, in order to preserve the character, it would be more appropriate to retain the whole RCA.

8.2.32 I understand that changes recommended to the walking catchment from the Shirley Town Centre Zone by Mr Kleynbos mean that the north-eastern part of the Dudley RCA would also, in absence of the RCA, become HRZ. Ms Rennie has considered, in her evidence, the impact that removing the north-eastern portion within the 600m walking catchment would have on the RCA. She notes that removal of these RCA properties does not affect the overall make-up of the RCA, with respect to the percentage of primary and contributory sites, and their removal would not compromise the overall integrity and cohesiveness of the remaining area. Given this, I recommend that if the walking

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<sup>39</sup> For completeness I note that western-most site in the Heaton RCA is not within the RHA, but I have separately recommended (refer below) that this site is removed from the RCA.

<sup>40</sup> It is noted that the smallest RCA is 20 sites (Section 32 Report, Part 2 – Qualifying Matters (District Plan Chapters 6, 8, 9, 13, 14, 18): Appendix 21, *Investigation of Qualifying Matters – Ōtautahi Christchurch Suburban Character Areas*, Boffa Miskell Ltd, 1 June 2022, p. 3.)

catchment is extended as recommended by Mr Kleynbos, that the Dudley RCA is reduced so that those sites within that catchment are removed from the RCA (and rezoned HRZ).

- 8.2.33 For the avoidance of doubt, my conclusion on the removal of RCAs from areas where Policy 3(c) applies has been considered solely from the perspective of RCAs, and the relationship between the relevant provisions in the NPS-UD, CRPS and s7(c), in relation to these areas. This should not be taken to mean that the same conclusion should be reached when considering the application of other QMs. In particular, removal of the RCA applying in areas to which Policy 3(c) apply should not be taken to infer that it is appropriate (or my recommendation) that the same conclusion should be reached in relation to RHA areas, particularly given that s6(f) applies to these areas, rather than s7(c).
- 8.2.34 With respect to other RCAs, I note that Policy 3 of the NPS-UD does not have the same application, and therefore on balance I consider the benefits of retaining areas of special amenity outweigh the benefits of intensification in these other areas. In coming to this view, I have carefully considered Objective 4 and Policy 6 of the NPS-UD, both of which acknowledge that urban environments, including their amenity values are expected to change over time, and that particular regard is to be had to changes to amenity values anticipated in district plans (once amended via intensification planning instruments) not being, of themselves, an adverse effect. I consider that these provisions are intended to ensure that maintaining and enhancing amenity values (in terms of section 7(c) of the RMA) does not necessarily mean maintaining *existing* amenity values, and in this case, those associated with urban environments as they currently are, broadly across whole urban environments. However I do not read them as meaning that important amenity values, and particularly those which extend beyond a private landowner's enjoyment of their property to a wider community appreciation of an area, are to be discounted entirely, including in the intensification planning instrument giving effect to the NPS-UD.
- 8.2.35 I therefore consider that the retention of the RCAs, other than those identified above, will better achieve the objectives of the NPS-UD. This is because their retention will contribute to a well-functioning urban environment and better enable people/communities to provide for their social, and cultural well-being (Objective 1), given the contribution these areas make to community well-being. The provisions relating to RCAs (discussed further in later sections of this report) still allow for these parts of the urban environment to develop and change over time (Objective 4), but in a way that is compatible with the underlying values of these areas.

### **Other Matters**

8.2.36 While considering the above submissions, I have noted that the western boundary of the Heaton RCA does not align with the boundary recommended in the review of the Heaton RCA. In Figure 1 below, the area with red bordering is recommended to be removed, but is included in Planning Map 31 (refer Planning Map in Figure 2 below). I recommend that this is corrected so that the RCA boundaries align with those recommended in the technical assessment.



Figure 1: Map of Character Area 7 – Heaton<sup>41</sup>



Figure 2: Planning Map 31 as proposed in PC14.

### **Recommendation**

- 8.2.37 On the basis of the discussion above, I recommended that:
- a. The Planning Maps are amended to remove the RCAs for Beverley and Ranfurly, and a High Density Residential Zone applied to these areas. As a consequence of this, I recommend that the area-specific built form standards are amended to remove reference to these RCAs.
  - b. The Planning Maps are amended to reduce the extent of the Dudley RCA as set out in Figure 8 of the evidence of Ms Rennie.

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<sup>41</sup> Section 32 Report – Part 2 – Qualifying Matters (District Plan Chapters 6, 8, 9, 13, 14, 18) Appendix 21, *Investigation of Qualifying Matters – Ōtautahi Christchurch Suburban Character Areas*, Boffa Miskell Ltd, 1 June 2022, p. 13.



- c. Planning Map 31 is amended to align the boundaries with that recommended in the technical assessments.<sup>42</sup>

8.2.38 I therefore recommend that:

- a. Polly Grainger’s submission S1.1, Joanne Knudsen’s submissions S33.3, S33.4 & S33.5, Keith Shaw’s submission 35.1, Sharina Van Landuyt’s submission S41.4, Michael Down’s submission S42.1, Sulekha Korgaonkar’s submissions S128.1, S128.2 & S128.3, Melissa Macfarlane’s submission S135.1, Irene Marks’ submission S136.1, Aaron Jaggars’ submissions S141.1 & S141.2, Bill Marks submission S143.1, Bernard Hall JP (Retired)’s submission S168.1, S168.2 & S168.3, Sonya Grace’s submission S174.1, Catharina Schupbach’s submission S217.2, Rosemary Baird Williams’ submission S341.1, Johnny Phelan’s submission S436.1, Richard Scarf’s submission S482.1, Hilary Talbot’s submission S700.6, Antony Ellis’ submission S732.1, Robert Smillie’s submission S770.1, Rebecca Lord’s submission S776.1, Marie Dysart’s submissions S791.6 & S791.7, WSCCHC’s submissions S804.9 & S1077.2, Linda Morris’ submission S816.1, Historic Places Canterbury’s submission S835.21 are accepted; and
- b. Logan Brunner’s submission S191.3, Martin Winder’s submission S228.1, Waka Kotahi’s submissions S805.4 & S805.6, are accepted in part; and
- c. Cameron Matthews’ submission S121.6, Daniel Rutherford’s submission S499.3, Waka Kotahi’s submission S805.5, Kāinga Ora’s submissions S834.38, S834.39, S834.40, S834.41, S834.42, S834.43, S834.44, S834.45, S834.46, S834.47, S834.48, S834.49, S834.50 & S834.51, OCHT’s submission S877.9, S877.10 & S877.11, Mark Winter’s submission S1008.2, Jono De Wit’s submission 1053.2 are rejected.

### 8.3 ISSUE 3 – NEW RESIDENTIAL CHARACTER AREAS

Sub. No.	Submitter name	Summary of relief sought
<b>Somerfield Area</b>		
S15.6	Martin Jones	Introduce a new Residential Character Area over Cashmere View Street.
S18.2	Rex Drummond	Fairview Street (Cashmere) should be within a Residential Character Area.

<sup>42</sup> Section 32 Report – Part 2 – Qualifying Matters (District Plan Chapters 6, 8, 9, 13, 14, 18) Appendix 21, *Investigation of Qualifying Matters – Ōtautahi Christchurch Suburban Character Areas*, Boffa Miskell Ltd, 1 June 2022, p. 13.

S19.3	Patricia Dench	Fairview Street should be within a Residential Character Area
S20.3	Les Drury	1/19 Fairview Street should be within a Residential Character Area.
S25.2	Christine Parkes	That the area of Cashmere View St, Fairview St and nearby Ashgrove Tce be [included in] a [residential] character area.
S27.2	Steve Parkes	That the area of Cashmere View St be identified as a suburban [residential] character area.
S92.1	Andrew Laurie	The area near and including Ashgrove Tce, Fairview St and Cashmere View St should be a Heritage Value Residential Character zone, and a resource consent should be required before any development can proceed.
S101.2	Ros Pheloung	Cashmere View Street and surrounding streets should be within a Character Area.
S124.1	Deborah Brown	That 15 Cashmere View Street is included as a suburban character area.
S125.1	Simon Brown	That 15 Cashmere View Street is included as a suburban character area.
S126.1	Chris Wells	That Cashmere View Street is included as a suburban character area.
S162.2	Jill Edwards	That the area surrounding and including Rose st should require a resource consent for development and that the area be zoned as a suburban character area.
S179.2 S179.3	Sean Walsh	Request that Cashmere View Street (including #13 Cashmere View Street) Somerfield be a suburban charter area/street. Request that resource consent be required before any development can proceed.
S227.1	Alex Prince	Amend Lower Cashmere (Fairview Street/Cashmere View/Ashgrove Terrace) to be in a residential character area.
S581.1	Joanne Nikolaou	[Seeks] [t]hat council agrees the Cashmere View Somerfield Area [be] designated a Suburban Character Area.
S583.2	Jaimita de Jongh	That Fairview and Cashmere View Streets be included in a character area.
S710.3	Michelle Trusttum	Include Somerfield in Special Character Overlay.
S1006.1	Jane Sutherland-Norton on behalf of Andrew Norton	Somerfield and Lower Cashmere suburbs should be in a character area. Resource consent should be required before any development can proceed.

S1054.1	Joanne Nikolaou	Seek that a new Character Area be included for Cashmere Somerfield.
<b>Merivale Area</b>		
S62.1	Thomas Calder	Include Helmores Lane, Desmond Street and Rhodes Street (to Rossall Street) as a Residential Character Overlay Area.
S86.1	Melissa and Scott Alman	Identify Helmores Lane, Desmond Street and Rhodes Street (to Rossall Street) as a Residential Character Area.
S119.3	Tracey Stack	That Helmores Lane, Desmond Street and Rhodes Street (to Rossall Street) be identified in the Christchurch District Pan as a Medium Density Residential zone and a Residential Character Overlay Area and be made subject to the rules that apply to Residential Character areas.
S164.3	James and Adriana Baddeley	That Helmores Lane, Desmond Street and Rhodes Street (to Rossall Street) be identified as a Residential Character Overlay Area.
S165.1	Catherine & Peter Baddeley	That Helmores Lane, Desmond Street and Rhodes Street (to Rossall Street) be identified as a Residential Character Overlay Area.
S255.1 S255.2 S255.3 S255.4	William Bennett	That Helmores Lane, Desmond Street and Rhodes Street (to Rossall Street) be identified in the Christchurch District Plan as a Medium Density Residential zone and a Residential Character Overlay Area and be made subject to the rules that apply to Residential Character areas.
S316.1	Jo Jeffery	[Apply a Residential Character Area to Merivale.]  Protect Merivale streets from any [multi-storey] development permanently and apply a heritage ruling on these streets.
S376.1	Colin Gregg	That Helmores Lane, Desmond Street and Rhodes Street (to Rossall Street) be identified [as] a Residential Character Overlay Area.
S381.1 S381.2 S381.3	Kate Gregg	Seeks that Helmores Lane, Desmond Street and Rhodes Street (to Rossall Street) be identified in the Christchurch District Plan as a Medium Density Residential zone and a Residential Character Overlay Area and be made subject to the rules that apply to Residential Character areas.
S502.2	Kyri Kotzikas	Seeks that Helmores Lane, Desmond Street and Rhodes Street (to Rossall Street) be identified as a Medium Density Residential zone and a Residential Character Overlay Area and be made subject to the rules that apply to Residential Character areas.

S530.1	Chris Wilson	[Seeks that the area identified as] Helmores Lane, Desmond Street and Rhodes Street (to Rossall Street) to be identified as Residential Character area, as it was under the operative plan.
S664.4	Catherine & Peter Morrison	Seeks residential special character overlay in Desmond Street and the close surrounding streets of Helmores Lane and Rhodes Street up to Rossall Street.
S665.1	Lawrence & Denise May	That Helmores Lane, Desmond Street and Rhodes Street (to Rossall Street) be identified in the Christchurch District Pan as a Medium Density Residential zone and a Residential Character Overlay Area and be made subject to the rules that apply to Residential Character areas.
S698.1	Ann-Mary & Andrew Benton	That Helmores Lane, Desmond Street and Rhodes Street (to Rossall Street) be identified in the Christchurch District Pan as a Medium Density Residential zone and a Residential Character Overlay Area and be made subject to the rules that apply to Residential Character areas.
<b>Riccarton Area</b>		
S182.2	Roseanne Hawarden	That Jane Deans Close be included as a Residential Heritage Area.
S188.13	Riccarton Bush - Kilmarnock Residents' Association (RBKRA)	Jane Deans Close should [have intensification restricted through a Qualifying Matter].
S188.16	RBKRA	Both sides of Matai St West from Straven Rd east to the railway line, including the area north to the Avon River, should be a Qualifying Matter restricting further residential intensification.
<b>St Albans</b>		
S247.1 S247.2	Jean-Michel Gelin	Create a character area including Forfar Street to limit the possible height of the new building and the sunlight access for the 1 Storey houses of the street.
S278.1 S278.2	Francine Bills	Mersey Street, which runs south of Westminster Street to Berwick Street, be incorporated in the Severn Residential Character Area [including 1-54 Mersey Street, 11-19 Berwick Street, and 116-136 Westminster Street].
S755.3 S755.4	Margaret Stewart	Add Woodville Street, St Albans
<b>Sydenham</b>		
S241.1	Susanne Schade	[S]eek[s] council to apply the Qualifying Matter Residential Character Area to Scott Street in Sydenham.

S1088.2	Anton Casutt	Seeks that Scott Street, Sydenham is added to a Residential Heritage Area or Character Area.
<b>Other</b>		
S303.3	Bron Durdin	Expand Character Areas to include other areas with established trees and gardens. (e.g. lower Cashmere, Beckenham, Hillsborough, Cracroft, Somerfield, Opawa)
S584.3	Claudia M Staudt	New QM Residential Character Area (as per previous SAM 8) for the area bounded by, Holmwood Road, Rossall Street, Hagley Park and Fendalton Road (Planning Map 31 and CC).
S703.1	Graeme Boddy	[Requests] status of Eastern Terrace between the iron bridge adjacent Bowenvale Avenue and the footbridge at Malcolm Street to be changed from being 'Protected by being to far from public transport' to the fuller protection of being 'Part of the Character Area of the Beckenham Loop'
S726.1	Michele McKnight	[Seeks] the council to mak[e] Gwynfa Ave and any other similar streets on this hill ... a special character overlay area.
S737.12	Christian Jordan	Add these areas to Special Character QM. Additional character areas of importance that should be included are:  All of the Special Amenity Areas from the 1995 City Plan not already character areas including in particular:  Fendalton SAM 8 and 8A  Deans Bush SAM 7 and & A  Opawa SAM 5  St James SAM 16 (plus Windermere Rd)  Also the following larger areas which were not SAMs:  - Knowles, Rutland, Papanui, Dormer  - Normans, Papanui, Blighs, railway line  - Gloucester, Woodham, Trent, England
S745.1 S745.4	Richmond Residents and Business Association (We are Richmond) (RRBA)	Seek that SAMS and Suburban Character Areas are retained.
S769.9	Megan Power	[Amend] Planning Map 46: Amend the extent of the proposed Beckenham Character Area to match the operative District Plan extent and include all sites

		within the operative extent within the Character Area, as shown in Map 1 and Map 2 [of the submission].
S868.2	Maureen Kerr	Protect and maintain special character and quality of existing homes in area from Papanui Road to Watford Street.
S1079.1	Dr. Bruce Harding	Seek clarification on the RHA 8 (Macmillan Avenue) boundary, as it was all covered in the Special Amenity Area (SaM 17 & 17A) provisions in the late 1990s City Plan. Why is one end of the street singled out and the home of John Macmillan Brown (35 Macmillan Ave) excluded.
S1090.2	Waipuna Halswell-Hornby-Riccarton Community Board	Supports the Residential Character Areas, but considers there are other examples of areas with similar character to the areas proposed that should be identified in the Plan including areas of Hornby, South Hornby, Sockburn, Hei Hei, Islington, and Broomfield.

8.3.1 A number of submitters have requested new character areas be identified. These include:

- a. Somerfield – including Cashmere View Street, Fairview Street, Ashgrove Terrace and Rose Street.
- b. Merivale – including Helmores Lane, Desmond Street and Rhodes Street (to Rossall Street); and Rugby Street, Merivale Lane and surrounds
- c. Riccarton - Jane Deans Close; Matai St West from Straven Rd east to the railway line, and north to the Avon River
- d. St Albans – including Forfar Street and Woodville Street
- e. Sydenham - Scott Street
- f. Cashmere - Gwynfa Avenue
- g. Papanui / Strowan – from Papanui Road to Watford Street
- h. Areas of Knowles, Rutland, Papanui, Dormer, Normans, Papanui, Blighs, railway line, Gloucester, Woodham, Trent, England
- i. Hornby and South Hornby, Sockburn, Hei Hei, Islington and Broomfield;
- j. All areas with established trees and gardens
- k. Previous Special Amenity Areas from the 1995 City Plan

8.3.2 Extensions are also sought to:

- a. Severn RCA, to include Mersey Street

- b. Beckenham RCA, to include all sites currently included in the Character Area under the Operative District Plan.

- 8.3.3 I consider it important to note that a range of reasons were put forward as to why these areas were sought to be included as RCAs. For brevity, I have not repeated these here, and note that a fulsome assessment of these areas using the methodology applied to other RCAs has been undertaken by Ms Rennie.<sup>43</sup> However I note that some of the submissions appear to seek the application of a RCA as a QM as a way of limiting intensification, i.e. to preserve the status quo in terms of density and the scale of built form, rather than because of an area having a distinctive and consistent character. In my view, it is establishing the latter, using the methodology previously applied to identify RCAs, that is necessary in order for it to be determined if a RCA QM should be applied to these areas.
- 8.3.4 I also note that RBKRA (S188.13 and S188.16) do not explicitly seek that a RCA is applied, more broadly seeking that intensification in particular areas is restricted through a Qualifying Matter. This broader request has been assessed by Mr Kleynbos, but for completeness, the particular areas identified have also been assessed by Ms Rennie as to whether a Character Area QM is appropriate for them.
- 8.3.5 I note that Ms Rennie's assessment applies the same methodology as was used to assess and confirm the RCAs proposed in PC14. This is important because it considers these areas from the perspective of whether they are neighbourhoods that are distinctive from their wider surroundings and have a consistent character, which is, on the whole, worthy of retention. In my view, the maintenance of these distinctive features is different to simply limiting intensification to maintain the existing amenity of areas that while having high amenity values, do not have a distinctive character.
- 8.3.6 As explained by Ms Rennie in her evidence, the assessment undertaken is based on the methodology previously used in 2015 as part of the District Plan Review, and involves a two-phase approach, with Phase 1 involving a preliminary assessment to establish whether or not a potential RCA has sufficient common attributes to proceed to Phase 2; and Phase 2 involving a site-by-site assessment to classify sites in accordance with the methodology. The Phase 1 assessment of areas put forward in submissions resulted in four areas progressing through to Phase 2. Following the

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<sup>43</sup> *Statement of Primary Evidence of Jane Maree Rennie of Behalf of Christchurch City Council, Residential Character Areas, 11 August 2023, Appendix 1.*

Phase 2 assessment, the area encompassing Cashmere View Street has been identified by Ms Rennie as meeting the criteria to be included as a RCA. As it shares characteristics with other RCAs (referred to as “Type 3” Character Areas), she has recommended that the built form standards applying within other Type 3 RCAs<sup>44</sup> are applied to this new RCA.

8.3.7 I have considered the location of this area, and note that it is not in an area to which Policy 3 of the NPS-UD applies. I therefore recommend that this area is included as an RCA, with the built form standards identified by Ms Rennie applying. A full assessment supporting this recommendation, and as required under s77J and s77L, is set out in Appendix A. In terms of s32AA, I consider the identification of this area as an RCA will contribute towards the achievement of Objective 3.3.8, through identification of an area of special character and amenity values.<sup>45</sup> The corresponding rule package applying will in turn assist in ensuring the specifically recognised values are appropriately managed (as sought in the objective) and assist in implementing Policy 14.2.5.9, by maintaining and enhancing the special character values that have been identified in the technical assessment undertaken by Ms Rennie. In terms of the costs and benefits and efficiency and effectiveness associated with the inclusion of this area as an RCA, I consider that those identified in the original s32 assessment will equally apply to this area.<sup>46</sup> This includes that while application of the RCA will result in less opportunities for intensification, this is considered to be outweighed by the benefits arising from the maintenance of features of this area which makes it special, which in turn has benefits in terms of the contribution it makes to the District’s identity, sense of place and social well-being.

8.3.8 Ms Rennie’s evidence also addresses why other sites and areas put forward in submissions are not considered to meet the threshold for inclusion as a Character Area. This includes:

- a. Discrete areas/neighbourhoods that have been assessed following the methodology summarised in Ms Rennie’s evidence;
- b. Identification of areas that were assessed following the methodology during the preparation of PC14 (and which have therefore not been assessed again);

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<sup>44</sup> Ranfurly, Francis, Malvern, Massey, Severn, Tainui, Ryan and Roker.

<sup>45</sup> Or, considering the alternate wording recommended by Ms Oliver, through ensuring that the specific characteristics of area as identified by submitters and Ms Rennie are maintained, and that the values that make this area special continue to provide a strong sense of place.

<sup>46</sup> Section 32 Report, Part 2 – Qualifying Matters (District Plan Chapters 6, 8, 9, 13, 14, 18) Table 35 – Option evaluation of Character Area provisions – Option 3 – Proposed Plan Change – bespoke rules for each Character Area, page 346 - 353.



- c. Former Special Amenity Areas (**SAMs**), which were assessed in 2015 as part of the District Plan review and determined not to meet the thresholds set out in the methodology (and which have therefore not been assessed again);
- d. Whole suburbs/wider neighbourhood areas, which she notes would cover much more extensive areas than otherwise identified as RCAs, and which have a much larger range of buildings, which makes it difficult to determine consistent character attributes, and therefore do not have a sufficient level of consistent built form and landscape elements to be considered as RCAs.

8.3.9 Having considered Ms Rennie's evidence, I do not recommend that any additional sites are included as Character Areas.

8.3.10 In addition to the above, Dr. Bruce Harding (S1079.1) queries if the former SAM17 and 17A Character Overlays are still in place, and if they are not, queries why they are not. I note that the submission primarily relates to the extent of the proposed RHA, but with respect to the former SAMs, I note that these were reviewed through the District Plan review process, and the boundaries of those included in the Operative Plan as RCAs have also been reconsidered through PC14. The methodology applied to the assessment is set out in the respective Section 32 Reports.<sup>47</sup> These outline the reasons for any boundary changes.

### ***Recommendation***

8.3.11 On the basis of Ms Rennie's analysis and the assessment contained above and in **Appendix A**, I recommend that Cashmere View is identified as a Residential Character Area.

8.3.12 As a consequence of the above, I recommend that the provisions applying to RCAs are amended, where necessary, to include Cashmere View, with the specific changes to provisions set out in **Appendix C**.

8.3.13 On the basis of Ms Rennie's analysis and the assessment contained above, I do not recommend that any additional areas be identified as RCAs.

8.3.14 I therefore recommend that:

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<sup>47</sup> Appendix 20 of the s32 Report for Residential Chapter 14, notified 2 May 2015. *Christchurch Suburban Character Area Assessments*, Beca Ltd, 9 January 2015; Section 32 Report, Part 2 – Qualifying Matters (District Plan Chapters 6, 8, 9, 13, 14, 18) Appendix 21, *Investigation of Qualifying Matters – Ōtautahi Christchurch Suburban Character Areas*, Boffa Miskell Ltd, 1 June 2022.

- a. Martin Jones' submission S15.6, Steve Parkes' submission S27.2, Deborah Brown's submission S124.1, Simon Brown's submission S125.1, Chris Wells' submission S126.1, are accepted, Sean Walsh's submissions 179.2 & 179.3, Joanne Nikolaou's submission S581.1, Graeme Boddy's submission S703.1 are accepted; and
- b. Ros Pheloung's submissions S101.2, Alex Prince's submission S227.1, Jaimita de Jongh's submission S583.2, RRBA's submissions S745.1 & S745.4 are accepted in part; and
- c. Rex Drummond's submission 18.2, Patricia Dench's submission S19.3, Les Drury's submission S20.3, Thomas Calders's submission S62.1, Melissa and Scott Alman's submission S86.1, Tracey Stack's submission S119.3, Jill Edwards' submission S162.2, James and Adriana Baddeley's submission S164.3, Catherine & Peter Baddeley's submission S165.1, Roseanne Hawarden's submission S182.2, RBKRA's submissions S188.13 & S188.16, Susanne Schade's submission S241.1, Jean-Michel Gelin's submissions S247.1 & S247.2, William Bennett's submissions S255.1, S255.2, S255.3 & S255.4, Francine Bills' submissions S278.1 & S278.2, Bron Durdin's submission S303.3, Jo Jeffery's submission S316.1, Colin Gregg's submission S376.1, Kate Gregg's submissions S381.1, S381.2 & S381.3, Kyri Kotzikas' submission S502.2, Chris Wilson's submission S530.1, Claudia M Staudt's submission S584.3, Catherine & Peter Morrison's submission S664.4, Lawrence & Denise May's submission S665.1, Ann-Mary & Andrew Benton's submission S698.1, Michelle Trusttum's submission S710.3, Michele McKnight's submission S726.1, Christian Jordan's submission S737.12, Margaret Stewart's submission S755.3 & S755.4, Megan Power's submission S769.9, Maureen Kerr's submission S868.2, Jane Sutherland-Norton on behalf of Andrew Norton's submission S1006.1, Joanne Nikolaou's submission S1054.1, Dr. Bruce Harding's submission S1079.1, Anton Casutt's submission S1088.2, Waipuna Halswell-Hornby-Riccarton Community Board's submission S1090.2 are rejected.

#### **8.4 ISSUE 4 – THE APPROPRIATENESS OF PROVISIONS RESPONDING TO THE RESIDENTIAL CHARACTER AREAS QM**

Sub. No.	Submitter name	Summary of relief sought
S18.1	Rex Drummond	Resource consent should be required for any development within a Residential Character Area.
S98.2	Hilton Smith	[Re: Character Areas] Proposes to introduce a resource consent requirement as a restricted discretionary activity.
S99.2	Ezzie Smith	[Re: Character Areas] Proposes to make development in character areas a restricted discretionary activity.
S123.1	Murray Walsh	Introduce a resource consent requirement as a restricted discretionary activity to help us better protect Character Areas. The following rules are proposed:... [Lists summary of Character Area rule rules included in PC14]
S124.2	Deborah Brown	[In relation to character areas] that resource consents are required before any development can proceed.
S125.2	Simon Brown	[In relation to character areas] that resource consents are required before any development can proceed.
S126.2	Chris Wells	[In relation to character areas] that resource consents are required before any development can proceed.
S127.1	Michael Fisher	Amend rule 14.5.3.1.3 RD14 (b) iii by removing the location requirement for accessory buildings to the rear of the main residential unit.  This rule does not apply:  iii. to accessory buildings that are less than 30m <sup>2</sup> and located to the rear of the main residential unit on the site and are less than 5 metres in height;
S127.2	Michael Fisher	Retain current 8 metre height limit in the Beckenham character area.
S127.3	Michael Fisher	Include extra provision point to rule 14.5.2.3.8 (a) i. as number 3.  3. except where adjacent residential units are closer to the front boundary.
S127.4	Michael Fisher	That provision rules 14.5.3.2.8 (a) ii and 14.5.3.2.8 (a) iii with regard to side and rear setbacks be changed to 1 metre within the Beckenham Character area.
S127.5	Michael Fisher	That provision rule 14.5.3.2.9 (a) be amended to 50% maximum building coverage.
S205.12	Addington Neighbourhood Association	Accessory buildings should not be allowed to be built on or near property boundary line, if maintenance of such buildings would necessitate the owner going on to next door property to facilitate such repairs.
S217.1	Catharina Schupbach	Retain provisions relating to Residential Character Areas.

S242.20	Property Council New Zealand	<p>In broad terms, we are comfortable with the proposed intention of introducing resource consent requirements as a restricted discretionary activity to help protect Character Areas.</p> <p>However, given the scale of the proposal and introduction of 11 new residential heritage areas, we wish to highlight the importance of ensuring that Christchurch has sufficient development capacity. This can be achieved through enabling and encouraging greater height and density within high density zone precincts, town centres and metropolitan centres.</p>
S381.12	Kate Gregg	Amend provision 14.5.1.3 to the following: [sets out proposed rule.]
S381.22	Kate Gregg	[That the] minimum net site area for subdivision varies between Character Areas in the Medium Density Zone, but is generally larger than the underlying Zone requirement.
S519.7 S519.26	James Carr	A better solution than retaining the current height limit and recession plane rules in [Character] areas might be to adopt the MDRS rules in these areas, but apply much stricter limits on site coverage, especially hard site coverage, as well as front (and maybe side) setbacks to work with the existing streetscape.
S630.4	Murray Cullen	[Retain] the proposed Area-specific built form standards that apply to the Beckenham Character Area.
S630.5	Murray Cullen	[Consider] some fine tuning of the development rules for the Character Area.
S665.5	Lawrence & Denise May	[That the following proposed changes are adopted]: [Sets out framework for Character Areas]
S685.77	Canterbury Westland Branch of Architectural Designers NZ	[Retain existing minimum net site area of 250m2]
S685.78	Canterbury Westland Branch of Architectural Designers NZ	[Retain existing maximum site coverage of 60%]
S695.8	Te Hapū o Ngāti Wheke (Rāpaki) Rūnanga	In terms of the proposed qualifying matters that relate to historic heritage (e.g., Residential Heritage Area and Character Area Overlay) and are proposed in the Lyttelton township, amend the provisions to enable Rāpaki Rūnanga to develop ancestral land and give effect to section 6 (e) of the RMA and to enable provision for papakainga housing in accordance with s.80E (1) (b) (ii) of the RMA.

S695.16 S695.17 S695.18 S695.19 S695.20 S695.21	Te Hapū o Ngāti Wheke (Rāpaki) Rūnanga	Provide an additional exclusion clause, whereby land which is held as Māori Land and that is in the Lyttelton Residential Heritage Area (RHA) and/or the Lyttelton Character Area Overlay is exempt from complying with these area specific built form standards.
S698.4	Ann-Mary & Andrew Benton	In recognition of the status of a Qualifying Matter,... propose introducing a resource consent requirement as a restricted discretionary activity... [Lists summary of Character Area rule rules included in PC14]
S720.43	Mitchell Coll	Amend subclause 14.8.3.2.2(a) back to 250m <sup>2</sup> .
S720.44	Mitchell Coll	Amend subclause 14.8.3.2.4(a) back to 60%.
S737.11	Christian Jordan	Retain character areas across the city.  These character areas should have recession plane, building height and setback rules similar to the operative plan.
S762.20	New Zealand Institute of Architects Canterbury Branch	[Amend] the additional minimum [glazing] areas of 30% - 40%.
S762.21	New Zealand Institute of Architects Canterbury Branch	[Amend and reword clause] to enable new development to be in fitting with their immediate street neighbours.
S762.27	New Zealand Institute of Architects Canterbury Branch	[Retain current site coverage limits].

S769.3	Megan Power	<p>Add bold underlined text as shown above [to Rule 14.5.3.1.2 C1 and 14.5.3.13 RD14].</p> <p>"This rule does not apply to: rear sites or those located on private lanes in the Beckenham Character Area."</p> <p>Please note: The amendments sought that relate to "rear sites or those located on private lanes in the Beckenham Character Area" are provided in the context of the retention of the operative extent of the Beckenham Character Area, i.e. all rear sites and those located on private lanes are now and will be in the future included in the Beckenham Character Area boundary.</p>
S769.4	Megan Power	<p>Amend as shown in bold underlined text below.</p> <p>Amend 30sqm to 36sqm</p>
S769.5	Megan Power	<p>Amend 14.5.3.2.3 to include text shown as bold and underlined Beckenham (Rear sites and those located on private lanes) - 7m</p>
S769.6	Megan Power	<p>Amend to remove bold, strike through text</p> <p>ii. Within the Character Area Overlay for all activities:</p> <p><i>B. A landscaping strip with a minimum width of <u>2.1 metres</u> shall be planted along the rear boundary, <del>and shall include trees that will grow to a minimum height of 6-8 metres.</del></i></p>
S769.7	Megan Power	<p>Amend Rule 14.5.3.2.8 (Setbacks) to exclude Rear Sites or those located on private lanes in the Beckenham Character Area.</p> <p>For garages and sheds the side and rear should be reduced to 1 meter.</p>
S769.8	Megan Power	<p>Amend (Rule 14.5.3.2.13) to include bold, underlined text:</p> <p>iii. This rule does not apply to rear sites or those located on private lanes in the Beckenham Character Area.</p>
S773.4	Beckenham Neighbourhood Association Inc	<p>[Retain] the proposed Area-specific built form standards that apply to the Beckenham Character Area.</p>
S773.5	Beckenham Neighbourhood Association Inc	<p>[Consider] some fine tuning of the development rules for the Character Area could be considered. For example, the proposed building setback from the street (8 m), minimum building width facing the street (10 m), and minimum building floor area (150 m<sup>2</sup>) are sometimes larger than equivalent measurements on original character bungalows (at least in our area) whose general street scene these rules seek to protect.</p>

S805.5	Waka Kotahi NZ Transport Agency	[O]pposes the current approach in relation to including Residential Character Areas as a qualifying matter. The submitter seeks that residential character is provided for by instituting design controls in the overlays which allow for special/residential character to be considered and incorporated in design while enabling levels of development anticipated by the zones.
S834.38 S834.39 S834.40 S834.41 S834.42 S834.43 S834.44 S834.45 S834.46 S834.47 S834.48 S834.49 S834.50 S834.51	Kāinga Ora	For existing character areas retain the controlled activity status for new buildings that exists in the Operative Plan - Rule 14.5.3.1.2 C1. 14.5.3.2.3 Building height – Character Area Overlays, and 14.5.3.2.5 – 14.5.3.2.14 Built form rules – Character Area Overlays.  In the event that the Character Area qualifying matter remains, explicit provision is sought for the ability to develop Papakāinga/Kāinga Nohoanga, noting that local Rūnanga have purchased the former Lyttelton West School Site.
S835.21	Historic Places Canterbury	They welcome the inclusion of Residential Character Areas as a Qualifying matter and the introduction of restricted discretionary status to help better manage and protect character areas. They also support more restrictive subdivision for character areas.
S853.9	Lyttelton Port Company Limited	Retain area-specific activities for Residential Banks Peninsula Zone as notified in 14.8.3.1.1 – 14.8.3.1.5.
S877.9 S877.10 S877.11	OCHT	For existing character areas retain the controlled activity status for new buildings that exists in the Operative Plan - Rule 14.5.3.1.2 C1.  Delete all new built form standards for character areas. 14.5.3.2.3 Building height – Character Area Overlays, and 14.5.3.2.5 – 14.5.3.2.14 Built form rules – Character Area Overlays.

S1003.15	Melissa Macfarlane	Reinstate Rule 14.5.3.1.2(C1) as per the Operative Plan.  Alternatively, amend this rule so that alterations or additions to existing dwellings and other buildings, and the erection of new buildings less than 30m <sup>2</sup> and fences and walls are all classified as controlled activities.  New dwellings and accessory buildings over 30m <sup>2</sup> would be RDIS.
S1003.16	Melissa Macfarlane	Amend Rule 14.5.3.1.3 RD14 so that it only applies to the demolition or removal or relocation or erection of a building greater than 30m <sup>2</sup> . The proposed exclusions would still need to apply, except where required to meet the above.
S1031.1	Jeanne Cooper	Provide a buffer zone between character areas and RMD intensive housing [High Density Residential Zone].

### ***General Approach to Modifying MDRS to Accommodate Character Values***

- 8.4.1 In my view, these submissions relate to the appropriateness of the specific modifications to the MDRS which are proposed to accommodate the RCA QM (in accordance with s77J(4)(b)). I consider a key question, which this evidence focusses on, is whether the greater restrictions on development proposed within the RCAs compared to the Full Intensification Scenario are the most appropriate way to achieve the objectives of the District Plan. In evaluating this, it is helpful to consider the current provisions applying to RCAs, as well as those proposed in PC14. These are set out in Section 6 above.
- 8.4.2 My analysis firstly considers those submissions that relate to the overall approach taken (both in terms of activity status and the package of built form standards). Those submissions relating to specific built form standards are then addressed subsequently.
- 8.4.3 Historic Places Canterbury (S835.21) support the proposed restricted discretionary activity status to help better manage and protect RCAs. Although it is not entirely clear from their submissions, Hilton Smith (S98.2), Ezzie Smith (S99.2), Murray Walsh (S123.1), Deborah Brown (S124.2), Simon Brown (S125.2), Chris Wells (S126.2), Kate Gregg (S381.12, S381.22), Lawrence & Denise May (S665.5) and Ann-Mary & Andrew Benton (S698.4) appear to support generally the proposed approach to RCAs, including both the proposed activity status rules for different activities and the proposed built form standards and minimum net site areas for subdivision. Property Council New Zealand (S242.20) are supportive of introducing a restricted discretionary activity pathway to help protect Character Areas but seek to ensure that sufficient development capacity is provided, through enabling and encouraging greater height and density within high density zone precincts, town centres and metropolitan centres. Lyttelton Port Company Ltd (S853.9) supports the



proposed activity status framework for the Residential Banks Peninsula Zone, particularly those that ensure rules on development remain as per the operative Plan. Rex Drummond (S18.1) requests that resource consent be required for any development within a RCA.

- 8.4.4 Catharina Schupbach (S217.1) supports the provisions applying to the Bewdley RCA, to avoid adverse effects on privacy, increased noise levels, reduced light and sun, and the impact this will have on the feel of this area. Beckenham Neighbourhood Association Inc (S733.4, S733.5) generally supports the proposed standards for RCAs, as they consider them important in protecting the character, and a departure from these would have a detrimental impact on consistency of street scene character. However some fine tuning is sought, in relation to building setback from street, minimum building width facing the street and minimum building floor areas, which are set out further below in relation to the specific built form standards. Similarly, Murray Cullen (S630.4, S630.5) generally supports the built form standards applying to the Beckenham RCA, but considers there could be some fine tuning of the development rules.
- 8.4.5 Christian Jordan (S737.11) considers that RCAs should have recession plane, building height and setback rules similar to the operative plan. I have assumed that what is sought is essentially retention of the current built form standards applying under the current zoning (e.g. Residential Suburban).
- 8.4.6 Waka Kotahi (S805.4, S805.5) seeks that the provisions applying to RCAs are revised to allow greater levels of development, allowing for special character to be considered and incorporated in design, while enabling levels of development anticipated by the zone. It also seeks that demolition of existing buildings in these areas is allowed for, potentially with restrictions to require that removal only occurs where there is a comprehensive development proposal.
- 8.4.7 Kāinga Ora (S834.38, S834.39, S834.40, S834.41, S834.42, S834.43, S834.44, S834.45, S834.46, S834.47, S834.48, S834.49, S834.50, S834.51) OCHT (S877.9, S877.10, S877.11) and Melissa Macfarlane (S1003.15, S1000.16) seek that the controlled activity status for new buildings that exists in the Operative Plan - Rule 14.5.3.1.2 C1 is retained. Kāinga Ora and OCHT also seek that the proposed provisions relating to Character Areas are deleted. Kāinga Ora *“questions the planning method and assessment undertaken to determine the proposed provisions”* and seeks that that further analysis is undertaken to determine the exact values of the resources that the Council seeks to manage in the District Plan. Further, it considers that any provisions, and identified values should be ‘managed’, rather than protected in the District Plan. OCHT is opposed to the use of character areas which reduce density below the level provided by the underlying zone (MDRS) or

that seek to control the demolition or alteration of buildings, unless these buildings individually qualify as historic heritage. It considers *“that a more nuanced assessment of costs and benefits applies to areas with a high proportion of OCHT housing, i.e. the benefits of providing a greater number of houses for the most vulnerable members of society are greater than retaining the character associated with existing housing per se, particularly when much of the character is linked to the association with historic social housing, and therefore the character or heritage benefits of such locations must be even greater to outweigh the social costs.”* And similarly it considers that a more nuanced assessment of costs and benefits is required for RCAs in locations that are otherwise ideally located for further intensification.

- 8.4.8 Melissa Macfarlane (\$1003.15), as an alternative to reinstatement of the controlled activity rule, seeks that it is amended so that alterations or additions to existing dwellings and other buildings, and the erection of new buildings less than 30m<sup>2</sup>, as well as fences and walls, are specified as controlled activities, with the demolition, removal, relocation or erection of a building subject to the restricted discretionary consent pathway only where greater than 30m<sup>2</sup>. The submitter considers that the restricted discretionary rule should be targeted at new dwellings and larger new accessory buildings, as in their view, these are the changes that have the greatest potential to undermine the character of an area.
- 8.4.9 As detailed in Ms Rennie’s evidence, a set of design parameters (essentially built form standards) were identified for each area, to manage key aspects that contribute to the values of each area. These standards, collectively, are intended to provide for some increased development opportunities, while still retaining the values of each RCA.<sup>48</sup> This included consideration of those provisions otherwise applying under the MDRS. These parameters were further modelled by the Council, using the level of development enabled under the MDRS as the baseline for comparison, to determine a suite of built form standards for each RCA.<sup>49</sup> In my view, this approach aligns with the requirement in section 77L(c)(iii) which requires that the site-specific analysis undertaken of the application of a QM evaluates an appropriate range of options to achieve the greatest heights and densities permitted by the MDRS (as specified in Schedule 3A) or as provided for by policy 3 while managing the specific characteristics.
- 8.4.10 Section s77J(3)(b) and (c) of the RMA also requires an assessment of the impact that limiting development capacity, building height, or density (as relevant) will have on the provision of

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<sup>48</sup> Section 32 Report, Appendix 37 - *Technical Analysis of Proposed Character Area Provisions*, Christchurch City Council, 19 January 2023, p. 12.

<sup>49</sup> Section 32 Report, Appendix 37 - *Technical Analysis of Proposed Character Area Provisions*, Christchurch City Council, 19 January 2023.

development capacity; and the costs and broader impacts of imposing those limits. This is provided within the s32 Report for each RCA,<sup>50</sup> which identifies the theoretical maximum development capacity within each area, and the impact the proposed density limitations will have on this. For all RCAs, the key cost and broader impact of imposing the limits identified is a reduction of housing choice and availability of land for new development within each area.

- 8.4.11 I note that the intention behind the built form standards proposed in PC14 focuses on retention of the Character Area values, not retention of residents' amenity, and the greatest emphasis has been placed on those values that are experienced from public areas (e.g. streets), rather than the values of the site that are primarily experienced by a site's occupants.<sup>51</sup> I therefore disagree with submitters seeking that built form standards applicable to the current zoning (under the Operative Plan) of each RCA should be applied, as these are not targeted to manage the specific characteristics of the RCAs, and similarly would not be targeted to only those modifications necessary to accommodate the values of these areas.
- 8.4.12 As noted above, there are submissions supporting the proposed approach to development in RCAs, as well as submissions seeking that the built form standards are deleted entirely or substantially revised to allow greater levels of development; and those who seek that the current controlled activity status applying to buildings in RCAs is retained, instead of the application of a restricted discretionary activity status. I consider that the activity status applied, as well as the built form standards (i.e. standards reducing the built form that would otherwise apply under the MDRS or policy 3) need to be considered on an integrated basis. Ms Rennie's evidence has therefore addressed, from an urban design perspective, the impact that potential changes to the activity status and suite of built form standards could have on the RCAs. Taking this into account I have considered below the following options for how RCAs are managed:
- a. Option 1 - Retention of the current controlled activity status for building works, but with removal of the standards, as sought by some submitters.
  - b. Option 2- Application of a controlled activity status for building works, with the built form standards applied, and a restricted discretionary activity pathway only where the standards are not met.

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<sup>50</sup> Section 32 Report – Part 2 – Qualifying Matters (District Plan Chapters 6, 8, 9, 13, 14, 18) pages 242 – 342.

<sup>51</sup> Section 32 Report, Appendix 37 - *Technical Analysis of Proposed Character Area Provisions*, Christchurch City Council, 19 January 2023, p. 5-6.

- c. Option 3 - The proposed PC14 suite of provisions – being the application of a permitted and controlled activity status in limited circumstances (with built form standards applied), with restricted discretionary activity status generally applied for building works beyond these circumstances.
- d. Option 4 - Retaining the activity status proposed in PC14, but reducing the built form standards applying and relying on assessment through the consent process.

8.4.13 With respect to the first option, I do not agree that application of a controlled activity status in the absence of standards is sufficient to ensure that development in RCAs is not inappropriate, and specifically that it does not erode the attributes contributing to their character. I consider it important to note that, at present, development in RCAs is subject to the built form standards of the underlying zone, which anticipate development at a suburban scale. In her evidence, Ms Rennie has specifically considered the extent to which the scale of development anticipated under the current underlying zonings of the Character Areas are consistent with the attributes that contribute to the values of character areas, and how this will change under an underlying MRZ. She notes that the current underlying Residential Suburban and Residential Suburban Transition Zones provide for the type of “traditional” residential development, and while there may be some inconsistencies between the built form standards in these zones, and the attributes of the Character Areas, the standards broadly align with the attributes that contribute to the values of character areas.

8.4.14 In absence of any other built form standards, like those proposed in PC14, the built form standards of the MDRS would apply. Ms Rennie’s evidence is that the MDRS provide a transition to a different type of urban character, and one that will allow for a scale and form of development that is a clear departure from the key character attributes of the RCAs. She considers that application of these standards in RCAs would undermine the values that contribute to the overall cohesiveness and consistency of these area and would result in development that would erode the particular values of each RCA.

8.4.15 The above is important, because the baseline of what is anticipated in the underlying zone will become less compatible with attributes of each RCA, and therefore with the character values.

8.4.16 As part of the development of PC14, the current controlled activity status was reviewed, in terms of its effectiveness at achieving the outcomes sought for RCAs.<sup>52</sup> This identified that as most

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<sup>52</sup> Section 32 Report, Part 2 – Qualifying Matters (District Plan Chapters 6, 8, 9, 13, 14, 18) Appendix 36 – *Planning Assessment of District Plan Character Areas*, Christchurch City Council, 20 February 2023; and Appendix 6 of Appendix 37 - *Technical Analysis of Proposed Character Area Provisions*, Christchurch City Council, 19 January 2023.

building works in these areas are provided for as a controlled activity, the Council lacked the ability to decline consent, or impose conditions that would effectively prevent the activity from taking place. While the matters of control are considered to be comprehensive, an assessment of consents issued has identified that satisfactory outcomes have not always been achieved, and this is related back to the inability for consent to be declined, or amended in a way that prevents the activity taking place.

- 8.4.17 This includes the inability to apply consent conditions which would substantially alter the location or design of a building (because they would fundamentally have altered what the applicant had applied for), in order to achieve consistency with the character values of an area. An example of this is where the Council did not have the ability to decline a consent for a garage proposed in front of a dwelling, as locating it to the rear of the building would not have been possible without removing the existing building. The assessment also identified that while some resource consents had breached other standards and therefore been assessed overall as a restricted discretionary activity, where the matters of discretion do not overlap with those relating to RCAs, the application could not be declined based on character area attributes not being met.
- 8.4.18 Through a controlled activity pathway, I do not consider that the Council would have the ability to impose conditions which would effectively limit development, for example, imposing lower height limits or greater setbacks. Neither could consent be declined for proposals meeting the MDRS built form standards, regardless of their inconsistency with the character values of an area. As noted above, with an underlying MRZ zoning, the incompatibility between the built form otherwise anticipated under the underlying zoning and that associated with the character of each RCA, will increase, and in my view the values of each RCA would be more easily compromised.
- 8.4.19 Therefore, a controlled activity pathway with no separate built form standards would, in my view, result in development that is inconsistent with the values of the RCAs, and over time lead to a loss in the integrity and cohesiveness of these areas. This in turn, would not achieve Objective 3.3.8 a. ii. as the values of these areas would not be appropriately managed.<sup>53</sup> Similarly, it would not reflect the planned urban character of these areas (Objective 14.2.5) as it would not maintain and enhance the special character values of these areas as identified in Policy 14.2.5.9. I therefore do not support this option.

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<sup>53</sup> Or, considering the alternate wording recommended by Ms Oliver, that the specific characteristics of these parts of the urban environment would not be maintained/protected, nor their contribution to a strong sense of place.

- 8.4.20 The second option - application of a controlled status in all instances, but with the built form standards proposed in PC14 applied - would provide greater certainty about the type of built form that is anticipated to meet the outcomes for these areas. The standards would provide a clear quantitative threshold of what type of development is expected to be appropriate in terms of the characteristics of each RCA. A controlled activity status would allow for qualitative aspects of any proposal to be assessed, and conditions imposed, while providing certainty that development which meets the built form standards will be granted consent. Having a restricted discretionary activity pathway where the built form standards are not met would still allow for consideration of greater intensification, but on a case-by-case basis, taking into account the effects on the RCA of greater intensity. The main downside to this option is that it only provides the ability to impose conditions and not to decline consent.
- 8.4.21 Ms Rennie notes that the introduction of built form standards aligning with the key attributes of each RCA would assist in overcoming a number of issues with the current controlled activity status applying under the operative Plan. In particular she considers that such standards, which align with those key values that provide consistency and coherence to each area, will assist in better aligning a proposal with the values of the RCA, with a breach of these standards allowing for consideration against the values of the area. However, she notes that a controlled activity framework does not allow for an application to be declined, and limits the ability to resolve design issues. Risks to character values can therefore arise in relation to matters of design that cannot be addressed through more quantitative standards, such as building proportion, building materials, roof profile and window location. With respect to consideration of the activity status as part of the overall 'package', Ms Rennie is of the view that if a controlled activity is applied, it should be accompanied by all the built form standards proposed in PC14, to help achieve a design outcome that is consistent with the character area values. I also note her comment that the standards largely relate to managing the form and scale of development to maintain the character area values, but that it is more difficult to manage appearance effects through standards.
- 8.4.22 The third option is the PC14 package, which provides a controlled activity status for the erection of new residential unit to the rear of an existing residential unit, where the built form standards are met and the height is less than 5m. Otherwise a restricted discretionary activity status for building works is applied. This approach allows for full case-by-case consideration of any building works (beyond the specific controlled activity rule), and provides the Council with the ability to decline consents for development that do not achieve the outcomes sought for these areas. Application of the built form standards to the controlled activity provides certainty about the type

of built form that is expected to be appropriate, while allowing for qualitative aspects of any proposal to be assessed, and conditions imposed. It also provides certainty that development within the built form parameters will be granted consent. While this approach does not allow for consent to be declined, the circumstances in which the rule applies – i.e. erection of new residential unit to the rear of an existing residential unit, is considered to provide for a type of development that is small-scale and which is not expected to significantly adversely impact on the character values.<sup>54</sup>

- 8.4.23 Notwithstanding this, I note Ms Rennie considers there are still some risks associated with this type of building work, as such development could be visible from the public realm and impact on character values. While I accept this, I consider the controlled activity pathway, subject to built form standards, is sufficient in this circumstance to address those matters.
- 8.4.24 Application of a restricted discretionary pathway for all other building works is expected to overcome the difficulties with not being able to decline a controlled activity consent. Ms Rennie notes that such an approach will allow for proposals that have poor design outcomes which do not align with the policy direction to be declined and considers that this activity status provides “more room” to achieve a design solution aligning with the values of the RCA. However she does note that the restricted discretionary pathway may discourage infill and intensification as the activity status may potentially signal that there is less room for change.
- 8.4.25 While the built form standards (with two exceptions – the number of residential units per site and landscaping) are not applied to the buildings works encompassed in the restricted discretionary rule, they will still provide guidance in the assessment of any resource consent about the built form that is anticipated to meet the outcomes. In absence of these, it is likely that consent processing is less efficient, because it would rely on case-by-case assessments with no ‘baseline’ about what is considered to be appropriate.
- 8.4.26 The fourth option relates to Ms Rennie’s consideration of whether, while retaining the activity status under PC14 activity, the number of built form standards could be reduced, to provide a focus on “priority standards”, which are those which Ms Rennie consider are more important in maintaining and enhancing the character values and noting that under a restricted discretionary activity status, there would be greater ability to address other matters. These are: height; road boundary setbacks and landscaping strips; side yard setbacks; building coverage; fencing;

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<sup>54</sup> Section 32 Report, Appendix 37 - *Technical Analysis of Proposed Character Area Provisions*, Christchurch City Council, 19 January 2023, p. 11.

garage/carport location; driveway width; and width of building frontage. Ms Rennie identifies that other built form standards are of lesser priority, and I note that in some cases this is because the outcome sought through such standards is likely to be achieved through a combination of the other priority standards.

- 8.4.27 In my view, should the IHP agree with retaining the restricted discretionary pathway for most building works, there is an opportunity to streamline the built form standards applied when considering such a consent (being Option 4). As noted earlier, most of these standards are not strictly “applied” to the building works specified in the restricted discretionary rule in any case, so I see benefit in clearly applying the priority standards identified by Ms Rennie to this rule, but not those of lesser priority. Application of the priority standards would not change the overall activity status or assessment (as non-compliance with the standard would still be a restricted discretionary activity and the same assessment matters applied). As a consequence of this, I would recommend deleting the lesser priority standards – being Rule 14.5.3.2.10 (Outdoor living space) and Rule 14.5.3.2.11 (Windows to street) and Rule 14.5.3.2.14 c. (setback from a shared access). This is because with respect to the activities managed under Rule 14.5.3.1.3 RD14, these are matters that can still be considered in the consent process, without the same need for a strict baseline applying, and having considered the activities controlled under Rule 14.5.3.1.2 C1, I consider the windows to street would not apply in any case; the outdoor living space is otherwise controlled by building coverage, and the setback from a shared accessway is the type of matter than can be adequately managed through consent conditions. I consider that this response would align with those submissions expressing support for specific built form standards applying in RCAs, while also responding to those submitters seeking less controls.
- 8.4.28 As the evaluation of the above options demonstrates, the suite of provisions proposed in PC14 (Option 3 above) is, broadly speaking, the most *effective* option to achieve Objective 3.3.8 a. ii., Objective 14.2.5 and implement Policy 14.2.5.9, when compared to Options 1 & 2. I consider that Option 4 would be an improvement on this general approach, by providing a clearer approach for restricted discretionary activities and reducing the number of built form standards, thus making the consent process more efficient.
- 8.4.29 However, applying a controlled activity status to building works, subject to the suite of built form standards proposed in PC14 (Option 2, and noting some changes are recommended to these later in this report) would be somewhat effective (and more so than the current approach), but less effective than the PC14 package, given the inability to decline a consent, and in particular noting



Ms Rennie’s comments that appearance effects and nuances in design are harder to manage through standards. However, a controlled activity pathway would be more *efficient* in terms of providing greater certainty that development meeting the built form standards would be granted consent.

8.4.30 For completeness, I have set out below in more detail an evaluation of these under s32AA of the RMA, noting that this focusses on a comparison of these options against each other and against Option 3 (i.e. costs and benefits that are the same as those associated with Option 3 are not included) and noting that the s32 report contained the assessment of Option 3 which is not repeated here.

**Option 2**

<b>Benefits</b>	<b>Appropriateness in achieving the objectives/ higher order document directions</b>
Environmental: The approach will generally help to retain the features of the Character Areas that makes them special, when compared to the status quo.	<p>Efficiency: Overall, this option is more efficient than Options 3 and 4, because it provides greater certainty that development meeting the built form standards would be granted consent, and there are likely to be less processing costs associated with controlled activity resource consents.</p> <p>Effectiveness: I consider that the effectiveness of this option at achieving the outcomes sought will be lesser than that of Options 3 and 4. This is because there is still some risk with a controlled activity status that proposals which cannot be declined or substantially redesigned may impact the overall integrity and coherence of the attributes of a RCA.</p>
Economic: A controlled activity pathway will provide greater certainty that development meeting the built form standards will be granted consent. The consent process is expected to be more streamlined when compared to Options 3 and 4.	
Social: (As per Option 3)	
Cultural: (As per Option 3)	
<b>Costs</b>	
Environmental: There is greater risk that the values of these RCAs may be adversely affected, because of the inability to decline applications or effect substantive design changes through the consent process. This is particularly the case with design aspects which are not controlled through built form standards.	
Economic:	
Social: Generally as per Option 3, but noting that there is greater risk that the values of these RCAs may be adversely affected, which in turn may impact on the contribution these area make to the District’s identify, sense of place and social well-being.	

Cultural: Generally as per Option 3, but noting that there is greater risk that the values of these RCAs may be adversely affected, which in turn may impact on the contribution these area make to the District's identify, sense of place and cultural well-being.	
<b>Risk of acting/not acting</b>	
I consider that there is more risk under this option that the features of the RCAs that makes them special could be undermined. however, the risk is reduced when compared to the status quo.	

**Option 4**

<b>Benefits</b>	<b>Appropriateness in achieving the objectives/ higher order document directions</b>
Environmental: The restricted discretionary pathway with application of priority standards will help to retain the features of the Character Areas that makes them special.	<p>Efficiency: When compared to Option 3, this approach is likely to be more efficient, because it provides a clearer approach for restricted discretionary activities. However, it is considered to be less efficient than Option 4.</p> <p>Effectiveness: I consider that the effectiveness of this option at achieving the outcomes sought will be similar to Option 3, as it ensures that residential development is managed within the MRZ in accordance with the particular features pertaining to Character Areas, through a balanced and targeted approach that allows for a level of intensification where it is consistent with the features that make Character Areas special.</p>
Economic: Application of priority standards will provide clearer direction to applicants about what is expected to maintain the Character Area values, and assist with the efficiency of consent processing when compared to Option 3.	
Social: (As per Option 3)	
Cultural: (As per Option 3)	
<b>Costs</b>	
Environmental:	
Economic: There are likely to be greater costs associated with the consent process under this Option, than when compared with Option 4.	
Social:	
Cultural:	
<b>Risk of acting/not acting</b>	
This Option is consistent with Ms Rennie's technical advice and is expected to result in an appropriate level of protection of the values which make RCAs special.	

8.4.31 As can be seen from the assessment above, the key consideration for the IHP is whether, on balance, Option 4 should be preferred because it is more effective, or whether Option 2 should be preferred because it is more efficient. In my opinion, while finely balanced, Option 4 is preferable because it will better implement the direction in Policy 14.2.5.9. A key influence in reaching this conclusion is Ms Rennie's opinion that applying a controlled activity status to all building works, even if these are subject to the suite of built form standards specific to each RCA, still retains a risk of poor design outcomes due to aspects of built form that cannot be managed through standards.

This includes things such as proportions of a building, type and use of materials, roof profile, window location and garage location. I agree with her that these are matters that are harder to change or influence through a controlled activity status and therefore a greater risk that the special character values will not be fully maintained and enhanced (Policy 14.2.5.9) and ultimately risks achievement of Objective 3.3.8 a. ii. by not adequately managing the identified values.<sup>55</sup>

8.4.32 My recommendation is therefore that the activity statuses proposed in PC14 are generally retained, but that Rule 14.5.3.1.1 RD14 is amended to explicitly apply the priority built form standards identified by Ms Rennie and delete those of lesser priority.

8.4.33 As a result of this recommendation, I have also considered the alternate relief sought by Ms Macfarlane, as to whether the restricted a controlled activity status should be applied to alterations or additions, fences and walls, and the erection of new buildings less than 30m<sup>2</sup>, with the demolition, removal, relocation or erection of a building only subject to the restricted discretionary consent pathway only where greater than 30m<sup>2</sup>. I note that fences which meet the Rule 14.5.3.2.12, or fences along side and rear boundaries (but not adjoining public space) are in any case exempted under Rule 14.5.3.1.3 RD14 (thus making them permitted), as are accessory buildings less than 30m<sup>2</sup>, which are located to the rear of the main residential unit on the site and less than 5 metres in height. Ms Rennie's view is that alterations or additions and new buildings to the front of a dwelling could still result in built form that, despite complying with the built form standards, could impact on the character values of the area, regardless of their scale. On this basis, I do not agree with amending the threshold to provide a controlled activity status for any alterations or additions, or to buildings under a certain size threshold beyond that already provided for. I do however consider that it would be appropriate to make additions to an existing residential unit, which are less than 30m<sup>2</sup>, and which occur to the rear of the site, a controlled activity, as this treats them on a similar basis to new dwellings at the rear, and reflects Ms Rennie's comments that it is development visible from the street that has greater potential effect on character values. I consider that alterations to the rear of a property should also be exempted from Rule 14.5.3.1.3 RD14.

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<sup>55</sup> Or, considering the alternate wording recommended by Ms Oliver, by not adequately maintaining or protecting the specific characteristics of these parts of the urban environment, nor the contribution they make to a strong sense of place.

### ***Specific Built Form Standards***

8.4.34 Having above considered the overall approach to the rule framework for RCAs, this section considers the specific built form standards proposed. This is because in addition to the overall approach, I note that there is also a need to consider the individual built form standards in order to ensure that they are limited only to modifications to the MDRS necessary to accommodate the RCA QM.

8.4.35 A number of submitters seek changes to specific built form standards. These include:

- a. Removing the requirement (from Rule 14.5.3.1.3 RD14 (b) iii) for smaller accessory buildings to be located to the rear of the main residential unit in order for them to be permitted, as this is considered to be particularly onerous (Michael Fisher S127.1).
- b. Not allowing accessory buildings to be built on or near property boundary line, if maintenance of such buildings would necessitate the owner going on to next door property to facilitate such repairs (Addington Neighbourhood Association S205.12).
- c. Increasing the permitted limit for the demolition / removal of a building from 30m<sup>2</sup> to 36m<sup>2</sup> (in Rule 14.5.3.1.3 RD14 (a)), to allow removal of a standard kitset double garage without the need for consent (noting only a smaller replacement of 30m<sup>2</sup> or less would be permitted) (Megan Power S769.4).
- d. Allowing for demolition of existing buildings in RCAs (Waka Kotahi S805.4, 805.5)
- e. Retention of the current 8m height limit applying in the Beckenham RCA, as the proposed lower limit (in Rule 14.5.3.2.3 b. iii. and iv.) makes development and alteration in the Beckenham character area more onerous than the current accepted height limit (Michael Fisher S127.2).
- f. Amending the height limits (in Rule 14.5.3.2.3 iii, iv and v) to enable new development to fit in with their immediate street neighbours, given the heights of buildings in these areas are varied (New Zealand Institute of Architects Canterbury Branch S762.21).
- g. Adopting the MDRS in relation to height and recession planes, but applying stricter limits on site coverage and front setbacks instead, as there are two-three storey houses in some Character Areas<sup>56</sup> which define the character of these areas, which would almost breach the existing height limits and recession planes for these areas (but likely meet the

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<sup>56</sup> I note the submissions refers to "Heritage Areas", but the areas referred to appear to relate to Character Areas.

MDRS standards), making sympathetic alterations or replacement of non-heritage buildings with housing which better fits the character very difficult (James Carr S519.7, S519.26).

- h. Amending the minimum building width facing the street (in Rule 14.5.3.2.5 b. and c.) to allow for variation where the proposed development matches its setting, as these may be larger than equivalent measurements on original character bungalows. Allowing some flexibility to match the site could be effective at protecting street scene with less restriction on the design of new housing. (Beckenham Neighbourhood Association Inc S733.5)
- i. Reducing the width of the landscaping strip (in Rule 14.5.3.2.6) from 2m to 1m, and removing the requirement for this to include trees of a minimum height (Megan Power S769.6) as the height requirement may cause shading, and 1m width is considered sufficient.
- j. Amending the front setback requirements (in Rule 14.5.3.2.8 a. i.) to exempt compliance where adjacent residential units are closer to the front boundary, on the basis that the 8m setback is a blunt tool and does not align with the current design guidance for the Beckenham RCA, which specifies that dwellings can line up with adjacent dwellings to keep a consistent street scene (Michael Fisher S127.3).
- k. Amending the building setback from street (in Rule 14.5.3.2.8 a. i.) to allow for variation where the proposed development matches its setting, for example where neighbouring original houses are set back less than 8m. Allowing some flexibility to match the site could be effective at protecting street scene with less restriction on the design of new housing (Beckenham Neighbourhood Association Inc S733.5).
- l. Reducing the side and rear yards to 1m (in Rule 14.5.3.2.8 a. ii. and iii.), as the proposed 2m and 3m side and rear setbacks for the Beckenham RCA are considered overly onerous, particularly given the RCA has been reduced, meaning that some side and rear properties are now not subject to the same setbacks and can build 1m from boundaries (Michael Fisher S127.4).
- m. Reducing the side and rear yards to 1m (in Rule 14.5.3.2.8 a. i. ii. and iii.), for garages and sheds, to be more compatible with the direction in some Character Areas to place garages to the rear of the main dwelling on the site and maintain the open space within the site (Megan Power S769.7).

- n. Increasing building coverage (in Rule 14.5.3.2.9) to 50%, as this standard is considered onerous, when coupled with other built form standards in the Beckenham RCA (Michael Fisher S127.5).
- o. Amending the minimum building floor areas (presumed to relate to building coverage in Rule 14.5.3.2.9) to allow for variation where the proposed development matches its setting, as the standard may be more restrictive than that of original character bungalows. Allowing some flexibility to match the site could be effective at protecting street scene with less restriction on the design of new housing. (Beckenham Neighbourhood Association Inc S733.5)
- p. Amending the additional minimum glazing areas of 30% - 40% in Rule 14.5.3.2.11 b. and c. because this requirement may inhibit thermal performance (New Zealand Institute of Architects Canterbury Branch S762.20).
- q. Amending the site density and site coverage built form standards applying in the Lyttelton RCA (Rules 14.8.3.2.2(a) and 14.8.3.2.4(a)) to those currently applying (250m<sup>2</sup> and 60% respectively (Canterbury / Westland Branch of Architectural Designers NZ S685.77, S685.78; Mitchell Coll S720.43, S720.44; New Zealand Institute of Architects Canterbury Branch S762.27).

8.4.36 At a broader level, Te Hapū o Ngāti Wheke (Rāpaki) Rūnanga (S695.8, S695.16, S695.17, S695.18, S695.19, S695.20, S695.21) seek amendments to the provisions applying in the Lyttelton RCA to enable Rāpaki Rūnanga to develop ancestral land, in order to and give effect to section 6(e) of the RMA and in accordance with s80E(1)(b)(ii) of the RMA; and more specifically to exempt land held as Māori Land within the Lyttelton RCA from complying with the built form standards. They are concerned that application of the additional built form standards in relation to properties in the RCA is overly restrictive on development in its takiwā. Kāinga Ora (S834.38, S834.39, S834.40, S834.41, S834.42, S834.43, S834.44, S834.45, S834.46, S834.47, S834.48, S834.49, S834.50, S834.51) also seek that if RCAs are retained, that the ability to develop Papakāinga/Kāinga Nohoanga is provided. It is concerned about the introduction of heritage related provisions, which are ethnocentric and do not provide for a Ngāi Tahu worldview, within its takiwā and the potential further development constraints in terms of enabling papakainga/ kāinga nohoanga. However, it is not clear to me what changes are more specifically sought, for example, removal of the Lyttelton RCA, or changes to the provisions.

8.4.37 Megan Power (S769.3, S769.5, S769.7, S769.8) seeks a range of changes to the standards applying to the Beckenham character area, largely such that various standards are not applied to rear sites or those located on private lanes in this Character Area. These are sought in conjunction with the submitter's request (outlined earlier) to retain the boundaries of this area contained in the Operative District Plan. The intention of the changes sought is therefore to apply the rule framework to all rear and mid-block sites which are currently included in the Area, while amending the approach to recognise the different contribution that sites fronting the road make to the character of the area compared to rear and mid-block sites. They state that the approach will enable a level of development commensurate with the contribution and thereby allowing new housing to be built while protecting the character of the area. For the reasons outlined earlier, I have not recommended that the extent of the Beckenham Character Area is changed, and therefore in my view, the changes sought to these standards are not appropriate.

8.4.38 Jeanne Cooper (S1031.1) is concerned about the impact of higher density development adjoining RCAs, on those RCAs, in terms of reduced sunlight, increased hard surfaces and impacts of parking. The submitter seeks application of buffer zones where RCAs meet more intensive housing. In my view, applying a buffer area, or additional controls outside the RCAs would have the effect of applying a qualifying matter to those properties, and I do not consider that this would meet the tests under sections 77J or 77L of the RMA.

8.4.39 Ms Rennie has provided evidence on a number of these matters, which has informed the evaluation of these which is set out below:

- a. The requirement for smaller accessory buildings to be located to the rear of the main residential unit reflects that a key characteristic of many RCAs is spacious front yards, with generally low fencing, lawn areas and planting. Locating accessory buildings in this area therefore has the potential to undermine the spacious and open character resulting from this. I therefore do not agree with removing this requirement, as I agree with Ms Rennie that the potential effects on the values of RCAs from this type of development warrants a consent pathway.
- b. Taking into account the reasons Ms Rennie's has given for imposing a control on demolition, being largely to capture main residential units, I am comfortable with her recommendation to increase the threshold to 36m<sup>2</sup>, noting that this would allow for removal of double garages without resource consent. As noted by both Ms Rennie and the submitter, this is separate to the threshold proposed for the establishment of a new accessory building. I do not agree with permitting demolition of any existing buildings in

RCA, as this would allow for the removal of existing dwellings with a primary classification, without consideration of the effects of this on the character of the area, or the appropriateness of any replacement buildings. I note that this does not preclude an applicant applying for a consent for demolition as part of a redevelopment proposal.

c. Height –

- a. notwithstanding that the current height limit may be 8m, as Ms Rennie notes, the actual height of dwellings in these areas is lower, and height is a key attribute in her view to achieving a cohesive character. As such, height is one of the attributes which contribute to the special character values which Policy 14.2.5.9 directs is maintained and enhanced. Like Ms Rennie, I do not agree that it is appropriate to retain a higher height limit of 8m, just because dwellings could theoretically be built up to that height at present, as this would not retain the existing continuity or coherence of the character. However, I note Ms Rennie supports a smaller increase in the height limit (from 5.5m to 6.5m) in the Beckenham RCA (and other RCAs with the same height limit). Given her recommendation is based on this higher height remaining broadly consistent with these areas, I am comfortable that this increase is appropriate to enable greater height, without compromising the values that make these areas special.
- b. as detailed by Ms Rennie, the height limits in the RCAs referred to by Mr Carr are higher and reflect the existing height of dwellings in these areas, allowing for two storey development with steeply pitched and gable rooves. Ms Rennie also notes that the MDRS height limit would enable three storey development, which she does not consider would be generally consistent with the values of these areas. Ms Rennie has identified that increasing the height limit to 8m (from 7m), would still maintain consistency across the RCA. Again, I am comfortable that this increase is appropriate to enable greater height, without compromising the values that make these areas special.
- c. sympathetic alterations or replacement of non-heritage buildings which breach the height limits can be assessed on a case-by-case basis through the consent process. I consider that to be more appropriate than applying a higher height limit that could compromise the character values.
- d. Flexibility (including in relation to building heights, widths, setbacks from the street and building coverage) – I consider it important that the built form standards are sufficiently



certain that it is clear whether they are met or not. I therefore consider that there is a difficulty with applying a standard that is not a fixed measurement, and relies on measurements of neighbouring properties. As detailed by Ms Rennie, the proposed standards are intended to retain important characteristics of the built form and landscape elements that contributes to the values of these areas and therefore provide a baseline for what type of development is expected to be appropriate in terms of the characteristics of each RCA. Development beyond this baseline can still be considered through a consent process, including the immediate context of any site, noting Ms Rennie's comments that some existing development does not necessarily reflect the predominant overall character of these areas. I note that Ms Rennie has reviewed the front setback standard specific to Beckenham and recommends a slight reduction to 7m. I agree with her recommendation, because it is more enabling, while still expected to retain the predominant character in this RCA and therefore the values of the area.

- e. Landscaping Width and rear yard setback – Ms Rennie notes that landscaping on properties generally contributes to the overall character of these areas, with the rear landscaping strip and inclusion of medium scale trees helping to achieve a level of openness and visual separation between buildings, which a reduction in the width of the landscaping strip (and rear yard setback) or size of trees may not maintain. On this basis, I support retention of the 2m width for landscaping, 3m rear yard setback, and requirement for a minimum tree height.
- f. Setbacks - I consider that maintenance of buildings is a matter that sits outside the District Plan, and in any case, those applying in RCAs are generally larger than those which would otherwise apply under the MDRS. While I accept that the standard is more onerous than that otherwise applying under MDRS, I consider it important to note that the purpose of the increased setback is to maintain continuity and consistency in built form in each RCA. Reducing the setback could therefore risk development being inconsistent with Policy 14.2.5.9. I consider this is the case whether the building is a dwelling or a garage or shed. With particular regard to the Beckenham RCA, I do not consider that just because some properties have been removed from the area, and which are subject to lesser setbacks, that this justifies lesser setbacks being applied within the RCA. I do however note that Ms Rennie has reconsidered the specific standard applied to the Beckenham RCA and recommend that the side yard requirement be amended to provide for a 1m (rather than 2m) setback on one side, while retaining 3m on the other.

Again, I accept her recommendation, on the basis that it is more enabling, while still expected to retain the predominant character.

- g. Coverage - While I accept that the standard is more onerous than that otherwise applying under MDRS (except in Lyttleton), I consider it important to note that the purpose of the building coverage limitation is to maintain an appropriate balance between buildings and open space. I also note Ms Rennie's comment that some properties have lower built coverage and therefore note that the standard does allow for further development/coverage, but at a level that maintains a spacious feeling. I do not consider that this is sufficiently managed by other standards. I note that Ms Rennie has however identified that the specific limit proposed – of 35% - does not reflect the limit recommended in the technical assessments undertaken and that it should be increased to 40%, consistent with that. Noting that neither the original technical assessment, nor Ms Rennie support the lower 35% limit proposed in PC14 (except in relation to Englefield and Bewdley) I recommend this is increased. Similarly, with respect to Lyttelton, while the 50% limit proposed in PC14 is the same as MDRS – at 50% - this is a decrease on that currently applying, and the technical assessment supported continuation of a 60% limit. Ms Rennie also supports a 60% limit because of the conclusions in the previous technical assessment. I note that this standard as notified in PC14 applies to both the RCA and RHA. based on the technical assessment I recommend a higher limit of 60% is applied within the RCA, requiring an amendment to the rule to limit the increase to within this area.
- h. Recession Planes – No change is required in response to Mr Carr's submission as there is no specific recession plane rule applying to RCAs (i.e. those of the underlying zone apply without modification).
- i. Glazing – The purpose of the glazing requirement is to maintain coherence and consistency in the extent of glazing, which is an element of built character.<sup>57</sup> I consider this is appropriate to align with Policy 14.2.5.9 and is not negated by potential impacts on thermal performance. Notwithstanding this, Ms Rennie's view is that the glazing requirement might be better suited as an assessment matter, noting as this already refers to architectural detailing including windows. As the standard would not apply to

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<sup>57</sup> Section 32 Report, Appendix 37 - *Technical Analysis of Proposed Character Area Provisions*, Christchurch City Council, 19 January 2023, p. 12, p 7-8.

those activities controlled under the Rule 14.5.3.1.2 C1, I have therefore recommended above that this standard be deleted.

- j. Site density in Lyttelton – Ms Rennie notes that many of the sites in Lyttelton that include the characteristic cottages are narrow in width but have 400-500m<sup>2</sup>. She considers that respecting this varied pattern of development is important in maintaining values and that the 450m<sup>2</sup> density proposed is appropriate to conserve the character values and enable sufficient space to address sloping sites.

8.4.40 With respect to amendments sought to exempt land held as Māori Land within the Lyttelton RCA from complying with the built form standards, I have concerns that such an approach would allow for development within the RCA that would not align with Policy 14.2.5.9, and that this in turn could undermine the integrity and cohesiveness of the RCA as a whole. In particular, in other RCAs where I have or have not recommended changes to the RCA boundaries in this report (for example Englefield and Dudley RCAs), this has been based on Ms Rennie's assessment of what the impact such changes would have on the integrity of these areas. It is unclear what the impact of exempting all Māori Land would have, but I consider that there is a risk that in absence of being able to undertake an assessment, that the overall RCA would be compromised. I therefore have concerns that the potential costs in terms of the impact on the values of the RCAs that such an exemption might have, may not outweigh the benefits of exempting such land.

8.4.41 With respect to providing the ability to develop Papakāinga/Kāinga Nohoanga, I do not consider that this is precluded by the rules; however within the RCA it would require resource consent to consider the built form and landscape elements of any such proposal. I am however, also cognisant of the changes recommended to the objective and policy framework by Mr Kleynbos, particularly in terms of ensuring the provisions appropriately recognise the housing needs of Ngāi Tahu whānui and the benefits of providing housing suited to them within relevant residential zones (Objectives 14.2.1.3 and 14.2.5, recommended Policy 14.2.3.9 and 14.2.5.8).

8.4.42 I consider it would be appropriate to address this by adding an additional assessment matter to Rule 14.15.27 in relation to Lyttelton, that would be specific to the development of Papakāinga/Kāinga Nohoanga, and which would allow for consideration of the housing needs of Ngāi Tahu whānui alongside the character area values, as well as the impact of a proposal on the integrity and cohesiveness of the RCA as a whole. This would address my concern above – regarding how such development might impact the overall integrity and cohesiveness of the RCA, through

requiring consideration of this through the consent process, while better recognising and providing for the needs of Ngāi Tahu whānui.

### **Summary**

8.4.43 Overall, having regard to the technical assessments included in the s32 report<sup>58</sup>, as well as Ms Rennie’s evidence, and the evaluation of the notified PC14 amendments against the relevant District Plan objectives and policies, I am of the opinion that the suite of built form standards proposed in PC14 are generally appropriate. However, as set out above, Ms Rennie has identified various changes that could be made to specific standards, which would be more enabling of development, while still maintaining the character values of importance to these areas. I agree with Ms Rennie that it is appropriate to make these changes, as they will result in standards that are more inefficient, while still being effective at achieving the outcomes sought. Having considered these changes under s32AA, I consider that the amendments recommended do not affect the general conclusions of the original s32 evaluation.<sup>59</sup>

### **Recommendation**

8.4.44 I recommend that:

- a. The rule framework for activities within RCAs (including Rules 14.5.3.1.1 P4, 14.5.3.1.2 C1 and 14.5.3.1.3 RD6, 14.5.3.1.3 RD14, 14.8.3.1.1 P5, 14.8.3.1.2 C3, 14.8.3.1.3 RD3, RD5, RD6, RD7, RD8, RD9, RD10 and RD11) are generally **retained** (noting amendments recommended below).
- b. Rule 14.5.3.1.2 C1 is **amended** so that it also applies to additions which are less than 30m<sup>2</sup> in area and 5m in height, are not visible from the street or involve the front façade and meet the applicable built form standards;
- c. Rule 14.5.3.1.3 RD14 is **amended** to:
  - increase the permitted size for demolition of buildings in a. from 30m<sup>2</sup> to 36m<sup>2</sup>.
  - provide an additional exemption in b. for alterations to an existing building which are not visible from the street or made to the front façade.

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<sup>58</sup> Section 32 Report, Part 2 – Qualifying Matters (District Plan Chapters 6, 8, 9, 13, 14, 18): Appendix 21, *Investigation of Qualifying Matters – Ōtautahi Christchurch Suburban Character Areas*, Boffa Miskell Ltd, 1 June 2022; Appendix 22, *Investigation of Qualifying Matters – Ōtautahi Christchurch Suburban Character Areas – Stage 2A Addendum Report*, Boffa Miskell Ltd, 22 July 2022; Appendix 23, *Investigation of Qualifying Matters - Lyttelton Character Area*, Boffa Miskell Ltd, 22 July 2022; , Appendix 36 – *Planning Assessment of District Plan Character Areas*, Christchurch City Council, 20 February 2023; Appendix 37 - *Technical Analysis of Proposed Character Area Provisions*, Christchurch City Council, 19 January 2023.

<sup>59</sup>Section 32 Report, Part 2 – Qualifying Matters (District Plan Chapters 6, 8, 9, 13, 14, 18), p. 346 – 353.

- explicitly require compliance with built form standards 14.5.3.2.3 (Building height), 14.5.3.2.5 (Front entrances and façades), 14.5.3.2.8 (Setbacks), 14.5.3.2.9 (Building coverage) 14.5.3.2.13 (Garaging and carport building location) and 14.5.3.2.14 (Internal separation in character areas).
- d. 14.5.3.2.3 (Building height) is **amended** to:
- amend the height limit in iv, applying to various RCAs, from 5.5m to 6.5m.
  - amend the height limit in iii, applying to Heaton and Cashmere, from 7m to 8m.
- e. 14.5.3.2.8 (Setbacks) is **amended** in relation to the Beckenham Character Area to:
- reduce the front yard setback from 8m to 7m.
  - apply a 1m and 3m side yard setback.
- f. 14.5.3.2.9 (Building coverage) is **amended** to increase the building coverage in all RCAs except Englefield and Bewdley from 35% to 40%.
- g. 14.5.3.2.10 (Outdoor living space per unit) is **deleted**.
- h. 14.5.3.2.11 (Windows to street) is **deleted**.
- i. 14.5.3.2.14.c. (Internal separation, and relating to setbacks from shared access) is **deleted**.
- j. Rule 14.8.3.2.4 (Site coverage) is **amended** to increase the building coverage to 60% within the Lyttelton RCA.
- k. Rule 14.15.27 (Character Area Overlay) is **amended** to add specific reference to Papakāinga/Kāinga Nohoanga

8.4.45 I therefore recommend that:

- a. Property Council New Zealand’s submission S242.20, Canterbury / Westland Branch of Architectural Designers NZ S685.78, Mitchell Coll’s submission S720.44, Megan Power’s submission S769.4, are accepted; and
- b. Rex Drummond’s submission 18.1, Hilton Smith’s submission S98.2, Ezzie Smith’s submission S99.2, Murray Walsh’s submission S123.1, Deborah Brown’s submission S124.2, Simon Brown’s submission S125.2, Chris Wells’ submission S126.2, Michael Fisher’s submissions S127.4 & S127.5, Catharina Schupbach’s submission S217.1, Kate Gregg’s submissions S381.12 & S381.22, James Carr’s submission S519.7 & S519.26, Murray Cullen’s submissions S630.4 & S630.5, Lawrence & Denise May’s submission S665.5, Te Hapū o Ngāti Wheke (Rāpaki) Rūnanga’s submission S695.8, Ann-Mary & Andrew Benton ‘s submission S698.4, Christian Jordan’s submission S737.11, New

Zealand Institute of Architects Canterbury Branch's submissions S762.20 & S762.27, Beckenham Neighbourhood Association Inc's submissions S773.4 & S773.5, Historic Places Canterbury's submission S835.21, Lyttelton Port Company Limited's submission S853.9, Melissa Macfarlane's submissions S1003.15 & S1003.16, are accepted in part; and

- c. Michael Fisher's submissions S127.1, S127.2 & S127.3, Addington Neighbourhood Association's submission S205.12, Canterbury / Westland Branch of Architectural Designers NZ's submission S685.77, Te Hapū o Ngāti Wheke (Rāpaki) Rūnanga's submissions S695.16, S695.17, S695.18, S695.19, S695.20, S695.21, Mitchell Coll's submission S720.43, New Zealand Institute of Architects Canterbury Branch's submission S762.21, Megan Power's submissions S769.3, S769.5, S769.6, S769.7 & S769.8, Waka Kotahi NZ Transport Agency's submission S805.5, Kāinga Ora's submissions S834.38, S834.39, S834.40, S834.41, S834.42, S834.43, S834.44, S834.45, S834.46, S834.47, S834.48, S834.49, S834.50 & S834.51, OCHT's submissions S877.9, S877.10, S877.11, Jeanne Cooper's submission S1031.1, are rejected.

## **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 the Residential Character Area provisions will be listed in the appropriate sections of this s42A report.
- 9.1.3 The recommended amendments are set out in the tracked changes versions of the applicable chapters, which are provided at Appendix C.

## **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 Plan Change 14 Residential Character Area provisions, with the amendments I am suggesting, will:
  - a. result in amended rules that better implement the policy applying in these areas;
  - b. give effect to relevant higher order documents, in particular the NPS-UD and RPS; and

- c. 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 Section 32AA evaluation included throughout this report, I consider that the proposed provisions, with the recommended amendments, will be the most appropriate means to:

- a. Achieve the purpose of the Resource Management Act 1991 (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 PDP, in respect to the proposed provisions.

10.1.3 I recommend therefore that:

- a. Plan Change 14 be approved with modifications as set out in the attached Appendix C; and
- b. Submissions on the Plan Change be accepted or rejected as set out in Appendix B to this report.

## APPENDIX A – SECTION S77J AND S77L ASSESSMENT OF INCLUSION OF CASHMERE VIEW AS A RESIDENTIAL CHARACTER AREA

### Character Area: Cashmere View

Section	Matter addressed	Assessment
77J(3)(a)(i); 77L(a); 77L(c)(i)	Why the area is subject to a qualifying matter.	<p>The following have been identified as the key elements, which in combination contribute to the distinctiveness and sense of place of the Cashmere View Character Area:<sup>60</sup></p> <ul style="list-style-type: none"> <li>• Predominantly original dwellings from early to mid 20<sup>th</sup> century (particularly 1925-1945).</li> <li>• Retained architectural detailing.</li> <li>• Predominantly low fencing with high fencing present.</li> <li>• Good connectivity with the street, including a few front garages.</li> <li>• Consistent setbacks.</li> <li>• Established front and side gardens.</li> </ul>
77J(3)(a)(i) & 77L(b)	Why the qualifying matter is incompatible with the level of development permitted by the MDRS (as specified in Schedule 3A) or as provided for by policy 3 for that area, and in light of the national significance of urban development and the objectives of the NPS-UD.	<p>Technical analysis has identified that the level of development permitted by the MDRS or as provided for by Policy 3 of the NPS-UD, would be inappropriate in this Character Area, as it would not maintain the special characteristics and values attributed to this Character Areas; nor retain its value as a whole.<sup>61</sup> Otherwise progressing with the intensification direction would result in:<sup>62</sup></p> <ul style="list-style-type: none"> <li>• Loss of the original dwelling.</li> <li>• Scale/dominance of new/additional building.</li> </ul>

<sup>60</sup> Statement of Primary Evidence of Jane Maree Rennie of Behalf of Christchurch City Council, Residential Character Areas, 11 August 2023, Appendix 1, p. 8-9.

<sup>61</sup> Investigation of Qualifying Matters - Ōtautahi Christchurch Suburban Character Areas, Boffa Miskell, 1 June 2022, p. 7.

<sup>62</sup> Investigation of Qualifying Matters - Ōtautahi Christchurch Suburban Character Areas, Boffa Miskell, 1 June 2022, p. 8.



		<ul style="list-style-type: none"> <li>• Garage/manoeuvring area/parking located within the front yard and the associated visual impact, effects on vegetation and loss of connection to the dwelling.</li> <li>• Increase in site coverage, with an associated loss in space and vegetation, including a sense of openness and spaciousness.</li> <li>• Loss of sight lines and view lines to the rear.</li> <li>• Loss of large-scale vegetation.</li> <li>• Front yard open space/privacy conflict and loss of visual connection with the street, with an increase in the height of fencing.</li> <li>• Multiple vehicle accessways from the street impacting on the continuity of the streetscape.</li> </ul> <p><b><i>Assessment against the relevant NPS-UD objectives</i></b></p> <p><u>Objective 1:</u> The values associated with the Character Area contribute to the wellbeing of the community and to a well-functioning urban environment. Development permitted by the MDRS would compromise these values.</p> <p><u>Objective 2:</u> The loss of development capacity resulting from this Character Area being identified as a qualifying matter will have limited impact on the overall opportunities for residential intensification, and therefore will not have a detrimental impact on competitive land and development markets. The degree of loss is offset by the significant amount of further development capacity plan change 14 proposes.</p> <p><u>Objective 3:</u> The extent of the Cashmere View Character Area is not in near proximity to a commercial centre, is not within a significant public transport corridor, and has not been identified within an area that has high housing demand.</p> <p><u>Objective 4:</u></p>
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		There is still a level of development enabled in the Character Area, which will allow for it to develop and change over time in response to the needs of people and the community, while still maintaining those characteristics of value to the community in this area.
77J(3)(b)	The impact that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity.	The Cashmere View Character Area totals 43 residential sites. The proposed Character Area controls will allow for approximately 12 additional residential units (assuming between 10-15 households per hectare). This is compared to a theoretical maximum of approximately 153 units that could be developed under the MDR provisions (assuming 80 households per hectare), resulting in a total estimated theoretical lost development capacity of about 131 residential units.
77J(3)(c)	The costs and broader impacts of imposing those limits.	The key cost and broader impact of imposing the limits in this Character Area is that it reduces housing choice and availability of land for new development within this area.
77J(4)(b) & 77L(c)(ii)	How modifications to the MDRS as applied to the relevant residential zones are limited to only those modifications necessary to accommodate qualifying matters and, in particular, how they apply to any spatial layers relating to overlays, precincts, specific controls, and development areas, including— <ul style="list-style-type: none"> <li>• any operative district plan spatial layers;</li> <li>• any new spatial layers proposed for the district plan; and</li> <li>• the specific characteristic on a site-specific basis to determine the geographic area where intensification</li> </ul>	The proposed Character Area controls (set out below), are those which have been determined as being appropriate to allow for some further residential intensification in line with the NPS-UD objectives, while still retaining the integrity of this Character Area. The specific controls also align with the MDRS provisions as far as practicable. <sup>63</sup>  The Character Area has been spatially defined through a review undertaken by Boffa Miskell. <sup>64</sup> This involved: <ul style="list-style-type: none"> <li>• Undertaking a desktop analysis and site visit of the area, based on the submissions received.</li> <li>• Confirming the boundaries of the Character Area generally based on whether at least 50% of sites were ranked as Primary and generally a further 30% Contributory.</li> </ul>

<sup>63</sup> Section 32 Report, Part 2 – Qualifying Matters (District Plan Chapters 6, 8, 9, 13, 14, 18) Appendix 37 - *Technical Analysis of Proposed Character Area Provisions*, Christchurch City Council, 19 January 2023.

<sup>64</sup> *Statement of Primary Evidence of Jane Maree Rennie of Behalf of Christchurch City Council, Residential Character Areas*, 11 August 2023, Appendix 1.

needs to be compatible with the specific matter.

The outcome of this is the recommended inclusion of a new Cashmere View Character Area. A total of 43 sites will have the following Character Area overlay controls applied to them.

Standard	MDRS & MRZ Controls	Cashmere View Character Area
Activity Status (where standards are met) for residential units	Permitted: up to 3 units per site	Permitted: interior conversion of an existing residential unit into two residential units  Controlled: single residential unit located to the rear of an existing residential unit  Restricted Discretionary: any other residential unit
Units per site	3	2
Minimum net site size	400m <sup>2</sup> [proposed in MRZ vacant allotment size]	600m <sup>2</sup>
Height	11m + 1m (roof)	6.5m
Height in relation to boundary	4m & 60°	<i>As per underlying zone</i>
Road boundary setback	1.5m	8m
Internal boundary setbacks	1m	2m on one side and 3m on the other
Rear boundary setbacks	1m	3m

		Building coverage	50%	40%
		Minimum building frontage to street	N/A	60%
		Minimum outdoor living space	20m <sup>2</sup> 3m minimum dimension	<i>As per underlying zone</i>
		Outlook Space	4m x 4m for principle living room and 1mx1m for all other habitable rooms.	<i>As per underlying zone</i>
		Minimum windows to street (glazing)	20%	<i>As per underlying zone</i>
		Ground floor habitable room	50% of any ground floor area as habitable rooms [MRZ proposal]	<i>As per underlying zone</i>
		Minimum landscaped area	20%	20% Plus a 2m strip along the rear boundary and a 3m landscape strip along front boundary.
		Maximum fencing height (front boundary)	50% to maximum 1.5m [MRZ proposal]	1.2m
		Garage & carport building location	Detached garage or carport located 1.2m behind front façade	Garages and carports whether separate or integrated to be to the rear of the dwelling, or if at the

			of a residential unit [MRZ proposal]	side to be a minimum of 5m behind the main front façade of the building.
		Max. paved access width per site.	N/A	3.6m, or 4.8m where including a 1.2m pedestrian access.
		Min. building separation on a site (excluding garages)	N/A	5m
77L(c)(iii)	An appropriate range of options to achieve the greatest heights and densities permitted by the MDRS (as specified in Schedule 3A) or as provided for by policy 3 while managing the specific characteristics.	The MDRS were used as a baseline for the assessment undertaken of the Character Areas. The initial assessment of Character Areas undertaken by Boffa Miskell identified a potential set of parameters based on individual attributes assessed for each of the Character Area typologies. Consideration was also given as to how to incentivise the retention of values that make a primary contribution to a Character Area, given their importance to the integrity and coherence of the Character Area values. Modelling was then undertaken to consider the combination of built form standards, to determine the combination of these which would allow for an increase in density, without the loss of character values <sup>65</sup> . The results of this are reflected in the proposed controls summarised in the table above.		

<sup>65</sup> Section 32 Report, Part 2 – Qualifying Matters (District Plan Chapters 6, 8, 9, 13, 14, 18) Appendix 37 - *Technical Analysis of Proposed Character Area Provisions*, Christchurch City Council, 19 January 2023.

APPENDIX B - TABLE OF SUBMISSIONS WITH RECOMMENDATIONS AND REASONS

Submitter	Submission No.	Decision No.	Request	Decision Sought	Recommendation and Reasons
Polly Grainger	<b>S1</b>	<b>S1.1</b>	Support	Seek that Bewdley Street and Evesham Crescent (Barrington) be added to the Residential Character Areas list.	Accept I recommend that the proposed RCA for Bewdley is retained.
Martin Jones	<b>S15</b>	<b>S15.6</b>	Seek Amendment	Introduce a new Residential Character Area over Cashmere View Street.	Accept Ms Rennie has assessed this area using the methodology applied to RCAs, and concluded that Cashmere View Street meets the criteria to be a RCA. As the area is not one to which Policy 3 of the NPS-UD applies, I consider it appropriate to identify it as an RCA, with accompanying built form standards.
Rex Drummond	<b>S18</b>	<b>S18.1</b>	Seek Amendment	Resource consent should be required for any development within a Residential Character Area.	Accept in part The changes I have recommended to the provisions do not generally alter the circumstances in which consent is required. However some development is permitted, and I consider permitting such activities remains appropriate.
		<b>S18.2</b>	Seek Amendment	Fairview Street (Cashmere) should be within a Residential Character Area.	Reject Ms Rennie has assessed this area using the methodology applied to RCAs, and concluded that it does not meet the criteria to be a RCA.

Submitter	Submission No.	Decision No.	Request	Decision Sought	Recommendation and Reasons
Patricia Dench	<b>S19</b>	<b>S19.3</b>	Seek Amendment	Fairview Street should be within a Residential Character Area.	Reject Ms Rennie has assessed this area using the methodology applied to RCAs, and concluded that it does not meet the criteria to be a RCA.
Les Drury	<b>S20</b>	<b>S20.3</b>	Seek Amendment	1/19 Fairview Street should be within a Residential Character Area.	Reject Ms Rennie has assessed this area (including this site) using the methodology applied to RCAs, and concluded that it does not meet the criteria to be a RCA.
Christine Parkes	<b>S25</b>	<b>S25.2</b>	Seek Amendment	That the area of Cashmere View St, Fairview St and nearby Ashgrove Tce be [included in] a [residential] character area.	Accept in part Ms Rennie has assessed this area using the methodology applied to RCAs, and concluded that only Cashmere View Street meets the criteria to be a RCA. As the area is not one to which Policy 3 of the NPS-UD applies, I consider it appropriate to identify it as an RCA, with accompanying built form standards. As the remaining areas do not meet the criteria, I do not recommend an RCA is applied to them.
Steve Parkes	<b>S27</b>	<b>S27.2</b>	Seek Amendment	That the area of Cashmere View St be identified as a suburban [residential] character area.	Accept Ms Rennie has assessed this area using the methodology applied to RCAs, and concluded that Cashmere View Street meets the criteria to be a RCA. As the area is not one to which Policy 3 of the NPS-UD applies, I consider it appropriate to identify it as an RCA, with accompanying built form standards.

Submitter	Submission No.	Decision No.	Request	Decision Sought	Recommendation and Reasons
Joanne Knudsen	<b>S33</b>	<b>S33.3</b>	Support	Support the identification of Bewdley Street and Evesham Crescent within the Residential Evesham/Bewdley Character Area.	Accept I recommend that the proposed RCA for Bewdley is retained.
		<b>S33.4</b>	Support	Support the identification of Roker Street as in the Residential Roker Character Area.	Accept I recommend that the proposed RCA for Roker is retained.
		<b>S33.5</b>	Support	Support the identification of Ryan Street as within the Residential Ryan Character Area.	Accept I recommend that the proposed RCA for Ryan is retained.
Keith Shaw	<b>S35</b>	<b>S35.1</b>	Support	Retain 23 Birdwood Avenue in a Residential Character Area.	Accept No changes are recommended to the Beckenham RCA.
Sharina Van Landuyt	<b>S41</b>	<b>S41.4</b>	Support	Support[s] the proposal to include Ryan Street within a Residential Character Area.	Accept I recommend that the proposed RCA for Ryan is retained.
Michael Down	<b>S42</b>	<b>S42.1</b>	Support	Support inclusion of Evesham Crescent and Bewdley Street in a Residential Character Area.	Accept I recommend that the proposed RCA for Bewdley is retained.
Thomas Calder	<b>S62</b>	<b>S62.1</b>	Seek Amendment	Include Helmores Lane, Desmond Street and Rhodes Street (to Rossall Street) as a Residential Character Overlay Area.	Reject Ms Rennie has assessed this area (including this site) using the methodology applied to RCAs, and concluded that it does not meet the criteria to be a RCA.
Melissa and Scott Alman	<b>S86</b>	<b>S86.1</b>	Seek Amendment	Identify Helmores Lane, Desmond Street and Rhodes Street (to Rossall Street) as a Residential Character Area.	Reject Ms Rennie has assessed this area (including this site) using the methodology applied to RCAs, and



Submitter	Submission No.	Decision No.	Request	Decision Sought	Recommendation and Reasons
					concluded that it does not meet the criteria to be a RCA.
Andrew Laurie	<b>S92</b>	<b>S92.1</b>	Seek Amendment	The area near and including Ashgrove Tce, Fairview St and Cashmere View St should be a Heritage Value Residential Character zone, and a resource consent should be required before any development can proceed.	Accept in part Ms Rennie has assessed this area using the methodology applied to RCAs, and concluded that only Cashmere View Street meets the criteria to be a RCA. As the area is not one to which Policy 3 of the NPS-UD applies, I consider it appropriate to identify it as an RCA, with accompanying built form standards. As the remaining areas do not meet the criteria, I do not recommend an RCA is applied to them.
Hilton Smith	<b>S98</b>	<b>S98.2</b>	Seek Amendment	[Re: Character Areas] Proposes to introduce a resource consent requirement as a restricted discretionary activity.	Accept in part PC14 already includes a restricted discretionary consent pathway within RCAs in specified circumstances. The changes I have recommended to the provisions do not generally alter the circumstances in which consent is required. However some development is permitted, and I consider permitting such activities remains appropriate.
Ezzie Smith	<b>S99</b>	<b>S99.2</b>	Not stated	[Re: Character Areas] Proposes to introduce a resource consent requirement as a restricted discretionary activity.	Accept in part PC14 already includes a restricted discretionary consent pathway within RCAs in specified circumstances. The changes I have recommended to the provisions do not generally alter the circumstances in which consent is required. However some development is

Submitter	Submission No.	Decision No.	Request	Decision Sought	Recommendation and Reasons
					permitted, and I consider permitting such activities remains appropriate.
Ros Pheloung	<b>S101</b>	<b>S101.2</b>	Oppose	Cashmere View Street and surrounding streets should be within a Character Area.	Accept in part Ms Rennie has assessed this area using the methodology applied to RCAs, and concluded that only Cashmere View Street meets the criteria to be a RCA. As the area is not one to which Policy 3 of the NPS-UD applies, I consider it appropriate to identify it as an RCA, with accompanying built form standards. As the surrounding streets do not meet the criteria, I do not recommend an RCA is applied to them.
Tracey Stack	<b>S119</b>	<b>S119.3</b>	Seek Amendment	That Helmores Lane, Desmond Street and Rhodes Street (to Rossall Street) be identified in the Christchurch District Pan as a Medium Density Residential zone and a Residential Character Overlay Area and be made subject to the rules that apply to Residential Character areas.	Reject Ms Rennie has assessed this area (including this site) using the methodology applied to RCAs, and concluded that it does not meet the criteria to be a RCA.
Cameron Matthews	<b>S121</b>	<b>S121.6</b>	Oppose	Request removal of the [Character Areas]: (Hackthorn Road), Beckenham Loop, Roker and Penrith [streets].	Reject For the reasons set out in this report, I recommend that the RCAs for Beckenham, Cashmere and Roker are retained.
Murray Walsh	<b>S123</b>	<b>S123.1</b>	Seek Amendment	Introduce a resource consent requirement as a restricted discretionary activity to help us better protect Character Areas. The following rules are proposed:... [Lists summary of Character Area rule rules included in PC14]	Accept in part PC14 already includes a restricted discretionary consent pathway within RCAs in specified circumstances. The changes I have recommended to the provisions do not generally

Submitter	Submission No.	Decision No.	Request	Decision Sought	Recommendation and Reasons
					alter the circumstances in which consent is required. However some development is permitted, and I consider permitting such activities remains appropriate.
Deborah Brown	<b>S124</b>	<b>S124.1</b>	Seek Amendment	That 15 Cashmere View Street is included as a suburban character area.	Accept Ms Rennie has assessed this area using the methodology applied to RCAs, and concluded that Cashmere View Street meets the criteria to be a RCA. As the area is not one to which Policy 3 of the NPS-UD applies, I consider it appropriate to identify it as an RCA, with accompanying built form standards.
		<b>S124.2</b>	Seek Amendment	[In relation to character areas] that resource consents are required before any development can proceed.	Accept in part The changes I have recommended to the provisions do not generally alter the circumstances in which consent is required. However some development is permitted, and I consider permitting such activities remains appropriate.
Simon Brown	<b>S125</b>	<b>S125.1</b>	Seek Amendment	That 15 Cashmere View Street is included as a suburban character area.	Accept Ms Rennie has assessed this area using the methodology applied to RCAs, and concluded that Cashmere View Street meets the criteria to be a RCA. As the area is not one to which Policy 3 of the NPS-UD applies, I consider it appropriate to identify it as an RCA, with accompanying built form standards.

Submitter	Submission No.	Decision No.	Request	Decision Sought	Recommendation and Reasons
		<b>S125.2</b>	Seek Amendment	[In relation to character areas] that resource consents are required before any development can proceed.	Accept in part The changes I have recommended to the provisions do not generally alter the circumstances in which consent is required. However some development is permitted, and I consider permitting such activities remains appropriate.
Chris Wells	<b>S126</b>	<b>S126.1</b>	Seek Amendment	That 15 Cashmere View Street is included as a suburban character area.	Accept Ms Rennie has assessed this area using the methodology applied to RCAs, and concluded that Cashmere View Street meets the criteria to be a RCA. As the area is not one to which Policy 3 of the NPS-UD applies, I consider it appropriate to identify it as an RCA, with accompanying built form standards.
		<b>S126.2</b>	Seek Amendment	[In relation to character areas] that resource consents are required before any development can proceed.	Accept in part The changes I have recommended to the provisions do not generally alter the circumstances in which consent is required. However some development is permitted, and I consider permitting such activities remains appropriate.
Michael Fisher	<b>S127</b>	<b>S127.1</b>	Seek Amendment	Amend rule 14.5.3.1.3 RD14 (b) iii by removing the location requirement for accessory buildings to the rear of the main residential unit. This rule does not apply:	Reject The requirement for smaller accessory buildings to be located to the rear of the main residential unit reflects that a key characteristic of many RCAs is spacious front yards, with generally low fencing, lawn areas and planting, and accessory

Submitter	Submission No.	Decision No.	Request	Decision Sought	Recommendation and Reasons
				iii. to accessory buildings that are less than 30m <sup>2</sup> and located to the rear of the main residential unit on the site and are less than 5 metres in height;	buildings in this area has the potential to undermine the spacious and open character resulting from this. I consider the potential effects on the values of RCAs from this type of development warrants a consent pathway.
		<b>S127.2</b>	Oppose	Retain current 8 metre height limit in the Beckenham character area.	Accept in part Height is one of the attributes which contribute to the special character values which Policy 14.2.5.9 directs is maintained and enhanced and 8m is not consistent with the height of dwellings in this character area. However Ms Rennie supports a small increase to 6.5m.
		<b>S127.3</b>	Seek Amendment	Include extra provision point to rule 14.5.3.2.8 (a) i. as number 3. 3. except where adjacent residential units are closer to the front boundary.	Reject I do not consider it appropriate to include a standard that relates to adjoining properties, particularly given those properties may not reflect the predominant overall character of a RCA. Exempting compliance with the setback standard in this instance would therefore not retain those important characteristics of the built form and landscape elements that have been identified as contributing to the values of these areas and would therefore be inconsistent with the policy direction.
		<b>S127.4</b>	Seek Amendment	That provision rules 14.5.3.2.8 (a) ii and 14.5.3.2.8 (a) iii with regard to side and rear setbacks be changed to 1 metre within the Beckenham Character area.	Accept in part Ms Rennie has recommended the side yard requirement is amended to provide for a 1m (rather than 2m) setback on one side, but

Submitter	Submission No.	Decision No.	Request	Decision Sought	Recommendation and Reasons
					considers it appropriate to retain 3m on the other.
		<b>S127.5</b>	Seek Amendment	That provision rule 14.5.3.2.9 (a) be amended to 50% maximum building coverage.	Accept in part The purpose of the building coverage limitation is to maintain an appropriate balance between buildings and open space. The technical assessments and Ms Rennie's evidence supports the standard being increased to 40%, but do not support a higher 50% threshold.
Sulekha Korgaonkar	<b>S128</b>	<b>S128.1</b>	Support	Retain Ryan as a residential character area and the provisions that maintain the streets character.	Accept I recommend that the proposed RCA for Ryan is retained.
		<b>S128.2</b>	Support		
		<b>S128.3</b>	Support		
Melissa Macfarlane	<b>S135</b>	<b>S135.1</b>	Support	Retain any applicable residential character qualifying matters for the St Albans Malvern Street area.	Accept I recommend that the proposed RCA for Malvern is retained.
Irene Marks	<b>S136</b>	<b>S136.1</b>	Support	Support inclusion of Ryan Street as a residential character area with provisions that maintain its character as a street of bungalows (and trees).	Accept I recommend that the proposed RCA for Ryan is retained.
Aaron Jaggar	<b>S141</b>	<b>S141.1</b>	Seek Amendment	List Ryan Street as a Residential Character Area.	Accept I recommend that the proposed RCA for Ryan is retained.
		<b>S141.2</b>	Seek Amendment		
Bill Marks	<b>S143</b>	<b>S143.1</b>	Support	Supports the identification of Ryan Street as a Character Area.	Accept I recommend that the proposed RCA for Ryan is retained.

Submitter	Submission No.	Decision No.	Request	Decision Sought	Recommendation and Reasons
Jill Edwards	<b>S162</b>	<b>S162.2</b>	Seek Amendment	That the area surrounding and including Rose st should require a resource consent for development and that the area be zoned as a suburban character area	Reject Ms Rennie has assessed this area (including this site) using the methodology applied to RCAs, and concluded that it does not meet the criteria to be a RCA.
James and Adriana Baddeley	<b>S164</b>	<b>S164.3</b>	Seek Amendment	That Helmores Lane, Desmond Street and Rhodes Street (to Rossall Street) be identified as a Residential Character Overlay Area.	Reject Ms Rennie has assessed this area (including this site) using the methodology applied to RCAs, and concluded that it does not meet the criteria to be a RCA.
Catherine & Peter Baddeley	<b>S165</b>	<b>S165.1</b>	Seek Amendment	That Helmores Lane, Desmond Street and Rhodes Street (to Rossall Street) be identified as a Residential Character Overlay Area.	Reject Ms Rennie has assessed this area (including this site) using the methodology applied to RCAs, and concluded that it does not meet the criteria to be a RCA.
Bernard Hall JP (Retired)	<b>S168</b>	<b>S168.1</b>	Support	Please retain RYAN STREET, CHRISTCHURCH, 8011 as a CHARACTER STREET without multistory infill structures.	Accept I recommend that the proposed RCA for Ryan is retained.
		<b>S168.2</b>	Support		
		<b>S168.3</b>	Support		
Sonya Grace	<b>S174</b>	<b>S174.1</b>	Support	Seek that Ryan Street becomes a Character Street and to not allow medium to high density housing into Ryan Street.	Accept I recommend that the proposed RCA for Ryan is retained.
Sean Walsh	<b>S179</b>	<b>S179.2</b>	Oppose	Request that Cashmere View Street (including #13 Cashmere View Street) Somerfield be a suburban charter area/street. Request that resource consent be required before any development can proceed.	Accept Ms Rennie has assessed this area using the methodology applied to RCAs, and concluded that Cashmere View Street meets the criteria to be a RCA. As the area is not one to which Policy 3
		<b>S179.3</b>	Seek Amendment		

Submitter	Submission No.	Decision No.	Request	Decision Sought	Recommendation and Reasons
					of the NPS-UD applies, I consider it appropriate to identify it as an RCA, with accompanying built form standards.
Josiah Beech	<b>S180</b>	<b>S180.4</b>	Support	[F]ully support[s] the Residential Character Area Qualifying Matter	Accept I consider that RCAs meet the requirements of the RMA to be identified as a QM, their inclusion will better achieve the objectives of the NPS-UD and Objective 3.3.8, and s5 and s7(c) of the RMA.
Roseanne Hawarden	<b>S182</b>	<b>S182.2</b>	Seek Amendment	That Jane Deans Close be included as a Residential Heritage Area.	Reject Ms Rennie has assessed this area (including this site) using the methodology applied to RCAs, and concluded that it does not meet the criteria to be a RCA.
Riccarton Bush - Kilmarnock Residents' Association	<b>S188</b>	<b>S188.13</b>	Seek Amendment	Jane Deans Close should [have intensification restricted through a Qualifying Matter].	Reject Ms Rennie has assessed this area (including this site) using the methodology applied to RCAs, and concluded that it does not meet the criteria to be a RCA.
Riccarton Bush - Kilmarnock Residents' Association	<b>S188</b>	<b>S188.16</b>	Seek Amendment	Both sides of Matai St West from Straven Rd east to the railway line, including the area north to the Avon River, should be a Qualifying Matter restricting further residential intensification.	Reject Ms Rennie has assessed this area (including this site) using the methodology applied to RCAs, and concluded that it does not meet the criteria to be a RCA.
Logan Brunner	<b>S191</b>	<b>S191.3</b>	Support	[No changes to existing character areas]	Accept in part For the reasons set out in this report, I have recommended removal or reduction in some of



Submitter	Submission No.	Decision No.	Request	Decision Sought	Recommendation and Reasons
					the RCAs, but otherwise recommend their retention.
Addington Neighbourhood Association	<b>S205</b>	<b>S205.12</b>	Oppose	Accessory buildings should not be allowed to be built on or near property boundary line, if maintenance of such buildings would necessitate the owner going on to next door property to facilitate such repairs.	Reject I consider that maintenance of buildings is a matter that sits outside the District Plan, and in any case, those applying in RCAs are generally larger than those which would otherwise apply under the MDRS.
Catharina Schupbach	<b>S217</b>	<b>S217.1</b>	Support	Retain provisions relating to Residential Character Areas.	Accept in part For the reasons set out in this report, I have recommended some changes to the provisions applying in RCAs, but these are consistent with the general intent of PC14 as notified.
		<b>S217.2</b>	Support	Retain Evesham Crescent and Bewdley Street Residential Character Area.	Accept I recommend that the proposed RCA for Bewdley is retained.
Michael Dore	<b>S225</b>	<b>S225.8</b>	Seek Amendment	The History, Character and Heritage of our City of Christchurch should be protected at all costs.	Accept in part I consider RCAs are appropriate to maintain those areas identified as having a character that is, in the whole, worthy of retention. However, I do not agree that the outcome required should be “protection at all costs”.
Alex Prince	<b>S227</b>	<b>S227.1</b>	Seek Amendment	Amend Lower Cashmere (Fairview Street/Cashmere View/Ashgrove Terrace) to be in a residential character area.	Accept in part Ms Rennie has assessed this area using the methodology applied to RCAs, and concluded that only Cashmere View Street meets the criteria to be a RCA. As the area is not one to

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					which Policy 3 of the NPS-UD applies, I consider it appropriate to identify it as an RCA, with accompanying built form standards. As the surrounding streets do not meet the criteria, I do not recommend an RCA is applied to them.
Martin Winder	<b>S228</b>	<b>S228.1</b>	Seek Amendment	Retain the Character Area on Hackthorne Road but exclude the vacant property at 75a Hackthorne Road.	Accept in part I recommend that the proposed RCA for Cashmere is retained. With respect to 75a Hackthorne Road, this site fronts the street, and forms part of a consistent, coherent grouping overall. If this property is excluded, then its development without application of the RCA controls has the potential to undermine the consistency and integrity of the wider area.
Susanne Schade	<b>S241</b>	<b>S241.1</b>	Seek Amendment	[S]eek[s] council to apply the Qualifying Matter Residential Character Area to Scott Street in Sydenham.	Reject Ms Rennie has assessed this area (including this site) using the methodology applied to RCAs, and concluded that it does not meet the criteria to be a RCA.
Property Council New Zealand	<b>S242</b>	<b>S242.20</b>	Seek Amendment	In broad terms, we are comfortable with the proposed intention of introducing resource consent requirements as a restricted discretionary activity to help protect Character Areas. However, given the scale of the proposal and introduction of 11 new residential heritage areas, we wish to highlight the importance of	Accept For the reasons set out in this report, I recommend retaining the restricted discretionary activity status.

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				ensuring that Christchurch has sufficient development capacity. This can be achieved through enabling and encouraging greater height and density within high density zone precincts, town centres and metropolitan centres.	
Jean-Michel Gelin	<b>S247</b>	<b>S247.1</b>	Seek Amendment	Create a character area including Forfar Street to limit the possible height of the new building and the sunlight access for the 1 Storey houses of the street.	Reject Ms Rennie has assessed this area (including this site) using the methodology applied to RCAs, and concluded that it does not meet the criteria to be a RCA.
		<b>S247.2</b>	Seek Amendment		
William Bennett	<b>S255</b>	<b>S255.1</b>	Seek Amendment	That Helmores Lane, Desmond Street and Rhodes Street (to Rossall Street) be identified in the Christchurch District Plan as a Medium Density Residential zone and a Residential Character Overlay Area and be made subject to the rules that apply to Residential Character areas: or, If Helmores Lane, Desmond Street and Rhodes Street (to Rossall Street) are not included as a Residential Character Area, that the Area be zoned Medium Density Residential.	Reject Ms Rennie has assessed this area (including this site) using the methodology applied to RCAs, and concluded that it does not meet the criteria to be a RCA.  <i>Note – this report does not address the alternate relief sought as it does not relate to RCAs.</i>
		<b>S255.2</b>	Seek Amendment		
		<b>S255.3</b>	Seek Amendment		
		<b>S255.4</b>	Seek Amendment		
Francine Bills	<b>S278</b>	<b>S278.1</b>	Seek Amendment	Mersey Street, which runs south of Westminster Street to Berwick Street, be incorporated in the Severn Residential Character Area [including 1-54 Mersey Street,	Reject This area was assessed during the preparation of PC14 using the methodology applied to RCAs, and did not meet the criteria to be a RCA.
		<b>S278.2</b>	Seek Amendment		

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				11-19 Berwick Street, and 116-136 Westminster Street].	
Bron Durdin	<b>S303</b>	<b>S303.3</b>	Seek Amendment	Expand Character Areas to include other areas with established trees and gardens. (e.g. lower Cashmere, Beckenham, Hillsborough, Cracroft, Somerfield, Opawa)	Reject Ms Rennie notes that RCAs of this scale would cover a much more extensive area than other RCAs, and contain a much larger range of buildings, making it difficult to determine consistent character attributes, and therefore these areas do not have a sufficient level of consistent built form and landscape elements to be considered an RCA.
Jo Jeffrey	<b>S316</b>	<b>S316.1</b>	Seek Amendment	[Apply a Residential Character Area to Merivale.] Protect Merivale streets from any [multi-storey] development permanently and apply a heritage ruling on these streets.	Reject Ms Rennie has assessed this area (including this site) using the methodology applied to RCAs, and concluded that it does not meet the criteria to be a RCA.
Rosemary Baird Williams	<b>S341</b>	<b>S341.1</b>	Support	Retain the Evesham Crescent and Bewdley Street Residential Character Area.	Accept I recommend that the proposed RCA for Bewdley is retained.
Colin Gregg	<b>S376</b>	<b>S376.1</b>	Seek Amendment	That Helmores Lane, Desmond Street and Rhodes Street (to Rossall Street) be identified [as] a Residential Character Overlay Area.	Reject Ms Rennie has assessed this area (including this site) using the methodology applied to RCAs, and concluded that it does not meet the criteria to be a RCA.
Kate Gregg	<b>S381</b>	<b>S381.1</b>	Seek Amendment	Seeks that Helmores Lane, Desmond Street and Rhodes Street (to Rossall Street) be identified	Reject

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		<b>S381.2</b>	Seek Amendment	in the Christchurch District Plan as a Medium Density Residential zone and a Residential Character Overlay Area and be made subject to the rules that apply to Residential Character areas.	Ms Rennie has assessed this area (including this site) using the methodology applied to RCAs, and concluded that it does not meet the criteria to be a RCA.
		<b>S381.3</b>	Seek Amendment		
		<b>S381.12</b>	Seek Amendment	Amend provision 14.5.1.3 to the following: [sets out proposed rule.]	Accept in part For the reasons set out in this report, I have recommended some changes to the provisions applying in RCAs, but these are consistent with the general intent of PC14 as notified.
		<b>S381.22</b>	Seek Amendment	[That the] minimum net site area for subdivision varies between Character Areas in the Medium Density Zone, but is generally larger than the underlying Zone requirement.	Accept in part For the reasons set out in this report, I have recommended some changes to the provisions applying in RCAs, but these are consistent with the general intent of PC14 as notified.
Johnny Phelan	<b>S436</b>	<b>S436.1</b>	Seek Amendment	That Roker Street West of Selwyn street not be included in a character area.	Accept PC14 did not propose to include this area in the Roker RCA.
David Allan	<b>S437</b>	<b>S437.5</b>	Seek Amendment	[Supports] the character areas [qualifying matter]	Accept I consider that RCAs meet the requirements of the RMA to be identified as a QM, their inclusion will better achieve the objectives of the NPS-UD and Objective 3.3.8, and s5 and s7(c) of the RMA.
Richard Scarf	<b>S482</b>	<b>S482.1</b>	Support	[S]upport[s] the reduction of the Character Area that includes Hanmer and Gilby street.	Accept No changes are recommended to the Englefield RCA.

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Daniel Rutherford	<b>S499</b>	<b>S499.3</b>	Seek Amendment	Please remove both titles of our property at 20 Macmillan ave/20b Macmillan ave from the residential character area.	Reject These sites front the street, and form part of a consistent, coherent grouping overall. If these sites are excluded, then their development without application of the RCA controls has the potential to undermine the consistency and integrity of the wider area.
Kyri Kotzikas	<b>S502</b>	<b>S502.2</b>	Seek Amendment	Seeks that Helmores Lane, Desmond Street and Rhodes Street (to Rossall Street) be identified as a Medium Density Residential zone and a Residential Character Overlay Area and be made subject to the rules that apply to Residential Character areas.	Reject Ms Rennie has assessed this area (including this site) using the methodology applied to RCAs, and concluded that it does not meet the criteria to be a RCA.
James Carr	<b>S519</b>	<b>S519.7</b>	Seek Amendment	A better solution than retaining the current height limit and recession plane rules in [Character] areas might be to adopt the MDRS rules in these areas, but apply much stricter limits on site coverage, especially hard site coverage, as well as front (and maybe side) setbacks to work with the existing streetscape.	Accept in part. The recession planes applying in RCAs are already those of the underlying zoning. With respect to height, the height limits proposed in PC14 reflect the existing height of dwellings in each area. Ms Rennie considers that the MDRS height limit would enable three storey development, which she does not consider would be generally consistent with the values of these areas. However, she has recommended an increase in the height limit in the Heaton and Cashmere RCAs from 7m to 8m.
		<b>S519.26</b>	Support		
Chris Wilson	<b>S530</b>	<b>S530.1</b>	Seek Amendment	[Seeks that the area identified as] Helmores Lane, Desmond Street and Rhodes Street (to Rossall Street) to be identified as Residential	Reject Ms Rennie has assessed this area (including this site) using the methodology applied to RCAs, and

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				Character area, as it was under the operative plan.	concluded that it does not meet the criteria to be a RCA.
Joanne Nikolaou	<b>S581</b>	<b>S581.1</b>	Seek Amendment	[Seeks] [t]hat council agrees the Cashmere View Somerfield Area [be] designated a Suburban Character Area.	Accept Ms Rennie has assessed this area using the methodology applied to RCAs, and concluded that Cashmere View Street meets the criteria to be a RCA. As the area is not one to which Policy 3 of the NPS-UD applies, I consider it appropriate to identify it as an RCA, with accompanying built form standards.
Jaimita de Jongh	<b>S583</b>	<b>S583.2</b>	Seek Amendment	That Fairview and Cashmere View Streets be included in a character area.	Accept in part Ms Rennie has assessed this area using the methodology applied to RCAs, and concluded that only Cashmere View Street meets the criteria to be a RCA. As the area is not one to which Policy 3 of the NPS-UD applies, I consider it appropriate to identify it as an RCA, with accompanying built form standards. As the surrounding streets do not meet the criteria, I do not recommend an RCA is applied to them.
Claudia M Staudt	<b>S584</b>	<b>S584.3</b>	Seek Amendment	New QM Residential Character Area (as per previous SAM 8) for the area bounded by, Holmwood Road, Rossall Street, Hagley Park and Fendalton Road (Planning Map 31 and CC).	Reject Former SAMs were assessed in 2015 as part of the District Plan review and determined not to meet the thresholds set out in the methodology to be included as RCAs.
Murray Cullen	<b>S630</b>	<b>S630.2</b>	Support	[Retain Character areas]	Accept
		<b>S630.3</b>	Support	[Retain Character areas]	I consider that RCAs meet the requirements of the RMA to be identified as a QM, their inclusion

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					will better achieve the objectives of the NPS-UD and Objective 3.3.8, and s5 and s7(c) of the RMA.
		<b>630.4</b>	Support	[Retain] the proposed Area-specific built form standards that apply to the Beckenham Character Area.	Accept in part Some minor changes are recommended to the standards in response to other submissions, but do not alter their intent.
		<b>630.5</b>	Seek Amendment	[Consider] some fine tuning of the development rules for the Character Area.	Accept in part Some minor changes are recommended to improve the PC14 rule package.
Catherine & Peter Morrison	<b>S664</b>	<b>S664.4</b>	Oppose	Seeks residential special character overlay in Desmond Street and the close surrounding streets of Helmores Lane and Rhodes Street up to Rossall Street.	Reject Ms Rennie has assessed this area (including this site) using the methodology applied to RCAs, and concluded that it does not meet the criteria to be a RCA.
Lawrence & Denise May	<b>S665</b>	<b>S665.1</b>	Seek Amendment	That Helmores Lane, Desmond Street and Rhodes Street (to Rossall Street) be identified in the Christchurch District Pan as a Medium Density Residential zone and a Residential Character Overlay Area and be made subject to the rules that apply to Residential Character areas.	Reject Ms Rennie has assessed this area (including this site) using the methodology applied to RCAs, and concluded that it does not meet the criteria to be a RCA.
		<b>S665.5</b>	Seek Amendment	[That the following proposed changes are adopted]: [Sets out framework for Character Areas]	Accept in part For the reasons set out in this report, I have recommended some changes to the provisions applying in RCAs, but these are consistent with the general intent of PC14 as notified.



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Canterbury / Westland Branch of Architectural Designers NZ	<b>S685</b>	<b>S685.77</b>	Oppose	[Retain existing minimum net site area of 250m <sup>2</sup> ]	Reject Ms Rennie considers that retaining the varied pattern of development in Lyttelton is important in maintaining values and that the 450m <sup>2</sup> density proposed is appropriate to conserve the character values and enable sufficient space to address sloping sites.
		<b>S685.78</b>	Oppose	[Retain existing maximum site coverage of 60%]	Accept The technical assessment and Ms Rennie supports retaining the current 60% site coverage limit within the Lyttelton RCA.
Te Hapū o Ngāti Wheke (Rāpaki) Rūnanga	<b>S695</b>	<b>S695.8</b>	Seek Amendment	In terms of the proposed qualifying matters that relate to historic heritage (e.g., Residential Heritage Area and Character Area Overlay) and are proposed in the Lyttelton township, amend the provisions to enable Rāpaki Rūnanga to develop ancestral land and give effect to section 6 (e) of the RMA and to enable provision for papakainga housing in accordance with s.80E (1) (b) (ii) of the RMA.	Accept in part I do not consider that the RCA provisions preclude development of papakainga housing; however within the RCA it would require resource consent to consider the built form and landscape elements of any such proposal.
		<b>S695.16</b>	Seek Amendment	Provide an additional exclusion clause, whereby land which is held as Māori Land and that is in the Lyttelton Residential Heritage Area (RHA) and/or the Lyttelton Character Area Overlay is exempt from complying with these area specific built form standards.	Accept in part The potential impact of such an exemption on the integrity and cohesiveness of the RCA as a whole is unknown and in absence of this being able to be assessed, I consider the potential costs in terms of the impact on the values of the RCAs
		<b>S695.17</b>	Seek Amendment		
		<b>S695.18</b>	Seek Amendment		

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		<b>S695.19</b>	Seek Amendment		that such an exemption might have, do not outweigh the benefits of exempting such land. However, I consider that it is appropriate to amend the matters of discretion to allow for consideration of the needs of Ngāi Tahu whānui , as well as the effects of any development of Papakāinga/Kāinga Nohoanga on the integrity and cohesiveness of the RCA.
		<b>S695.20</b>	Seek Amendment		
		<b>S695.21</b>	Seek Amendment		
Ann-Mary & Andrew Benton	<b>S698</b>	<b>S698.1</b>	Seek Amendment	That Helmores Lane, Desmond Street and Rhodes Street (to Rossall Street) be identified in the Christchurch District Pan as a Medium Density Residential zone and a Residential Character Overlay Area and be made subject to the rules that apply to Residential Character areas.	Reject Ms Rennie has assessed this area (including this site) using the methodology applied to RCAs, and concluded that it does not meet the criteria to be a RCA.
		<b>S698.4</b>	Seek Amendment	In recognition of the status of a Qualifying Mater,... propose introducing a resource consent requirement as a restricted discretionary activity... [Lists summary of Character Area rule rules included in PC14]	Accept in part For the reasons set out in this report, I have recommended some changes to the provisions applying in RCAs, but these are consistent with the general intent of PC14 as notified.
Hilary Talbot	<b>S700</b>	<b>S700.6</b>	Support	[Re: Englefield Character Area] support the creation of the Heritage Area and the continuation of the character area with more stringent controls.	Accept No changes are recommended to the Englefield RCA.
Graeme Boddy	<b>S703</b>	<b>S703.1</b>	Seek Amendment	[Requests] status of Eastern Terrace between the iron bridge adjacent Bowenvale Avenue and the footbridge at Malcolm Street to be changed from being 'Protected by being to far	Accept This area is already included in the Beckenham Character Area.

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				from public transport' to the fuller protection of being 'Part of the Character Area of the Beckenham Loop'.	
Michelle Trusttum	<b>S710</b>	<b>S710.3</b>	Seek Amendment	Include Somerfield in Special Character Overlay.	Reject Ms Rennie notes that a RCA of this scale would cover a much more extensive area than other RCAs, and has a much larger range of buildings, making it difficult to determine consistent character attributes, and therefore it does not have a sufficient level of consistent built form and landscape elements to be considered an RCA.
Mitchell Coll	<b>S720</b>	<b>S720.43</b>	Seek Amendment	Amend subclause 14.8.3.2.2(a) back to 250m2.	Reject Ms Rennie considers that retaining the varied pattern of development in Lyttelton is important in maintaining values and that the 450m <sup>2</sup> density proposed is appropriate to conserve the character values and enable sufficient space to address sloping sites.
		<b>S720.44</b>	Seek Amendment	Amend subclause 14.8.3.2.4(a) back to 60%.	Accept The technical assessment and Ms Rennie supports retaining the current 60% site coverage limit within the Lyttelton RCA.
Michele McKnight	<b>S726</b>	<b>S726.1</b>	Seek Amendment	[Seeks] the council to mak[e] Gwynfa Ave and any other similar streets on this hill ... a special character overlay area.	Reject Ms Rennie has assessed this area (including this site) using the methodology applied to RCAs, and

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					concluded that it does not meet the criteria to be a RCA.
Antony Ellis	<b>S732</b>	<b>S732.1</b>	Support	[E]ndors[es] the extend of the character area overlay in Cashmere.	Accept I recommend that the proposed RCA for Cashmere is retained.
Christian Jordan	<b>S737</b>	<b>S737.11</b>	Support	Retain character areas across the city.  These character areas should have recession plane, building height and setback rules similar to the operative plan.	Accept in part I consider that RCAs meet the requirements of the RMA to be identified as a QM, their inclusion will better achieve the objectives of the NPS-UD and Objective 3.3.8, and s5 and s7(c) of the RMA.  With respect to the standards applying, I do not consider it appropriate to apply the built form standards applicable to the current zoning (under the Operative Plan) of each RCA, as these are not targeted to manage the specific characteristics of the RCAs, and therefore would not align with Policy 14.2.5.9.
		<b>S737.12</b>	Seek Amendment	Add these areas to Special Character QM. Additional character areas of importance that should be included are: All of the Special Amenity Areas from the 1995 City Plan not already character areas including in particular: Fendalton SAM 8 and 8A Deans Bush SAM 7 and & A Opawa SAM 5	Reject Former SAMs were assessed in 2015 as part of the District Plan review and determined not to meet the thresholds set out in the methodology to be included as RCAs. With respect to larger areas, Ms Rennie notes that RCAs of this scale would cover much more extensive areas than other RCAs, and have a much larger range of buildings, making it difficult to determine consistent character attributes, and

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				St James SAM 16 (plus Windermere Rd) Also the following larger areas which were not SAMs: - Knowles, Rutland, Papanui, Dormer - Normans, Papanui, Blighs, railway line - Gloucester, Woodham, Trent, England	therefore they do not have a sufficient level of consistent built form and landscape elements to be considered RCAs.
Richmond Residents and Business Association (We are Richmond)	<b>S745</b>	<b>S745.4</b>	Support	Seek that SAMS and Suburban Character Areas are retained.	Accept in part I consider RCAs are appropriate to maintain those areas identified as having a character that is, in the whole, worthy of retention. I do not agree that it is appropriate to provide the same level of recognition to areas formerly identified as SAMs but which have not been identified as RCAs, noting that these SAMs were assessed in 2015 as part of the District Plan review and determined not to meet the thresholds set out in the methodology to be included as RCAs.
Margaret Stewart	<b>S755</b>	<b>S755.3</b>	Support	Retain Character areas.	Accept in part I consider that RCAs meet the requirements of the RMA to be identified as a QM, their inclusion will better achieve the objectives of the NPS-UD and Objective 3.3.8, and s5 and s7(c) of the RMA. With respect to Woodville Street, this area was assessed during the preparation of PC14 using the methodology applied to RCAs, and did not meet the criteria to be a RCA. I therefore do not recommend its inclusion.
		<b>S755.4</b>	Support	Add Woodville Street, St Albans	

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New Zealand Institute of Architects Canterbury Branch	S762	S762.20	Seek Amendment	[Amend] the additional minimum [glazing] areas of 30% - 40%.	Accept in part For the reasons set out in this report, I recommend that this standard is deleted.
		S762.21	Seek Amendment	[Amend and reword clause] to enable new development to be in fitting with their immediate street neighbours.	Reject Built form standards need to be sufficiently clear as to whether they are met or not and the request would not achieve this. This approach would also apply an inconsistent standard to different sites within an RCA. The immediately neighbouring properties may also not reflect the predominant overall character of these areas, and further development in line with such properties may not retain those important characteristics that contribute to the values of these areas.
		S762.27	Oppose	[Retain current site coverage limits].	Accept in part I recommend increasing the site coverage limit to 40% (excluding Englefield and Bewdley), consistent with the original technical assessment and Ms Rennie's evidence.
Megan Power	S769	S769.3	Seek Amendment	Add bold underlined text as shown above [to Rule 14.5.3.1.2 C1]. "This rule does not apply to: rear sites or those located on private lanes in the Beckenham Character Area." Please note: The amendments sought that relate to "rear sites or those located on private lanes in the Beckenham Character Area" are	Reject This change is sought in conjunction with the submitter's request to retain the boundaries of the Beckenham RCA that are contained in the Operative District Plan. As I have not recommended that the extent of the Beckenham Character Area is changed, I do not consider the

Submitter	Submission No.	Decision No.	Request	Decision Sought	Recommendation and Reasons
				provided in the context of the retention of the operative extent of the Beckenham Character Area, i.e. all rear sites and those located on private lanes are now and will be in the future included in the Beckenham Character Area boundary.	changes sought to these standards is appropriate.
		<b>S769.4</b>	Seek Amendment	Amend as shown in bold underlined text below. Amend 30sqm to 36sqm	Accept As the rule is intended to capture demolition of main residential units, this slight increase will still capture main residential units, without capturing removal of double garages.
		<b>S769.5</b>	Seek Amendment	Amend 14.5.3.2.3 to include text shown as bold and underlined Beckenham (Rear sites and those located on private lanes) - 7m	Reject This change is sought in conjunction with the submitter's request to retain the boundaries of the Beckenham RCA that are contained in the Operative District Plan. As I have not recommended that the extent of the Beckenham Character Area is changed, I do not consider the changes sought to these standards is appropriate.
		<b>S769.6</b>	Seek Amendment	Amend to remove bold, strike through text ii. Within the Character Area Overlay for all activities: <i>B. A landscaping strip with a minimum width of <u>2</u> metres shall be planted along the rear</i>	Reject The landscaping strip and associated planting of medium-scale trees of will assist in maintaining a sense of separation between dwellings and enable a landscape setting to be maintained, which contribute to the character of RCAs.

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				<i>boundary, and shall include trees that will grow to a minimum height of 6–8 metres.</i>	
		<b>S769.7</b>	Seek Amendment	<p>Add the following to Rule 14.5.3.2.8 i.:</p> <p>3. This rule does not apply to rear sites or those located on private lanes in the Beckenham Character Area.</p> <p>Add the following to Rules 14.5.3.2.8 ii. and iii.:</p> <p>2. This rule does not apply to rear sites or those located on private lanes in the Beckenham Character Area.</p> <p>3. This rule does not apply to single storey accessory buildings less than 30m<sup>2</sup> size located to the rear of sites.</p>	<p>Reject</p> <p>This change is sought in conjunction with the submitter’s request to retain the boundaries of the Beckenham RCA that are contained in the Operative District Plan. As I have not recommended that the extent of the Beckenham Character Area is changed, I do not consider the changes sought to these standards is appropriate.</p> <p>In relation to the reducing the setback for smaller accessory buildings, I consider that this exception might reduce the separation between buildings and the consistency of this across an RCA.</p>
		<b>S769.8</b>	Seek Amendment	<p>Amend (Rule 14.5.3.2.13) to include bold, underlined text:</p> <p>iii. This rule does not apply to rear sites or those located on private lanes in the Beckenham Character Area.</p>	<p>Reject</p> <p>This change is sought in conjunction with the submitter’s request to retain the boundaries of the Beckenham RCA that are contained in the Operative District Plan. As I have not recommended that the extent of the Beckenham Character Area is changed, I do not consider the changes sought to these standards is appropriate.</p>
		<b>S769.9</b>	Seek Amendment	[Amend] Planning Map 46: Amend the extent of the proposed Beckenham Character Area to	Reject



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				match the operative District Plan extent and include all sites within the operative extent within the Character Area, as shown in Map 1 and Map 2 [of the submission].	Ms Rennie's evidence is that it is appropriate that rear lots are excluded from the Beckenham Character Area, as these sites are classified as neutral and in many cases cannot be seen from the street.
Robert Smillie	<b>S770</b>	<b>S770.1</b>	Support	[S]upport[s] the making of Ryan Street into a 'character' [area] and thereby give it some protections.	Accept I recommend that the proposed RCA for Ryan is retained.
Beckenham Neighbourhood Association Inc	<b>S773</b>	<b>S773.2</b>	Support	[Retain Character areas]	Accept
		<b>S773.3</b>	Support	[Retain Character areas]	I consider that RCAs meet the requirements of the RMA to be identified as a QM, their inclusion will better achieve the objectives of the NPS-UD and Objective 3.3.8, and s5 and s7(c) of the RMA.
		<b>S773.4</b>	Support	[Retain] the proposed Area-specific built form standards that apply to the Beckenham Character Area.	Accept in part Some minor changes are recommended to the standards in response to other submissions, but do not alter their intent.
		<b>S773.5</b>	Seek Amendment	[Consider] some fine tuning of the development rules for the Character Area could be considered. For example, the proposed building setback from the street (8 m), minimum building width facing the street (10 m), and minimum building floor area (150 m2) are sometimes larger than equivalent measurements on original character bungalows (at least in our area) whose general street scene these rules seek to protect.	Accept in part Some minor changes are recommended to improve the PC14 rule package.

Submitter	Submission No.	Decision No.	Request	Decision Sought	Recommendation and Reasons
Rebecca Lord	<b>S776</b>	<b>S776.1</b>	Support	[S]eek[s] that the council does make Ryan Street a character area.	Accept I recommend that the proposed RCA for Ryan is retained.
Marie Dysart	<b>S791</b>	<b>S791.6</b>	Support	Support QM- Character area over the Beckenham Loop (Tennyson Street, Heathcote River, Colombo Street).	Accept I recommend that the proposed RCA for Beckenham is retained.
		<b>S791.7</b>	Support		
Benjamin Love	<b>S799</b>	<b>S799.1</b>	Oppose	[That Residential Character Areas are removed.]	Reject I consider that RCAs meet the requirements of the RMA to be identified as a QM, their inclusion will better achieve the objectives of the NPS-UD and Objective 3.3.8, and s5 and s7(c) of the RMA.
		<b>S799.2</b>	Oppose	[That Residential Character Areas are removed.]	
Waihoru Spreydon-Cashmere-Heathcote Community Board	<b>S804</b>	<b>S804.4</b>	Support	The Community Board supports the qualifying matters in the proposal and in particular the following are of local interest in Waihoru Spreydon-Cashmere-Heathcote: ... Residential Character areas...	Accept I consider that RCAs meet the requirements of the RMA to be identified as a QM, their inclusion will better achieve the objectives of the NPS-UD and Objective 3.3.8, and s5 and s7(c) of the RMA.
		<b>S804.9</b>	Support	Supports the inclusion of the new character areas in Roker St, Spreydon and Bewdley and Evesham Crescent on Barrington.	Accept
		<b>S1077.2</b>	Support		I recommend that the proposed RCAs for Bewdley and Roker are retained.
Waka Kotahi NZ Transport Agency	<b>S805</b>	<b>S805.4</b>	Oppose	[O]pposes the current approach in relation to including Residential Character Areas as a qualifying matter.  The submitter requests to undertake further assessment to weigh the benefits of character protection against the wider opportunity costs of development limitations in key areas. Based	Accept in part I have identified those RCAs where I consider that the wider lost opportunity costs of development limitations in key areas outweigh the benefits of protecting character and recommended the removal or reduction in RCAs in those instances.

Submitter	Submission No.	Decision No.	Request	Decision Sought	Recommendation and Reasons
				on the results of this study, reduce the extent of residential character controls.	
		<b>S805.5</b>	Oppose	[O]pposes the current approach in relation to including Residential Character Areas as a qualifying matter. The submitter seeks that residential character is provided for by instituting design controls in the overlays which allow for special/residential character to be considered and incorporated in design while enabling levels of development anticipated by the zones.	Reject Ms Rennie's view is that development at the scale anticipated by MDRS would undermine the special character values in RCAs. I therefore do not consider that the policy direction and objectives would be met if the level of development anticipated by the underlying zoning is enabled.
		<b>S805.6</b>	Oppose	That the designated Character Areas are reduced in extent.	Accept in part I have identified those RCAs where I consider that the wider lost opportunity costs of development limitations in key areas outweigh the benefits of protecting character and recommended the removal or reduction in RCAs in those instances.
Linda Morris	<b>S816</b>	<b>S816.1</b>	Support	The submitter supports the Character Area for Beckenham.	Accept I recommend that the proposed RCA for Beckenham is retained.
Kāinga Ora	<b>S834</b>	<b>S834.38</b>	Seek Amendment	Delete all new or extended character areas as qualifying matters and undertake further analysis to determine the exact values of the resources that the Council seeks to manage in the District Plan.	Reject These areas have been identified using the same methodology as applied to the review of RCAs. In my view, if the elements that give a particular area a special character that is worthy of retention are present, and the area meets the
		<b>S834.39</b>	Seek Amendment		
		<b>S834.40</b>	Seek Amendment		

Submitter	Submission No.	Decision No.	Request	Decision Sought	Recommendation and Reasons
		<b>S834.41</b>	Seek Amendment	<p>For existing character areas retain the controlled activity status for new buildings that exists in the Operative Plan - Rule 14.5.3.1.2 C1. 14.5.3.2.3 Building height – Character Area Overlays, and 14.5.3.2.5 – 14.5.3.2.14 Built form rules – Character Area Overlays.</p> <p>In the event that the Character Area qualifying matter remains, explicit provision is sought for the ability to develop Papakāinga/Kāinga Nohoanga, noting that local Rūnanga have purchased the former Lyttelton West School Site.</p>	<p>thresholds set out in the methodology, then they should be treated in the same manner as existing RCAs, and therefore included in PC14. This is because the effects of development of these areas has the same potential to undermine the elements which make up their overall character, and their cohesiveness and integrity, regardless of when the areas have been identified.</p> <p>For the reasons set out in this report, application of a controlled activity status and deletion of the proposed built form standards would, in my view, result in development that is inconsistent with the values of the RCAs, and over time lead to a loss in the integrity and cohesiveness of these areas. This in turn, would not achieve Objective 3.3.8 a. ii., Objective 14.2.5, or implement Policy 14.2.5.9.</p> <p>I do not consider that the RCA provisions preclude development of papakainga housing; however within the RCA it would require resource consent to consider the built form and landscape elements of any such proposal, and I have recommended amending the matters of discretion to better allow for consideration of the housing needs of Ngāi Tahu whānui in any resource consent process.</p>
		<b>S834.42</b>	Seek Amendment		
		<b>S834.43</b>	Seek Amendment		
		<b>S834.44</b>	Seek Amendment		
		<b>S834.45</b>	Seek Amendment		
		<b>S834.46</b>	Seek Amendment		
		<b>S834.47</b>	Seek Amendment		
		<b>S834.48</b>	Seek Amendment		
		<b>S834.49</b>	Seek Amendment		
		<b>S834.50</b>	Seek Amendment		
		<b>S834.51</b>	Seek Amendment		
Historic Places Canterbury	<b>S835</b>	<b>S835.3</b>	Support	The submitter supports this qualifying matter.	<p>Accept</p> <p>I consider that RCAs meet the requirements of the RMA to be identified as a QM, their inclusion</p>

Submitter	Submission No.	Decision No.	Request	Decision Sought	Recommendation and Reasons
					will better achieve the objectives of the NPS-UD and Objective 3.3.8, and s5 and s7(c) of the RMA.
		<b>S835.21</b>	Support	The submitter welcomes the addition of three new character areas and while they regret the removal of two character areas in Sumner and the reduction in size of 7 of the existing character areas, they recognise that these no longer meet the criteria and should therefore be removed or require boundary adjustments. They welcome the inclusion of Residential Character Areas as a Qualifying matter and the introduction of restricted discretionary status to help better manage and protect character areas. They also support more restrictive subdivision for character areas.	Accept in part I consider that the technical assessments and s32 report appropriately demonstrate why the additions, removals and reductions are appropriate, and in particular, how the identified methodology for assessing character areas has been applied.  With respect to activity status, for the reasons set out in this report, I recommend retaining the restricted discretionary activity status.
Lyttelton Port Company Limited	<b>S853</b>	<b>S853.9</b>	Support	Retain area-specific activities for Residential Banks Peninsula Zone as notified in 14.8.3.1.1 – 14.8.3.1.5.	Accept in part For the reasons set out in this report, a change is recommended to the site coverage standard. Otherwise, they are recommended to be retained.
Maureen Kerr	<b>S868</b>	<b>S868.2</b>	Seek Amendment	Protect and maintain special character and quality of existing homes in area from Papanui Road to Watford Street.	Reject Ms Rennie has assessed this area (including this site) using the methodology applied to RCAs, and concluded that it does not meet the criteria to be a RCA.
OCHT	<b>S877</b>	<b>S877.9</b>	Seek Amendment	Delete all new or extended character areas as qualifying matters.	Reject

Submitter	Submission No.	Decision No.	Request	Decision Sought	Recommendation and Reasons
		<b>S877.10</b>	Support	For existing character areas retain the controlled activity status for new buildings that exists in the Operative Plan - Rule 14.5.3.1.2 C1. Delete all new built form standards for character areas. 14.5.3.2.3 Building height – Character Area Overlays, and 14.5.3.2.5 – 14.5.3.2.14 Built form rules – Character Area Overlays.	These areas have been identified using the same methodology as applied to the review of RCAs. In my view, if the elements that give a particular area a special character that is worthy of retention are present, and the area meets the thresholds set out in the methodology, then they should be treated in the same manner as existing RCAs, and therefore included in PC14. This is because the effects of development of these areas has the same potential to undermine the elements which make up their overall character, and their cohesiveness and integrity, regardless of when the areas have been identified.  For the reasons set out in this report, application of a controlled activity status and deletion of the proposed built form standards would, in my view, result in development that is inconsistent with the values of the RCAs, and over time lead to a loss in the integrity and cohesiveness of these areas. This in turn, would not achieve Objective 3.3.8 a. ii., Objective 14.2.5, or implement Policy 14.2.5.9.
		<b>S877.11</b>	Seek Amendment		
Melissa Macfarlane	<b>S1003</b>	<b>S1003.15</b>	Seek Amendment	Reinstate Rule 14.5.3.1.2(C1) as per the Operative Plan.  Alternatively, amend this rule so that alterations or additions to existing dwellings and other buildings, and the erection of new buildings less than 30m2 and fences and walls are all classified as controlled activities.	Accept in part  For the reasons set out in this report, I do not support retention of a controlled activity status. I do not agree with amending the threshold to provide a controlled activity status for any alterations or additions, or to buildings under a certain size threshold beyond that already

Submitter	Submission No.	Decision No.	Request	Decision Sought	Recommendation and Reasons
				New dwellings and accessory buildings over 30m <sup>2</sup> would be RDIS.	provided for. I do however consider that it would be appropriate to make additions to an existing residential unit, which are less than 30m <sup>2</sup> , and which occur to the rear of the site a controlled activity, as this treats them on a similar basis to new dwellings at the rear, and reflect Ms Rennie's comments that it is development visible from the street that has greater potential effect on character values. I consider that alterations to the rear of a property should also be exempted from Rule 14.5.3.1.3 RD14.
		<b>S1003.16</b>	Seek Amendment	Amend Rule 14.5.3.1.3 RD14 so that it only applies to the demolition or removal or relocation or erection of a building greater than 30m <sup>2</sup> . The proposed exclusions would still need to apply, except where required to meet the above.	Accept in part I do not agree with only applying the rules to these activities, but I have recommended some changes to the controlled and restricted discretionary rules to reduce their application with respect to alterations and additions.
Jane Sutherland-Norton on behalf of Andrew Norton	<b>S1006</b>	<b>S1006.1</b>	Seek Amendment	Somerfield and Lower Cashmere suburbs should be in a character area. Resource consent should be required before any development can proceed.	Reject Ms Rennie notes that a RCA of this scale would cover a much more extensive area than other RCAs, and has a much larger range of buildings, making it difficult to determine consistent character attributes, and therefore it does not have a sufficient level of consistent built form and landscape elements to be considered an RCA.
Mark Winter	<b>S1008</b>	<b>S1008.2</b>	Seek Amendment	Retain a heritage and character status for Beverley Street.	Reject

Submitter	Submission No.	Decision No.	Request	Decision Sought	Recommendation and Reasons
					For the reasons set out in this report, I recommend that the proposed RCA for Beverley is removed.
Jeanne Cooper	<b>S1031</b>	<b>S1031.1</b>	Seek Amendment	Provide a buffer zone between character areas and RMD intensive housing [High Density Residential Zone].	Reject In my view, applying a buffer area, or additional controls outside the RCAs would have the effect of applying a qualifying matter to those properties, and I do not consider that this would meet the tests under sections 77J or 77L of the RMA.
Jono De Wit	<b>S1053</b>	<b>S1053.2</b>	Oppose	Oppose the Piko Crescent Character Area.	Reject For the reasons set out in this report, I recommend that the proposed RCA for Piko is retained.
Joanne Nikolaou	<b>S1054</b>	<b>S1054.1</b>	Seek Amendment	Seek that a new Character Area be included for Cashmere Somerfield.	Reject Ms Rennie notes that a RCA of this scale would cover a much more extensive area than other RCAs, and has a much larger range of buildings, making it difficult to determine consistent character attributes, and therefore it does not have a sufficient level of consistent built form and landscape elements to be considered an RCA.
Dr. Bruce Harding	<b>S1079</b>	<b>S1079.1</b>	Seek Amendment	Seek clarification on the RHA 8 (Macmillan Avenue) boundary, as it was all covered in the Special Amenity Area (SaM 17 & 17A) provisions in the late 1990s City Plan. Why is one end of the street singled out and the home	Reject Former SAMs were assessed in 2015 as part of the District Plan review and determined not to meet the thresholds set out in the methodology to be included as RCAs. The methodology applied



Submitter	Submission No.	Decision No.	Request	Decision Sought	Recommendation and Reasons
				of John Macmillan Brown (35 Macmillan Ave) excluded.	to the assessment is set out in the respective Section 32 Reports and outline the reasons for any boundary changes.
Anton Casutt	<b>S1088</b>	<b>S1088.2</b>	Seek Amendment	Seeks that Scott Street, Sydenham is added to a Residential Heritage Area or Character Area.	Reject Ms Rennie has assessed this area (including this site) using the methodology applied to RCAs, and concluded that it does not meet the criteria to be a RCA.
Waipuna Halswell-Hornby-Riccarton Community Board	<b>S1090</b>	<b>S1090.2</b>	Seek Amendment	Supports the Residential Character Areas, but considers there are other examples of areas with similar character to the areas proposed that should be identified in the Plan including areas of Hornby, South Hornby, Sockburn, Hei Hei, Islington, and Broomfield.	Reject Ms Rennie notes that RCAs of this scale would cover much more extensive areas than other RCAs, and have a much larger range of buildings, making it difficult to determine consistent character attributes, and therefore they do not have a sufficient level of consistent built form and landscape elements to be considered RCAs.

## APPENDIX C – PC14 - DISTRICT PLAN TEXT AMENDMENTS WITH RECOMMENDED CHANGES

As a result of consideration of submissions, some amendments to the District Plan provisions are recommended. For the purposes of these amendments, the District Plan text is shown as normal text. Amendments proposed by the Plan Change as notified are shown as **bold underlined** or ~~**bold strikethrough**~~ text.

Any text recommended to be added, following consideration of submissions, is shown as **bold underlined text in red** and that to be deleted as ~~**bold strikethrough in red**~~.

Text in green font identifies existing terms defined in Chapter 2 – Definitions. Text in **blue and underlined** shows links to other provisions in the e-plan or to external documents. These have pop-ups and hyperlinks, respectively, in the on-line Christchurch District Plan. Where a term is defined in the newly added bold text, it will show as **green underlined** text in bold.

### 8.6.1 Minimum net site area and dimension

**Table 1. Minimum net site area – residential zones**

	Zone	Minimum <b><u>net site area</u></b>	Additional standards
a.	Residential Suburban <b>Medium Density Residential Zone</b>	450m <sup>2</sup> <b><u>400m<sup>2</sup> for a vacant allotment</u></b>	<p>a. In the Cashmere and Worsleys area (shown at <b><u>Appendix 8.10.7</u></b>) the minimum <b><u>net site area</u></b> shall be 4ha unless in compliance with the development plans at <b><u>Appendix 8.10.7</u></b>.</p> <p>b. In the Cashmere and Worsleys area (shown at <b><u>Appendix 8.10.7</u></b>):</p> <p>i. No more than 380 residential <b><u>allotments</u></b> shall be created or enabled by <b><u>subdivision</u></b>.</p> <p>ii. No more than 380 <b><u>residential units</u></b> shall be created or enabled by <b><u>subdivision</u></b>.</p> <p>c. The historic stonewalled drain shown at <b><u>Appendix 8.10.7(d)</u></b> shall be protected.</p> <p>d. In Character Areas, the minimum <b><u>net site area</u></b> shall be <del>600m<sup>2</sup></del>:</p> <p><b><u>i. In the Beverley, Heaton and Cashmere Character Areas – 800m<sup>2</sup></u></b></p> <p><b><u>ii. In the Englefield Character Areas – 450m<sup>2</sup></u></b></p> <p><b><u>iii. In the Dudley, Beckenham and Piko Character Areas – 700m<sup>2</sup></u></b></p> <p><b><u>iv. In the Ranfurly, Francis, Malvern, Massey, Severn, Tainui, Ryan, Roker, <del>Cashmere</del></u></b></p>

	Zone	Minimum net site area	Additional standards
			<p><u><a href="#">View</a></u>, and <u><a href="#">Bewdley Character Areas – 600m2</a></u>.</p> <p>...</p>

**14.5.3.1 Area-specific activities**

**14.5.3.1.2 Area-specific controlled activities**

- a. The activities listed below are controlled activities.
- b. Discretion to impose conditions is restricted to the matters over which control is reserved in [Rule 14.15](#), as set out in the following table.

	Location	Controlled activity	The matters over which Council reserves its control:
C1	Character Area Overlay	<p>a. <del>The relocation of a building onto the site, erection of new buildings and alterations or additions to existing buildings, accessory buildings, fences and walls associated with that development, where it is:</del></p> <ul style="list-style-type: none"> <li>i. <del>visible from the street;</del></li> <li>ii. <del>located in that part of the site between the road boundary and the main residential unit on the site; or</del></li> <li>iii. <del>involves changes to the front façade of the main residential unit of the site.</del></li> </ul> <p>b. <del>This rule does not apply to:</del></p> <ul style="list-style-type: none"> <li>i. <del>fences that are 1 metre in height or less;</del></li> <li>ii. <del>accessory buildings that are located to the rear of the main residential unit on the site and are less than 5 metres in height;</del></li> <li>iii. <del>fences that are located on a side or rear boundary of the site, except where that boundary is adjacent to a public open space.</del></li> </ul>	<p>a. Character Area Overlay – <a href="#">14.15.237</a></p>

	Location	Controlled activity	The matters over which Council reserves its control:
		<p><b>a. <u>The erection of new residential unit to the rear of an existing residential unit on the same site, where it is:</u></b></p> <ul style="list-style-type: none"> <li><b>i. <u>less than 5 metres in height; and</u></b></li> <li><b>ii. <u>meets the built form standards applicable to the Character Area Overlay within which it is located.</u></b></li> </ul> <p><b>b. <u>↔ Additions to existing buildings which:</u></b></p> <ul style="list-style-type: none"> <li><b>i. <u>are not visible from the street and which do not involve changes to the front façade of the main residential unit of the site; and</u></b></li> <li><b>ii. <u>are less than 30m<sup>2</sup> in area 5 metres in height; and</u></b></li> <li><b>iii. <u>meet the built form standards applicable to the Character Area within which it is located.</u></b></li> </ul> <p><b>c. <u>Any application arising from this rule shall not be limited or publicly notified.</u></b></p>	

**14.5.3.1.3 Area-specific restricted discretionary activities**

- a. The activities listed below are restricted discretionary activities.
- b. Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in [Rule 14.15](#), or as specified, as set out in the following table:

Activity/area		The Council’s discretion shall be limited to the following matters:
RD6	Residential units in the Character Area Overlay that do not meet Rule 14.5.3.2.7 – <b><u>Site density Number of residential units per site</u></b>	a. Character Area Overlay – Rule <a href="#">14.5.237</a>
RD14	<p><b><u>Within a Character Area Overlay:</u></b></p> <p><b>a. <u>The demolition or removal of a building greater than 306m<sup>2</sup> on the site, relocation of a building onto the site, erection of new buildings and alterations or additions to existing buildings, accessory buildings, fences and walls associated with that development.</u></b></p>	b. <b><u>Character Area Overlay - Rule <a href="#">14.15.27</a></u></b>

Activity/area	The Council's discretion shall be limited to the following matters:
<p><b>b. This rule does not apply:</b></p> <ul style="list-style-type: none"> <li>i. <u>where 14.5.3.1.2 C1 applies.</u></li> <li>ii. <u>to fences that meet the applicable built form standard 14.5.3.2.12 for that Character Area;</u></li> <li>iii. <u>to accessory buildings that are less than 30m<sup>2</sup> and located to the rear of the main residential unit on the site and are less than 5 metres in height;</u></li> <li>iv. <u>to fences that are located on a side or rear boundary of the site, except where that boundary is adjacent to a public space.</u></li> <li>v. <u>to alterations to existing buildings which are not visible from the street and do not involve changes to the front façade of the main residential unit on the site.</u></li> </ul> <p><b>c. Activities that do not meet Built Form standard 14.5.3.2.6.</b></p> <p><b>d. Any activity specified in a. which does not meet Rule 14.5.3.2.3, 14.5.3.2.5, 14.5.3.2.8, 14.5.3.2.9, 14.5.3.2.13 or 14.5.3.2.14.</b></p> <p><b>d. Any application arising from this rule shall not be limited or publicly notified.</b></p>	

## 14.5.3.2 Area-specific built form standards

### 14.5.3.2.3 Building height

- a. This applies to:
- i. ~~Residential~~ Medium Density **Residential** Zone in the Commercial Local Zone (St Albans) Outline development plan shown as Area A in Chapter 15 Appendix 15.15.5; and
  - ii. Accommodation and Community Facilities Overlay.
- b. The maximum height of any building shall be:

	Area	Standard
iii.	<u>Heaton, <del>Beverley</del> and Cashmere Character Areas</u>	<p><b>A. 78 metres;</b></p> <p><b>B. except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 2 metre, where the entire roof slopes 15° or more.</b></p>
iv.	<u>Englefield, <del>Ranfurly</del>, Francis, Malvern, Massey, Severn, Tainui,</u>	<b>56.5 metres</b>

	Area	Standard
	<u>Ryan, Roker<sup>66</sup>, Cashmere View, Dudley, Beckenham, Therese,<sup>67</sup> Piko and Evesham,<sup>68</sup> Bewdley Character Areas</u>	

#### 14.5.3.2.5 Front entrances and façades

- a. Within the Heaton, Beverley, Englefield, Ranfurly, Francis, Malvern, Massey, Severn, Tainui, Ryan, Cashmere View, Dudley, Beckenham, Roker, Piko and Bewdley Character Areas:
  - i. any residential unit shall be built across a minimum of 60% of the width of an allotment, where it abuts a round boundary.
- b. Within the Cashmere Character Area:
  - i. the minimum dimension of the building frontage to the street, excluding any garage, shall be 8 metres.
- c. Within the Heaton, Beverley, Englefield, Ranfurly, Francis, Malvern, Massey, Severn, Tainui, Ryan, Cashmere View, Dudley, Beckenham, Roker, Piko, Cashmere and Bewdley Character Areas:
  - i. the maximum paved access width per site is 3.6 metres, or;
  - ii. 4.8 metres, where it includes a pedestrian access with a minimum width of 1.2 meters.

#### 14.5.3.2.6 Landscaped areas for select areas

- a. Planting shall be provided as follows:

...

- ii. Within the Character Area Overlay for all activities:

- ~~A. A landscape strip of a minimum width of 2 metres comprising a combination of tree and garden planting shall be planted along the length of the road boundary, excluding that part required for a driveway or pedestrian access.~~
- A. A residential unit at ground floor level must have a landscaped area of a minimum of 20% of a developed site with tree and garden planting.
- B. A landscape strip with a minimum width of 2 metres shall be planted along the rear boundary, and shall include trees that will grow to a minimum height of 6–8 metres.
- C. In addition to A and B above:

<sup>66</sup> Clause 16(2) to correct an error.

<sup>67</sup> Clause 16(2) to correct an error.

<sup>68</sup> Clause 16(2) for consistency.

1. Within the Heaton Character Area, a minimum of 3 specimen trees of 8-12 metres in height shall be planted within front setback and a landscaping strip, with a minimum width of 3 metres, shall be planted along the length of the road boundary excluding that part required for a driveway or pedestrian access.
2. Within the ~~Beverley and~~ Englefield Character Areas, a landscaping strip, comprising a combination of tree and garden planting, and with a minimum width of 2 metres, shall be planted along the length of the road boundary excluding that part required for a driveway or pedestrian access.
3. Within the ~~Ranfurly,~~ Francis, Malvern, Massey, Severn, Tainui, Ryan, Roker, ~~Cashmere View,~~ Dudley, Beckenham, Piko and Cashmere Character Areas, a landscaping strip, comprising a combination of tree and garden planting, and with a minimum width of 3 metres, shall be planted along the length of the road boundary excluding that part required for a driveway or pedestrian access.
4. Within the Bewdley Character Area, a landscaping strip of a minimum width of 3 metres, shall be located along the length of the road boundary excluding that part required for a driveway or pedestrian access.

**14.5.3.2.7 Site density**

- a. Within the Character Area Overlay each residential unit shall be contained within its own separate site and the site shall have a minimum net site area as follows:

	Area	Standard
i.	<del>Residential Medium Density Zone within the Character Area Overlay</del>	400m <sup>2</sup>
ii.	<del>Character Area Overlay – Character Area 8 – Beverley</del>	500m <sup>2</sup>

**14.5.3.2.7 Number of residential units per site**

- a. Within the Character Area Overlay, there must be no more than 2 residential units per site.

**14.5.3.2.8 Setbacks**

- a. Within Character Area Overlays, buildings must be set back from the relevant boundary by the minimum depth listed in the yards table below, except as per b. and c below:

Setback	Area and setback distance

i.	Front	<p>A. <u>Within the Heaton, <del>Ranfurly</del>, Francis, Malvern, Massey, Severn, Tainui, Ryan, <del>Roker</del><sup>69</sup>, Cashmere View, Dudley, <del>Beckenham</del>, <del>Therese</del><sup>70</sup> and Piko Character Areas:</u></p> <ol style="list-style-type: none"> <li>1. <u>8 metres,</u></li> <li>2. <u>except that where any existing dwelling unit on the site was built prior to 1950 and is to be relocated within the site, it can be located 6m from the front boundary.</u></li> </ol> <p>B. <u>Within the Beckenham Character Area:</u></p> <ol style="list-style-type: none"> <li>1. <u>7 metres,</u></li> <li>2. <u>except that where any existing dwelling unit on the site was built prior to 1950 and is to be relocated within the site, it can be located 6m from the front boundary.</u></li> </ol> <p><del>Within the Beverley Character Area:</del></p> <ol style="list-style-type: none"> <li>1. <del>3 metres, where the front setback is on the north side of the street, or;</del></li> <li>2. <del>7 metres, where the front setback is on the south side of the street.</del></li> </ol> <p>C. <u>Within the Englefield Character Area:</u></p> <ol style="list-style-type: none"> <li>1. <u>3 metres, but with a maximum of 5m.</u></li> </ol> <p>D. <u>Within the Cashmere Character Area:</u></p> <ol style="list-style-type: none"> <li>1. <u>5 metres.</u></li> </ol> <p>E. <u>Within the <del>Evesham</del><sup>71</sup> Bewdley Character Area:</u></p> <ol style="list-style-type: none"> <li>1. <u>6 metres</u></li> </ol>
ii.	Side	<p>F. <u>Within the Heaton Character Area:</u></p> <ol style="list-style-type: none"> <li>1. <u>3 metres.</u></li> </ol> <p>G. <u>Within the <del>Beverley, Ranfurly</del>, Francis, Malvern, Massey, Severn, Tainui, Ryan, <del>Cashmere View, Dudley, Beckenham</del> and Piko Character Areas:</u></p> <ol style="list-style-type: none"> <li>1. <u>2 metres on one side and 3 metres on the other.</u></li> </ol> <p>H. <u>Within the Englefield, <del>Beckenham</del>, Bewdley and Roker Character Areas:</u></p> <ol style="list-style-type: none"> <li>1. <u>1 metre on one side and 3 metres on the other.</u></li> </ol> <p>I. <u>Within the Cashmere Character Area:</u></p> <ol style="list-style-type: none"> <li>1. <u>3 metres.</u></li> </ol>

<sup>69</sup> Clause 16(2) to correct an error.

<sup>70</sup> Clause 16(2) to correct an error.

<sup>71</sup> Clause 16(2) for consistency.



iii.	<u>Rear</u>	J. <u>Within the Heaton, <del>Beverley</del>, Englefield, <del>Ranfurly</del>, Francis, Malvern, Massey, Severn, Tainui, Ryan, <del>Cashmere View</del>, Dudley, Beckenham, Bewdley, Roker and Piko Character Areas</u> 1. <u>3 metres.</u>
iv.	<u>Accessory buildings</u>	K. <u>In relation to side and rear boundaries only, where the total length of the accessory building does not exceed 10m: Nil</u>
v.	<u>Eaves and roof overhangs</u>	L. <u>Up to 300mm in width and guttering up to 200mm in width from the wall of a building may protrude into the front setback</u>

#### 14.5.3.2.9 Building coverage

- a. In all Character Areas except the Englefield and Bewdley Character Area, the maximum building coverage must not exceed 4035% of the net site area, except that eaves and roof overhangs up to 300mm in width and guttering up to 200mm in width from the wall of a building shall not be included in the site coverage calculation.
- b. Within the Englefield and Bewdley Character Area, the maximum building coverage must not exceed 35% of the net site area, except that eaves and roof overhangs up to 600mm in width and guttering up to 200mm in width from the wall of a building shall not be included in the site coverage calculation.

#### 14.5.3.2.10 Outdoor living space per unit

##### a. Within the Heaton Character Areas:

- ~~i. a residential unit at ground floor level must have an outdoor living space that is at least 80 square metres at ground floor level and has no dimension less than 7 metres; and~~
- ~~ii. a residential unit located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace, of at least 8 square metres and a minimum dimension of 1.8 metres; and~~
- ~~iii. any outdoor living space must be:~~
- ~~A. accessible from the residential unit;~~
- ~~B. located directly adjacent to the unit; and~~
- ~~C. be free of buildings, parking spaces, and servicing and manoeuvring areas.~~

##### b. Within the Englefield, Francis, Malvern, Massey, Severn, Tainui, Ryan, Cashmere View, Dudley, Beckenham, Piko, Cashmere, Bewdley and Roker Character Areas:

- ~~i. a residential unit at ground floor level must have an outdoor living space that is at least 50 square metres at ground floor level and has no dimension less than 5 metres; and~~

~~ii. a residential unit located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace, of at least 8 square metres and a minimum dimension of 1.8 metres; and~~

~~iii. any outdoor living space must be:~~

~~A. accessible from the residential unit;~~

~~B. located directly adjacent to the unit; and~~

~~C. be free of buildings, parking spaces, and servicing and manoeuvring areas.~~

#### **14.5.3.2.11 Windows to street**

~~a. Within the Heaton, Beverley, Englefield, Piko, and Cashmere Character Areas, any residential unit facing the street must have a minimum of 20% of the street facing façade(s) in transparent glazing, or a combination of transparent glazing and a front door.~~

~~b. Within the Ranfurly, Francis, Malvern, Massey, Severn, Tainui, Ryan, Dudley, Beckenham and Roker Character Areas, any residential unit facing the street must have a minimum of 30% of the street facing façade(s) in transparent glazing, or a combination of transparent glazing and a front door.~~

~~c. Within the Bewdley Character Area, any residential unit facing the street must have a minimum of 40% of the street facing façade in transparent glazing.~~

~~d. For the purpose of this rule, any area of roofspace that is fully enclosed by a gable shall not be included in the area of the front façade.~~

#### **14.5.3.2.12 Fencing in character areas**

a. Within the Heaton Character Area, the maximum height of fencing along the front boundary is 1.8 metres.

b. Within the ~~Beverley, Ranfurly,~~ Francis, Malvern, Massey, Severn, Tainui, ~~Roker~~<sup>72</sup>, Cashmere ~~View, Dudley, and Beckenham and Therese~~<sup>73</sup> Character Area, the maximum height of fencing along the front boundary is 1.2 metres.

c. Within the Ryan Character Area, the maximum height of fencing along the front boundary is 0.8 metres.

d. Within the Englefield and Piko Character Area, the maximum height of fencing along the front boundary is 1 metres.

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<sup>72</sup> Clause 16(2) to correct an error.

<sup>73</sup> Clause 16(2) to correct an error.

- e. Within the ~~Evesham~~<sup>74</sup>Bewdley Character Area, the maximum height of fencing along the front boundary is 0.5 metres.
- f. Within the Cashmere Character Area, the maximum height of:
  - i. fencing along the front boundary is 1.2 metres; and
  - ii. any retaining wall along the front boundary is 1.5 metres.
  - iii. And where a fence is proposed on a retaining wall, it must be set back from the front face of the retaining wall by 1.2 metres with the intervening area containing planting.
- g. The maximum height of fencing for all side and rear (internal) boundaries is 2.0 metres.
- h. Any areas used for vehicular parking shall be separated from open space, or adjoining residentially zoned sites by fencing that meets the requirements in a) – f) above.

Advice Note: Rule 7.4.3.7 – Access design – shall also apply, where applicable.

#### 14.5.3.2.13 Garaging and carport building location in character areas

- a. Within the Heaton, ~~Beverley~~, Englefield, ~~Ranfurly~~, Francis, Malvern, Massey, Severn, Tainui, Ryan, ~~Cashmere View~~, Dudley, Beckenham, Roker, Piko and Bewdley Character Areas, garages and carports (whether detached or not) shall be located:
  - i. to the rear of any residential unit; or
  - ii. to the side of any residential unit, provided that they are located at least 5 metres behind the front façade of a residential unit.
- b. Within the Cashmere Character Area, a single garage or carport less than 4.5 metres in width may be located within the street setback, where it is:
  - i. located front on to the street;
  - ii. less than 25% of the width of the street frontage; and
  - iii. does not have a driveway or garage located within 2.5 metres.

#### 14.5.3.2.14 Internal separation in character areas

- a. Within the Englefield Character Area, except for the conversion of an existing residential unit into two residential units, any residential unit must be separated from any other residential unit on the same site by a minimum of 5 metres.

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<sup>74</sup> Clause 16(2) for consistency.

**b. Within any Character Area, any building on a site that contains 2 detached residential units must be setback by a minimum of 5 metres from the second residential unit or any accessory building associated with that unit.**

~~**c. Any building must be set back from a shared access by a minimum of 1 metre.**~~

### 14.8.3.2 Area-specific built form standards

#### 14.8.3.2.34 Site coverage

a. Within the Character Area Overlay ~~and/or the Residential Heritage Area~~ in ~~Lyttelton~~ **Lyttelton** the maximum percentage of the net site area covered by buildings shall be ~~60%. 50%. 60%.~~

**b. Within that part of the Residential Heritage Area in Lyttelton which is outside the Character Area Overlay, the maximum percentage of the net site area covered by buildings shall be 50%.**

~~**c.**~~ For the purpose of this rule this excludes:

- i. fences, walls and retaining walls;
- ii. eaves and roof overhangs up to 600mm in width and guttering up to 200mm in width from the wall of a building;
- iii. uncovered swimming pools up to 800mm in height above ground level; and
- iv. decks, terraces, balconies, porches, verandahs, bay or box windows (supported or cantilevered) which:
  - A. are no more than 800mm above ground level and are uncovered or unroofed; or
  - B. where greater than 800mm above ground level and/or covered or roofed, are in total no more than 6m<sup>2</sup> in area for any one site.