

**BEFORE INDEPENDENT HEARING COMMISSIONERS
IN CHRISTCHURCH**

TE MAHERE Ā-ROHE I TŪTOHUA MŌ TE TĀONE O ŌTAUTAHĪ

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of the hearing of submissions on Plan Change 14 (Housing
and Business Choice) to the Christchurch District Plan

**SUPPLEMENTARY STATEMENT OF EVIDENCE OF HERMIONE BLAIR ON
BEHALF OF CHRISTCHURCH CITY COUNCIL**

**RESIDENTIAL CHARACTER AREAS & RESIDENTIAL HERITAGE AREAS
RESIDENTIAL DESIGN PRINCIPLES**

Dated: 13 December 2023

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EXECUTIVE SUMMARY

1. My full name is **Hermione Claire Blair**. I am a Principal Advisor at Christchurch City Council (the **Council**).
2. I prepared a statement of evidence, dated 11 August 2023, on behalf of the Council in respect of Plan Change 14 to the Christchurch District Plan (the **Plan**; **PC14**). My evidence addressed the topic of the rule framework for residential activities in the Medium Density Residential (**MRZ**) and High Density Residential (**HRZ**) zones, from a resource consent/plan implementation perspective.
3. I have prepared this supplementary statement of evidence in respect of queries raised by the Panel at the PC14 hearing about Residential Character Areas (**RCAs**) and Residential Heritage Areas (**RHAs**), and the structure of the Residential Design Principles (**RDPs**).
4. The Panel's query regarding RCAs and RHAs has been recorded by legal counsel for the Council as follows:

"Provide working resource consenting scenarios for an area with an RHA only, one with an RCA only, and one with both an RCA and an RHA. Activities in the scenarios should be common (eg a demolition example for each of these areas and a new addition or dwelling in each)."

5. The Panel's query regarding the structure of the RDPs is item numbered 52 in the appendix to a memorandum of counsel for the Council dated 29 November 2023. It reads:

"Ms Blair to consider matters of discretion for design principles and whether the word "includes" should be replaced by "are", and whether it needs to be clearer that some parts are intended to be a guide only."

6. In my evidence below I first address the interplay between RCAs and RHAs by attaching sample resource consent rule assessments of indicative proposals located on sites:
 - (a) within an RCA only;
 - (b) within an RHA only; and
 - (c) within both an RCA and an RHA.

7. In the attachments I include commentary on how these assessments would be undertaken, including inputs to that assessment from the applicant and Council specialist staff in the urban design and heritage teams, where relevant. I also note any issues this exercise has uncovered with respect to the interplay between rules and effectiveness of matters of discretion.
8. Based on this exercise, I conclude that:
 - (a) more targeted policy and potentially appended information in the District Plan for RCAs, similar to that provided in PC14 for RHAs, would assist Plan users in understanding the RCA provisions;
 - (b) additional matters of discretion for demolition of a building in an RCA would be beneficial; and
 - (c) setting out that the area-specific built form standards take precedence over the zone and precinct rules and prevail in cases of inconsistency would assist Plan users and reduce complexity.
9. I also attach a table that sets out and compares the RCA and RHA provisions, from objectives, policies, activity rules, built form standards and matters of discretion, and notes which rules would apply where a site is in both the RCA and RHA and the applicable matters of discretion.
10. I also attach a proposed redraft of the RDPs (14.15.1) to identify the matters of discretion more clearly versus the guidance on how to achieve the matters, and to reduce repetition and improve the clarity of the principles and guidance.

INTRODUCTION

11. My full name is Hermione Claire Blair, and I am a Principal Advisor in the Resource Consents Unit at Council.
12. During the PC14 residential hearing, following my summary of evidence, the Panel requested I revisit the structure of the RDPs which was discussed in my primary evidence, with a view to more clearly identifying the matters of discretion versus guidance.
13. Although my evidence did not cover the qualifying matters or area specific rules, as a separate matter I agreed to prepare a summary of the interplay between the RCA and RHA provisions from a consenting perspective.

14. As such, I have prepared this supplementary evidence.
15. I am authorised to provide this evidence on behalf of the Council.

Qualifications and experience

16. My qualifications and experience are set out at paragraphs 8 to 10 of my primary statement of evidence.

Code of conduct

17. While this is a Council hearing, I have read the Code of Conduct for Expert Witnesses (contained in the 2023 Practice Note) and agree to comply with it. Except where I state I rely on the evidence of another person, I confirm that the issues addressed in this supplementary statement of evidence are within my area of expertise, and I have not omitted to consider material facts known to me that might alter or detract from my expressed opinions.

Scope of supplementary evidence

18. This supplementary evidence addresses the following matters:
 - (a) The interplay between the RHA and RCA rule provisions as tested through several consenting examples.
 - (b) The structure of Matters of Discretion 14.15.1 RDPs, including a potential alternative that seeks to reduce repetition and clearly identify to Plan users the matters of discretion (the principles themselves) versus guidance on how to achieve the principles.

RHA AND RCA INTERPLAY

19. The Panel has requested that example scenarios be produced and analysed of proposals for activities on sites that are within either or both of an RCA and an RHA, in order to better understand how the provisions work and any interplay between them.
20. The following scenarios are included in Appendix 1:
 - (a) 1A: Demolition of an existing residential unit (defining building) in an RHA;
 - (b) 1B: New residential unit in an RHA;
 - (c) 2A: Demolition of an existing residential unit in an RCA;

- (d) 2B: New residential unit in an RCA;
 - (e) 2C: Additions to an existing residential unit in an RCA;
 - (f) 3A: Demolition of an existing residential unit (defining building) within both an RHA and an RCA;
 - (g) 3B: Alterations to existing residential unit within both an RHA (neutral building) and an RCA.
21. Of the above scenarios, those in (a), (e) and (g) are based on actual applications received by Council over the last couple of years. These were chosen at random to demonstrate real world examples of the types of activities people may seek to undertake within these areas. The other scenarios are theoretical.
 22. All the appended scenarios have been assessed against the version of the RCA and RHA rules set out in PC14 as proposed to be amended through the section 42A reports of Ms White and Ms Dixon, as relevant, with the specific rule triggers and matters of discretion identified. The information likely needed to be supplied by an applicant is briefly discussed, as are the specialist inputs (i.e. from heritage or urban design staff) the Council processing planner will need to make their assessment.
 23. While undertaking this exercise, I have identified some issues with some of the rules and matters of discretion, and the commentary that accompanies the scenarios highlights these. I have also discussed these issues with the relevant Council witnesses (including Ms White and Ms Dixon).
 24. As a result I have identified potential corrections to make to the provisions. Where these are within the scope of PC14 (and the relief sought in submissions), I consider there is merit in the Panel recommending these changes through this process. The changes the Council considers are within scope will be reflected in the final version of the provisions the Council will table as part of its reply.
 25. Where suggested amendments may be outside of the scope of submissions, I understand the Council may request that the Panel utilise its powers under clause 99(2) of the First Schedule of the RMA to address these.

26. Of the issues identified, the first is an issue with the existing District Plan that has persisted in PC14, despite additional rules being proposed for RCAs. That is, there is very little information in the Plan to underpin the RCA approach, with a single, broad objective and policy. None of the RCA guides, which themselves set out the values of the specific RCA are included in the Plan itself. This makes it difficult for Plan users to understand first where a particular RCA is, noting these are numbered on the Planning maps but named in the rules, or why a particular RCA has been identified and what values are sought to be maintained or enhanced in the area. This differs from the approach in PC14 for the RHAs which includes a considerable degree of information about the values of RHAs including individual areas and individual sites within these areas, accessible within the Plan itself.
27. I consider that a potential solution could be to include within the RCA matters of discretion reference to the extent to which a proposal is consistent with any design guidance that exists at the time of assessment. Another solution could be to add a table that describes the particular values of each character area within the chapter 14 policies, similar to existing policy 14.2.1.1 Table 14.2.1.1.a that describes the residential zones. I understand Council staff are exploring these options and this will be addressed in the Council reply.
28. The second issue is the potential for confusion about which rules apply when a site is located within a zone, a precinct, an RHA and an RCA, especially where there is conflict, for example where built form standards apply different standards controlling the same matter in respect of the same building. This could be addressed through clear statements of which rules take precedence, for example stating the area-specific built form standards prevail over the zone built form standards when dealing with the same issue.
29. As an example, MRZ area specific permitted activity rule 14.5.3.1.1 states:
- “a. The activities listed below are permitted activities if they meet the activity specific standards set out in this table; and the built form standards in Rule 14.5.2 unless specified otherwise in Rule 14.5.3.2.”*
30. Area specific rule 14.5.3.2 a. states that *“Any development within the Suburban Density Precinct, Suburban Hill Density Precinct, and/or Riccarton Bush Interface Area shall be considered under 14.5.2 and*

associated activity standards, unless otherwise specified within this section and associated activity standards.”

31. The area specific built form standards do not explicitly ‘specify’ which rule should prevail. For example, the area specific built form standard for building height enables 7m height within both the Lyttelton RCA and RHA, but sites in these overlays are also within the Suburban Density Precinct which permits 8m height. This could be easily corrected by adding words such as “(outside of Residential Heritage Areas or Character Areas)” to the Suburban Density Precinct built form rules; the drafting fix to this issue can be included in the next version of proposed PC14 provisions, to be annexed to the Council's reply.
32. Finally, I consider that there is little guidance in the Plan as to the appropriate considerations for demolition in an RCA, due to the development/built form focus of the matters of discretion. Council staff are currently looking at options to address this so I note the issue for the Panel's information.
33. **Appendix 2** is a table that compares the RCA and RHA objectives, policies, activity status rules, built form standards and matters of discretion. It shows the rules that would apply to sites in both RCAs and RHAs and the applicable matters of discretion, for the activities listed in the activity status tables in Ch 9 (RHAs) and 14.5 (Area specific rules).
34. This table is based on the s42A report version of the provisions, and does not incorporate any additional changes as a result of further evidence etc. I note the example scenarios in Appendix 1 incorporate some of those changes, which are identified in those examples.

RESIDENTIAL DESIGN PRINCIPLES

35. **Appendix 3** includes revised RDPs that I recommend be introduced through PC14. They retain the current structure for the RDPs with the principles themselves as the matters of discretion, and guidance for achieving the principles listed below each principle. The explanation of the difference between the principles as matters of discretion and the guidance as discussed in my original evidence¹ and at the Residential Hearing, has been expanded on to make this distinction clearer.

¹ At 87-88

36. The provisions themselves have been modified slightly to reinforce the 'guidance' function, to reduce repetition² and jargon and improve clarity. The revised provisions have been discussed with Mr Kleynbos and Mr Hattam.
37. When comparing the section 42A version of the principles to the revised version attached, I note the following:
- (a) The section 42A version and the revised version are similar to the operative District Plan principles, and therefore have the benefit of being known and understood by the development community operating in Christchurch.
 - (b) Notwithstanding the above, the confusion between the principles and the guidance is acknowledged. The proposed version addresses this.
 - (c) Separating the guidance from the principles would reduce the linkage to the principles, diluting the guidance function, which may make consent processing more complex³.
 - (d) The information contained in and level of detail of the guidance (as notified, modified by the section 42A recommendations and the proposed revision) is the result of an iterative process of plan review, starting with the City Plan Living 3 and 4 zones, adapted for the District Plan and informed by ongoing reviews of developments in Christchurch.
 - (e) The guidance is very useful for applicants, Council planners, urban designers and decision-makers and therefore I recommend it be retained with the RDPs within 14.15.1, keeping the direct linkage from the principle to the relevant guidance.

CONCLUSION

38. This supplementary evidence addresses issues raised and information requested by the Panel at the PC14 hearing.
39. The requested information has been provided in relation to the RHA and RCA provision interplay, and the structure of the RDPs.

² Within the guidance itself, and in one case, to avoid including matters that are dealt with in chapters 8 and 9 of the Plan.

³ See paragraph 88 of my evidence in chief for a discussion of the role of the guidance in simplifying consent processing.

- 40. Some issues with the interplay of the RCA, RHA and general zone rules have been identified, with suggested ways to correct these provided.
- 41. A broader issue relating to the information within the Plan about RCAs is identified but the means to address this is unclear.
- 42. An option has been provided to address the structure of the RDPs for the Panel's consideration. The advantages and disadvantages are identified and compared to the section 42a version of the provisions, with the conclusion being that the guidance is useful and should remain in this part of the Plan.

Hermione Blair

13 December 2023

APPENDIX 1 – RCA/RHA PROPOSALS

Example 1A Residential Heritage Area - Demolition

Prepared by Hermione Blair, Principal Advisor Resource Consents, Christchurch City Council

Proposal: Demolition of residential unit at 40 Cressy Terrace Lyttelton



Figure 1: *Existing residential unit*

PC14 (s42A version)

Site: 40 Cressy Terrace Lyttelton (789m²)

Zone: MRZ with Suburban density precinct

Overlays: Residential Heritage Area 7 Lyttelton

Ngā Tūranga Tūpuna site of Ngāi Tahu Cultural Significance

Identified as a Defining Building in the Residential Heritage Area

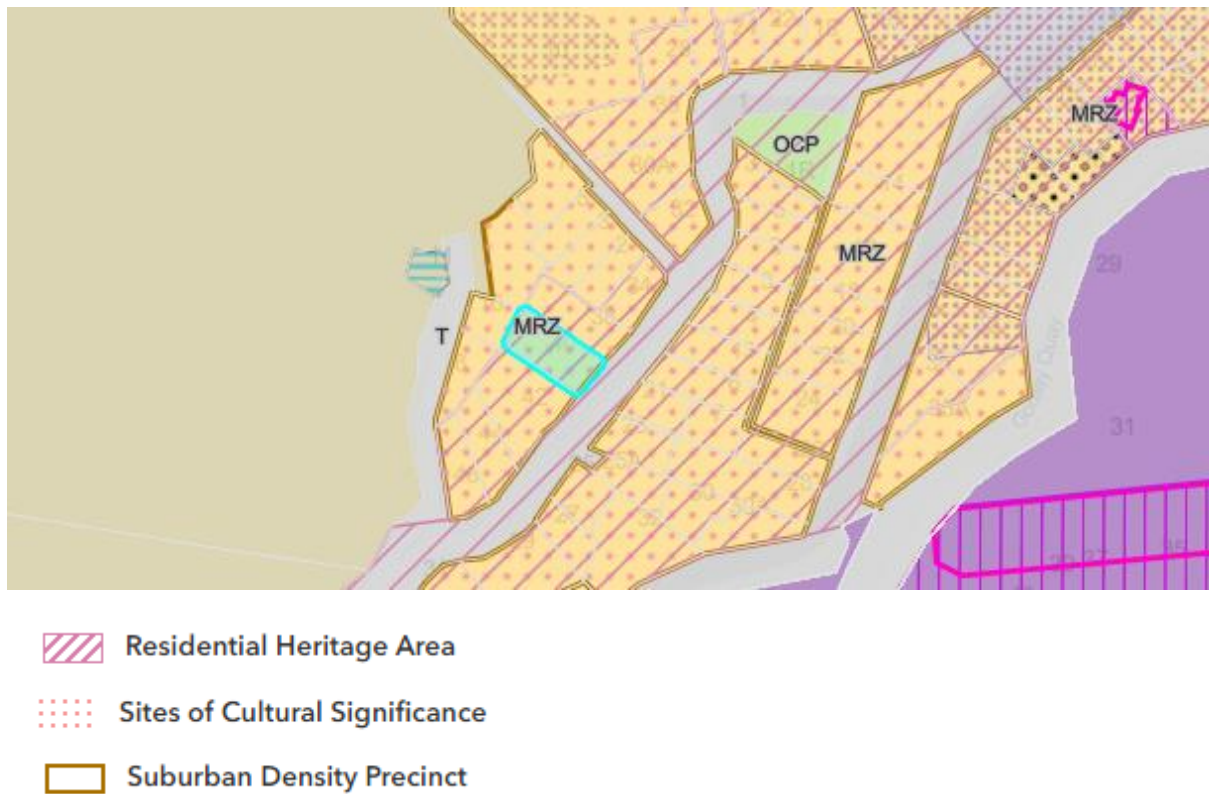


Figure 2: Planning map showing Heritage Area overlay (site is highlighted in blue)

	Heritage Area Report and Site Record Forms	Location	Heritage Area Aerial Map	Heritage Area Site Contributions Map	Heritage Area Interface Sites and Character Area Overlap Map
HA7	Lyttelton Residential Heritage Area	a. <u>Most of the residential areas of the township excluding the port area and areas with commercial zoning.</u>	Appendix 9.3.7.7.6	Appendix 9.3.7.8.6	Appendix 9.3.7.9.6

Figure 3: Appendix 9.3.7.3 Heritage Area identification

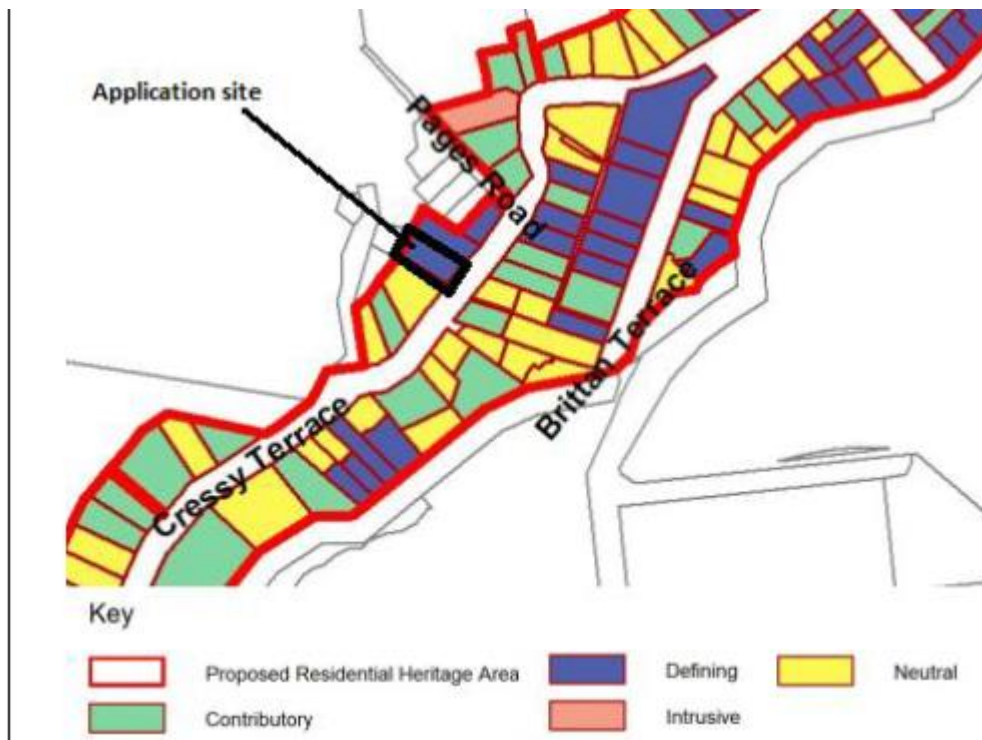


Figure 4: Site identified as Defining on HA7 Site contributions map Appendix 9.3.7.8.6 (detail)

Consenting framework

9.3.4.1.3 RD7 Demolition or relocation of a defining or contributory building (where not a heritage item) Matters of discretion 9.3.6.5

Comment: It is unclear whether demolition would also trigger earthworks rules, given the sloping topography of the site this is possible. Consent is required for any earthworks on gradients exceeding 1 in 6, or exceeding 0.6m depth or 20m³ per site. Earthworks within the building platform, where there is a building consent, are exempt under 8.9.3.a.iv, but a building consent is not generally required for demolition so this exemption would not apply.

Matters of discretion as per s42A provisions, as amended by Ms Dixon's summary statement dated 1 November 2023 (red text, red strikethrough):

9.3.6.5 Residential Heritage Areas (excluding Akaroa Township Heritage Area) – demolition or relocation of a defining building or contributory building

- a. ~~As the primary consideration, the effect of the works on the heritage values of the building or site and~~ the collective heritage values and significance of the heritage area, including the overall integrity and coherence of the heritage area.
- b. Whether the building is a defining building or a contributory building, ~~and the specific contribution the building makes to the significance of the area.~~
- c. The extent to which the ~~heritage fabric or heritage values~~ physical features of the building or site have been damaged by natural events, ~~weather and environmental factors,~~ and other factors ~~the necessity and practicality of work to prevent further deterioration.~~
- d. Whether ~~the costs to retain the building on site would be unreasonable,~~ options for retention and repair have been thoroughly considered, including obtaining conservation advice where necessary, and the technical feasibility and likely costs of those options;

- e. Whether repair would compromise the contribution the building makes to the heritage values of the area to the extent that the building would no longer meet the definition for its current contribution category. ~~The ability to retain the overall heritage values of the building through an alternative proposal.~~
- f. The extent of photographic documentation that will occur prior to, during and on completion of the works.

Comment: To assess the application against the above matters of discretion, the applicant would have to address the contribution of the heritage value of the building to the area. Based on the Individual Site Record Form (copy attached, which will be linked from Appendix 9.3.7.3 in the District Plan) the reason for the defining building rating is “An Edwardian villa that upholds the area’s historic, architectural and contextual values”.

Any applicant is recommended to seek pre-application advice from the Council’s Heritage team to understand the likely documentation requirements.

The applicant would also have to provide justification as to why the building was proposed to be removed, i.e. earthquake damage, with supporting documentation as to the extent of the damage and its effects on heritage values, a repair methodology, and the costs to repair/retain the building on the site. Information on whether any alternative proposal was considered or is viable would be required, noting this could include repair, relocation of the building off the site, retention of parts of the building, reuse of materials in any new build etc. The extent of photographic documentation could be volunteered as a condition.

The application would be circulated to staff in Council’s Heritage team, who would review the heritage assessment provided by the applicant, identify any information deficiencies/requirements, possible alternatives to demolition and the effects of the loss of the building on the collective values of the wider area. Depending on the documentation supplied, Council may also seek input from a quantity surveyor, conservation engineer, conservation architect or similar to review repair methodologies and any costings. The planner would use this information to make a recommendation, first on the level of effect for notification purposes, and then for the substantive decision on whether to grant or decline consent.

The relevant objectives and policies to be considered, subject to the restriction of discretion, are as follows. Note that these include Policy 9.3.2.2.8 as amended by Ms Dixon and appended to her summary statement dated 1 November 2023 (changes from s42A version as red underline and red strikethrough text):

9.3.2.1.1 Objective – historic heritage

- a. The overall contribution of historic heritage to the Christchurch District’s character and identity is maintained through the protection and conservation of significant historic heritage across the Christchurch District in a way which:
 - i. enables and supports:
 - A. the ongoing retention, use and adaptive re-use; and
 - B. the maintenance, repair, upgrade, restoration and reconstruction; of historic heritage; and
 - ii. recognises the condition of buildings, particularly those that have suffered earthquake damage, and the effect of engineering and financial factors on the ability to retain, restore, and continue using them; and

iii. acknowledges that in some situations demolition may be justified by reference to the matters in Policy 9.3.2.2.8.

Comment: Earthquake damage is a consideration in this policy in terms of the condition of the building and the likely feasibility and costs of repair.

9.3.2.2.2 Policy – Identification, assessment and scheduling of heritage areas

a. Identify heritage areas which represent important aspects of the Christchurch District’s cultural and historic themes and activities and assess them for significance to the Christchurch District according to:

- i. whether the heritage area meets at least one of the heritage values in Appendix 9.3.7.1 at a significant or higher level; and
- ii. the extent to which the heritage area and its heritage values contributes to Christchurch District’s sense of place and identity; has at least a moderate degree of integrity and authenticity; is a comprehensive, collective and integrated place, and contains a majority of buildings or features that are of defining or contributory importance to the heritage area.

b. Schedule historic heritage areas that have been assessed as significant in accordance with Policy 9.3.2.2.2(a).

Comment: This policy identifies how the RHA has been identified and assessed, including linking to the values in Appendix 9.3.7.1 (copy attached).

9.3.2.2.3 Policy – Management of scheduled historic heritage (in particular b.:)

(...)

b. Undertake any work on heritage items and heritage settings scheduled in Appendix 9.3.7.2 and defining building or contributory building in heritage areas scheduled in Appendix 9.3.7.3 in accordance with the following principles:

- i. focus any changes to those parts of the heritage items or heritage settings, or defining building or contributory building which have more potential to accommodate change (other than where works are undertaken as a result of damage);
- ii. conserve, and wherever possible enhance, the authenticity and integrity of heritage items and heritage settings, and heritage area (*sic*), particularly in the case of Highly Significant (Group 1) heritage items and heritage settings;
- iii. identify, minimise and manage risks or threats to the structural integrity of the heritage item and the heritage values of the heritage item, or heritage area, including from natural hazards;
- iv. document the material changes to the heritage item and heritage setting or heritage area;
- v. be reversible wherever practicable (other than where works are undertaken as a result of damage);

Comment: In relation to a proposal for demolition of an earthquake damaged building, the policy anticipates works may need to be undertaken as a result of damage. This implies that justification due to damage is likely to be more acceptable than just demolition to redevelop without such justification. I note that this policy was not intended to be relevant to demolition¹, which is covered by the more specific Policy 9.3.2.2.8 but given it refers to heritage areas I consider it is also a relevant consideration.

¹ According to Suzanne Richmond, Council Heritage advisor

9.3.2.2.8 Policy – Demolition of ~~scheduled historic~~ heritage ~~items~~

a. When considering the appropriateness of the demolition of a heritage item scheduled in Appendix 9.3.7.2 ~~or a defining building or contributory building in a heritage area scheduled in Appendix~~

~~9.3.7.3~~, have regard to the following matters:

- i. whether there is a threat to life and/or property for which interim protection measures would not remove that threat;
- ii. whether the extent of the work required to retain and/or repair the heritage item ~~or building~~ is of such a scale that the heritage values and integrity of the heritage item ~~or building~~ would be significantly compromised, and the heritage item would no longer meet the criteria for scheduling in Policy 9.3.2.2.1;
- iii. whether the costs to retain the heritage item ~~or building~~ (particularly as a result of damage) would be unreasonable;
- iv. the ability to retain the overall heritage values and significance of the heritage item ~~or building~~ through a reduced degree of demolition; and
- v. the level of significance of the heritage item.

b. i. Within Residential Heritage Areas, demolition of defining buildings is strongly discouraged and demolition of contributory buildings is discouraged.

ii. In considering the appropriateness of the demolition of a defining or contributory building in a Residential Heritage Area scheduled in Appendix 9.3.7.3, regard must be had to b.i., and also to the following matters:

- A. The effect of the proposed demolition on the collective heritage values and significance of the heritage area, including its overall integrity and coherence; and
- B. Whether the building is a defining building or a contributory building, and the specific contribution the building makes to the significance of the area; and
- C. Whether options for retention and repair have been thoroughly considered, and have been shown to be feasible or otherwise, including whether the preferred option for repair could compromise the heritage values and contribution category of the building.

Comment: There is no specific reference to earthquake damage in part b. of this policy which addresses demolition of defining or contributory buildings within RHAs, despite it giving effect to objective 9.3.2.1.1 which itself seeks to recognise the condition of buildings and acknowledge that in some situations demolition may be justified. However, the policy does require the thorough consideration of options for retention and repair and the feasibility of this.

Overall, for the demolition proposal to be approved a high standard of evidence that all other options have been explored will be required, and that demolition is the only feasible option, considering the costs of retention and repair.

Example 1B Residential Heritage Area – New residential unit

Proposal: New residential unit (assuming consent for demolition is obtained)

PC14 (s42a version)

Site: 40 Cressy Terrace Lyttelton (789m²)

Zone: MRZ with Suburban density precinct

Overlays: Residential Heritage Area 7 Lyttelton

Ngā Tūranga Tūpuna site of Ngāi Tahu Cultural Significance

Identified as a Defining Building in the Residential Heritage Area

Consenting framework

Rule 9.3.4.1.1 P13 permits new road boundary fences/walls to a maximum of 1.5m high

Rule 9.3.4.1.3 RD6 New buildings, new road boundary fences and walls over 1.5m

Matters of discretion 9.3.6.4 (refer below)

Area specific built form standards:

- 14.5.3.2.3.E 7m maximum height for residential unit, 5m for accessory building
- 14.5.3.2.7.c 450m² net site area per residential unit
- 14.5.3.2.8 b.iv. 3m road boundary setback c.v 1.5m side boundary one side, 3m other side, 2m rear boundary
- 14.5.3.9 c.iii 50% building coverage
- 14.5.3.2.12 50m² minimum area outdoor living space

MRZ built form standards also apply, as modified by the Suburban Density Precinct (note it is assumed that the RHA built form standards would take precedence, but this is not explicitly stated in the rules². Rules which conflict are in *italic* below and I would recommend that this be clarified by stating a hierarchy in the rules i.e. do not apply the MRZ built form standard where an area specific standard that addresses the same matter applies):

- 14.5.2.2 Landscaped area 20% of developed site
- 14.5.2.5 *Outdoor living space 20m² with 3m minimum dimension, 1.8m minimum dimension 8m² area if patio/balcony/roof terrace*
- 14.5.2.6 Height in relation to boundary as per 14.6.2 Diagram D
- 14.5.2.7 *Setbacks not clear if ii. common wall, iii. eaves and roof overhang, iv. accessory building standards apply or solely 14.5.3.2.8*
- 14.5.3.2.2 *front yard 4.5m, or 5.5m for garage with vehicle door facing road or shared access*
- 14.5.3.2.4 *8m maximum height*
- 14.5.3.2.9 d. *35% maximum building coverage*
- 14.5.3.2.15 *400m² net site area*

² I understand Council staff are aware of this integration issue and intend to address this in due course.

Rules in general chapters also apply, including for earthworks outside of the building footprint, transport rules for any accesses, vehicle crossing locations etc. If earthworks rules are triggered, consultation with Mahaanui Kurataiao Ltd will be required due to the site's location within the Ngā Tūranga Tūpuna overlay, as well as under the RHA matter 9.3.6.4 e below.

Matters of discretion

9.3.6.4 Residential Heritage Areas (excluding Akaroa Township Heritage Area) - new buildings, fences and walls, and exterior alterations to buildings

a. Whether the proposal is consistent with maintaining or enhancing primarily the collective heritage values and significance of the heritage area, and secondarily the heritage values of the building, fence or wall, in particular having regard to the following matters of discretion where applicable:

- i. the scale, form, mass, rooflines, materials, colour, design, and detailing of the defining buildings and contributory buildings within the heritage area;
- ii. the relationship between elements in the heritage area including the existing pattern of subdivision, pattern of buildings and fencing including height, materials and permeability of fencing and walls, layout and orientation on sites, and setbacks from streets;
- iii. the purpose and extent of earthworks necessary as part of the proposal;
- iv. the extent and scale of vegetation removed, retained or provided;
- v. the impact on public places and the street scene, including avoiding the location of parking areas and garaging within the road boundary setback;
- vi. the impact of the proposal on views to and from the Residential Heritage Area;
- vii. the provision of access and use or adaptive reuse of defining buildings and contributory buildings.

(Additional matters of discretion for alteration to building exteriors viii. -x. – not relevant for this example)

b. The extent to which the proposal is consistent with the Council's heritage report for the Residential Heritage Area concerned, and the ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value (ICOMOS New Zealand Charter 2010).

c. Whether the proposal will provide for retention of a building or ongoing and viable use, including adaptive reuse.

e. Whether the site has cultural or spiritual significance to mana whenua or is to be used for Papakāinga/Kāinga Nohoanga and the outcome of any consultation undertaken with Papatipu Rūnanga³.

Comment: Considering the above matters of discretion, when designing a new building, the applicant would need to consider the location of the building on the site in relation to boundaries, and whether its scale, form, mass and materials (including colour), and design of any fencing are consistent with those of defining or contributory buildings in the wider RHA. The Council would seek input from both

³ I note this matter may be further refined based on the suggestion of Commissioner Matheson.

heritage and urban design staff to assist in assessing the building design. The likely outcome sought would be a building that uses materials and form that is consistent with/complementary to⁴ the defining/contributory buildings within the heritage area, placed on the site with a set back to the street and planting in the front yard area.

Due to the topography of the site, views from the street itself are limited, with wider views from further distant predominating (refer photographs below source RMA/2023/2857 application documents). This could potentially impact on how strictly the new design needs to adhere to the outcomes sought for the heritage area, and ensuring broadly compatible form and materials may be more important than detailing in this case.



Figure 2 – View of the application site from Cressy Terrace to the south of the site, showing the access to the site on the left and the main road lanes of Cressy Terrace on the right. The dwelling is largely screened from view with only a small portion (circled) visible.

Figure 3: (refer description above)

⁴ This is not fully articulated within the matters of discretion



Figure 4— View of the dwelling from Cressy Terrace east of the site. The dwelling is largely obscured by the steep gradient and the intervening structures and planting and only a small portion of the roof is visible.



Figure 5 – View of the dwelling (circled in red) from Norwich Quay (note image has been enlarged and cropped)

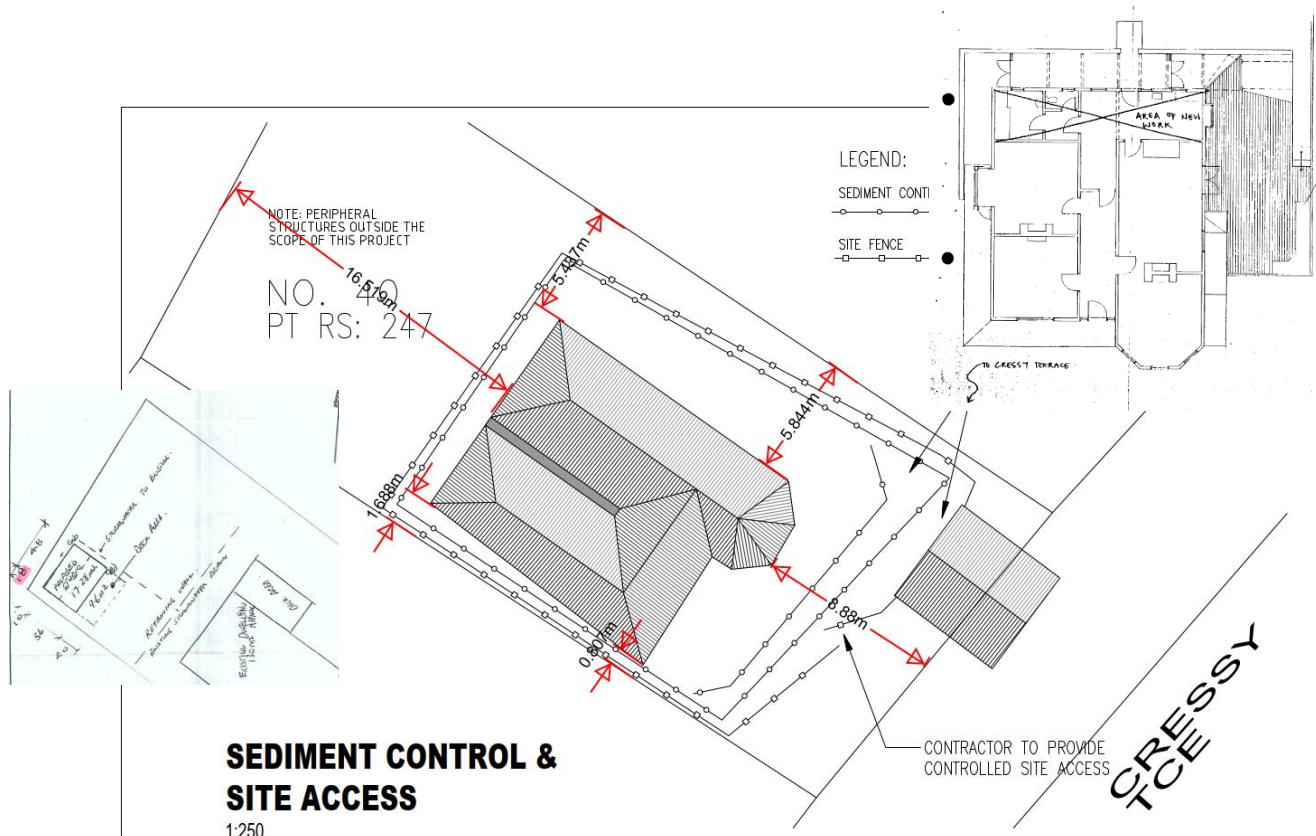


Figure 6: Existing building layout (Source BCN/2018/8380) Note this does not include the large areas of decking visible in the photograph on page 1 of this assessment (refer inset plan for the indicative area of this), or the existing studio in the rear yard (see inset).

Comment: The existing house has a reduced side yard setback on one side than that anticipated in the RHA (approximately 0.8m vs 1.5m permitted). The presence of the existing garage (partially located in legal road, with a licence to occupy) would also not be anticipated in the RHA (3m setback required, 5.5m setback under MRZ rules). The decking (refer inset) is within the required 3m side yard setback and the site coverage is less than the permitted 50% (approximately 165m² house, 40m² decking, 19.5m² garage within the site, 27m² studio in rear yard 251.50m² over 789m² site or 31.8% site coverage). Note this does not include any other decking or accessory buildings that may be present on the site but not shown on the plans above. The applicant may be able to mount an existing use rights argument for a building with similar (but not lesser⁵) setbacks to the lawfully established parts of the existing building, depending on the character and scale of the effects of the new building, and the timing of the replacement (which would have to occur within 12 months of demolition).

The existing building setbacks from both the street and side and rear boundaries in the RHA in this part of Cressy Terrace are not consistent, as evident in the aerial photographs below. As such it may be difficult to justify any uniform setback in this location, and the topography of the site is likely to play more of a role in dictating building location.

⁵ Cannot increase the degree to which a building fails to comply with a rule in the Plan s10(3) RMA



Figure 7: 2023 Aerial photograph of site (pink circle) and surrounds. Source CCC Smartmap.

Appendix 9.3.7.1 Criteria for the assessment of significance of heritage values

a. Historical and social value:

Historical and social values that demonstrate or are associated with: a particular person, group, organisation, institution, event, phase or activity; the continuity and/or change of a phase or activity; social, historical, traditional, economic, political or other patterns;

b. Cultural and spiritual value:

Cultural and spiritual values that demonstrate or are associated with the distinctive characteristics of a way of life, philosophy, tradition, religion, or other belief, including: the symbolic or commemorative value of the place; significance to Tangata Whenua; and/or associations with an identifiable group and esteemed by this group for its cultural values;

c. Architectural and aesthetic value:

Architectural and aesthetic values that demonstrate or are associated with: a particular style, period or designer, design values, form, scale, colour, texture and material of the place;

d. Technological and craftsmanship value:

Technological and craftsmanship values that demonstrate or are associated with: the nature and use of materials, finishes and/or technological or constructional methods which were innovative, or of notable quality for the period;

e. Contextual value:

Contextual values that demonstrate or are associated with: a relationship to the environment (constructed and natural), a landscape, setting, group, precinct or streetscape; a degree of consistency in terms of type, scale, form, materials, texture, colour, style and/or detail; recognised landmarks and landscape which are recognised and contribute to the unique identity of the environment; and

f. Archaeological and scientific significance value:

Archaeological or scientific values that demonstrate or are associated with: the potential to provide information through physical or scientific evidence and understanding about social, historical, cultural, spiritual, technological or other values of past events, activities, structures or people.

**CHRISTCHURCH DISTRICT PLAN
LYTTELTON RESIDENTIAL HERITAGE AREA
INDIVIDUAL SITE RECORD FORM**

ITEM NAME former Hildyard/Pitcaithly house

ADDRESS 40 Cressy Terrace

Lyttelton

PHOTO



CHRISTCHURCH DISTRICT PLAN STATUS

N/A

HNZPT LIST ENTRY STATUS

N/A

ARCHITECT/DESIGNER

Unknown

DATE OF CONSTRUCTION

1903

STYLE

Bay villa

PHYSICAL DESCRIPTION

A single-storey dwelling with a rectangular footprint and centre gutter hipped roof. Principal, south-facing elevation has faceted bay with flared roof and straight veranda with cast iron lacework; main entry has side and fanlights. Double-hung sash windows, tall weatherboard clad base.

CONTEXT/SETTING/LANDSCAPE FEATURES

The dwelling is located on an elevated site on the north-west side of Cressy Terrace. There is a drive and garaging along the southern boundary of the lot.

MATERIALS/STRUCTURE

Timber, corrugated steel.

ALTERATIONS

Garage enlarged (c.1980). Deck erected on east elevation (pre-2010).

RATING

Defining

REASON FOR RATING

An Edwardian villa that upholds the area's historic, architectural and contextual values.

HISTORICAL AND SOCIAL SIGNIFICANCE

The houses in this area chronicle the history of residential development in Lyttelton from the mid-19th century until the present day. This property was conveyed to Betsy Hildyard, the widow of bootmaker William Hildyard, in 1903; tenders were called for a house in February of the same year. Previously the Hildyards had owned 90 Cressy Terrace (1892-1902); Williams' workshop and business premises were in Canterbury Street. The subject property was transferred by the Hildyards' daughter Edith Pitcaithly to Elizabeth and Alfred Pipe, the latter a steward, in 1941. Since 1952 the property has passed through other hands.

CULTURAL AND SPIRITUAL SIGNIFICANCE

The area has cultural value as a demonstration of the way of life of past and present residents and for the esteem in which it is held by members of the community.

ARCHITECTURAL AND AESTHETIC SIGNIFICANCE

The dwellings in this area have architectural and aesthetic value related to their style and typology. Vernacular styles predominate and the typically modest size and scale of the houses creates a sense of consistency and is expressive of the social history of the township. Although the loss of a number of public, ecclesiastical and commercial buildings following the Canterbury earthquakes changed the appearance of the town centre, Lyttelton's historic houses have generally retained a high level of authenticity.

CONTEXTUAL SIGNIFICANCE

The contextual values of the area arise from the interaction between the colonial grid of the principal streets and the topography of the township on the southern flank of the Port Hills. The steeply sloping terrain creates a high level of visual connectivity between residential properties and their wider setting.

ARCHAEOLOGICAL SIGNIFICANCE

As development has occurred in the area since the mid-19th century, the area has potential archaeological values relating to its historic use and occupation.

TECHNOLOGICAL AND CRAFTSMANSHIP SIGNIFICANCE

The craftsmanship of the buildings in the area is generally typical of the period in which they were built.

REFERENCES

John Wilson 'Banks Peninsula Contextual Historical Overview and Thematic Framework' (CCC, June 2014).

Te Runanga o Ngāi Tahu *Kā Huru Manu* available at <https://www.kahurumanu.co.nz/atlas>
Heritage New Zealand Pouhere Taonga 'Lyttelton Township Historic Area' registration report, 2009.

REPORT COMPLETED

2 December 2022

AUTHOR

Dr Ann McEwan, Heritage Consultancy Services

Example 2A Character Area Demolition

Prepared by Hermione Blair, Principal Advisor Resource Consents, Christchurch City Council

Proposal: Demolish residential unit at 30 Severn Street, St Albans

PC14 (s42A version)

Site: 30 Severn Street St Albans (688m²)

Zone: MRZ

Overlays: Residential Character Area (CA 12 Severn – existing)

Flood Management Area (existing)

Liquefaction Management Area (existing)

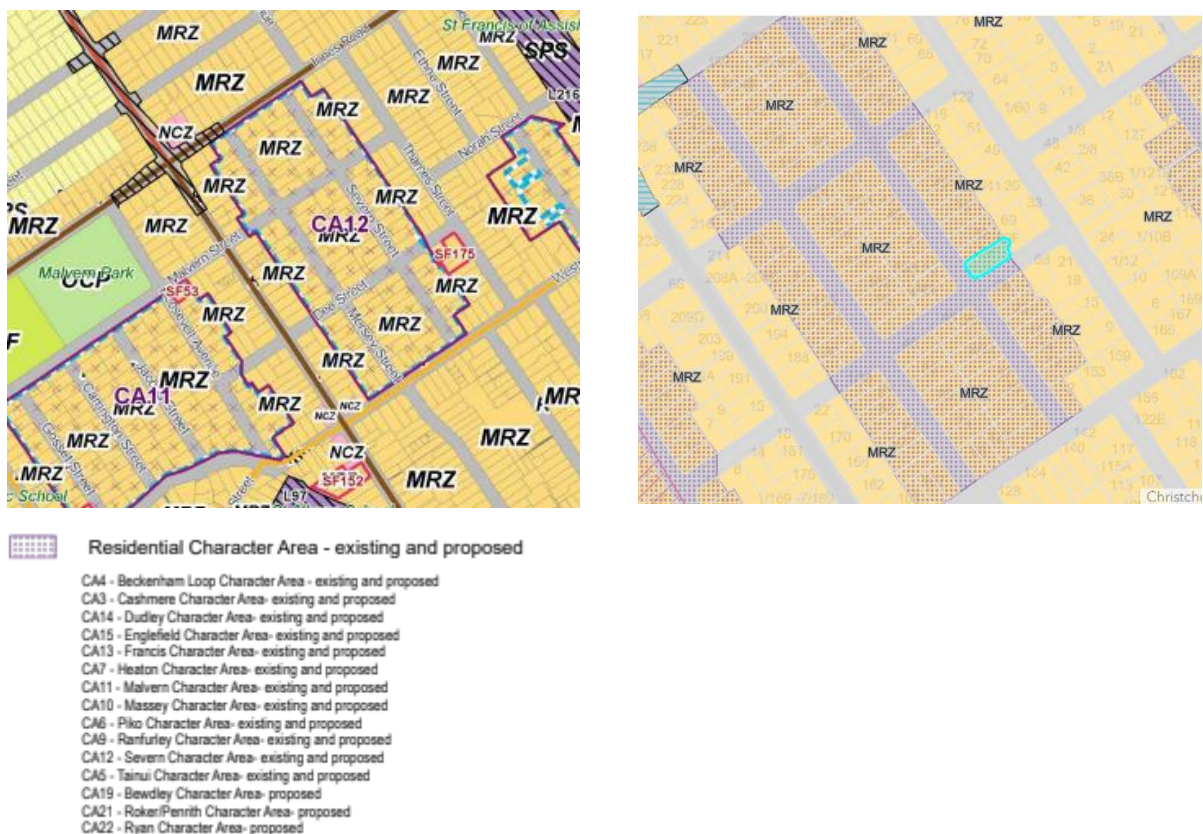


Figure 1: Planning map showing Character Area overlay and zoning, and character area key

Consenting framework

Proposal: The proposal¹ is for the demolition of the existing residential unit.

¹ This is an example only, no consent has been sought for this activity.



Figure 2: Aerial of existing site (corner property).

Consenting framework

Rule 14.5.3.13 RD14 Within a Character Area overlay a. the demolition or removal of a building greater than 36m² on the site. Shall not be limited or publicly notified.

Matters of discretion 14.15.27 Character Area Overlay

Comment: It is unclear whether demolition would also trigger earthworks rules. Earthworks within the building platform, where there is a building consent, are exempt under 8.9.3.a.iv, but a building consent is not generally required for demolition so this exemption would not apply.

Built form standards

Comment: There are no built form standards applicable to demolition.

Matters of discretion

14.15.27 Character Area overlay

a. Area context

i. Whether development recognises the distinctive landforms, landscape setting and development patterns of the character area in respect to:

- A. retaining and enhancing the areas' natural features;
- B. integrating with the existing pattern and grain of subdivision and building;
- C. the relationship with adjoining sites and buildings, including any recorded historic heritage values;
- D. the visual coherence of the area.

b. Street interface

i. Whether the development contributes to the coherency and character of the street by:

- A. providing a front yard building setback which is consistent with the overall depth and pattern of the character area, and in particular with other sites within the street;
- B. recognising the positive contribution of buildings that are representative of the primary characteristics of the area and are proposed to be retained, through a reduction in the front yard building setback;
- C. reducing the extent of paved surface on the site and avoiding the location of vehicle access, manoeuvring, parking areas and garaging within the front yard, or where it visually dominates the streetscene;
- D. utilising, as a preference, a shared driveway and avoiding co-location of driveways and/or garages to minimise the impacts on the quality of the streetscene;
- E. having low height or no fencing on the street frontage or within the front boundary setback; and
- F. orientating the building on the site to face the street, with sufficient building frontage to reinforce the street edge.

c. Site character

i. Whether the development complements the residential character and enhances the amenity of the character area by:

- A. providing a balance of open space to buildings across the site consistent with the surrounding sites within the block, and to a lesser extent, the wider area;
- B. maintaining the extent and scale of vegetation, most importantly trees;
- C. separating buildings on the site with open space and planting between buildings;
- E. retaining the front and rear yards for open space and tree and garden planting; and
- F. ensuring paved areas, fencing and buildings are visually softened through the provision of adjacent planting.

d. Built character

i. Whether the development supports the residential built character values of the character area in regard to:

- A. retaining residential buildings built prior to 1945, or in respect to Bewdley, prior to 1970;
- B. retaining or locating of the primary building on the site at the street interface, with a lesser scale dwelling to the rear;
- C. the scale and form of the building, including the roof form;
- D. architectural detailing including features such as verandas, materials, window and front entry design and placement;
- E. complementary and compatible building design;
- F. the recognition of recorded historic heritage values of adjacent buildings.

Comment: The demolition of the existing building is not in and of itself a 'development' and therefore the above matters are largely not relevant, with the exception of d. Built character, and in particular A.

There is little to guide the assessment of the effects of demolition in Character Area. Demolition will obviously not retain residential buildings built prior to 1945. It is only any subsequent development that can be assessed for its 'fit' with the character area values.

Recourse to the objectives and policies would be required, as limited by the matters of discretion.

Objectives and policies

14.2.45 Objective - High quality residential environments

a. High quality, sustainable, residential neighbourhoods which are well designed, in accordance with the planned urban character² and the Ngāi Tahu heritage of Ōtautahi and meet the community's housing needs, in particular those of Ngāi Tahu whānui.

14.2.5.9 Policy - Residential character areas in Christchurch City, Akaroa and Lyttelton

a. Maintain and enhance the identified special character values of residential areas arising from the following elements:

- i. the continuity or coherence of the character;
- ii. the pattern of subdivision, open space, buildings and streetscape;
- iii. the landforms or features that contribute to the qualities of the landscape and built form;
- iv. the scale, form and architectural values of buildings and their landscape setting;
- v. the qualities of the streetscape;

Comment:

Demolition of a building in a character area would not maintain the scale, form and architectural values of buildings, or the continuity of character, the pattern of buildings and streetscape and therefore would not be consistent with this policy. Whether this is enough to decline an application is not clear, given the focus in the matters of discretion on 'development'. In the absence of a proposal for a replacement building which itself could be assessed against the matters of discretion, I consider the proposed provisions provide very limited guidance for the assessment of demolition in a character area.

Specialist input from Urban Design staff would likely be sought for an assessment of the effects of demolition, but pre-application advice from these specialists would likely be of more assistance, given the limited matters of discretion (before an application to demolish was lodged, and prior to any application for a new building).

² The removal of the reference to "enhance local character" from this objective dilutes the character area approach.

Example 2B Character Area New residential unit

Proposal: New residential unit at 30 Severn Street, St Albans

PC14 (s42A version)

Site: 30 Severn Street St Albans (688m²)

Zone: MRZ

Overlays: Residential Character Area (CA 12 Severn – existing)

Flood Management Area (existing)

Liquefaction Management Area (existing)

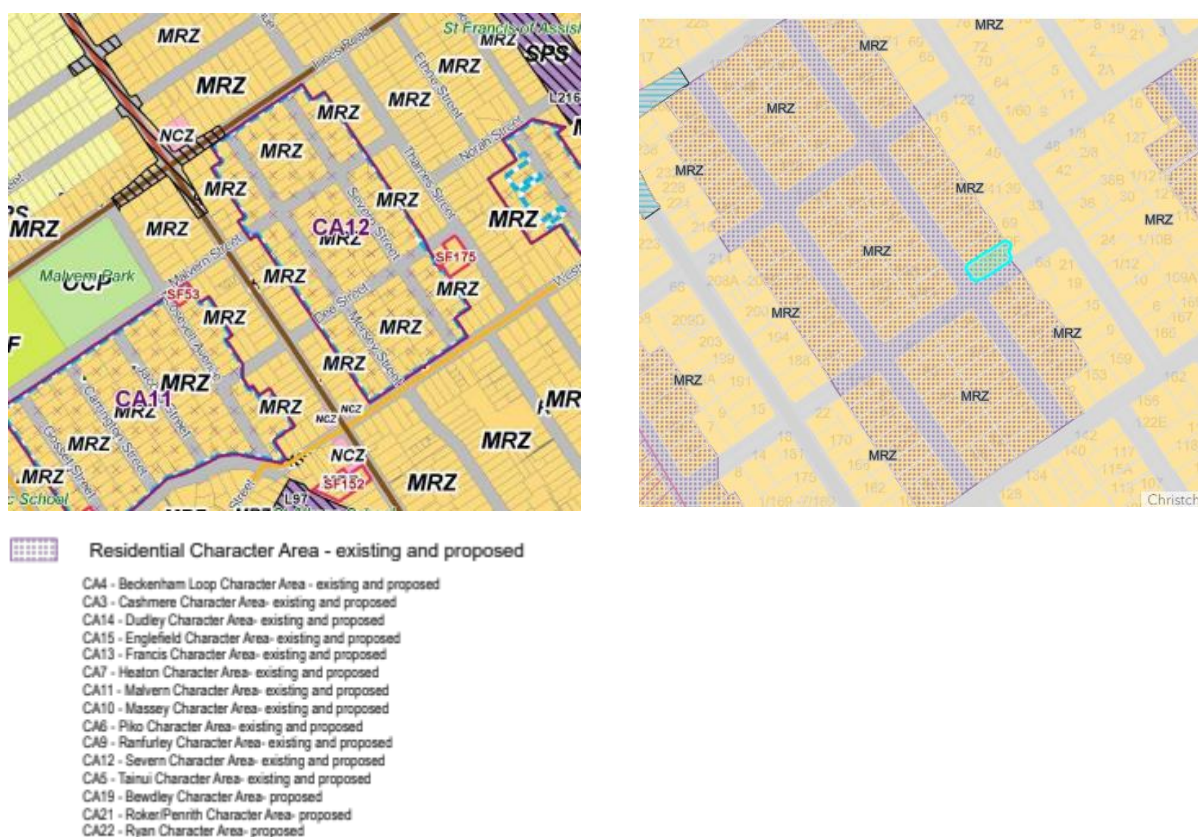


Figure 1: Planning map showing Character Area overlay and zoning, and character area key

Consenting framework

Proposal: The proposal³ is for a new residential unit.

Rule 14.5.3.13 RD14 Within a Character Area overlay a. the erection of new buildings on the site.
Shall not be limited or publicly notified.

Matters of discretion 14.15.27 Character Area Overlay

³ This is an example only, no consent has been sought for this activity.

Comment: Consent may also be required for earthworks in the Flood Management Area (FMA), if these are not for the purpose of achieving the required minimum floor level and exceed the permitted volumes. The house would also have to meet the required minimum floor level in the FMA. I have not explored this aspect in any further detail. The development would be permitted in the Liquefaction Management Area under rule 5.5.1.a.

Built form standards

Comment: The Character Areas are not named on the planning maps so the application of the rules requires a degree of local knowledge and geographical familiarity with street names/areas. It would assist to either include the names in the key to the planning maps as indicated above, or reference the RCAs in the rules by numbers only, consistent with the planning maps themselves. Alternatively or additionally, inclusion of the Character Area Design guides (or similar) as documents appended to Chapter 14 would assist in the overall justification for and explanation of the RCAs.

The interplay between the Residential Character Area, Residential Heritage Area and Precinct built form standards needs to be set out more explicitly, to clearly state which takes priority where there are conflicting standards.

As residential activity is permitted in MRZ under 14.5.1.1 P1, the built form standards apply, despite the proposed activity (new building) being RD in the Character Area.⁴

Rule 14.5.3.2.3 Building height 6.5m Severn CA

14.5.3.2.5 Front entrances and facades: b. any residential unit shall be built across the minimum of 60% of the width of an allotment, where it abuts a road boundary

d. The maximum paved access width per site is 3.6m; or 4.8m where it includes a pedestrian access with a minimum width of 1.2m

14.5.3.2.6 Landscaped areas

ii. A. Residential unit at ground floor level must have a landscaped area of 20% minimum of developed site with tree and garden planting.

B. Landscaping strip with minimum width of 2m along rear boundary, including trees that will grow to a minimum height of 6-8m

C. In addition to A and B: 3. Severn: 3m landscaping strip consisting of tree and garden planting, along road boundary excluding access

14.5.3.2.7 Number of residential units per site a. no more than 2 residential units per site

14.5.3.2.8 Setbacks

i. Front boundary Severn: 8m

ii. Side: Severn 2m one side, 3m other⁵.

iii. Rear Severn 3m

⁴ Refer Hermione Blair Evidence in Chief at Paragraph 20

⁵ Clarification of how to apply this rule on corner sites would assist, i.e. add "on corner sites, boundaries other than road boundaries 2m" (recommend 2m in recognition of the constraints of having 2 road boundaries.

iv. Accessory buildings nil setback side and rear where total length of accessory building does not exceed 10m

v. Eaves and roof overhangs 300mm eaves and 200mm guttering may protrude into front setback.

14.5.3.9 Building coverage: 40% max (excluding eaves and roof overhangs 300mm and guttering 200mm)

14.5.3.2.14⁶ Fencing in CAs⁷: b. 1.2m maximum height along front boundary, g. 2.0m side and rear internal boundaries 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.

14.5.3.2.13 Garaging and carport building location in CAs - Severn: garages and carports (detached or not) shall be located to the rear of any residential unit; or to the side of any residential unit, provided they are at least 5m behind the front façade of a residential unit.

Comment: Any breach of the area specific built form standards requires consent under 14.5.3.1.3 RD20 with matters of discretion 14.15.27 Character Area Overlay.

Other built form standards from MRZ apply:

Assume that where an area specific rule covers a matter also addressed in the more general zone rules, that the area specific standard prevails – but note this is not stated in the Plan – recommend this be clarified.

14.5.2.5 Outdoor living space 20m² with no dimension less than 3m (assume due to 6.5m height limit that this would have to be provided at ground level), free of buildings, parking spaces, and servicing and manoeuvring areas.

14.5.2.6 Height in relation to boundary – as per Appendix 14.16.2 diagram D, with the applicable exemptions to road boundaries, common walls, and applies from the far side of legal right of way, entrance strip, access site, pedestrian access way.

Comment: The height and boundary setback requirements for the RCA would limit the effect of the more liberal recession plane.

14.5.2.8 Outlook space from habitable room windows -4m principal living room (4mx4m dimension), all other habitable rooms 1mx1m.

14.5.2.10 Windows to street – 20% of street facing façade in glazing, can be reduced where hinged front door faces the street by up to 2m², or to 15% where hinged front door and ground floor habitable room with 1m² minimum clear glazing and maximum sill height of 1.2m.

Comment: This extent of glazing may be inconsistent with the character area values, unless it can be provided in an appropriate form.

14.5.2.11 Minimum unit size from studio – 35m² to 3+ bedroom unit 90m².

⁶ There is an issue with the rule numbers in MRZ area specific built form standards, there is no 14.5.3.2.10 or 11, it goes 14.5.3.2.9 to 14.5.3.2.12, 14.5.3.2.14, 14.5.3.2.13, then 14.5.3.2.14 is repeated, then 14.5.3.2.15. Renumbering is required.

⁷ Note these rules may require redrafting to capture fencing within the road boundary setback, rather than just on the road “front” boundary (see Mr Kleynbos’ rebuttal evidence at 97. for this issue in MRZ)

14.5.2.12 Ground floor habitable room with 3m minimum internal dimension required, 50% of any ground floor area as habitable rooms.

14.15.17 Outdoor mechanical ventilation shall be screened by 50% visually transparent fencing 1.2m in height/or height of unit (whichever higher) where located between street facing façade and road boundary.

14.15.2.19 Maximum 30m building length per elevation.

Any breach of the general MRZ built form standards listed above requires consent as an RD activity under 14.5.1.3 RD15, RD18, RD20, RD23, RD28, RD30, RD32 respectively. The matters of discretion are targeted to the built form standard breached i.e height in relation to boundary 14.15.4, outdoor living space 14.15.21, minimum unit size 14.15.5, street facing glazing 14.15.23, outlook space occupation 14.15.22, 14.15.18a-d for mechanical ventilation in the setback, and Residential Design Principles 14.15.1.e for building length.

Comment: It should be feasible to design a house on this site to meet the majority of the built form standards, but given that any breach of the RCA specific built form standards triggers the same assessment as that already required for the new building, this may not be seen as onerous by applicants. There may be some inconsistencies in outcome between the outcomes sought in the RCA and that anticipated by the relevant MRZ built form standards (such as glazing, location of outdoor mechanical ventilation etc). This could be addressed by clearly specifying which of the zone built form standards will apply in RCAs (and RHAs). The limitations of the maximum height of 6.5m in this RCA may be more obvious in FMA areas, where minimum floor levels apply.

The processing planner would seek specialist input from Council's Urban Design team in terms of whether the new building is achieving the values sought for the RCA, as per the matters of discretion in 14.15.27. Discussion with the applicant may be required to modify the proposal to better meet the matters of discretion. A single storey house with similar cladding (wall and roof), roof style, window size and positioning and setbacks to those of existing houses within the RCA, low fencing and landscaping is likely to more easily meet the matters of discretion.

Example 2C Character Area additions and alterations

Prepared by Hermione Blair, Principal Advisor Resource Consents, Christchurch City Council

Proposal: Extension to existing residential unit visible from the street at 30 Severn Street, St Albans

PC14 (s42A version)

Site: 30 Severn Street St Albans (688m²)

Zone: MRZ

Overlays: Residential Character Area (CA 12 Severn – existing)

Flood Management Area (existing)

Liquefaction Management Area (existing)



PC14

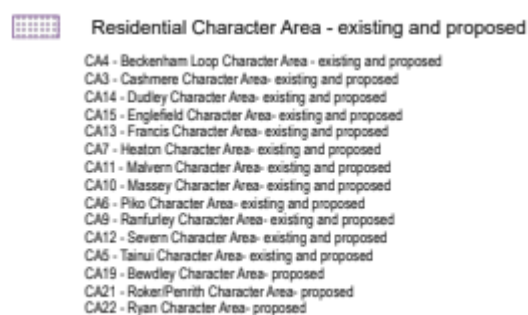


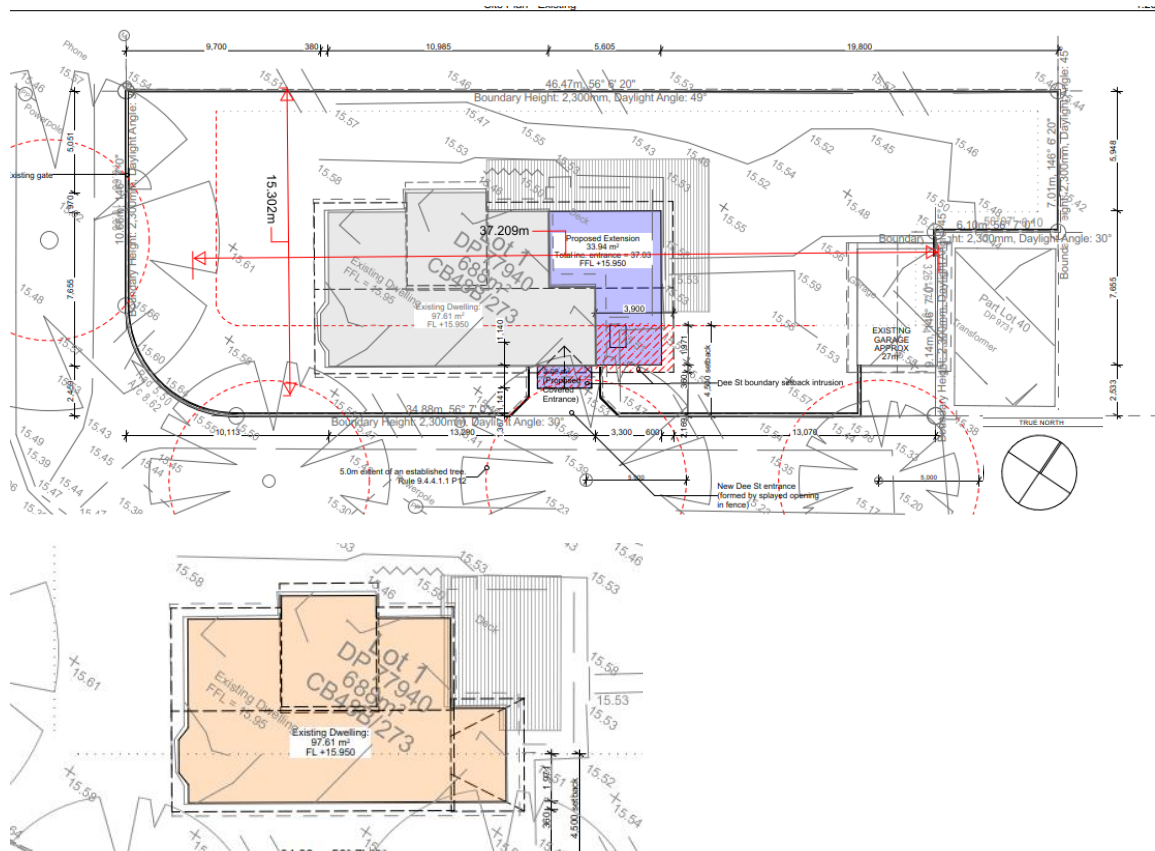
Figure 1: Planning map showing Character Area overlay and zoning, and character area key

Consenting framework

Proposal: The proposal¹ includes the demolition of an existing lean-to and rear extension to the dwelling. The main gable roof will be extended to the Northeast along Dee St containing the

¹ Based on RMA/2022/3722

Kitchen/Living space with a new entrance added facing Dee St. A new ensuite will be added to Bedroom 1.



Existing house.

Figure 2: Proposal. The width of the allotment abutting a road boundary is shown by the red lines (approximately 15.3m abutting Severn St, and 37m abutting Dee St). The 8m road boundary setback is the approximate positions of these lines on the section. Existing house shown for comparison.

Consenting framework

Rule 14.5.3.1.2 C1 b. Additions to existing buildings which are not visible from the street and do not involve change to the front façade of the main residential unit; and are less than 30m² in area and 5m in height; and meet the built form standards of the RCA. Non-notified.

Matters of control 14.15.27 Character Area overlay

Comment: The proposal overall would not meet the controlled activity standards, as while it does involve some additions to the existing building that won't be visible from the street, the additions include additions visible from the street and cumulatively exceed the 30m² area (37m² proposed) and don't meet the built form standards of the Character Area (road boundary setback, 60% road boundary width, maximum paved access width, landscaping rear and road boundaries).

Rule 14.5.3.1.3 RD14 a. additions and alterations to existing buildings other than those in C1, excludes alterations to existing buildings not visible from the street that do not involve changes to the front

façade of the main residential unit on the site². Non-notified. c. Activities that do not meet built form standard 14.5.3.2.6 Landscaped areas for select areas. d. Any activity specified in a. which does not meet 14.5.3.2.5 Front entrances and facades 14.5.3.2.8 setbacks.

Matters of discretion 14.15.27 Character Area Overlay

Rule 14.5.3.1.3 RD20 Any activity in a Character Area that does not meet one or more of the built form standards in 14.5.3.2

Matters of discretion 14.15.27 Character Area Overlay

Comment: There is an overlap of RD14 c and d and RD20. It is not clear why there is this double handling. In my view it would be more efficient to remove the references to built form standards in RD14 and leave these to RD20, or exclude the built form standards addressed in RD14c from RD20. The first option would be less complex³.

Built form standards

Comment: The Character Areas are not named on the planning maps so the application of the rules requires a degree of local knowledge and geographical familiarity with street names/areas. It would assist to either include the names in the key to the planning maps as indicated above, or reference the Character Areas in the rules by numbers only, consistent with the planning maps themselves. Alternatively or additionally, inclusion of the Character Area Design guides (or similar) as documents appended to Chapter 14 would assist in the overall justification for and explanation of the Character Areas.

The interplay between the Character Area, Residential Heritage Area and Precinct built form standards needs to be set out more explicitly, to clearly state which takes priority where there are conflicting standards.

14.5.3.2.3 Height 6.5m Severn CA

Comment: Single storey addition complies.

14.5.3.2.5 Front entrances and facades: b. any residential unit shall be built across the minimum of 60% of the width of an allotment, where it abuts a road boundary

d. The maximum paved access width per site is 3.6m; or 4.8m where it includes a pedestrian access with a minimum width of 1.2m

Comment: The site is on the corner of Severn and Dee Streets. The Severn St frontage is 15.3m wide, with 60% of this being 9.18m. The existing building is 8.7m in width and wouldn't comply, but as no changes are being made to this façade this aspect does not trigger the rule. The Dee St frontage is approximately 37.2m in width (noting it is not clear where to measure from where there is a curved corner boundary), requiring the unit to be 22.32m wide. The existing unit plus the addition is approximately 17.85m in width, with the garage (detached accessory building) being approximately 4.43m in width, making the total building width 22.28m. This is fairly close to being compliant, but this is not clear based on the difficulty of measuring the width of the frontage where there is a curved

² Suggest that this (alterations to the rear) be listed as a permitted activity to explicitly set out the activity status and highlight the difference between additions at the rear which are C1, and alterations which are not C1 and not RD14.

³ Ms White for the Council is aware of this issue and it will be addressed in the Council's reply.

corner, and whether a detached accessory building is included in the definition of residential unit⁴ for the purpose of the façade rule.

The existing access to the garage is approximately 3.76m in width, with a proposed separate pedestrian access of 1.5m leading to the new entrance. This exceeds the maximum. There is also an existing path to a gate in the Severn St fence which would add to the cumulative access width. There may be merit in adjusting this rule for corner sites, or where wide frontages can absorb additional paving, although this can be addressed in the assessment for resource consents as mitigation.

14.5.3.2.6 Landscaped areas

ii. A. Residential unit at ground floor level must have a landscaped area of 20% minimum of developed site with tree and garden planting.

B. Landscaping strip with minimum width of 2m along rear boundary, including trees that will grow to a minimum height of 6-8m

C. In addition to A and B: 3. Severn: 3m landscaping strip consisting of tree and garden planting, along road boundary excluding access

Comment: Existing section in lawn with some trees and shrubs, but not likely to meet the definition of landscaping that requires predominantly (interpreted as at least 50%) tree and shrub plantings, with ancillary lawn. Location of existing house approximately 1.85m from Dee St road boundary means the 3m landscaping strip cannot be complied with. Note the requirement for planting of trees on the rear boundary that will achieve 6-8m in height may have some impact on shading of neighbours, but the rule doesn't express how many trees are required. Presumably 2 trees would meet this standard. Other plan rules require a certain number of trees per boundary length, and dictate the spacing of these⁵.



Figure 3: Aerial of existing site showing existing site landscaping

⁴ Noting the PC14 definition of residential unit for MRZ means a building(s) used for residential activity... the definition of which includes accessory buildings.

⁵ For example 14.4.3.2.17 a. ii. Landscaped areas requires a minimum density of 1 tree per every 10m of boundary or part thereof, with the trees evenly spaced along that boundary.



Figure 4: Street view of Severn St elevation, indicating extent of landscaping along this road boundary (otherwise obscured by street tree canopy in aerial in Figure 3).

14.5.3.2.7 Number of residential units per site a. no more than 2 residential units per site

14.5.3.2.8 Setbacks

i. Front Severn: 8m, except where any existing residential unit on site built prior to 1945 can be relocated 6m from front boundary.

Comment: Proposed addition to single residential unit located within the 8m setback to Dee St (corner site). Complies with the 8m setback to Severn St (9.7m existing).

ii. Side: Severn 2m one side, 3m other⁶.

iii. Rear Severn 3m

iv. Accessory buildings nil setback side and rear where total length of accessory building does not exceed 10m

Comment: House complies with side and rear setbacks (but noting this is less straightforward to measure on a corner site so additional clarification in the rules would assist). Existing garage, complies.

v. Eaves and roof overhangs 300mm eaves and 200mm guttering may protrude into front setback.

14.5.3.9 Building coverage: 40% max (excluding eaves and roof overhangs 300mm and guttering 200mm)

Comment: 23.34% coverage proposed, complies.

14.5.3.2.14⁷ Fencing in CAs⁸: b. 1.2m maximum height along front boundary, g. 2.0m side and rear internal boundaries 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.

⁶ Clarification of how to apply this rule on corner sites would assist, i.e. add “on corner sites, boundaries other than road boundaries 2m” (recommend 2m in recognition of the constraints of having 2 road boundaries.

⁷ There is an issue with the rule numbers in MRZ area specific built form standards, there is no 14.5.3.2.10 or 11, it goes 14.5.3.2.9 to 14.5.3.2.12, 14.5.3.2.14, 14.5.3.2.13, then 14.5.3.2.14 is repeated, then 14.5.3.2.15. Renumbering is required.

⁸ Note these rules may require redrafting to capture fencing within the road boundary setback, rather than just on the road “front” boundary (see Mr Kleynbos’ rebuttal evidence at 97. for this issue in MRZ)

Comment: Existing fence exceeds 1.2m in height (1.8m). Proposed fencing splayed into new pedestrian entrance exceeds 1.2m in height, but is not technically 'along the front boundary'. Questionable if rule applies due to ambiguity.

14.5.3.2.13 Garaging and carport building location in CAs - Severn: garages and carports (detached or not) shall be located to the rear of any residential unit; or to the side of any residential unit, provided they are at least 5m behind the front façade of a residential unit.

Comment: Existing garage located 0.31m behind the front façade of the residential unit. Not a new breach so this rule not triggered.

Matters of discretion

14.15.27 Character Area overlay

a. Area context

i. Whether development recognises the distinctive landforms, landscape setting and development patterns of the character area in respect to:

- A. retaining and enhancing the areas' natural features;
- B. integrating with the existing pattern and grain of subdivision and building;
- C. the relationship with adjoining sites and buildings, including any recorded historic heritage values;
- D. the visual coherence of the area.

b. Street interface

i. Whether the development contributes to the coherency and character of the street by:

- A. providing a front yard building setback which is consistent with the overall depth and pattern of the character area, and in particular with other sites within the street;
- B. recognising the positive contribution of buildings that are representative of the primary characteristics of the area and are proposed to be retained, through a reduction in the front yard building setback;
- C. reducing the extent of paved surface on the site and avoiding the location of vehicle access, manoeuvring, parking areas and garaging within the front yard, or where it visually dominates the streetscene;
- D. utilising, as a preference, a shared driveway and avoiding co-location of driveways and/or garages to minimise the impacts on the quality of the streetscene;
- E. having low height or no fencing on the street frontage or within the front boundary setback; and
- F. orientating the building on the site to face the street, with sufficient building frontage to reinforce the street edge.

c. Site character

i. Whether the development complements the residential character and enhances the amenity of the character area by:

- A. providing a balance of open space to buildings across the site consistent with the surrounding sites within the block, and to a lesser extent, the wider area;
- B. maintaining the extent and scale of vegetation, most importantly trees;
- C. separating buildings on the site with open space and planting between buildings;
- E. retaining the front and rear yards for open space and tree and garden planting; and
- F. ensuring paved areas, fencing and buildings are visually softened through the provision of adjacent planting.

d. Built character

i. Whether the development supports the residential built character values of the character area in regard to:

- A. retaining residential buildings built prior to 1945, or in respect to Bewdley, prior to 1970;
- B. retaining or locating of the primary building on the site at the street interface, with a lesser scale dwelling to the rear;
- C. the scale and form of the building, including the roof form;
- D. architectural detailing including features such as verandas, materials, window and front entry design and placement;
- E. complementary and compatible building design;
- F. the recognition of recorded historic heritage values of adjacent buildings.

Comment: The applicant would have to provide an assessment of their proposal against the above matters. This would be reviewed by Council urban design staff. In particular, this proposal would note the existing front yard setback of the existing house and note the extension is consistent with this, note the existing front yard fence height of 1.8m, and the positive impact of highlighting the entrance to the house through the proposed fence splay, provide planting adjacent to this new entrance between the fence and the pedestrian access. Typically materials used should be consistent with those on the existing house.

Objectives and policies

14.2.45 Objective - High quality residential environments

a. High quality, sustainable, residential neighbourhoods which are well designed, in accordance with the planned urban character⁹ and the Ngāi Tahu heritage of Ōtautahi and meet the community's housing needs, in particular those of Ngāi Tahu whānui.

14.2.5.9 Policy - Residential character areas in Christchurch City, Akaroa and Lyttelton

a. Maintain and enhance the identified special character values of residential areas arising from the following elements:

- i. the continuity or coherence of the character;
- ii. the pattern of subdivision, open space, buildings and streetscape;
- iii. the landforms or features that contribute to the qualities of the landscape and built form;
- iv. the scale, form and architectural values of buildings and their landscape setting;
- v. the qualities of the streetscape;

Comment: There is not a great deal of detail in the objectives and policies for the approach to Character Areas. I would compare this to the approach for Residential Heritage Areas which is much more developed, with criteria for inclusion, appended assessments etc. In order for a plan user to understand the outcomes sought for the character areas, they need to know what the identified special character values are for that particular area. At present, there is nothing in the Plan or proposed through PC14 that provides this information in the Plan itself.

⁹ The removal of the reference to "enhance local character" from this objective dilutes the character area approach.

Example 3A – Character Area and Heritage Area - alterations

Prepared by Hermione Blair, Principal Advisor Resource Consents, Christchurch City Council

Internal and external alterations to existing residential unit

PC14 (s42A version)

Site: 49 Reserve Terrace, Lyttelton (369m²)

Zone: MRZ

Overlays: Suburban Density Precinct

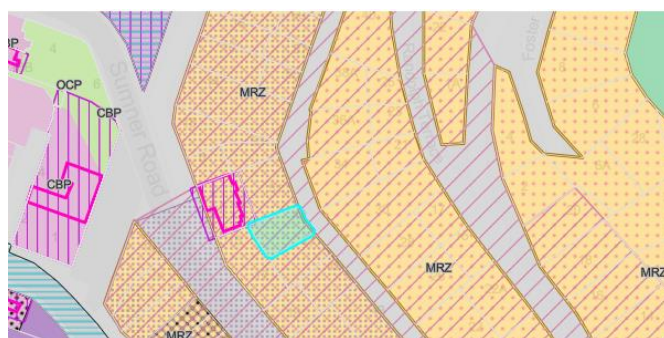
Residential Character Area (Lyttelton)

Residential Heritage Area

Remainder of Port Hills and Banks Peninsula Slope Instability Management Area (existing)

Coastal Environment (existing)

Ngā Tūranga Tūpuna Site of Ngai Tahu Cultural Significance (existing)







-  Residential Character Area
-  Residential Heritage Area
-  Sites of Cultural Significance
-  Suburban Density Precinct

Figure 1: Planning map showing Character Area and Heritage Area overlays (site is highlighted in blue)

	Heritage Area Report and Site Record Forms	Location	Heritage Area Aerial Map	Heritage Area Site Contributions Map	Heritage Area Interface Sites and Character Area Overlap Map
HA7	Lyttelton Residential Heritage Area	a. <u>Most of the residential areas of the township excluding the port area and areas with commercial zoning.</u>	Appendix 9.3.7.7.6	Appendix 9.3.7.8.6	Appendix 9.3.7.9.6

Figure 2: Appendix 9.3.7.3 Heritage Area identification

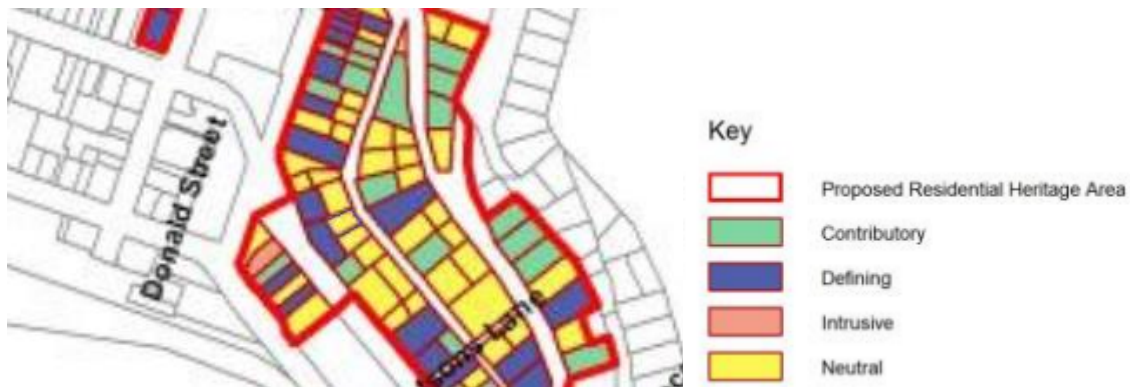


Figure 3: Site (blue outline) identified on HA7 Site contributions map as Neutral (detail) - refer attached site record form which will be linked from Appendix 9.3.7.3 in the District Plan

Consenting framework

Proposal¹: The proposal includes replacing the existing residential unit's exterior plaster cladding with vertical metal cladding, removing the external door to the sunroom and re-cladding the former door space, new replacement exterior windows to dining room and bedroom 1. Repair and reconstruction of timber support beams and decking, replacement of sidelight windows to the front door, removal of internal windows to the sunroom.



Figure 4: Existing street elevation (Source Google Streetview)

¹ Based on RMA/2023/2699

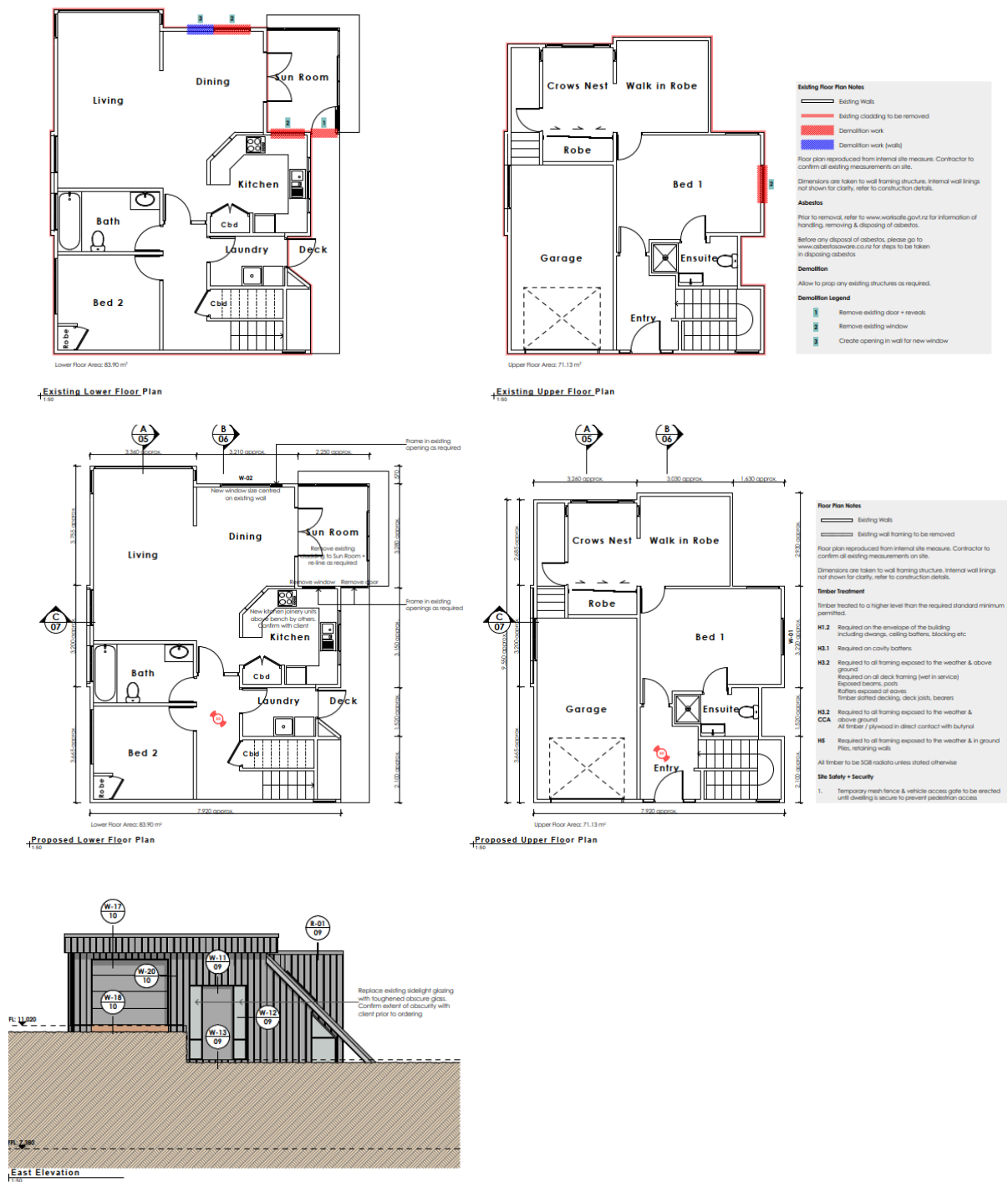


Figure 5: Proposal – floor plans (existing and proposed) and street elevation

Rule 14.5.3.1.3 RD14 a. additions and alterations to existing buildings other than those in C1, excludes alterations to existing buildings not visible from the street that do not involve changes to the front façade of the main residential unit on the site². Non-notified. c. Activities that do not meet

² Suggest that this (alterations to the rear) be listed as a permitted activity to explicitly set out the activity status and highlight the difference between additions at the rear which are C1, and alterations which are not C1 and not RD14.

built form standard 14.5.3.2.6 Landscaped areas for select areas. d. Any activity specified in a. which does not meet 14.5.3.2.5 Front entrances and facades 14.5.3.2.8 setbacks.

Matters of discretion 14.15.27 Character Area Overlay

Rule 9.3.4.1.3 Residential Heritage Area RD6 a. i. new buildings and alteration to building exteriors. Rule does not apply to buildings located to the rear of the main residential unit and less than 5m in height; alterations to exteriors of neutral or intrusive buildings where the alteration not visible from the street³; fences and walls on side or rear boundaries; installation of sustainability or energy conservation features such as double glazing (where windows not changed in shape, size or frame materials), solar panels, and water capture tanks.

Matters of discretion 9.3.6.4 and where also in a Character Area 14.15.27

Advice note: cross references 14.5.3.2 and 14.8.3.2 (Built form standards in Ch 14)

Built form standards

Comment: The Character Areas are not named on the planning maps so the application of the rules requires a degree of local knowledge and geographical familiarity with street names/areas. It would assist to either include the names in the key to the planning maps, or reference the Character Areas in the rules by numbers only consistent with the planning maps themselves. Alternatively or additionally, inclusion of the Character Area Design guides (or similar) as documents appended to Chapter 14 would assist in the overall justification for and explanation of the Character Areas.

The interplay between the Character Area, Residential Heritage Area and Precinct built form standards needs to be set out more explicitly, to clearly state which takes priority where there are conflicting standards.

The application does not seek to make any changes to the size of the application site, the number of residential units on the site (one existing), the maximum height/building coverage/building envelope of the existing residential unit on the site, the extent of outdoor living space available for use on the site, or the location of the existing vehicle crossing on the site.

The net site area of the site is less than the 450m² minimum specified in Rule 14.5.3.2.7 c (both RCA and RHA), and the existing house exceeds the 7m maximum height limit specified in Rule 14.5.3.2.3 (both RCA and RHA) and does not maintain the 3m minimum building setback required from Reserve Terrace required under 14.5.3.2.8 b.iv, (RHA, noting 300mm eaves and roof overhang and 200mm guttering may protrude into the front setback in RCA rules only). The existing garage is not separate from the residential unit, or located to the side or rear of the unit, and is not 1.2m behind the front façade of the residential unit as required by 14.5.3.2.13 (in the Character Area only). Arguably the house retains existing use rights for these breaches under s10 RMA, as the changes do not increase the degree to which it fails to comply.

If this is incorrect, then the above breaches would fall to be considered under 14.5.3.1.3 RD20 in the RCA and 14.5.3.1.3 RD15 in the RHA. Matters of discretion 14.15.27 Character Area overlay, and matters of discretion for the relevant BFS breached in 14.15 apply, and in the RHA Matters of discretion 9.3.6.4, when in a Character Area 14.15.27, and matters of discretion for the relevant BFS breached in 14.15. I note that with the exception of the individual built form standard breach

³ Noting that Ms Dixon is recommending this exemption apply to all alterations to exteriors of neutral and intrusive buildings, refer rebuttal evidence p9

matters, the matters of discretion are the same as for 14.5.3.1.3 RD14 in the RCA, and 9.3.4.1.3 RD6 a in the RHA.

Based on the above, the proposal requires assessment under 14.5.3.1.3 RD14 in the RCA and 9.3.4.1.3 RD6 in the RHA.

The matters of discretion 14.15.27 and 9.3.6.4 apply:

14.15.27 Character Area Overlay

a. Area context

i. Whether development recognises the distinctive landforms, landscape setting and development patterns of the character area in respect to:

- A. retaining and enhancing the areas' natural features;
- B. integrating with the existing pattern and grain of subdivision and building;
- C. the relationship with adjoining sites and buildings, including any recorded historic heritage values;
- D. the visual coherence of the area.

b. Street interface

i. Whether the development contributes to the coherency and character of the street by:

- A. providing a front yard building setback which is consistent with the overall depth and pattern of the character area, and in particular with other sites within the street;
- B. recognising the positive contribution of buildings that are representative of the primary characteristics of the area and are proposed to be retained, through a reduction in the front yard building setback;
- C. reducing the extent of paved surface on the site and avoiding the location of vehicle access, manoeuvring, parking areas and garaging within the front yard, or where it visually dominates the streetscene;
- D. utilising, as a preference, a shared driveway and avoiding co-location of driveways and/or garages to minimise the impacts on the quality of the streetscene;
- E. having low height or no fencing on the street frontage or within the front boundary setback; and
- F. orientating the building on the site to face the street, with sufficient building frontage to reinforce the street edge.

c. Site character

i. Whether the development complements the residential character and enhances the amenity of the character area by:

- A. providing a balance of open space to buildings across the site consistent with the surrounding sites within the block, and to a lesser extent, the wider area;
- B. maintaining the extent and scale of vegetation, most importantly trees;
- C. separating buildings on the site with open space and planting between buildings;
- E. retaining the front and rear yards for open space and tree and garden planting; and
- F. ensuring paved areas, fencing and buildings are visually softened through the provision of adjacent planting.

d. Built character

i. Whether the development supports the residential built character values of the character area in regard to:

- A. retaining residential buildings built prior to 1945, or in respect to Bewdley, prior to 1970;
- B. retaining or locating of the primary building on the site at the street interface, with a lesser scale dwelling to the rear;

- C. the scale and form of the building, including the roof form;
- D. architectural detailing including features such as verandas, materials, window and front entry design and placement;
- E. complementary and compatible building design;
- F. the recognition of recorded historic heritage values of adjacent buildings.

e. Akaroa and Lyttelton

i. In addition to the matters listed above, in respect to Akaroa and Lyttelton character areas, whether the development:

- A. retains important views from public places;
- B. reduces the potential for visual dominance of the development when viewed from elsewhere within the viewing catchment;
- C. responding through the use of the landscape at the street interface to the existing informality or formality of the streetscape;
- D. retains residential buildings, including accessory buildings, that were built prior to 1945 and/or that contribute to the architectural traditions and character values;
- E. reflects the small scale and simple forms of residential building; and
- F. recognises any recorded historic heritage values adjacent and opposite to the development.

ii. Where the site is within the Akaroa Heritage Area, the matters set out in Rule 9.3.6.3.

iii. Where the site is within the Lyttelton Character Area, the extent to which the development is consistent with the Lyttelton Character Area Design Guide.

iv. Where the development is for Papakāinga/Kāinga Nohoanga and the site is within the Lyttelton Character Area:

- A. the extent to which the matters listed above are not compatible with providing for the housing needs of Ngāi Tahu whānui; and
- B. the context of the site and the extent to which the overall integrity and cohesiveness of the Character Area will be retained.

Comment: The applicant will need to consider the surrounding context, and in particular whether the proposed metal cladding (materials and colour) is consistent with that context. Given the relative modernity of the existing building (constructed in 1989) and the small-scale nature of the changes proposed, many of the above matters are not relevant to the consideration of this proposal. Overall, a consideration of whether the proposal detracts from or is neutral to the existing residential built character values of the character area is required. The application would be circulated to Council Urban Design staff who would check if any additional information is required, or if not, would review the applicant's assessment and advise if the proposal adversely affects the integrity and cohesiveness of the Character Area, and recommend any changes to be considered by the applicant, if this was deemed necessary due to the scale of effect by the processing planner.

9.3.6.4 Residential Heritage Areas (excluding Akaroa Township Heritage Area) - new buildings, fences and walls, and exterior alterations to buildings

a. Whether the proposal is consistent with maintaining or enhancing primarily the collective heritage values and significance of the heritage area, and secondarily the heritage values of the building, fence or wall, in particular having regard to the following matters of discretion where applicable:

- i. the scale, form, mass, rooflines, materials, colour, design, and detailing of the defining buildings and contributory buildings within the heritage area;
- ii. the relationship between elements in the heritage area including the existing pattern of subdivision, pattern of buildings and fencing including height, materials and permeability of fencing and walls, layout and orientation on sites, and setbacks from streets;
- iii. the purpose and extent of earthworks necessary as part of the proposal;
- iv. the extent and scale of vegetation removed, retained or provided;
- v. the impact on public places and the street scene, including avoiding the location of parking areas and garaging within the road boundary setback;
- vi. the impact of the proposal on views to and from the Residential Heritage Area;
- vii. the provision of access and use or adaptive reuse of defining buildings and contributory buildings.

Additional matters of discretion for alteration to building exteriors

- viii. retention, and integration of existing building fabric, form, appearance, and heritage values;
- x. the heritage values of the building and whether the building is a defining building, contributory building, neutral building or intrusive building⁴.

b. The extent to which the proposal is consistent with the Council's heritage report for the Residential Heritage Area concerned, and the ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value (ICOMOS New Zealand Charter 2010).

c. Whether the proposal will provide for retention of a building or ongoing and viable use, including adaptive reuse.

e. Whether the site has cultural or spiritual significance to mana whenua or is to be used for Papakāinga/Kāinga Nohoanga and the outcome of any consultation undertaken with Papatipu Rūnanga⁵.

Comment: As an identified neutral building, the applicant would need to demonstrate the proposal will have no additional adverse effects on the collective heritage values and significance of the Lyttelton RHA⁶. The applicant could consider whether there was any merit in using a colour palette similar to the existing contributory or defining buildings, but given the building is a two-level post-modernist structure currently clad in monolithic plaster and roofed with corrugated iron, and with aluminium joinery, and it doesn't share any features with such buildings, this would not appear to be necessary. The application would be circulated to Council's Heritage Advisors for comment, who would check to see if any additional information was required, and undertake an assessment of the effects of proposal on the RHA.

The processing planner would consider the assessment provided by the applicant, urban designer and the heritage advisor and undertake their own assessment informed by the specialist comments. This would include consideration of areas of conflict arising from the two assessments (if any) and how these could be addressed, or whether the objectives and policies provide any additional guidance as to the significance or otherwise of any identified adverse effect on character or heritage, and whether this could be resolved by a change to the proposal or appropriate condition/s of consent. In this case,

⁴ Renumbering required – staff are aware of this issue and will address in due course

⁵ I note this matter may be further refined based on the suggestion of Commissioner Matheson.

⁶ Noting this assessment would not be required under Ms Dixon's proposed amendment to RD6, refer footnote 3.

conflict is not likely given the neutral status of the building, and that other buildings in the RCA and RHA share similar cladding and window treatment to that proposed.

**CHRISTCHURCH DISTRICT PLAN
LYTTTELTON RESIDENTIAL HERITAGE AREA
INDIVIDUAL SITE RECORD FORM**

ITEM NAME House
ADDRESS 49 Reserve Terrace
Lyttelton

PHOTO



CHRISTCHURCH DISTRICT PLAN STATUS

N/A

HNZPT LIST ENTRY STATUS

N/A

ARCHITECT/DESIGNER

Unknown

DATE OF CONSTRUCTION

c.1990

STYLE

Post-modern

PHYSICAL DESCRIPTION

A multi-level dwelling with a rectangular footprint and varied flat and pitched roof forms. Main entry on principal, north-east elevation has sidelights and a curved sunhood. Casement windows; glazed conservatory at west corner.

CONTEXT/SETTING/LANDSCAPE FEATURES

The dwelling stands on the south-west side of Reserve Terrace and is positioned for views to the west over the port. The road boundary is marked by pipe railing and post and rail fencing and is also open to allow access to a timber parking deck and the integrated garage beyond.

MATERIALS/STRUCTURE

Plaster board, corrugated steel.

ALTERATIONS

Unknown, if any.

RATING

Neutral

REASON FOR RATING

A late 20th century dwelling on a previously undeveloped site.

HISTORICAL AND SOCIAL SIGNIFICANCE

The houses in this area chronicle the history of residential development in Lyttelton from the mid-19th century until the present day.

CULTURAL AND SPIRITUAL SIGNIFICANCE

The area has cultural value as a demonstration of the way of life of past and present residents and for the esteem in which it is held by members of the community.

ARCHITECTURAL AND AESTHETIC SIGNIFICANCE

The dwellings in this area have architectural and aesthetic value related to their style and typology. Vernacular styles predominate and the typically modest size and scale of the houses creates a sense of consistency and is expressive of the social history of the township. Although the loss of a number of public, ecclesiastical and commercial buildings following the Canterbury earthquakes changed the appearance of the town centre, Lyttelton's historic houses have generally retained a high level of authenticity.

CONTEXTUAL SIGNIFICANCE

The contextual values of the area arise from the interaction between the colonial grid of the principal streets and the topography of the township on the southern flank of the Port Hills. The steeply sloping terrain creates a high level of visual connectivity between residential properties and their wider setting.

ARCHAEOLOGICAL SIGNIFICANCE

As development has occurred in the area since the mid-19th century, the area has potential archaeological values relating to its historic use and occupation.

TECHNOLOGICAL AND CRAFTSMANSHIP SIGNIFICANCE

The craftsmanship of the buildings in the area is generally typical of the period in which they were built.

REFERENCES

John Wilson 'Banks Peninsula Contextual Historical Overview and Thematic Framework' (CCC, June 2014).

Te Runanga o Ngāi Tahu *Kā Huru Manu* available at <https://www.kahurumanu.co.nz/atlas>
Heritage New Zealand Pouhere Taonga 'Lyttelton Township Historic Area' registration report, 2009.

REPORT COMPLETED

29 November 2022

AUTHOR

Dr Ann McEwan, Heritage Consultancy Services

Example 3B – Character Area and Heritage Area – Demolition

Prepared by Hermione Blair, Principal Advisor Resource Consents, Christchurch City Council

Demolition of existing residential unit

PC14 (s42A version)

Site: 14 St David's St, Lyttelton

Zone: MRZ

Overlays:

- Suburban Density Precinct
- Residential Character Area (Lyttelton)
- Residential Heritage Area
- Remainder of Port Hills and Banks Peninsula Slope Instability Management Area (existing)
- Coastal environment (existing)
- Ngā Tūranga Tūpuna Site of Ngai Tahu Cultural Significance (existing)

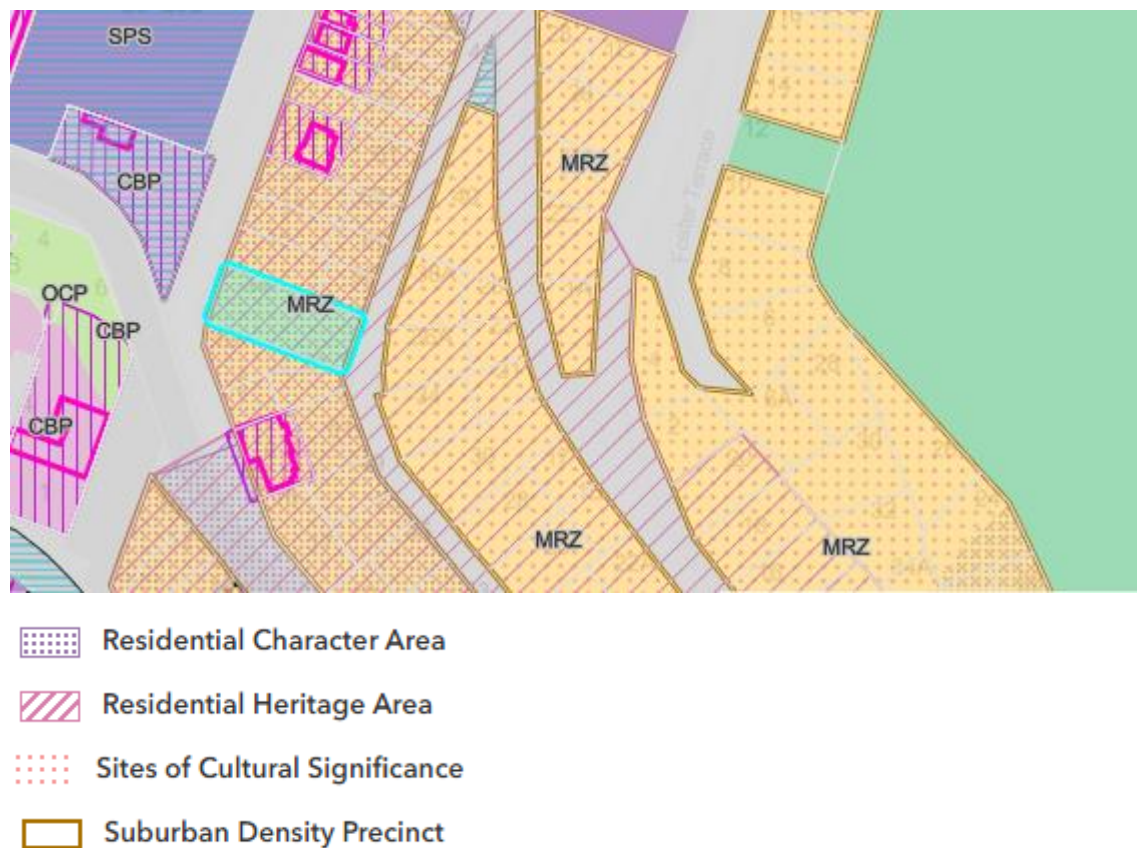


Figure 1: Planning map showing Character Area and Heritage Area overlays (site is highlighted in blue)

	Heritage Area Report and Site Record Forms	Location	Heritage Area Aerial Map	Heritage Area Site Contributions Map	Heritage Area Interface Sites and Character Area Overlap Map
HA7	Lyttelton Residential Heritage Area	a. <u>Most of the residential areas of the township excluding the port area and areas with commercial zoning.</u>	Appendix 9.3.7.7.6	Appendix 9.3.7.8.6	Appendix 9.3.7.9.6

Figure 2: Appendix 9.3.7.3 Heritage Area identification



Figure 3: Site (blue outline) identified on HA7 Site contributions map as Defining (refer attached site record form which will be linked from Appendix 9.3.7.3 in the District Plan)

Consenting framework

Proposal: The proposal¹ is for the demolition of the existing residential unit.

Consenting framework

14.5.3.13 RD14 Within a Character Area overlay a. the demolition or removal of a building greater than 36m² on the site. Shall not be limited or publicly notified.

Matters of discretion 14.15.27 Character Area Overlay

9.3.4.1.3 Residential Heritage Area RD7 Demolition or relocation of a defining building or contributory building

Matters of discretion 9.3.6.5 Demolition or relocation of a defining building or contributory building and where also in a Character Area 14.15.27.

¹ This proposal is theoretical only.

Comment: It is unclear whether demolition would also trigger earthworks rules, given the topography of the site. Earthworks within the building platform, where there is a building consent, are exempt under 8.9.3.a.iv, but a building consent is not generally required for demolition so this exemption would not apply. If earthworks exceed permitted volumes, depths or gradients, consent will be required under ch 8.9, which would bring in the consideration of effects of earthworks on cultural values due to the site's location in the Ngā Tūranga Tūpuna Site of Ngai Tahu Cultural Significance overlay, as well as general consideration of erosion and sediment control etc. In addition, any earthworks may require an archaeological authority from Heritage NZ (outside of Council processes).

Built form standards

Comment: There are no built form standards applicable to demolition.

Matters of discretion

14.15.27 Character Area overlay

a. Area context

i. Whether development recognises the distinctive landforms, landscape setting and development patterns of the character area in respect to:

- A. retaining and enhancing the areas' natural features;
- B. integrating with the existing pattern and grain of subdivision and building;
- C. the relationship with adjoining sites and buildings, including any recorded historic heritage values;
- D. the visual coherence of the area.

b. Street interface

i. Whether the development contributes to the coherency and character of the street by:

- A. providing a front yard building setback which is consistent with the overall depth and pattern of the character area, and in particular with other sites within the street;
- B. recognising the positive contribution of buildings that are representative of the primary characteristics of the area and are proposed to be retained, through a reduction in the front yard building setback;
- C. reducing the extent of paved surface on the site and avoiding the location of vehicle access, manoeuvring, parking areas and garaging within the front yard, or where it visually dominates the streetscene;
- D. utilising, as a preference, a shared driveway and avoiding co-location of driveways and/or garages to minimise the impacts on the quality of the streetscene;
- E. having low height or no fencing on the street frontage or within the front boundary setback; and
- F. orientating the building on the site to face the street, with sufficient building frontage to reinforce the street edge.

c. Site character

i. Whether the development complements the residential character and enhances the amenity of the character area by:

- A. providing a balance of open space to buildings across the site consistent with the surrounding sites within the block, and to a lesser extent, the wider area;
- B. maintaining the extent and scale of vegetation, most importantly trees;
- C. separating buildings on the site with open space and planting between buildings;
- E. retaining the front and rear yards for open space and tree and garden planting; and
- F. ensuring paved areas, fencing and buildings are visually softened through the provision of adjacent planting.

d. Built character

i. Whether the development supports the residential built character values of the character area in regard to:

- A. retaining residential buildings built prior to 1945, or in respect to Bewdley, prior to 1970;
- B. retaining or locating of the primary building on the site at the street interface, with a lesser scale dwelling to the rear;
- C. the scale and form of the building, including the roof form;
- D. architectural detailing including features such as verandas, materials, window and front entry design and placement;
- E. complementary and compatible building design;
- F. the recognition of recorded historic heritage values of adjacent buildings.

e. Akaroa and Lyttelton

i. In addition to the matters listed above, in respect to Akaroa and Lyttelton character areas, whether the development:

- A. retains important views from public places;
- B. reduces the potential for visual dominance of the development when viewed from elsewhere within the viewing catchment;
- C. responding through the use of the landscape at the street interface to the existing informality or formality of the streetscape;
- D. retains residential buildings, including accessory buildings, that were built prior to 1945 and/or that contribute to the architectural traditions and character values;
- E. reflects the small scale and simple forms of residential building; and
- F. recognises any recorded historic heritage values adjacent and opposite to the development.

ii. Where the site is within the Akaroa Heritage Area, the matters set out in Rule 9.3.6.3.

iii. Where the site is within the Lyttelton Character Area, the extent to which the development is consistent with the Lyttelton Character Area Design Guide.

iv. Where the development is for Papakāinga/Kāinga Nohoanga and the site is within the Lyttelton Character Area:

- A. the extent to which the matters listed above are not compatible with providing for the housing needs of Ngāi Tahu whānui; and

B. the context of the site and the extent to which the overall integrity and cohesiveness of the Character Area will be retained.

Comment: The demolition of the existing building is not in itself a ‘development’ (although I note the Lyttelton Character Area Design guide notes that development proposals include demolition or changes to the existing building) and therefore the above matters appear to be not generally relevant, with the exception of d. Built character, and in particular A. retaining residential buildings built prior to 1940. As the site is within the Lyttelton Character Area, consistency with the Lyttelton Character Area Design Guide² must also be assessed, but I note this is focused on new buildings, and does not address the effects of demolition.

There is very little to guide the assessment of the effects of demolition in Character Area. Demolition will obviously not retain residential buildings built prior to 1945. It is only any subsequent development that can be assessed for its ‘fit’ with the character area values.

Recourse to the objectives and policies would be required, as limited by the matters of discretion.

² Document outside the Plan <https://ccc.govt.nz/assets/Documents/Consents-and-Licences/resource-consents/Forms/Character-Areas/Lyttelton-Residential-Character-Area-Design-Guide.pdf>

The application would be circulated to Council urban design staff, but I consider the lack of targeted matters of discretion limit the assistance that this could provide to the processing planner other than noting that the removal would not generally achieve the matters of discretion.

Matters of discretion for RHA as per s42A provisions, as amended by Ms Dixon's summary statement dated 1 November 2023 (red text, red strikethrough):

9.3.6.5 Residential Heritage Areas (excluding Akaroa Township Heritage Area) – demolition or relocation of a defining building or contributory building

- a. ~~As the primary consideration, the effect of the works on the heritage values of the building or site and~~ the collective heritage values and significance of the heritage area, including the overall integrity and coherence of the heritage area.
- b. Whether the building is a defining building or a contributory building, ~~and the specific contribution the building makes to the significance of the area.~~
- c. The extent to which the ~~heritage fabric or heritage values~~ physical features of the building or site have been damaged by natural events, ~~weather and environmental factors,~~ and other factors ~~the necessity and practicality of work to prevent further deterioration.~~
- d. Whether ~~the costs to retain the building on site would be unreasonable.~~ options for retention and repair have been thoroughly considered, including obtaining conservation advice where necessary, and the technical feasibility and likely costs of those options;
- e. ~~Whether repair would compromise the contribution the building makes to the heritage values of the area to the extent that the building would no longer meet the definition for its current contribution category. The ability to retain the overall heritage values of the building through an alternative proposal.~~
- f. The extent of photographic documentation that will occur prior to, during and on completion of the works.

Comment: To assess the application against the above matters of discretion, the applicant would have to address the contribution of the heritage value of the building to the area. Based on the Individual Site Record Form (copy attached, which will be linked from Appendix 9.3.7.3 in the District Plan) the reason for the contributory building rating is "A later 19th century dwelling that upholds the area's historic, architectural and contextual values".

Any applicant is recommended to seek pre-application advice from the Council's Heritage team to understand the likely documentation requirements.

The applicant would likely need to provide an assessment from a suitably qualified heritage professional against the matters of discretion. The applicant would also have to discuss the reasons for the demolition, and alternatives to demolition.

The application would be circulated to Council's Heritage Advisors for comment, who would check to see if any additional information was required and undertake an assessment of the effects of proposal on the RHA.

The processing planner would consider the assessment provided by the applicant, urban designer and the heritage advisor and undertake their own assessment informed by the specialist comments. This would include consideration of areas of conflict arising from the assessments (if any) and how these could be addressed, or whether the objectives and policies provide any additional guidance as to the significance or otherwise of any identified adverse effect on character or heritage, and whether this could be resolved by a change to the proposal or appropriate condition/s of consent.

In this case, a s95 notification decision is required as the Heritage Area rule does not preclude notification. Given the defining status of the building, effects of the loss of the building on the wider heritage area values may require public notification where these are more than minor. The effects on the Character Area are also required to be considered for notification, subject to the restriction of discretion, as while the Character Area RD rule precludes notification, the HA rule does not, which opens the whole application up to a s95 determination³.

³ S95A(5)(a) and s95B(6)(a)

**CHRISTCHURCH DISTRICT PLAN
LYTTELTON RESIDENTIAL HERITAGE AREA
INDIVIDUAL SITE RECORD FORM**

ITEM NAME former Allwright house

ADDRESS 14 St Davids Street
Lyttelton

PHOTO



CHRISTCHURCH DISTRICT PLAN STATUS

N/A

HNZPT LIST ENTRY STATUS

N/A

ARCHITECT/DESIGNER

Unknown

DATE OF CONSTRUCTION

Late 1870s?

STYLE

Colonial bay villa

PHYSICAL DESCRIPTION

A single-storey dwelling with a rectangular footprint and gabled roof forms. Timber stairs lead to veranda on principal, west-facing elevation. Gabled bay terminates veranda sheltering main entry, with side and fanlights, and glazed doors.

CONTEXT/SETTING/LANDSCAPE FEATURES

The dwelling stands on an elevated site on the east side of St Davids Street overlooking Sumner Road. The road boundary is marked, in part by a pipe railing and wire mesh fence atop a concrete retaining wall. There is only pedestrian access to the site.

MATERIALS/STRUCTURE

Timber, corrugated metal.

ALTERATIONS

External stairs and façade windows replaced (2010s).

RATING

Defining

REASON FOR RATING

A later 19th century dwelling that upholds the historic, architectural and contextual values of the area.

HISTORICAL AND SOCIAL SIGNIFICANCE

The houses in this area chronicle the history of residential development in Lyttelton from the mid-19th century until the present day. The first title for this property was issued to William Bright Allwright in 1878. Allwright (c.1845-95) was Lyttelton's postmaster between 1874 and 1894. His widow Grace (nee Grantham), with whom he had four children, transferred the property to Esther Lanyon, the wife of local grocer Thomas Lanyon, in 1895. Since 1924 the property has passed through other hands.

CULTURAL AND SPIRITUAL SIGNIFICANCE

The area has cultural value as a demonstration of the way of life of past and present residents and for the esteem in which it is held by members of the community.

ARCHITECTURAL AND AESTHETIC SIGNIFICANCE

The dwellings in this area have architectural and aesthetic value related to their style and typology. Vernacular styles predominate and the typically modest size and scale of the houses creates a sense of consistency and is expressive of the social history of the township. Although the loss of a number of public, ecclesiastical and commercial buildings following the Canterbury earthquakes changed the appearance of the town centre, Lyttelton's historic houses have generally retained a high level of authenticity.

CONTEXTUAL SIGNIFICANCE

The contextual values of the area arise from the interaction between the colonial grid of the principal streets and the topography of the township on the southern flank of the Port Hills. The steeply sloping terrain creates a high level of visual connectivity between residential properties and their wider setting.

ARCHAEOLOGICAL SIGNIFICANCE

As development has occurred in the area since the mid-19th century, the area has potential archaeological values relating to its historic use and occupation.

TECHNOLOGICAL AND CRAFTSMANSHIP SIGNIFICANCE

The craftsmanship of the buildings in the area is generally typical of the period in which they were built.

REFERENCES

John Wilson 'Banks Peninsula Contextual Historical Overview and Thematic Framework' (CCC, June 2014).
Te Runanga o Ngāi Tahu *Kā Huru Manu* available at <https://www.kahurumanu.co.nz/atlas>
Heritage New Zealand Pouhere Taonga 'Lyttelton Township Historic Area' registration report, 2009.

REPORT COMPLETED

20 November 2022

AUTHOR

Dr Ann McEwan, Heritage Consultancy Services

APPENDIX 2 – COMPARISON OF PC 14 RESIDENTIAL CHARACTER AREA AND RESIDENTIAL HERITAGE AREA PROVISIONS

Comparison of Proposed PC14 provisions for Residential Character Areas and Residential Heritage Areas (based on s42A Recommended Provisions) in Medium Density Residential Zone (MRZ)

Prepared by Hermione Blair, Principal Advisor Resource Consents, Christchurch City Council

Note: the provisions included do not incorporate any additional changes recommended in rebuttal or proposed since the s42a version was prepared. See example proposals where relevant further changes are identified.

Framework for Residential Character Areas	Framework for Residential Heritage Areas	
Identification of Residential Character Areas	Identification of Residential Heritage Areas	
Heaton	Heaton	
Cashmere	Wayside Ave	
Englefield	Englefield Avonville	
Francis	Macmillan	
Malvern	Church Property Trustees North St Albans subdiv.	
Massey	Piko/Shand	
Severn	Shelley/Forbes St	
Tainui	Chester St East/Dawson St	
Ryan	Inner City West	
Roker	RNZAF Station Wigram Staff Housing	
Lyttelton	Piko/Shand	
Dudley	Lyttelton	
Beckenham		
Piko		
Bewdley		
Cashmere View		
Objectives and Policies RCA	Objectives and Policies RHA	
<p>14.2.5.9 Policy - Residential character areas in Christchurch City, Akaroa and Lyttelton</p> <p>a. Maintain and enhance the identified special character values of residential areas arising from the following elements:</p> <p>i. the continuity or coherence of the character; ii. the pattern of subdivision, open space, buildings and streetscape;</p>	<p>9.3.2.2.2 Policy – Identification, assessment and scheduling of heritage areas</p> <p>a. Identify heritage areas which represent important aspects of the Christchurch District’s cultural and historic themes and activities and assess them for significance to the Christchurch District according to:</p> <p>i. whether the heritage area meets at least one of the heritage values in</p>	

<p>iii. the landforms or features that contribute to the qualities of the landscape and built form;</p> <p>iv. the scale, form and architectural values of buildings and their landscape setting;</p> <p>v. the qualities of the streetscape; and</p> <p>b. Within the Lyttelton and Akaroa Character Areas:</p> <p>i. maintains and enhances the relationship to historic heritage;</p> <p>ii. retains buildings and settings of high character value;</p> <p>iii. retains important views from public places; iv. reflects the existing small scale of development and integration with the landscape.</p>	<p>Appendix 9.3.7.1 at a significant or higher level; and</p> <p>ii. the extent to which the heritage area and its heritage values contributes to Christchurch District's sense of place and identity; has at least a moderate degree of integrity and authenticity; is a comprehensive, collective and integrated place, and contains a majority of buildings or features that are of defining or contributory importance to the heritage area.</p> <p>b. Schedule historic heritage areas that have been assessed as significant in accordance with Policy 9.3.2.2(a).</p> <p>9.3.2.2.3 Policy – Management of scheduled historic heritage</p> <p>a. Manage the effects of subdivision, use and development on the heritage items, heritage settings and heritage areas scheduled in Appendix 9.3.7.2 and 9.3.7.3 in a way that:</p> <p>i. provides for the ongoing use and adaptive reuse of scheduled historic heritage in a manner that is sensitive to their heritage values while recognising the need for works to be undertaken to accommodate their long term retention, use and</p>	
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	<p>sensitive change and the associated engineering and financial factors;</p> <p>ii. recognises the need for a flexible approach to heritage management, with particular regard to enabling repairs, heritage investigative and temporary works, heritage Building Code works to meet building code requirements, and restoration and reconstruction, in a manner which is sensitive to the heritage values of the scheduled historic heritage, and retains the current level of significance of heritage items and heritage areas on the schedule; and</p> <p>iii. subject to i. and ii., protects their particular heritage values from inappropriate subdivision, use and development.</p> <p>b. Undertake any work on heritage items and heritage settings scheduled in Appendix 9.3.7.2 and defining building or contributory building in heritage areas scheduled in Appendix 9.3.7.3 in accordance with the following principles:</p> <p>i. focus any changes to those parts of the heritage items or heritage settings, or defining building or contributory building which have more potential to accommodate change (other than where works are undertaken as a result of damage);</p>	
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	<p>ii. conserve, and wherever possible enhance, the authenticity and integrity of heritage items and heritage settings, and heritage area, particularly in the case of Highly Significant heritage items and heritage settings;</p> <p>iii. identify, minimise and manage risks or threats to the structural integrity of the heritage item and the heritage values of the heritage item, or heritage area, including from natural hazards;</p> <p>iv. document the material changes to the heritage item and heritage setting or heritage area;</p> <p>v. be reversible wherever practicable (other than where works are undertaken as a result of damage); and</p> <p>vi. distinguish between new work and existing heritage fabric in a manner that is sensitive to the heritage values.</p> <p>9.3.2.2.5 Policy – Ongoing use of scheduled historic heritage</p> <p>a. Provide for the ongoing use and adaptive re-use of heritage items and heritage settings scheduled in Appendix 9.3.7.2 and defining buildings and contributory buildings in heritage areas scheduled in Appendix 9.3.7.3 (in accordance with</p>	
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	<p>Policy 9.3.2.2.3), including the following:</p> <ul style="list-style-type: none"> i. repairs and maintenance; ii. temporary activities; iii. specific exemptions to zone and transport rules to provide for the establishment of a wider range of activities; iv. alterations, restoration, reconstruction and heritage upgrade Building Code works to heritage items, including seismic, fire and access upgrades; v. signs on heritage items and within heritage settings; vi. Subdivision and new development which maintains or enhances access to heritage items, defining buildings and contributory buildings. <p>9.3.2.2.8 Policy – Demolition of heritage items a. When considering the appropriateness of the demolition of a heritage item scheduled in Appendix 9.3.7.2 or a defining building or contributory building in a heritage area scheduled in Appendix 9.3.7.3, have regard to the following matters:</p> <ul style="list-style-type: none"> i. whether there is a threat to life and/or property for which interim protection measures would not remove that threat; 	
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	<p>ii. whether the extent of the work required to retain and/or repair the heritage item or building is of such a scale that the heritage values and integrity of the heritage item or building would be significantly compromised, and the heritage item would no longer meet the criteria for scheduling in Policy 9.3.2.2.1;</p> <p>iii. whether the costs to retain the heritage item or building (particularly as a result of damage) would be unreasonable;</p> <p>iv. the ability to retain the overall heritage values and significance of the heritage item or building through a reduced degree of demolition; and</p> <p>v. the level of significance of the heritage item.</p>				
Permitted activities in RCAs ch 14.5	Permitted activities in RHAs ch 14.5	Activity status when permitted standard breached RCA	Activity status when permitted standard breached RHA	Activity status where site in both RCA and RHA	Matters of discretion where site in both RCA and RHA where consent required
Any activities permitted in MRZ that don't conflict with the Area Specific Rules (Refer 14.5.3 ... All activities are also subject to Rules 14.5.1 and 14.5.2 unless specified otherwise).	Any activities permitted in MRZ that don't conflict with the Area Specific Rules or Rules in Ch 9.3 (Refer 14.5.3 ... All activities are also subject to Rules 14.5.1 and 14.5.2 unless specified otherwise; and 9.3.3 h. Activities within heritage items, heritage settings and heritage	As per 14.5.1.2 Controlled activities or 14.5.1.3 RD activities, or 14.5.1.4 D activities dependent on rule breached in 14.5.1.1, or if not a	As per 14.5.1.2 Controlled activities or 14.5.1.3 RD activities, or 14.5.1.4 D activities dependent on	As per 14.5.1.2 Controlled activities or 14.5.1.3 RD activities, or 14.5.1.4 D activities	

	areas scheduled in Appendix 9.3.7.2 and 9.3.7.3 are also subject to the: ii. rules in the relevant zone chapters).	listed permitted activity, status as set out in 14.5.1.2-14.5.1.5	rule breached in 14.5.1.1, or if not a listed permitted activity, status as set out in 14.5.1.2-14.5.1.5	dependent on rule breached in 14.5.1.1, or if not a listed permitted activity, status as set out in 14.5.1.2-14.5.1.5	
14.5.3.1.1 P4 Internal conversion 1 unit to 2		N/A (Nil standards)	-		
P5 Detached minor residential unit Lyttelton only where only 1 existing res unit on site Standards a.-d. apply	14.5.3.1.1 P5 Detached minor residential unit Lyttelton only where only 1 existing res unit on site Standards a.-d. apply	RD (14.5.3.1.3 RD21)	RD (14.5.3.1.3 RD21)	RD (14.5.3.1.3 RD21)	14.15.26 minor units, 9.3.6.4 Residential heritage area
	Permitted activities RHAs ch 9.3				
	9.3.4.1.1 P1 Maintenance of a building in a heritage area	-	N/A (no applicable standards)	N/A	
	9.3.4.1.1 P2 Repairs to a defining building or contributory building in a heritage area	-	RD (9.3.4.1.3 RD4)	RD (9.3.4.1.3 RD4)	9.3.6.1 Heritage items and heritage settings
	9.3.4.1.1 P3 Temporary buildings or structures for events in heritage area	If the 5m high, 30m ² size + rear yard location is breached -see 14.5.3.1.2 C1 – then RD under 14.5.3.1.3 RD14 unless ch 6.2 applies (Temporary activities, Buildings and Events)	RD (9.3.4.1.3 RD4)	RD (9.3.4.1.3 RD4 where standards not met, and possibly 14.5.3.1.3 RD14)	9.3.6.1 Heritage items and heritage settings 14.15.27 Character Area overlay

	9.3.4.1.1 P4 Signs attached to buildings which are located in heritage areas	-	RD (9.3.4.1.3 RD4)	RD (9.3.4.1.3 RD4 where standards not met)	9.3.6.1 Heritage items and heritage settings
	9.3.4.1.1 P12 Demolition/relocation of neutral or intrusive building	14.5.3.1.3 RD14 a. demolition/removal of building larger than 36m ² on site, relocation of building to site	N/A (no applicable standards)	RD (14.5.3.1.3 RD14)	14.15.27 Character Area overlay
	P13 New road boundary fences/walls max 1.5m high	14.5.3.1.3 RD14 fences not meeting CA built form standards 14.5.3.1.3 RD20 Activities breaching built form standards for CAs in 14.5.3.2 (note lower fence heights required in some CAs)	RD (9.3.4.1.3 RD6)	RD (9.3.4.1.3 RD6, 14.5.3.1.3 RD14, RD20)	9.3.6.4 Residential heritage area 14.15.27 Character Area overlay and matters of discretion for the relevant BFS breached in 14.15
Controlled activities RCA	Controlled activities RHA	Activity status RCA	Activity status RHA	Activity status where in RCA & RHA	Matters of discretion where site in both RCA and RHA where consent required
14.5.3.1.2 C1 a. New 5m high residential unit to rear of existing res unit, meeting built form standards for the CA b. Additions to existing buildings not visible from street, no changes to	None in ch 14 or Ch 9	C (14.5.3.1.2 C1)	RD (9.3.4.1.3 RD6 only for alteration to contributory or defining building	C or RD where building is contributory or defining – for alteration	14.15.27 Character Area overlay 9.3.6.4 Residential heritage area

front façade of main res unit, less than 30m ² area and 5m high, meet built form standards for CA Matters of control 14.15.27 Character Area overlay			exteriors not visible from the street)	to exterior only. (14.5.3.1.2 C1 and 9.3.4.1.3 RD6)	
Restricted discretionary activities RCA	Restricted discretionary activities RHA	Activity status RCA	Activity status RHA	Activity status where in RCA & RHA	Matters of discretion where site in both RCA and RHA where consent required
14.5.3.1.3 RD6 Residential units not meeting 14.5.3.2.7 a. 3+ residential units per site (excludes Lyttelton) ⁴ . c. Lyttelton units on less than 450m ² net site area (excludes P4 and P5) d. Lyttelton more than 1 res unit and one minor unit per site Matters of discretion 14.15.27 Character Area overlay	<i>14.5.3.1.3 RD15 (equivalent rule for RHA)</i>	RD (14.5.3.1.3 RD6)	RD (14.5.3.1.3 RD15)	RD (14.5.3.1.3 RD6 and RD15)	14.15.27 Character Area overlay 9.3.6.4 Residential heritage area
14.5.3.1.3 RD14 a. demolition/removal of building larger than 36m ² on site, relocation of building to site, erection of new buildings, additions and alterations to existing buildings, accessory buildings fences or walls. Excludes: C1; fences that comply with built form standard; max 5m high/30m ² accessory buildings	<i>Note 9.3.4.1.1 P12 permits demolition of intrusive or neutral building</i> <i>Note 9.3.4.1.1 P13 – permits 1.5m high fences/walls</i> <i>See 9.3.4.1.3 RD6 and RD7 for RHA equivalents</i>	RD (14.5.3.1.3 RD14 and potentially 9.3.4.1.3 RD8 Any new building (except where less than 5m in height) on site in HRZ or RVA located outside an RHA but shares a boundary with a site in an RHA – if any of	RD (9.3.4.1.3 RD7 for Demolition or relocation of a defining or contributory building (where not a heritage item - if a heritage item RD3 for	RD (14.5.3.1.3 RD14, possibly RD8, 9.3.4.1.3 RD6 RD7, potentially other rules if heritage item).	14.15.27 Character Area overlay Matters of discretion for demolition in Residential Heritage Areas (excluding Akaroa Township

⁴ Not clear how this interacts with RD20 which is for activities in a CA that breach a built form standard, as rule 14.5.3.2.7 is a built form standard - staff are aware of this issue.

<p>located to rear of main unit on site; side/rear boundary fences not adjacent to public space; alterations to existing buildings not visible from street/not changing front façade of main res unit.</p> <p>c. Activities that do not meet built form standard 14.5.3.2.6 Landscaped areas for select areas</p> <p>d. Any activity specified in a. which does not meet 14.5.3.2.3 Building height 14.5.3.2.5 Front entrances and facades 14.5.3.2.8 setbacks, 14.5.3.2.9 Building coverage, 14.5.3.2.13 Garaging and carport building location or 14.5.3.2.14 Internal separation.</p> <p>Non-notified. Matters of discretion 14.15.27 Character Area overlay</p>		these sites are in an RCA – note this has not been checked).	relocation within setting, 9.3.4.1.4 D1 for relocation beyond setting, D2 for demolition of a significant item or 9.3.4.1.5 NC1 for demolition of a highly significant item will apply instead) 9.3.4.1.3 RD6 for new buildings and alterations to building exteriors, road boundary fences and walls >1.5m)		Heritage Area) 9.3.6.5 + additional matters if heritage item
<p>14.5.3.1.3 RD20 Activities breaching built form standards for CAs in 14.5.3.2</p> <p>Matters of discretion 14.15.27 Character Area overlay (& matters of discretion for the relevant BFS breached in 14.15 where in a Heritage Area – see 14.5.3.1.3 RD15)</p>	<p>14.5.3.1.3 RD15 Activities breaching built form standards for RHAs in 14.5.3.2</p> <p>Matters of discretion 9.3.6.4, when in a Character Area 14.15.27, and matters of discretion for the relevant BFS breached in 14.15</p>	RD (14.5.3.1.3 RD20)	RD (14.5.3.1.3 RD15)	RD (14.5.3.1.3 RD15 and RD20)	<p>14.15.27 Character Area overlay 9.3.6.4 Residential heritage area and matters of discretion for the relevant BFS breached in 14.15</p>

14.5.3.1.3 RD21 Detached minor residential unit in Lyttelton CA not meeting activity specific standards in P5 a-d Matters of discretion 14.15.26 minor units, 14.15.27 Character Area overlay	14.5.3.1.3 RD21 Detached minor residential unit in Lyttelton RHA not meeting activity specific standards in P5 a-d Matters of discretion 14.15.26 minor units, 9.3.6.4 Residential heritage area	RD (14.5.3.1.3 RD21)	RD (14.5.3.1.3 RD21)	RD (14.5.3.1.3 RD21)	14.15.26 minor units, 14.15.27 Character Area overlay 9.3.6.4 Residential heritage area
	9.3.4.1.3 Restricted discretionary activities	Activity status RCA	Activity status RHA	Activity status where in RCA & RHA	Matters of discretion where site in both RCA and RHA where consent required
	RD4 Any activity in 9.3.4.1.1 Permitted activities that does not meet one or more of the activity specific standards Matters of discretion 9.3.6.1 Heritage items and heritage settings	Refer permitted activity fields p9-10 of this table.	RD (9.3.4.1.3 RD4)	Refer permitted activity fields p9-10 of this table.	9.3.6.1 Heritage items and heritage settings + refer p9-10 of this table
	RD6 a. i. new buildings and alteration to building exteriors ii. new road boundary fences and walls and alterations to road boundary fences and walls which are or will be over 1.5m in height. c. Rule does not apply to buildings located to the rear of the main res. unit and less than 5m in height; alterations to exteriors of neutral or intrusive buildings where the alteration not visible from the street; fences and walls on side or rear	RD (14.5.3.1.3 RD14 14.5.3.1.3 RD20 Activities breaching built form standards for CAs in 14.5.3.2 - note lower fence heights required in some CAs)	RD (9.3.4.1.3 RD6)	RD (14.5.3.1.3 RD14, RD20 9.3.4.1.3 RD6)	14.15.27 Character Area overlay 9.3.6.4 Residential heritage area

	boundaries; installation of sustainability or energy conservation features such as double glazing (where windows not changed in shape, size or frame materials), solar panels, and water capture tanks. Matters of discretion 9.3.6.4 and where also in a CA 14.15.27 Advice note: cross references 14.5.3.2 and 14.8.3.2				
	RD7 Demolition or relocation of a defining or contributory building (where not a heritage item) Matters of discretion 9.3.6.5 and where also in a CA 14.15.27 (if a heritage item RD3 for relocation within setting, D1 for relocation beyond setting, D2 for demolition of a significant item or NC1 for demolition of a highly significant item will apply instead)	RD (14.5.3.1.3 RD14)	RD (9.3.4.1.3 RD7 – or additional activity status if heritage item)	RD (14.5.3.1.3 RD14 9.3.4.1.3 RD7 or additional activity status if heritage item)	14.15.27 Character Area overlay Matters of discretion for demolition in Residential Heritage Areas (excluding Akaroa Township Heritage Area) 9.3.6.5 + additional matters if heritage item
	RD8 Any new building (except where less than 5m in height) on site in HRZ or RVA located outside an RHA but shares a boundary with a site in an RHA. Matters of discretion 9.3.6.6 (Advice note: Appendix 9.3.7.9 RHAs identifies these sites)	Potentially 9.3.4.1.3 RD8 Any new building (except where less than 5m in height) on site in HRZ or RVA located outside an RHA but shares a boundary	-	-	9.3.6.6 Sites in the High Density Residential Zone and Residential Visitor Accommodation

		with a site in an RHA – if any of these sites are in an RCA – note this has not been checked)			Zone Sharing a boundary with a Residential Heritage Area
Area specific built form standards RCA	Area specific built form standards RHA				
<p>14.5.3.2.3 Height</p> <p>iii. Heaton and Cashmere 8m (50% of roof elevation may exceed this by 2m where entire roof slopes 15 degrees or more)</p> <p>iv. Englefield, Francis, Malvern, Massey, Severn, Tainui, Ryan, Roker, Cashmere View, Dudley, Beckenham, Piko and Bewdley 6.5m</p> <p>viii. Lyttelton 7m, 5m accessory building</p>	<p>14.5.3.2.3 Height</p> <p>v. RHAs:</p> <p>A. Heaton, Wayside Ave, RNZAF Station Wigram Staff Housing, Macmillan 7m plus 2m for roof form</p> <p>B. Church Property Trustees North St Albans, Piko/Shand 5.5m</p> <p>C. Shelley/Forbes St and Englefield Avonville 5m</p> <p>D. Chester St East/Dawson St and Inner City west 11m</p> <p>E. Lyttelton 7m, 5m accessory building</p>				
<p>14.5.3.2.5 Front entrances and facades</p> <p>b. Heaton, Englefield, Francis, Malvern, Massey, Severn, Tainui, Ryan, Cashmere View, Dudley, Beckenham, Roker, Piko and Bewdley CAs – any residential unit shall be built across the minimum of 60% of the width of an allotment, where it abuts a road boundary</p> <p>c. Cashmere, minimum dimension of building frontage to the street, excluding garage 8m</p>					

d. Heaton, Englefield, Francis, Malvern, Massey, Severn, Tainui, Ryan, Cashmere View, Dudley, Beckenham, Roker, Piko and Bewdley CA maximum paved access width per site 3.6m ⁵ or 4.8m where includes pedestrian access with a minimum width of 1.2m					
14.5.3.2.6 Landscaped areas ii. A. Residential unit at ground floor level must have a landscaped area of 20% minimum of developed site with tree and garden planting. B. Landscaping strip with minimum width of 2m along rear boundary, including trees that will grow to a minimum height of 6-8m (does not apply in Lyttelton CA) C. In addition to A&B 1. within Heaton CA, minimum 3 specimen trees of 8-12m ⁶ in height planted in front setback and landscaping strip with min width 3m shall be planted along the length of the road boundary excluding driveway or pedestrian access. 2. Englefield 2m landscape strip consisting of tree and garden planting along road boundary excluding access. 3. Francis, Malvern, Massey, Severn, Tainui, Ryan, Roker, Cashmere View,					

⁵ Note Ch 7 access widths also apply (refer Table 7.5.7.1 in Appendix 7.5.7)

⁶ I note this rule may need redrafting to state trees capable of achieving 8-12m in height, as transplanting mature trees of this size is difficult and very expensive. Council staff are aware of this issue.

Dudley, Beckenham, Piko and Cashmere CAs 3m landscaping strip consisting of tree and garden planting, along road boundary excluding access 4. Lyttelton and Bewdley, 3m strip along road boundary excluding access.					
14.5.3.2.7 Number of residential units per site a. CA overlays (excl. Lyttelton) no more than 2 res units per site c. CA in Lyttelton each res unit (except those established under P4 and P5) 450m ² net site area per residential unit. d. CA in Lyttelton no more than one residential unit plus one minor residential unit per site.	14.5.3.2.7 Number of residential units per site b. RHA's (excl. Lyttelton) no more than 2 res units per site c. RHA in Lyttelton each res unit (except those established under P4 and P5) 450m ² net site area per residential unit. d. RHA in Lyttelton no more than one residential unit plus one minor residential unit per site.				
14.5.3.2.8 Setbacks i. Front Heaton, Francis, Malvern, Massey, Severn, Tainui, Ryan, Roker, Cashmere View, Dudley and Piko: 8m, except where any existing res unit on site built prior to 1945 can be relocated 6m from front boundary. Beckenham: 7m except where any existing res unit on site built prior to 1950 can be relocated 6m from front boundary Englefield: 3m with maximum of 5m Cashmere: 5m Bewdley: 6m	14.5.3.2.8 Setbacks b. Residential HAs road boundary setback i. Heaton St, Wayside Ave, RNZAF Station Wigram Staff Housing, Church Property Trustees North St Albans Subdivision, Piko/Shand: 8m or 6m where existing house or garage proposed to be relocated forward on the site ii. Shelley/Forbes St, Englefield Avonville, Chester St East/Dawson Street, and Inner City West: minimum 3m, maximum 5m iii. Macmillan Ave 5m				

<p>Lyttelton: 3m except 300mm eaves and roof overhangs and 200mm guttering may protrude into front setback⁷.</p> <p>ii. Side</p> <p>Heaton 3m</p> <p>Francis, Malvern, Massey, Severn, Tainui, Ryan, Cashmere View, Dudley and Piko 2m one side, 3m other</p> <p>Englefield, Beckenham, Bewdley and Roker 1m one side, 3m other</p> <p>Cashmere 3m</p> <p>Lyttelton 1.5m on one side, 3m other</p> <p>iii. Rear</p> <p>Heaton, Englefield, Francis, Malvern, Massey, Severn, Tainui, Ryan, Cashmere View, Dudley, Beckenham, Bewdley, Roker and Piko 3m</p> <p>Lyttelton 2m</p> <p>iv. Accessory buildings nil setback side and rear where total length of accessory building does not exceed 10m</p> <p>v. Eaves and roof overhangs 300mm eaves and 200mm guttering may protrude into front setback.</p>	<p>iv. Lyttelton 3m</p> <p>c. RHA internal boundary setback</p> <p>i. Heaton, Wayside Ave, RNZAF 3m</p> <p>ii. Church Property Trustees and Piko/Shand Side boundary 2m and 3m, rear boundary 3m</p> <p>iii. Shelley/Forbes, Englefield Avonville, Chester St East/Dawson, Inner City West side boundary 1m and 3m, rear boundary 3m</p> <p>iv. Macmillan Ave side boundary 3m, rear boundary 3m</p> <p>v. Lyttelton side boundary 1.5m one side, 3m other side, rear boundary 2m</p>				
<p>14.5.3.9 Building coverage</p> <p>a. In all CAS except Lyttelton, Englefield and Bewdley, 40% max (excluding eaves and roof overhangs 300mm and guttering 200mm)</p> <p>b. Englefield and Bewdley 35% (excluding eaves and roof overhangs</p>	<p>14.5.3.9 Building coverage</p> <p>c. i. RHAs except Englefield and Lyttelton 40%</p> <p>ii. Englefield 35%</p> <p>iii. Lyttelton RHA outside of Lyttelton CA 50%</p>				

⁷ Duplicates v.

up to 600mm in width and guttering up to 200mm in width) ⁸ f. Lyttelton CA and Lyttelton RHA that is also within the CA 60%	f. Lyttelton CA and Lyttelton RHA that is also within the CA 60%				
	14.5.3.2.12 outdoor living space c. RHAs i. Heaton, Wayside Ave, RNZAF 80m ² minimum area ii. Church Property Trustees, Piko/Shand, Macmillan Ave, Shelley/Forbes, Englefield Avonville, Chester St East/Dawson St, Inner City West and Lyttelton 50m ²				
14.5.3.2.14 ⁹ Fencing in CAs ¹⁰ a. Heaton max height front boundary 1.8m b. Francis, Malvern, Massey, Severn, Tainui, Roker, Cashmere View, Dudley and Beckenham 1.2m along front boundary c. Ryan 0.8m along front boundary d. Englefield and Piko 1m along front boundary e. Bewdley 0.5m along front boundary f. Cashmere 1.2m along front boundary (fencing) 1.5m retaining, where any fence proposed on a retaining wall, must be set back 1.2m from front face of retaining wall with intervening area containing planting					

⁸ Not clear on rationale for different eave width between a. and b.

⁹ Note there is an issue with the rule numbering in this section that results in two rules 14.5.3.2.14

¹⁰ Note these rules may require redrafting to capture fencing within the road boundary setback, rather than just on the road "front" boundary (see Mr Kleynbos' rebuttal evidence at 97. for this issue in MRZ)

<p>g. 2.0m side and rear internal boundaries</p> <p>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.</p> <p>i. Lyttelton front boundary 1m (fencing) 1.5m retaining wall, and where any fence proposed on a retaining wall, must be set back 1.2m from front face of retaining wall with intervening area containing planting</p>					
<p>14.5.3.2.13 Garaging and carport building location in CAS</p> <p>a. Heaton, Englefield, Francis, Malvern, Massey, Severn, Tainui, Ryan, Cashmere View, Dudley, Beckenham, Roker, Piko and Bewdley: garages and carports (detached or not) shall be located to the rear of any residential unit; or to the side of any residential unit, provided they are at least 5m behind the front façade of a residential unit.</p> <p>b. Cashmere, single garage or carport less than 4.5m 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 does not have a driveway or garage located within 2.5m¹¹.</p>					

¹¹ Not clear how this works, as a garage or carport necessarily abuts a driveway

c. Lyttelton: garages, carports, areas provided for car parking shall be: i. separate to the residential unit; located to the side or rear of the residential unit; and iii. Located at least 1.2m behind the front façade of a residential unit (except if a car parking area).					
14.5.3.2.14 Internal separation in CAs a. Englefield: 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 5m minimum b. Within any CA, any building on a site that contains 2 detached res. units must be set back by a minimum of 5m from the second residential unit or any accessory building associated with that unit.					
Matters of discretion RCA	Matters of discretion RHA				
14.15.27 Character Area Overlay a. Area context i. Whether development recognises the distinctive landforms, landscape setting and development patterns of the character area in respect to: A. retaining and enhancing the areas' natural features; B. integrating with the existing pattern and grain of subdivision and building;	9.3.6.4 Residential Heritage Areas (excluding Akaroa Township Heritage Area) - new buildings, fences and walls, and exterior alterations to buildings a. Whether the proposal is consistent with maintaining or enhancing primarily the collective heritage values and significance of the heritage area, and secondarily the heritage values of the building,				

<p>C. the relationship with adjoining sites and buildings, including any recorded historic heritage values; D. the visual coherence of the area.</p> <p>b. Street interface</p> <p>i. Whether the development contributes to the coherency and character of the street by:</p> <p>A. providing a front yard building setback which is consistent with the overall depth and pattern of the character area, and in particular with other sites within the street;</p> <p>B. recognising the positive contribution of buildings that are representative of the primary characteristics of the area and are proposed to be retained, through a reduction in the front yard building setback;</p> <p>C. reducing the extent of paved surface on the site and avoiding the location of vehicle access, manoeuvring, parking areas and garaging within the front yard, or where it visually dominates the streetscene;</p> <p>D. utilising, as a preference, a shared driveway and avoiding co-location of driveways and/or garages to minimise the impacts on the quality of the streetscene;</p>	<p>fence or wall, in particular having regard to the following matters of discretion where applicable:</p> <p>i. the scale, form, mass, rooflines, materials, colour, design, and detailing of the defining buildings and contributory buildings within the heritage area;</p> <p>ii. the relationship between elements in the heritage area including the existing pattern of subdivision, pattern of buildings and fencing including height, materials and permeability of fencing and walls, layout and orientation on sites, and setbacks from streets;</p> <p>iii. the purpose and extent of earthworks necessary as part of the proposal;</p> <p>iv. the extent and scale of vegetation removed, retained or provided;</p> <p>v. the impact on public places and the street scene, including avoiding the location of parking areas and garaging within the road boundary setback;</p> <p>vi. the impact of the proposal on views to and from the Residential Heritage Area;</p> <p>vii. the provision of access and use or adaptive reuse of defining buildings and contributory</p>				
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<p>E. having low height or no fencing on the street frontage or within the front boundary setback; and</p> <p>F. orientating the building on the site to face the street, with sufficient building frontage to reinforce the street edge.</p> <p>c. Site character</p> <p>i. Whether the development complements the residential character and enhances the amenity of the character area by:</p> <p>A. providing a balance of open space to buildings across the site consistent with the surrounding sites within the block, and to a lesser extent, the wider area;</p> <p>B. maintaining the extent and scale of vegetation, most importantly trees;</p> <p>C. separating buildings on the site with open space and planting between buildings;</p> <p>E. retaining the front and rear yards for open space and tree and garden planting; and</p> <p>F. ensuring paved areas, fencing and buildings are visually softened through the provision of adjacent planting.</p> <p>d. Built character</p> <p>i. Whether the development supports the residential built</p>	<p>buildings.</p> <p>Additional matters of discretion for alteration to building exteriors</p> <p>viii. retention, and integration of existing building fabric, form, appearance, and heritage values;</p> <p>x. the heritage values of the building and whether the building is a defining building, contributory building, neutral building or intrusive building.</p> <p>b. The extent to which the proposal is consistent with the Council's heritage report for the Residential Heritage Area concerned, and the ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value (ICOMOS New Zealand Charter 2010).</p> <p>c. Whether the proposal will provide for retention of a building or ongoing and viable use, including adaptive reuse.</p> <p>e. Whether the site has cultural or spiritual significance to mana whenua or is to be used for Papakāinga/Kāinga Nohoanga and the outcome of any consultation undertaken with Papatipu Rūnanga.</p> <p>9.3.6.5 Residential Heritage Areas (excluding Akaroa Township Heritage</p>				
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<p>character values of the character area in regard to:</p> <p>A. retaining residential buildings built prior to 1945, or in respect to Bewdley, prior to 1970; B. retaining or locating of the primary building on the site at the street interface, with a lesser scale dwelling to the rear;</p> <p>C. the scale and form of the building, including the roof form;</p> <p>D. architectural detailing including features such as verandas, materials, window and front entry design and placement;</p> <p>E. complementary and compatible building design;</p> <p>F. the recognition of recorded historic heritage values of adjacent buildings.</p> <p>e. Akaroa and Lyttelton</p> <p>i. In addition to the matters listed above, in respect to Akaroa and Lyttelton character areas, whether the development:</p> <p>A. retains important views from public places;</p> <p>B. reduces the potential for visual dominance of the development when viewed from elsewhere within the viewing catchment;</p> <p>C. responding through the use of the landscape at the street interface to</p>	<p>Area) – demolition or relocation of a defining building or contributory building</p> <p>a. The effect of the works on the heritage values of the building or site and the collective heritage values and significance of the heritage area, including the overall integrity and coherence of the heritage area.</p> <p>b. Whether the building is a defining building or contributory building.</p> <p>c. The extent to which the heritage fabric or heritage values have been damaged by natural events, weather and environmental factors, and the necessity and practicality of work to prevent further deterioration.</p> <p>d. Whether the costs to retain the building on site would be unreasonable.</p> <p>e. The ability to retain the overall heritage values of the building through an alternative proposal.</p> <p>f. The extent of photographic documentation that will occur prior to, during and on completion of the works</p> <p>9.3.6.6 Sites in the High Density Residential Zone and Residential Visitor Accommodation Zone Sharing a boundary with a Residential Heritage Area</p>				
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<p>the existing informality or formality of the streetscape;</p> <p>D. retains residential buildings, including accessory buildings, that were built prior to 1945 and/or that contribute to the architectural traditions and character values;</p> <p>E. reflects the small scale and simple forms of residential building; and</p> <p>F. recognises any recorded historic heritage values adjacent and opposite to the development.</p> <p>ii. Where the site is within the Akaroa Heritage Area, the matters set out in Rule 9.3.6.3.</p> <p>iii. Where the site is within the Lyttelton Character Area, the extent to which the development is consistent with the Lyttelton Character Area Design Guide.</p> <p>iv. Where the development is for Papakāinga/Kāinga Nohoanga and the site is within the Lyttelton Character Area:</p> <p>A. the extent to which the matters listed above are not compatible with providing for the housing needs of Ngāi Tahu whānui; and</p> <p>B. the context of the site and the extent to which the overall integrity and cohesiveness of the Character Area will be retained.</p>	<p>a. Whether the proposed building's location, design, scale and form will impact on the heritage values of the site or sites within the Residential Heritage Area, and of the Area as a whole;</p> <p>b. Whether the proposed building would visually dominate the site or sites within the Residential Heritage Area or reduce the visibility of the site or sites to or from a road or other public space.</p>				
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Appendix 9.3.7.3 Schedule of Significant Historic Heritage Areas

Part A - Akaroa Township Heritage Area			
ID Number	Planning Map Number	Name and / or Description	Location
HA1	77C, H35C, H36C, H37C, R5C	Akaroa Township Heritage Area	<p>a. Akaroa Township Heritage Area includes residential, commercial and open space areas along the waterfront of Akaroa Harbour. The area includes the Garden of Tane, L'Aube Hill Reserve, French Cemetery, Stanley Park and Daly's Wharf.</p> <p>b. Refer to Appendix 9.3.7.3.1 for the schedule reference map showing the location of this heritage area.</p>

Part B – Residential Heritage Areas					
<p>Advice Note: For each of the heritage areas below, refer to the links to the Heritage Area Report and Site Record Forms, the Heritage Area Aerial Map and the Site Contributions Map. The Heritage Area Aerial Map shows the sites located within the Residential Heritage Area. The Site Contributions Map identifies the contribution category for each site in the Residential Heritage Area: defining building, contributory building, intrusive building or site, or neutral building or site. The Residential Heritage Area Interface Sites and Character Area Overlap Map shows sites that share a boundary with a heritage area which are subject to Rule 9.3.4.1.3 RD8, and sites located in both a Character Area and a Residential Heritage Area.</p>					
	Heritage Area Report and Site Record Forms	Location	Heritage Area Aerial Map	Heritage Area Site Contributions Map	Heritage Area Interface Sites and Character Area Overlap Map
HA2	Chester Street East/Dawson Street Residential Heritage Area	a. <u>All properties in the section of Chester Street East between Madras Street in the west and up to and including the Chester Street Reserve and 147 Chester Street in</u>	Appendix 9.3.7.7.1	Appendix 9.3.7.8.1	Appendix 9.3.7.9.1

		<u>the east, and all properties in Dawson Street.</u>			
HA3	Church Property Trustees North St Albans Subdivision (1923) Residential Heritage Area	a. <u>The properties in Gosset, Carrington and Jacob Streets, and parts of Malvern, Rutland and Westminster Streets, Roosevelt Avenue and Innes Road, and also Malvern and Rugby Parks.</u>	Appendix 9.3.7.7.2	Appendix 9.3.7.8.2	Appendix 9.3.7.9.2
HA4	Englefield Avonville Residential Heritage Area	a. <u>All properties in the block bounded by the Avon River and Avonside Drive, Fitzgerald Avenue, Hanmer Street and Elm Grove. Includes both sides of Elm Grove and Hanmer Street excluding the southernmost property on each side of Hanmer Street.</u>	Appendix 9.3.7.7.3	Appendix 9.3.7.8.3	Appendix 9.3.7.9.3
HA5	Heaton Street Residential Heritage Area	a. <u>Properties on the south side of the roadway, bounded to the west by Taylor's Drain and to the east by the grounds of St George's Hospital, and also including Elmwood Park.</u>	Appendix 9.3.7.7.4	Appendix 9.3.7.8.4	Appendix 9.3.7.9.4

<u>HA6</u>	<u>Inner City West Residential Heritage Area</u>	a. <u>All properties on City blocks from the northern side of Cashel Street to the northern side of Armagh Street, between Rolleston Avenue and Montreal Street, with the exception of the block containing the Arts Centre Te Matatiki Toi Ora.</u>	<u>Appendix 9.3.7.7.5</u>	<u>Appendix 9.3.7.8.5</u>	<u>Appendix 9.3.7.9.5</u>
<u>HA7</u>	<u>Lyttelton Residential Heritage Area</u>	a. <u>Most of the residential areas of the township excluding the port area and areas with commercial zoning.</u>	<u>Appendix 9.3.7.7.6</u>	<u>Appendix 9.3.7.8.6</u>	<u>Appendix 9.3.7.9.6</u>
<u>HA8</u>	<u>Macmillan Avenue Residential Heritage Area</u>	a. <u>Properties on the eastern section of Macmillan Avenue and the north side of Whisby Road.</u>	<u>Appendix 9.3.7.7.7</u>	<u>Appendix 9.3.7.8.7</u>	<u>Appendix 9.3.7.9.7</u>
<u>HA9</u>	<u>Piko/Shand (Riccarton Block) State Housing Residential Heritage Area</u>	a. <u>All properties including reserves in Tara Street and Piko Crescent and parts of Shand Crescent (including reserves). Paeroa and Peverel Streets and Centennial Avenue, Riccarton.</u>	<u>Appendix 9.3.7.7.8</u>	<u>Appendix 9.3.7.8.8</u>	<u>Appendix 9.3.7.9.8</u>
<u>HA10</u>	<u>RNZAF Station Wigram Staff Housing</u>	a. <u>Former officer accommodation, the No 1 Officers' Mess and</u>	<u>Appendix 9.3.7.7.9</u>	<u>Appendix 9.3.7.8.9</u>	<u>Appendix 9.3.7.9.9</u>

	Residential Heritage Area	<u>Brevet Garden in Henry Wigram Drive and former air force personnel housing in Corsair Drive, Grebe Place, Springs Road and Caudron Road.</u>			
HA11	Shelley/Forbes Street Residential Heritage Area	a. <u>Properties in Shelley Street, the northern portion of Forbes Street (excluding 17B) and part of the north side of Beaumont Street</u>	Appendix 9.3.7.7.10	Appendix 9.3.7.8.10	Appendix 9.3.7.9.10
HA12	Wayside Avenue 'Parade of Homes' Residential Heritage Area	a. <u>Properties in the southern section of Wayside Avenue in Bryndwr connecting with Guildford Street to the south and Flay Crescent to the west.</u>	Appendix 9.3.7.7.11	Appendix 9.3.7.8.11	Appendix 9.3.7.9.11

	Residential Heritage Area	<u>Brevet Garden in Henry Wigram Drive and former air force personnel housing in Corsair Drive, Grebe Place, Springs Road and Caudron Road.</u>			
HA11	Shelley/Forbes Street Residential Heritage Area	a. <u>Properties in Shelley Street, the northern portion of Forbes Street (excluding 17B) and part of the north side of Beaumont Street</u>	Appendix 9.3.7.7.10	Appendix 9.3.7.8.10	Appendix 9.3.7.9.10
HA12	Wayside Avenue 'Parade of Homes' Residential Heritage Area	a. <u>Properties in the southern section of Wayside Avenue in Bryndwr connecting with Guildford Street to the south and Flay Crescent to the west.</u>	Appendix 9.3.7.7.11	Appendix 9.3.7.8.11	Appendix 9.3.7.9.11

APPENDIX 3 – REVISED RESIDENTIAL DESIGN PRINCIPLES

a. Amended residential design principles (tracked changes version, based on s42a provisions)

- Text in orange underline is my (Hermione Blair) recommended alterations to the s42a updated provisions, with recommended text to be removed in ~~orange strikethrough~~.

14.15.1 Residential design principles

- a. New developments require assessment against the residential design principles (1-6) set out below, and in hillside and small settlement areas principle 7, and for road boundary setback breaches in the Qualifying Matter City Spine Transport Corridor, principle 8. Each residential design principle is accompanied by relevant considerations which are a guide to applicants and consent officers when considering an application against the residential design principles themselves.
- b. ~~The relevance of the considerations under each residential design principle will vary from site to site and, in some circumstances, some of the considerations may not be less relevant at all. For example, c.ii. is likely to be highly relevant to a development adjacent to heritage items; whereas c.ii. might be less relevant to a development in an area void of heritage items.~~
- b. Guidance for the application of the principles 1-7 is included beneath each principle, for the assistance of Plan users. For the avoidance of doubt the guidance is an aid to interpretation and understanding of the principle but is not itself a matter of discretion. However, developments that incorporate the guidance in their design are more likely to give effect to the principles and require a lower threshold of assessment than developments that do not consider and/or apply the guidance.
- c. There is no hierarchy to the principles, but appropriately considering the site layout (Principle 1) at the start of the design process makes the other principles easier to achieve.
- d. ~~€-Principle 1: Site layout and context~~
 - i. ~~Whether the development achieves high quality design through a logical and coherent~~ well-considered site layout that positively contributes to the adjacent street, orients residential units to face the street and public or shared spaces (external to or within the site) and incorporates ~~prioritises the street interface, a public frontage for each unit, and~~ safe and direct pedestrian access to and within the development.

Guidance: ii. The relevant considerations include the extent to which the development:

~~A. prioritises site layout that provides a safe and attractive access to units including entrances to attached dwellings and apartment buildings;~~

~~B. achieves good on-site residential amenity and a positive street interface;~~

~~C. minimises the need for tall fencing at street and accessway boundaries;~~

~~D. provides space for planting and trees in communal areas, adjacent to accessways and at the street front; and~~

1.A. Buildings are designed and positioned to ensure a positive street interface, with ground floor habitable space overlooking the street and a public frontage including front doors and planting.

1.B. Tree and garden planting is provided in appropriately sized spaces between buildings and the street and accessways, in locations adjacent to units.

1.C. Private outdoor living spaces are located to the side or rear of units, minimising the requirement for tall privacy fencing in the front yard area.

1.D Car parking, loading and service areas and elements are located away from the street front and unit entrances, in positions convenient to occupants that do not compromise the quality of the street edge, entrances and access to units.

1.E Pedestrian accessways are located where they can be overlooked by habitable spaces, while still providing for privacy for unit occupants.

1.F. ~~E. for development sites~~ Larger sites (exceeding 4,000m²), provides connections (or are designed not to foreclose potential future connections) through the site for the public; ~~and~~

F. retains heritage items, Sites of Ngāi Tahu Cultural Significance identified in Appendix 9.5.6, and retains or adapts existing site contours and mature trees.¹²

Principle 2: ~~d.~~ Relationship to the Street and Public Spaces

i. Whether the development engages with and contributes to adjacent streets, on-site communal space, and any other adjacent public open spaces to contribute to them being lively, safe and attractive.

Guidance: ~~ii.~~ The relevant considerations include the extent to which the development:

2.A. ~~orients b~~ Buildings frontages, including public entrances and windows to habitable rooms, are oriented toward the street, adjacent public open spaces, and on-site shared spaces; ~~;~~

2.B. ~~designs b~~ Buildings on corner sites ~~to~~ emphasise the corner and address both streets; ~~;~~

2. C. ~~locates h~~ Habitable rooms are located on the ground floor, with windows facing towards, and visible from, the street and accessways.

Principle 3: ~~e.~~ Built form and appearance

Whether the development is designed to ~~manage the visual bulk of the buildings and~~ provide visual interest, a sense of human scale, and mitigate the effects of building bulk.

Guidance: ~~ii.~~ The relevant considerations include the extent to which the development:

3.A. ~~P~~laces building bulk at the street front and otherwise limits ~~the continuous lengths of long buildings;~~

3.B. Avoids ~~s~~ blank elevations, ~~and~~ façades dominated by garage doors or breezeways.

3.C. ~~achieves~~ Create visual interest and a sense of human scale through the use of varied rooflines, building articulation, architectural detailing, glazing and variation of materials.

3.D. ~~Where buildings are higher than 12 metres from ground level:~~

1. ~~the massing of the top of the building is moderated through upper floor setbacks and roof form and any rooftop plant and servicing is integrated into the roof form; and~~ Moderate the massing at the top of buildings higher than 12m through upper floor setbacks and roof-form and integrate any rooftop plant and servicing into the roof-form.

¹² Note: This is recommended to be removed as existing Plan provisions in Chapters 8 and 9 address requirements for Sites of Ngāi Tahu Cultural Significance, historic heritage and earthworks, and other provisions in PC14 address tree canopy requirements.

~~3.E. where more than three units are proposed, these are contained within buildings that are designed to and positioned to avoid extensive façade lengths along side and rear site boundaries, and blocks of units are separated with setbacks to allow access to daylight between buildings and to provide privacy between blocks. Separate blocks of units with adequate setbacks that allow access to sunlight and daylight between buildings and provide privacy between blocks.~~

~~f. Residential environment~~

Principle 4: Liveability and well-being

~~Whether a i. good level of internal and external residential amenity for occupants and neighbours is provided.~~

~~Guidance: ii. The relevant considerations include the extent to which the development:~~

~~4.A. provides for Outlook, access to sunlight, and privacy is provided through the site layout, orientation of buildings, and internal layout of residential units, and size and positioning of windows and balconies.~~

~~4.B. directly connects pPrivate outdoor living spaces are directly connected to the living spaces within the residential units.~~

~~C. for buildings higher than 12 metres from ground level, orients windows and balconies to face the street, public spaces or internally within the site, rather than towards internal site boundaries;~~

~~4.C. Conveniently accessible storage and service spaces for each unit are provided with adverse effects on occupants, neighbours and public spaces minimised in the design and location of these areas.~~

~~4.D. Where provided, communal outdoor living is provided: centrally located, oriented for good solar access, includes tree planting and is connected and accessible to residential units by pedestrian access that is high quality, safe, sufficiently wide and has a standard of formation to be used by people with differing mobility needs.~~

~~1. has attractive, high quality, safe pedestrian access that directs people from each residential unit or shared lobby, which is of sufficient width and standard of formation to be usable by people with differing mobility needs;~~

~~2. is centrally located in an accessible part of the site; and~~

~~3. is usable and attractive for residents, oriented for good solar access and including tree planting; and~~

~~4.E. iIncludes tree and garden planting visible from, and relating to, the street frontage, boundaries, access ways, and parking areas, to offset areas of hard surfacing and provide a threshold space between frontages and accessways.~~

Principle 5: Integration of gA-access, parking and servicing

~~i. Whether the development provides for good, safe access and integration of space for pedestrian movement, cyclist servicing, and parking (where provided).~~

~~Whether the development effectively integrates access for pedestrians, cyclists, and vehicles, provision for cycle and car parking, and the location of service areas, to ensure that these are safe and convenient and do not dominate the development, particularly when viewed from the street or other public open spaces.~~

Guidance: ii. The relevant considerations include the extent to which the development:

~~A. integrates access in a way that is safe for all users, and offers~~ 5.A. Provide direct and convenient access for pedestrians and cyclists from the street to the front door of each unit; ~~and from any cycle or car parking area.~~

~~B. provides effective physical separation between vehicles and any dedicated pedestrian access;~~

5.B. Physically separate pedestrian access routes from vehicle accesses, and in parking and manoeuvring areas differentiate safe walking paths.

5.C. ~~when~~ Where parking areas and /or garages are provided, these are designed and located ~~in a way that does so they do not~~ dominate the development, particularly when viewed from the street or other public open spaces;

~~D. when no on-site car parking is provided, the movement of people and car-free modes of travel are facilitated, including accesses that are of sufficient width and standard of formation to be used by people with differing mobility needs; and~~

5.D. Pedestrian and cycle accesses are of sufficient width for people to pass each other safely and have a standard of formation to enable use by people with different mobility needs.

5. E. ~~p~~Provide ~~for~~ suitable storage, ~~(including bike storage)~~, and service spaces, which are conveniently accessible for people with differing mobility needs, safe and ~~/or~~ secure, and located and/or designed to minimise adverse effects on occupants, neighbours and public spaces.

Principle 6: ~~h-~~ Safety

~~i-~~ Whether the development effectively incorporates Crime Prevention Through Environmental Design Principles (CPTED) to the extent necessary as required to achieve a safe and secure environment.

Guidance: ii. The relevant considerations include the extent to which the development:

~~A. provides for views over, and passive surveillance of, adjacent public and shared spaces, from ground level living areas, without compromising internal privacy;~~

~~B. clearly demarcates boundaries of public and private space;~~

6.A. Passive surveillance of public and shared spaces is provided from ground level living area windows, without compromising internal privacy.

6.B. Building entrances and pedestrian accesses are legible with good visibility and clear sightlines, and tight bends, blind corners and entrapment spaces are not created.

6.C. ~~Create~~ promotes a sense of ownership of communal areas, ~~and~~ front yards, planting areas and other transition spaces through the location of these in relation to unit entrances and pedestrian accessways;

~~D. makes pedestrian entrances and routes readily recognisable and legible through clear and logical site layout; and~~

~~E. provides for good visibility with clear sightlines and effective lighting, avoiding tight bends, blind corners and entrapment spaces.~~

~~Advice note: Refer to NZS1158.3.1:2020 for guidance on effective lighting.~~

6.D. Lighting is effectively incorporated into the development for wayfinding and safety in the hours of darkness, while avoiding glare and lightspill effects on neighbouring properties.

Advice note: Refer to NZS1158.3.1:2020 for guidance on effective lighting.

6.E There is a clear demarcation of public and private space, while avoiding high fences at the street front and adjacent to accessways.

Principle 7: i- Hillside and small settlement areas

Whether the development maintains or enhances the context and amenity of the area.

Guidance: ii. The relevant considerations are the extent to which the development:

7.A. Significant and distinctive landforms, geological features, water bodies, vegetation, coastal margins and habitats of indigenous fauna are maintained.

7.B. The dominance of buildings and structures is reduced through site and building design and building location.

7.C. Where relevant, the development responds to any distinct or unique qualities of the small settlement.

7.D. Where relevant, historic heritage is protected from inappropriate subdivision, use and development, and the relationship of Ngāi Tahu mana whenua with their ancestral lands, water and other taonga, including Sites of Ngāi Tahu Cultural Significance identified in Appendix 9.5.6 and access to those sites and to mahinga kai is recognised.

7.E. Views from surrounding properties are maintained where appropriate and possible.

Principle 8: j- Qualifying Matter City Spine Transport Corridor road boundary setback

i- Whether the reduced setback, location of outdoor living space and fencing would provide sufficient space in the front yard to contribute positively to street amenity and provide for the planting of medium to large specimen trees.

b. Revised principles – Clean

14.15.1 Residential design principles

- a. New developments require assessment against the residential design principles (1-6) set out below, and in hillside and small settlement areas principle 7, and for road boundary setback breaches in the Qualifying Matter City Spine Transport Corridor, principle 8.
- b. Guidance for the application of the principles 1-7 is included beneath each principle, for the assistance of Plan users. For the avoidance of doubt the guidance is an aid to interpretation and understanding of the principle but is not itself a matter of discretion. However, developments that incorporate the guidance in their design are more likely to give effect to the principles and require a lower threshold of assessment than developments that do not consider and/or apply the guidance.
- c. There is no hierarchy to the principles, but appropriately considering the site layout (Principle 1) at the start of the design process makes the other principles easier to achieve.

d. Principle 1: Site layout

Whether the development achieves high quality design through a well-considered site layout that positively contributes to the adjacent street, orients residential units to face the street and public or shared spaces (external to or within the site) and incorporates safe and direct pedestrian access to and within the development.

Guidance:

- 1.A. Buildings are designed and positioned to ensure a positive street interface, with ground floor habitable space overlooking the street and a public frontage including front doors and planting.
- 1.B. Tree and garden planting is provided in appropriately sized spaces between buildings and the street and accessways, in locations adjacent to units.
- 1.C. Private outdoor living spaces are located to the side or rear of units, minimising the requirement for tall privacy fencing in the front yard area.
- 1.D Car parking, loading and service areas and elements are located away from the street front and unit entrances, in positions convenient to occupants that do not compromise the quality of the street edge, entrances and access to units.
- 1.E. Pedestrian accessways are located where they can be overlooked by habitable spaces, while still providing for privacy for unit occupants.
- 1.F. Larger sites (exceeding 4,000m²) provide connections (or are designed not to foreclose potential future connections) through the site for the public.

Principle 2: Relationship to the Street and Public Spaces

Whether the development engages with and contributes to adjacent streets, on-site communal space, and any other adjacent public open spaces to contribute to them being lively, safe and attractive.

Guidance:

2.A. Building frontages, including public entrances and windows to habitable rooms, are oriented toward the street, adjacent public open spaces, and on-site shared spaces.

2.B. Buildings on corner sites emphasise the corner and address both streets.

2.C. Habitable rooms are located on the ground floor, with windows facing towards, and visible from, the street and accessways.

Principle 3: Built form and appearance

Whether the development is designed to provide visual interest, a sense of human scale, and mitigate the effects of building bulk.

Guidance:

3.A. Place building bulk at the street front and otherwise limit long buildings.

3.B. Avoid blank elevations, and façades dominated by garage doors or breezeways.

3.C. Create visual interest and a sense of human scale through the use of varied rooflines, building articulation, architectural detailing, glazing and variation of materials.

3.D. Moderate the massing at the top of buildings higher than 12m through upper floor setbacks and roof-form and integrate any rooftop plant and servicing into the roof-form.

3.E. Separate blocks of units with adequate setbacks that allow access to sunlight and daylight between buildings and provide privacy between blocks.

Principle 4: Liveability and well-being

Whether a good level of internal and external residential amenity for occupants and neighbours is provided.

Guidance:

4.A. Outlook, access to sunlight, and privacy is provided through the site layout, orientation of buildings, internal layout of units, and size and positioning of windows and balconies.

4.B. Private outdoor living spaces are directly connected to the living spaces within residential units.

4.C. Conveniently accessible storage and service spaces for each unit are provided with adverse effects on occupants, neighbours and public spaces minimised in the design and location of these areas.

4.D. Where provided, communal outdoor living is centrally located, oriented for good solar access, includes tree planting and is connected and accessible to residential units by pedestrian access that is high quality, safe, sufficiently wide and has a standard of formation to be used by people with differing mobility needs.

4.E. Include tree and garden planting visible from, and relating to, the street frontage, boundaries, access ways, and parking areas, to offset areas of hard surfacing and provide a threshold space between frontages and accessways.

Principle 5: Integration of access, parking and servicing

Whether the development effectively integrates access for pedestrians, cyclists, and vehicles, provision for cycle and car parking, and the location of service areas, to ensure that these are safe and convenient and do not dominate the development, particularly when viewed from the street or other public open spaces.

Guidance:

5.A. Provide direct and convenient access for pedestrians and cyclists from the street to the front door of each unit, and from any cycle or car parking area.

5.B. Physically separate pedestrian access routes from vehicle accesses, and in parking and manoeuvring areas differentiate safe walking paths.

5.C. Where parking areas and/or garages are provided, these are designed and located so they do not dominate the development, particularly when viewed from the street or other public open spaces.

5.D. Pedestrian and cycle accesses are of sufficient width for people to pass each other safely and have a standard of formation to enable use by people with different mobility needs.

5.E. Provide suitable storage, including bike storage, and service spaces, which are conveniently accessible for people with differing mobility needs, safe and-secure, and located and/or designed to minimise adverse effects on occupants, neighbours and public spaces.

Principle 6: Safety

Whether the development effectively incorporates Crime Prevention Through Environmental Design Principles (CPTED) to the extent necessary to achieve a safe and secure environment.

Guidance:

6.A. Passive surveillance of public and shared spaces is provided from ground level living area windows, without compromising internal privacy.

6.B. Building entrances and pedestrian accesses are legible with good visibility and clear sightlines, and tight bends, blind corners and entrapment spaces are not created.

6.C. Create a sense of ownership of communal areas, front yards, planting areas and other transition spaces through the location of these in relation to unit entrances and pedestrian accessways.

6.D. Lighting is effectively incorporated into the development for wayfinding and safety in the hours of darkness, while avoiding glare and lightspill effects on neighbouring properties.

Advice note: Refer to NZS1158.3.1:2020 for guidance on effective lighting.

6.E There is a clear demarcation of public and private space, while avoiding high fences at the street front and adjacent to accessways.

Principle 7: Hillside and small settlement areas

Whether the development maintains or enhances the context and amenity of the area.

Guidance:

7.A. Significant and distinctive landforms, geological features, water bodies, vegetation, coastal margins and habitats of indigenous fauna are maintained.

7.B. The dominance of buildings and structures is reduced through site and building design and building location.

7.C. Where relevant, the development responds to any distinct or unique qualities of the small settlement.

7.D. Where relevant, historic heritage is protected from inappropriate subdivision, use and development, and the relationship of Ngāi Tahu mana whenua with their ancestral lands, water and other taonga, including Sites of Ngāi Tahu Cultural Significance identified in Appendix 9.5.6 and access to those sites and to mahinga kai is recognised.

7.E. Views from surrounding properties are maintained where appropriate and possible.

Principle 8:-Qualifying Matter City Spine Transport Corridor road boundary setback

Whether the reduced setback, location of outdoor living space and fencing would provide sufficient space in the front yard to contribute positively to street amenity and provide for the planting of medium to large specimen trees.