

**BEFORE THE INDEPENDENT HEARING COMMISSIONERS
IN CHRISTCHURCH**

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

IN THE MATTER OF 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

**JOINT WITNESS CONFERENCING STATEMENT OF PLANNERS ON
DEFINITIONS OF BUILDING BASE & BUILDING TOWER**

1 December 2023

INTRODUCTION

1. This memorandum records the minutes of discussions between the planners on the topic of **the definitions of building base and building tower**.
2. A meeting was held on **Friday 27 October 2023** and email correspondence following the meeting with all parties was held between 27 October - 29 November 2023 to complete this joint witness statement.
3. Attendees at the meeting and parties to the correspondence were:
 - (a) **Holly Gardiner**, for Christchurch City Council. Holly Gardiner is the author of **the s42A report on Other Central City provisions including the building base and tower definitions**, and rebuttal dated 9 October.
 - (b) **Marcus Langman**, for Christchurch City Council #751; is the author of the planning submitter evidence filed with the Independent Hearings Panel dated 20th September 2023.
 - (c) **Kirk Lightbody**, for Christchurch City Council. Kirk Lightbody is the author of **the s42A report on Commercial Centres provisions**, and rebuttal dated 9 October. Building base and tower definitions are proposed to be utilised in Town Centre Zones.

CODE OF CONDUCT

4. We confirm that we have read the Environment Court Practice Note 2023 and agree to abide by it.

PURPOSE AND SCOPE OF CONFERENCING

5. The purpose of the discussions were to identify, discuss, and highlight points of agreement and disagreement on issues relevant to Plan Change 14 definitions of building base and building tower.
6. All attendees reviewed the s42A report and evidence described above in advance of the meeting.
7. **Annexure A** records the agreed issues, areas of disagreement and the reasons, along with any reservations.
8. **Annexure B** is a copy of the proposed definitions contained in Ms. Gardiner's section 42a report and Mr. Langman's evidence for ease of reference.

Date: 1 December 2023

A handwritten signature in black ink, appearing to read 'Holly Gardiner', written in a cursive style.

Holly Gardiner

A handwritten signature in black ink, appearing to read 'Marcus Langman', written in a cursive style.

Marcus Langman

A handwritten signature in blue ink, appearing to read 'Kirk Lightbody', written in a cursive style.

Kirk Lightbody

ANNEXURE A – EXPERT CONFERENCING ON AREAS OF AGREEMENT AND DISAGREEMENT ON DEFINITIONS OF BUILDING BASE & BUILDING TOWER

Participants: Holly Gardiner & Marcus Langman

Issue	Agreed Position	Reasons
<p>Definition of building base</p>	<p>Building base means all those parts of the building above ground level, that form a structural element of a building, but excluding the building tower, and any street level verandah, signage, or covered ground level walkways.</p>	<p>Ms. Gardiner, Mr Lightbody and Mr. Langman consider that the definition as proposed in this JWS version addresses the situation where a building base may be below the maximum height of the zone, and have instead focused on the design elements of a building base, recognising that it is distinguishable from any building tower.</p> <p>The proposed definition takes into account general extension of building bases, ensuring that they are not subject to setback rules from the boundary which may result in unintended consequences. This includes signage and street verandahs, which may be attached to the building base. It also excludes ground level covered walkways, which would normally not be considered a part of the larger structure where the covered walkway runs between two larger building bases.</p> <p>Ms. Gardiner, Mr Lightbody and Mr. Langman all consider the definition is clear and provides for more consistent application of provisions relating to building</p>

		<p>bases. Ensuring clarity means that the provision is effective. Focusing on the design attributes alone, and removing the references to the zones that were in the s42A version is briefer, and therefore more efficient.</p>
<p>Definition of building tower</p>	<p>Building tower means any part of the building that is set back from the boundary and extends above the building base. It includes any structural components, as well as any protrusions above the roof.</p>	<p>Ms. Gardiner, Mr Lightbody and Mr. Langman consider that the definition proposed in this JWS addresses the situation where a building base may extend above the maximum permitted height, as rather than referring to a tower being above the maximum height for a zone, it instead refers to the design component of a tower that extends above the building base.</p> <p>Ms. Gardiner, Mr Lightbody and Mr. Langman have considered the definition of “height” and “building”. They note that while there are some exclusions for buildings in the definition of building, that these would not apply to fixtures on a tower roof top. They consider that it is important that these protrusions are managed from an urban design perspective as part of the consideration of the building tower in any assessment. They acknowledge that the exclusions discussed in the definition of “height” would be excluded from the maximum height requirements in any relevant zone.</p> <p>Ms Gardiner, Mr Lightbody and Mr. Langman consider that the recommended definition is clear and concise, and removes ambiguity that was identified in relation to the S42A recommended version. It is therefore considered to be both effective, and efficient.</p>

ANNEXURE B – RECORD OF DEFINITIONS IN EVIDENCE OF MS. GARDINER AND MR. LANGMAN

From paragraphs 8.1.48 and 8.1.49 of Ms. Gardiner’s section 42a report:

Building Base:

For the City Centre Zone, means any part of any building that is 28m or less in height. For the Central City Mixed Use Zone and Central City Mixed Use Zone (South Frame) means any part of the building that is 17m or less in height.

Building Tower:

For the City Centre Zone, means any part of any building that is more than 28m in height. For the Central City Mixed Use Zone and Central City (South Frame) Mixed Use Zone means any part of the building that is more than 17m in height. A tower comprises the upper levels of a tall building that are set back from the property boundaries.

From paragraphs 125 to 128 of Mr. Langman’s submitter evidence:

Building Base:

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

Building Tower:

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