

**BEFORE HEARING COMMISSIONERS  
FOR CHRISTCHURCH CITY COUNCIL**

**UNDER** the Resource Management  
Act 1991

**IN THE MATTER** of Christchurch City Council  
Plan Change 14 (PC14)

**AND**

**IN THE MATTER** Height Limits in the Central City

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**SUMMARY STATEMENT OF HUGH NICHOLSON**

**URBAN DESIGN**

**12 OCTOBER 2023**

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## **1. INTRODUCTION**

- 1.1 My name is Hugh Nicholson. I have prepared a Statement of Evidence with respect to Plan Change 14 and my further submission on central city height limits. My qualifications and experience are set out in that statement..

## **2. REBUILD OF ŌTAUTAHİ CHRISTCHURCH**

- 2.1 Since the Canterbury earthquakes many of us living in Ōtautahi Christchurch have developed a blind spot – we don't see the vacant sites and derelict buildings around us.
- 2.2 I was fortunate to host a Danish colleague from Gehl Architects who helped to write the Draft Christchurch Central Recovery Plan (DCCRP) just before the COVID lockdown. I was excited to show him the progress we had made rebuilding the city, but as we walked around and I saw the city through his eyes I was horrified to see all the vacant spaces and derelict buildings, and thought that he would be wondering why we hadn't done more. Both of those feelings were valid – we have made great progress rebuilding Christchurch - but we still have some distance to go.
- 2.3 At the moment I think that Ōtautahi Christchurch is one of the most exciting cities in Aotearoa. I don't mean that in a moralistic or pejorative sense – all cities go through cycles. Christchurch had a hard time after the earthquakes but as part of the rebuild we developed a vision, and we have new public spaces, new commercial buildings, new or repaired infrastructure, relatively affordable housing and growing universities.
- 2.4 This has not happened by accident. After the earthquakes the people and agencies set out look after the people, recover and to rebuild Ōtautahi Christchurch better. The vision for rebuilding was guided by 106,000 ideas captured in *Share an Idea*, an extraordinary public engagement campaign, and encapsulated in a series of recovery plans, including the Christchurch Central Recovery Plan (CCRP), a replacement district plan and a programme of investment by central and local government. A number of

these projects are still under construction today including Te Kaha, the new Christchurch stadium, Parakiore, the metro sports facility, the Court Theatre and the Ōtākaro Avon River Red Zone.

- 2.5 Treasury has estimated that the total cost of the rebuild is more than \$40 billion, and that the public sector has invested in the order of \$13 billion. The centrepiece has been the rebuild of the central city after 80% of it was demolished based on a vision established in the CCRP. The Crown purchased approximately 20% of the land in the central city (excluding roads and public spaces) to implement the Blueprint.
- 2.6 I invite you to come for a walk around two of the remaining tall buildings in Ōtautahi Christchurch - the Crown Plaza Hotel where we are now at 71 metres, and the Pacific Tower at 86.5 metres. If we walk around the two city blocks where these buildings are sited and observe the city around us including the existing buildings (pre and post-earthquake), the derelict or unoccupied buildings, the temporary carparks and the vacant sites, I think we would get a good sense of how far the rebuild has come and how far it still has to go.

### 3. QUALIFYING MATTERS

- 3.1 The structure of the RMA (Enabling Housing Supply and Other Matters) Amendment Act 2021 (**Amendment Act**) starts with a series of high level objectives and policies that most of us would support. These are followed by specific and directive methods spelling out how local authorities should respond both in process and the content of plans. Section 77O sets out a set of specific qualifying matters which provide a limited set of exemptions to these methods.
- 3.2 The final clause (j) of Section 77O is a 'just in case' clause to cover anything that might have been overlooked during the drafting of the legislation. To invoke clause (j) the local authority needs to meet the requirements of Section 77R and in particular to justify why the qualifying matter would be

appropriate given the national significance of urban development and the National Policy Statement on Urban Development (**NPS-UD**).

- 3.3 My response to this requirement is twofold. Firstly the rebuild of Ōtautahi Christchurch after the earthquakes, including the central city, continues to be a matter of national significance. Christchurch is the second largest city in Aotearoa and ensuring that the rebuild, including the CCRP, is successfully implemented is significant both for the country and for the people of Christchurch.
- 3.4 Approximately 80% of the buildings within the Christchurch CBD were demolished after the Canterbury earthquakes<sup>1</sup>. I consider that the extent of earthquake damage in Christchurch, and the scale and quantum of investment in the ongoing rebuild of New Zealand's second largest urban area, constitutes an appropriate qualifying matter under Section 77O(j) of the Amendment Act to modify the requirements of Policy 3 of the NPS-UD.
- 3.5 Secondly, there is sufficient capacity in the central city to meet expected demand for business and residential land. Providing additional capacity in the form of increased height limits threatens to undermine the vision established in the Christchurch Central Recovery Plan, and slow the redevelopment of derelict buildings and vacant sites by concentrating development in a few tall buildings. The increased value of the land resulting from additional development rights is likely to make it more difficult to establish financially feasible development projects.
- 3.6 In my opinion the development of a few tall buildings in an urban environment characterised by derelict buildings, temporary carparks and vacant land would not contribute to a well-functioning urban environment. The continued presence of derelict buildings, carparks and vacant sites would not support a high-quality street environment with passive surveillance which would encourage walking or cycling. Tall buildings would also undermine existing investments in the rebuild of Christchurch made on the basis of an mid-rise, liveable, consolidated central city.

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<sup>1</sup> <https://www.theguardian.com/world/2021/feb/22/before-and-after-how-the-2011-earthquake-changed-christchurch>

- 3.7 I consider that the potential adverse effects of increasing the maximum height limits in Christchurch's central city constitutes a "*specific characteristic that makes the level of development required*" inappropriate under Section 77R of the Amendment Act.

#### **4. VACANT SITES IN CHRISTCHURCH'S CENTRAL CITY**

- 4.1 The Council's webpage on vacant sites<sup>2</sup> includes a plan updated in 2023 (Figure 1 in my Statement of Evidence) showing 36.9ha of vacant land in the central city.
- 4.2 I have reviewed the vacant sites based on my knowledge of the central city and prepared an alternative version (Figure 2 in my Statement of Evidence) which identifies approximately 45 hectares of vacant land in the central city. The differences between the Council's plan and the alternative plan result primarily from the inclusion of Council owned properties including the former convention centre site between Peterborough and Kilmore Streets, and the balance of the performing arts precinct where I consider that commercial development could make further development feasible. I have also included the site of the former PWC Tower as well as part of the ECan carpark and more extensive areas of the South Frame.
- 4.3 The exact figure depends on the definition of 'vacant space, but both the Council and I agree that there is between 37 and 45 hectares of vacant space in the central city. Neither plan makes any allowance for vacancies within existing buildings, buildings where additional capacity could be added if required, or commercial spaces that could be included within the new convention centre, stadium or Metrosports facilities.
- 4.4 The Council webpage notes that the area of vacant land has fallen by about 13 hectares between 2020 and 2023, however, this is largely due to the commencement of construction of the new stadium and the corresponding removal of this site from the plans. Subsequently the webpage notes that

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<sup>2</sup> <https://ccc.govt.nz/culture-and-community/central-city-christchurch/develop-here/vacantsites>

*“about four hectares of Commercial Core vacant land has been / is being developed over the last 2 years including numerous residential schemes along the South Frame”.* While the South Frame is not part of the Commercial Core, this figure probably provides a more accurate indication of the likely uptake of vacant sites in the central city.

- 4.5 Assuming a consistent uptake of 2.5 hectares of vacant land per year over the central city, the Council estimate of 37ha could provide for a further 15 years of growth without redevelopment or intensification. The alternative estimate of 45 ha could provide for a further 18 years of growth.
- 4.6 The proliferation of at-grade carparks in Ōtautahi Christchurch serves as a vivid reminder that the rebuild is not complete. Extensive areas of at-grade gravel carparks are not ordinarily a characteristic of healthy thriving cities. If you investigate the central areas of Sydney, Melbourne, London, Paris or Tokyo, you will not find extensive areas of at-grade carparks – the combination of land value and demand determines that at-grade carparks are not the highest value use of land.
- 4.7 Until a significant proportion of the existing vacant land is redeveloped, providing greater development rights threatens to focus investment in specific areas while leaving other areas vacant. This uneven level of development would threaten the curated and coherent city centre that has emerged since the earthquakes.

## **5. DENSITY AND BUILDING HEIGHT**

- 5.1 Population density and building height do not have a linear relationship. Cities such as Beijing, Sao Paolo, Mexico, Mumbai, Cairo and Dhaka have similar populations to New York (c. 19 million), however, their tall buildings are between 59-90% shorter. The greater height of buildings in New York does not equate to greater density given that New York uses between 63-97% more land than the other cities<sup>3</sup>.

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<sup>3</sup> Jedwab et al, *Comparing cities in developed and developing countries: Population, land area, building height and crowding*  
<https://www.sciencedirect.com/science/article/abs/pii/S0166046220302945>

- 5.2 The Urban Taskforce<sup>4</sup> included a diagram demonstrating how the same density can be achieved using different urban forms including high rise and low rise buildings. In particular they noted that tall buildings have a lower level of amenity for residents and a poorer relationship with the street.

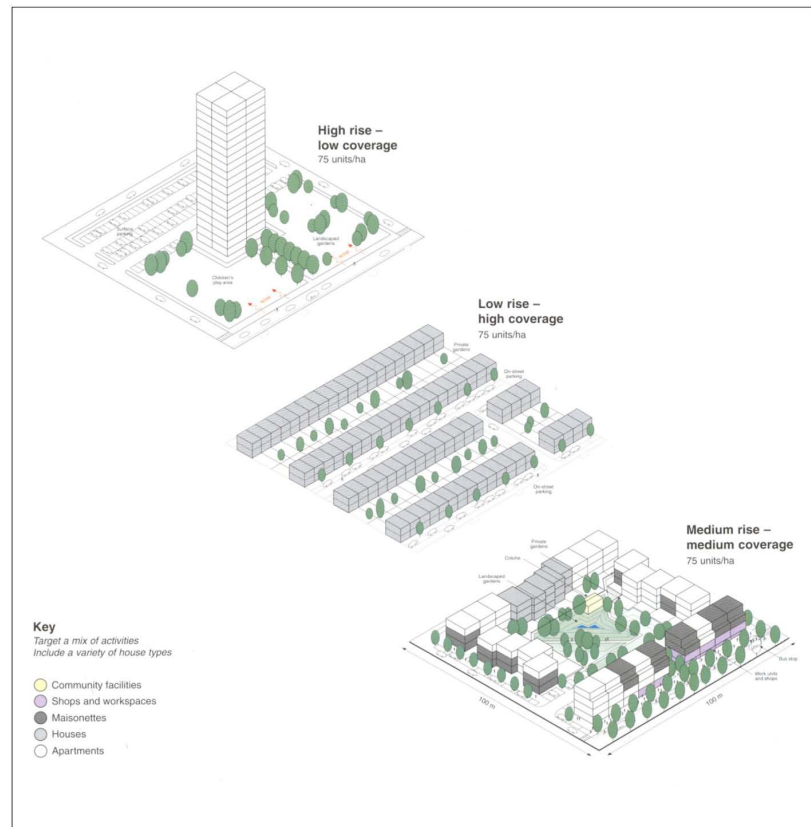


Figure 1: Relationship between density and urban form

- 5.3 Taller buildings can create adverse environmental effects including overshadowing of public spaces and other buildings, and increased wind flows through downdrafts and wind tunnels<sup>5</sup>. The height limits in the CCRP were designed to ensure that sunlight reached the southern side of Christchurch's east-west streets in mid-winter.
- 5.4 Height limits in the City of Paris range from 25 to 37 metres and the department has a gross population density of more than 200 people per hectare<sup>6</sup> (see Figure 4 below).

<sup>4</sup> *Towards an Urban Renaissance*, Final Report of the Urban Task Force (1999), page 53

<sup>5</sup> Carmona M. et al, *Public Places Urban Spaces*, 2006, pages 185-187

<sup>6</sup> <https://www.statista.com/statistics/1047176/population-density-ile-de-france-paris-region-by-department-france/>



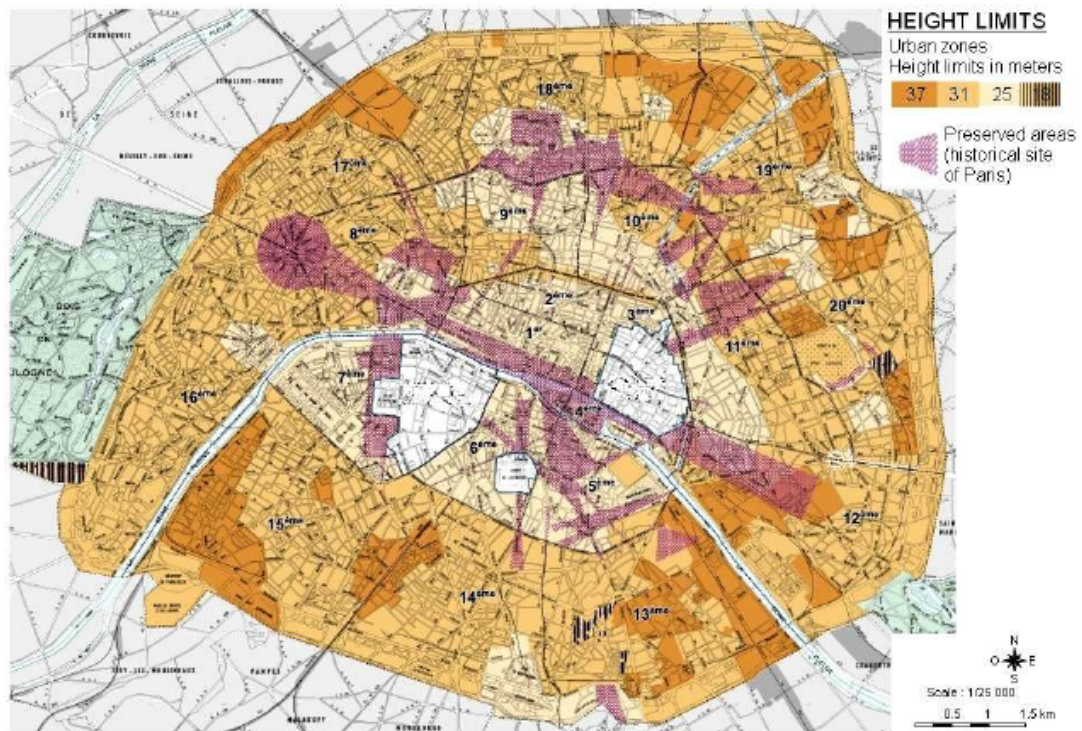


Figure 2: Height limits in the City of Paris<sup>7</sup>

- 5.5 Washington DC has height limits ranging from 28 to 40 metres depending on the width of associated streets. While the overall gross density of the state is around 43 people per hectare, the denser neighbourhoods house between 225 and 270 people per hectare<sup>8</sup>.
- 5.6 Mid-rise cities can have residential and commercial densities significantly in excess of those anticipated in Christchurch.
- 5.7 Higher densities can have social, economic, transport and environmental benefits<sup>9</sup>, however, in my opinion increased height limits do not necessarily lead to increased density and may have adverse effects on the quality of the environment. Height is only one of a number of factors that determine density, and needs to be considered as one component in a desired urban form that includes consideration of both quantitative and qualitative matters.

<sup>7</sup> [https://www.researchgate.net/figure/Height-limits-map-of-Paris-4\\_fig1\\_233781771](https://www.researchgate.net/figure/Height-limits-map-of-Paris-4_fig1_233781771)

<sup>8</sup> <https://ggwash.org/view/82262/greater-washington-has-a-new-densest-neighborhood-and-its-not-in-dc>

<sup>9</sup> Carmona M. et al, *Public Places Urban Spaces*, 2006, page 184

## 6. CHRISTCHURCH CENTRAL RECOVERY PLAN

- 6.1 The *Christchurch Central Recovery Plan* provides a coherent and integrated vision for rebuilding of Christchurch after the Canterbury earthquakes. The draft plan was developed by the Christchurch City Council and based on 106,000 ideas received from the Christchurch community as part of the *Share an Idea* campaign. After extensive consultation across a range of sectors the final draft was passed nearly unanimously by the Council (with one abstention) and received widespread public support.
- 6.2 After further design and analysis by a team of experts coordinated by the Canterbury Earthquake Recovery Authority (CERA), the final Recovery Plan was approved by the Crown in 2012. A number of the outcomes from the Recovery Plan (including height limits) were incorporated into the Operative District Plan through the Christchurch Replacement District Plan Independent Hearings Panel.
- 6.3 Many of the key concepts in the Recovery Plan, including the height limits, can be traced directly to the public vision expressed in *Share an Idea*. There was extensive discussion and analysis of the rationale for a low-rise city. As well as strong public support for a low-rise city, a key driver was an analysis of the likely demand for commercial and residential space in the central city against the available land, and a decision to build lower over a wider area rather than building higher and leaving larger areas of vacant land<sup>10</sup>.
- 6.4 While there was a net loss of 21,000 people after the earthquakes, the population of Christchurch has recovered to pre-earthquake levels and is forecast to continue to grow. Canterbury and Lincoln Universities have increased student numbers in contrast with most universities around New Zealand, and anecdotal evidence from young people suggests that Christchurch is perceived as a more desirable place to be.

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<sup>10</sup> CERA Christchurch Central City Commercial Property Market Study, Ernst & Young, May 2012  
<https://collections.archives.govt.nz/en/web/arena/search#/?q=CERA+Christchurch+Central+City+Commercial+Property+Market+Study>

## 7. ACTIVITY STATUS OF HEIGHT LIMITS

- 7.1 The activity status of height limits in the operative and proposed district plans is restricted discretionary. Maintaining the current height limits does not prevent applications for resource consents for taller buildings.
- 7.2 In my opinion maintaining the current height limits and assessing applications for taller buildings using the matters of discretion for maximum building heights (15.14.3.1) provides an appropriate pathway to consider the functional or economic benefits taller buildings. I consider that the matters of discretion could be improved by the addition of an assessment matter requiring buildings that exceed the height limit to demonstrate design excellence.

## 8. CONCLUSION

- 8.1 I would like to finish my summary with the words of some of the Council's experts:
- 8.2 With regard to property economics Mr Heath considers that the building heights enabled by PC14 represent a substantial increase in both commercial and residential capacity, and that this increase *"is more than the demand requirement for those land uses in Christchurch and go well beyond the 30-year timeframe"*<sup>11</sup>.
- 8.3 The Council's business land demand model concluded that there is currently sufficient capacity to meet expected demand over the next 30 years. In particular *"the total new demand for business land in the central city was estimated to be 25.6ha by 2051 while the existing supply from both vacant buildings and floors in buildings (29.6ha) and vacant land (32ha) amounts to 61.5ha"*<sup>12</sup>. Dr Kirdan Lees concludes that *"the Council's business land demand model is sound and fit-for-purpose for informing the changes proposed under PC 14"*<sup>13</sup>.

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<sup>11</sup> Statement of Primary Evidence of Timothy James Heath, 11 August 2023, paragraph 1

<sup>12</sup> Statement of Primary Evidence of Dr Kirdan Lees, 11 August 2023, paragraph 28

<sup>13</sup> Statement of Primary Evidence of Dr Kirdan Lees, 11 August 2023, paragraph 8

- 8.4 With regard to wind Mr Green notes that *“increasingly tall buildings can increase street level wind speeds and may adversely affect the comfort and safety of pedestrians and those sitting outside / using public spaces”*<sup>14</sup>.
- 8.5 With regard to urban design Mr Ray considers that successful *“Placemaking... builds a design led vision for an area, requires broad engagement of communities, businesses, and agents of social change to reflect on the current.... sense of place and expand this to enhance future development”*<sup>15</sup>. He references Jan Gehl as one of the proponents of this approach. I note that urban designers from Gehl Architects supported the Council during *Share an Idea* and the development of the Draft CCRP.
- 8.6 Mr Ray accepts that *Share an Idea* was one of the *“bright spots”*<sup>16</sup> of the rebuild programme, and that it informed the *“CCRP with a consolidated central city core, improved connections and more greenspace”*<sup>17</sup>. In his view *“the vision and aspiration for a mid-rise city is still relevant today”*<sup>18</sup>.
- 8.7 From an urban design perspective Mr Ray considers that *“the CCZ has been developing into one of New Zealand's best well-functioning urban environments. A human- scaled city with buildings and streets and spaces in excellent proportions; buildings that define space and create clearly articulated public streets and spaces; well-designed streets that promote active transport modes; a network of high-quality attractive public open spaces and routes; a high- degree of mixed use and diversity; highly activated buildings especially at ground level; excellent design quality throughout buildings and the public realm”*<sup>19</sup> and concludes that *“the approach since the 2011 earthquakes of pursuing a lower rise city is instrumental in this success”*<sup>20</sup>.

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<sup>14</sup> Statement of Primary Evidence of Michael (Mike) Paul Green, 11 August 2023, paragraph 4(b)

<sup>15</sup> Statement of Primary Evidence of Alistair Ray, 11 August 2023, paragraph 31

<sup>16</sup> Statement of Primary Evidence of Alistair Ray, 11 August 2023, paragraph 32

<sup>17</sup> Statement of Primary Evidence of Alistair Ray, 11 August 2023, paragraph 33

<sup>18</sup> Statement of Primary Evidence of Alistair Ray, 11 August 2023, paragraph 35

<sup>19</sup> Statement of Primary Evidence of Alistair Ray, 11 August 2023, paragraph 39

<sup>20</sup> Statement of Primary Evidence of Alistair Ray, 11 August 2023, paragraph 40

- 8.8 Mr Ray accepts that “*taller buildings could upset the balance that is currently being achieved between buildings and spaces which is so important in defining the character of the city*”<sup>21</sup>.
- 8.9 In summary the Council’s experts agree that there is more than enough business and residential land to meet expected demand. They also accept that PC14 is contrary to the community engagement and aspirations expressed in *Share an Idea* and the CCRP, and that there is potential for adverse environmental and social effects that could undermine “*one of New Zealand’s highest quality urban environments*”<sup>22</sup>.
- 8.10 I support the need for Council’s to provide sufficient business and residential land to meet expected demand, and to promote intensification around town centres. In my opinion these outcomes have been provided for in the CCRP and the Christchurch Replacement District Plan.
- 8.11 I consider that the rebuilding of Christchurch after the Canterbury earthquakes is ongoing and is a matter of national significance that constitutes a qualifying matter under the Amendment Act.
- 8.12 In my opinion the changes to the height limits in Christchurch’s central city in PC14 undermine the vision for a compact mid-rise city with high quality streets and public spaces established in the CCRP. I consider that the changes do not meet the community’s aspirations and would compromise the quality of the rebuild of Christchurch’s central city.



**Hugh Nicholson**

Urban Designer | Landscape Architect

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<sup>21</sup> Statement of Primary Evidence of Alistair Ray, 11 August 2023, paragraph 40

<sup>22</sup> Statement of Primary Evidence of Alistair Ray, 11 August 2023, paragraph 70