Preamble

1. My name is Erina Metcalf. I am employed as a Senior Planner and based in the Central Rebuild Offices of the Christchurch City Council. I have been employed by the Christchurch City Council since 2002. I hold a Masters Degree in Applied Science Resource Management from Lincoln University. I am eligible for membership of the New Zealand Planning Institute and have around 13 years of experience working in the planning and resource management field.

2. This report has been prepared with advice from the experts detailed below. A copy of their reports has been attached in the appendices.
Darran Humpheson (URS) Principal Acoustic Engineer Six
Hannah Mirabueno Environmental Officer Seven
Hugh Nicholson Principal Advisor Urban Design Nine
Jennifer Dray Senior Landscape Architect Ten
Lisa Speight CPTED Advisor Eleven
Fiona Wykes Senior Heritage Advisor Twelve
Mark Gregory Transport Network Planner Fourteen

3. This report reviews the application for resource consent and addresses the relevant information and issues raised. It should be emphasised that any conclusions reached or recommendations made in this report are not binding on the Commissioner. It should not be assumed that the Commissioner will reach the same conclusion or decision having considered all the evidence to be brought before him by the applicant and submitters.

The Application

4. Matt McLachlan of Davis Ogilvie has applied for land use consent on behalf of Majestic Church to establish and operate a mixed use spiritual facility within the Living 4C zone. This will incorporate a range of activities which will extend to community uses and includes the following:

- 718 seat auditorium;
- 219 seat chapel;
- multi level car parking building comprising three levels and 129 spaces;
- five creative studios;
- café;
- multi purpose/youth areas and a church office;
- central courtyard;
- landscaping;
- six new one bedroom apartments; and,
- retention of seven existing residential dwellings along Peterborough Street.

A ten year lapse period in which to give effect to the resource consent is also sought.

5. The proposal is outlined in detail on pages 14 – 28 of the application as prepared by Davis Ogilvie.

Background

6. This application for resource consent was received on 4 July 2014 and was publicly notified on Saturday 12 July 2014 at the request of the applicant. The submission period closed on 8 August
2014. A total of 61 submissions were received during this period; 27 in support, 31 in opposition, 1 in part opposition/neutral, 1 which did not state a position and 1 which was received late (in support). Refer Appendix Two for the location of submitters in the immediate area.

7. The site history is outlined in detail on page 11 of the applicant's AEE. In brief, Cranmer Square was originally built to house the ‘L’ shaped Christchurch Normal School (completed in 1875). The building was later used as a training centre for the Christchurch Teachers’ College. Throughout the 1970s the site was unoccupied. In the early 1980s the building was converted into 22 luxury apartments and 15 town houses and was referred to as Cranmer Court. A restaurant was established at the corner of Kilmore and Montreal Streets. Following the earthquake of 22 February 2011 the site experienced significant damage. The main ‘L’ shaped building was demolished in 2012 – 2013.

**Existing environment**

8. The application site is subject to the unit title development known as Cranmer Court. The site roughly covers the western half of the block bounded by Montreal, Kilmore, Victoria and Peterborough Streets. Refer Appendix Three for the location of the site.

9. The site and surrounds are discussed in detail on pages 2 – 11 of the applicant's AEE. The following is highlighted:

- Following demolition in response to earthquake damage, the site currently comprises seven remaining residential units located at the northern end of the site, with a further two units and 22 garages located within the site. Access to the site was via Peterborough Street. Figure 3 on page 4 of the applicant's AEE shows the units remaining on site and gives an indication of the former layout.

- The site is zoned Living 4C.

- A mix of zones surround the site including Living 5 (Travellers Accommodation), Cultural 3, Living 4C, Conservation 2 and Central City Business (see Figure One below).

- The surrounding area is mixed in character and the various land uses surrounding the site are identified within Figure 5 of the applicant's AEE, which should be referred to. Of note is the open space of Cranmer Square surrounded by predominantly residential activity aside from the cultural school zones to the east and south, the Living 5 block to the east of the site, which is zoned for travellers accommodation but still has a residential character, and the sleeve of business activity which extends either side of Victoria Street and into the Core of the City. Land directly to the west of the site is zoned Central City Business.
• A number of heritage buildings and places are located in close proximity to the site; namely Cranmer Square, Former St Margaret’s Cathedral Grammar, an early settlers’ Cottage, a wooden two story colonial shop, Victoria clock tower, Victoria mansions, Ironside House, the Peterborough Centre and Cranmer Bridge Club (see Figure 5 of the applicant’s AEE for locations of these). The Normal School building on the application site was formerly identified in the Plan as a heritage feature.

• Kilmore Street is classified as a main distributor street under the City Plan. It is currently one way running in an east-west direction along the southern boundary of the site. Montreal Street to the west of the site is also a main distributor with a south – north one way direction. Peterborough Street to the north is classified as a local road and has a two way carriage with angled car parks provided along the frontage of the exiting residential units.

Figure One – Zoning

The Planning Framework

10. The site is zoned Living 4C under the City Plan. The zone description explains that The Living 4C Zone is characterised by a variety of residential environments of special residential character, amenity and coherence. It is recognised within the Plan that:
Various parts of the zone have been under considerable pressure from other (non residential) activities. Given the special character of the area and its attractiveness for central city living, there is a need to preserve as much of it as possible from further intrusion. Consequently only activities which contain at least some permanent residential accommodation are anticipated. Exceptions are, however, made for specified activities on specific sites which serve a strategic function…

11. Environmental results anticipated for the Living 4C zone include:

(a) A diverse range of residential buildings appropriate to the character of the area and appropriate to medium-high densities.
(b) An environment in which open space, vegetation and natural features soften the dominance of buildings. Scope for future infill and redevelopment of sites at a scale and intensity that is sustainable given the infrastructure of the area and in keeping with the character of the immediate environment.
(c) An open street scene to an extent appropriate to each residential environment and which does not detract from the garden city image.
(d) A high level of residential amenity in terms of landscaping, access to sunlight, outdoor living space, and levels of on-site privacy, consistent with medium-high density living.
(e) A distinct community expression for each locality through controls that encourage consistency in external appearance (…).
(f) Preservation of as much land and space within the zone for residential activities as practicable given its location in the heart of the city, and the pressure for other activities to locate there.
(g) A coherent residential environment in which non-residential activities are limited to those which are small scale, have little or no adverse effects on the environment and provide permanent residential accommodation on the site.
(h) Protection of existing significant investment and development in the area which contribute to the functioning of the city and which for historical, spatial or strategic reasons require a central city location, (refer to Part 9).
(i) A pleasant residential environment in which activities causing adverse environmental effects such as excessive noise, glare, odour, traffic and on-street parking congestion, radiation, offensive or unsanitary industrial processes, and unsightly or dangerous goods/waste storage are excluded or mitigated.
(j) Maintenance and enhancement of special amenity areas within the zone with future development appropriate to the predominant character of the special amenity area.

12. The overarching living zone objective seeks a quality living environment that meets the differing needs of the City’s population. It is stated within the Plan that the objectives and policies of the living zone have been developed to:

…provide for a quality living environment by recognising the different elements of amenity and seeking to enhance them, whilst maintaining the distinct characters of the different living areas
throughout the City. The dominant role of living areas is to provide for places of residence. Activities not compatible with this character are controlled as to scale, location and other levels of effects.

13. Key objectives and policies are be found within Volume Two of the City Plan and are discussed in detail in a later section of this report.

14. The site is also located within Special Amenity Area 32 (SAM32) which comprises most of the properties facing onto Cranmer Square. The Special Amenity Area Guide for SAM32 is in Appendix Four. A notable English Oak tree exists at the northern end of the site which is not affected by the proposal.

15. The proposed activity fails to comply with a number of City Plan standards which are outlined comprehensively on pages 29 – 45 of the applicant’s AEE and on pages 26 – 31 of the traffic assessment prepared by Abley Consultants accompanying the application. In brief, the non compliances are as follows:

<table>
<thead>
<tr>
<th>Part 2 Living zones</th>
<th>Extent of non-compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.2.2 Sunlight and outlook for neighbours</td>
<td>Car parking building infringes 55 degree recession plane along eastern boundary by between 1.8 and 3.2 metres. Existing dwelling to be utilised as Studio 6 intrudes the 55 degree recession plane along eastern boundary.</td>
</tr>
<tr>
<td>4.2.3 (b) Street scene</td>
<td>The setback requirement of 4.5 metres in SAM32 is intruded by the car parking building, youth room, studio apartments, chapel auditorium and cafe.</td>
</tr>
<tr>
<td>4.2.4 Building overhangs</td>
<td>800mm above ground internal floor horizontal overhang permitted. Studio apartments overhang youth room by 0.9 – 1.8 metres and auditorium between 0.13 – 6 metres.</td>
</tr>
<tr>
<td>4.2.7 Urban design and appearance</td>
<td>Six studio units proposed and over 40m² new building therefore assessment is subject to assessment matters listed in clause 15.2.8.</td>
</tr>
<tr>
<td>4.2.10 Ground floor habitable room – residential</td>
<td>No habitable spaces will be located at ground level.</td>
</tr>
<tr>
<td>4.2.11 Outdoor living space</td>
<td>None of the six new residential units have the required 30 metres outdoor living space or provide private outdoor living space of 16m². Balconies of between 4.6m² and 6.8m² will be provided for the units. No communal space is provided.</td>
</tr>
<tr>
<td>4.2.12 Service and storage space</td>
<td>The six new residential units do not meet this standard.</td>
</tr>
<tr>
<td><strong>4.2.13(a) and (e) Landscaping and tree planting</strong></td>
<td>Will not meet the requirements for trees planted adjacent to the road boundary and landscaping on the site.</td>
</tr>
<tr>
<td><strong>Community Standards</strong></td>
<td><strong>Extent of non-compliance</strong></td>
</tr>
<tr>
<td>4.3.1 (a) Scale of activity</td>
<td>The development provides well in excess of the permitted 30% of GFA as non residential activity.</td>
</tr>
<tr>
<td>4.3.2 Site size</td>
<td>The non residential site exceeds 800m².</td>
</tr>
<tr>
<td>4.3.3 Hours of operation</td>
<td>Total number of hours the church and other activities will be open to public will exceed 50 per week. The following also exceed the permitted hours – auditorium 8am – midnight Friday to Sunday and car park 8am – 12.30am Friday to Sunday.</td>
</tr>
<tr>
<td>4.3.4 Traffic generation</td>
<td>Will exceed 32 vehicle trips per day. NB site has frontage to a local road (Peterborough Street).</td>
</tr>
<tr>
<td>4.3.6 Residential coherence</td>
<td>Requires that only the persons that reside permanently on the site are engaged in the activity. It is understood that one person engaged in the activity will reside on site.</td>
</tr>
<tr>
<td><strong>Critical Standards</strong></td>
<td></td>
</tr>
<tr>
<td>4.4.4 Building height</td>
<td>The maximum height restriction of 11 metres is breached by the auditorium, chapel, car park building and third floor studio apartments.</td>
</tr>
<tr>
<td>4.4.5 Retailing</td>
<td>Retail activities are required to be limited to the sale of goods grown or produced on the site. Café activity is proposed.</td>
</tr>
<tr>
<td><strong>Part 10 - Heritage and Amenities</strong></td>
<td></td>
</tr>
<tr>
<td>Specific Rule 1.3.3 Protected buildings, places and objects located within the Central City</td>
<td>The erection of any new building on a site that adjoins a Group 1 or 2 heritage building is a restricted discretionary activity. The site adjoins a number of protected items.</td>
</tr>
<tr>
<td><strong>Development Standard</strong></td>
<td></td>
</tr>
<tr>
<td>3.4.1 Area and number</td>
<td>Signage exceeds the maximum area permitted of 1.0m for non residential activities fronting an arterial road. The application advises that four LED 1m² displays are proposed on the auditorium frontage. In addition, the sign at the corner of Kilmore and Montreal Streets will be 3.4m² although this appears to have been removed from the amended application plans and replaced with other signs (details of which have currently not been supplied).</td>
</tr>
<tr>
<td>3.4.5 Street Scene</td>
<td>Signage is located within the street scene setback.</td>
</tr>
<tr>
<td><strong>Critical Standard</strong></td>
<td></td>
</tr>
<tr>
<td>3.5.3 Moving, flashing or retro reflective displays</td>
<td>The four LED displays attached to the auditorium will display a scrolling message.</td>
</tr>
</tbody>
</table>
### Part 11 - Health and Safety

<table>
<thead>
<tr>
<th>Development Standard</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.3.4 Noise standards for all zones within the Central City</td>
<td>Outdoor events in the courtyard will breach the daytime noise standard to the west and east of the site. Crowd noise within the courtyard will not comply with the night-time noise standard on the western and eastern boundaries. Noise break-out from the car park will exceed the night-time noise standards along the southern, eastern and western boundaries.</td>
</tr>
</tbody>
</table>

### Part 13 - Transport

<table>
<thead>
<tr>
<th>Development Standards</th>
<th>Extent of non-compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.2.9 Parking spaces for residential activities</td>
<td>The required width of 2.4 metres, aisle of 6.2 metres and stall depth of 5.4 metres is not met. An aisle width of 5.4m is proposed.</td>
</tr>
<tr>
<td>2.2.3 Length of vehicle crossings</td>
<td>The crossing length exceeds the maximum permitted length of 9 metres by 1 metre.</td>
</tr>
<tr>
<td>2.4.1 Car parking space numbers</td>
<td>The parking area exceeds 50% of the GLFA. The dimensions of the proposed car park spaces do not meet the requirements of Appendix 8. It is noted that no car park spaces are required for the development other than for the residential component.</td>
</tr>
<tr>
<td>2.5.7 Access type and design</td>
<td>Car parking building access height is less than the required 4 metres (2.7 metres proposed). Other accesses do provide the required width.</td>
</tr>
<tr>
<td>2.4.9 Queuing space</td>
<td>The car park layout does not have the required 20.5m queuing space.</td>
</tr>
<tr>
<td>2.4.12 Distance of vehicle crossings from intersections</td>
<td>The car park access and service accesses are less than 30 metres from the intersection of Kilmore and Montreal Streets. The service vehicle access is 5 metres west of the signalled intersection.</td>
</tr>
<tr>
<td>2.4.13 High traffic generators</td>
<td>High traffic generator rule applies given that the proposal is not permitted.</td>
</tr>
</tbody>
</table>

#### Community standard

| 2.5.1 Commercial car parking buildings and lots | As a permanent car parking building is to be located on the site the development is to be assessed as a discretionary activity. |

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16. Overall the proposal must be considered as a **non complying activity** under the City Plan as it breaches a number of critical standards.
17. The proposal triggers The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES) and is to be assessed as a discretionary activity. This is discussed in more detail later.

18. Canterbury Regional Policy Statement (RPS) are statutory documents which are considered later in this report. The Mahaanui Iwi Management Plan 2013 is also of relevance, although this is a non statutory document.

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**Submissions**

19. Sixty one submissions were received on this application (28 in support, 31 in opposition, 1 which opposed in part and 1 which did not state a position). A late submission from The Cathedral Grammar School was received on 11 August 2014 (one day in excess of the 20 working day timeframe for lodging a submission). The late submission was accepted by the Commissioner on 21 August using section 37 of the Act to allow for an extension of time to the submission period (see Report in Appendix Five).

20. A list of submissions is attached in Appendix One.

21. Copies of all submissions have been provided to the Commissioner.

22. The reasons for the submissions in support are summarised as follows:
   - Facilities and community use create synergy with Cathedral Grammar School
   - Architecture
   - Former building had educational use – returns to former use
   - Benefits to community and youth
   - Supports Arts Precinct
   - Unique development, encouraging public access through site
   - Range of activities will enhance residential environment

23. The reasons for the submissions in opposition are summarised as follows:
   - Contrary to Living 4C zoning and objectives and policies of Plan.
   - Loss of residential activity and coherence
   - Wrong location
   - SAM32 is compromised
   - Exceeds bulk and location controls
   - Impact on visual amenity
   - Impacts on residential amenity
- Sunlight shadow compromises properties to the east, west, south and Cranmer square
- Buildings out of character
- Traffic - impacts on flow of network, insufficient parking
- Noise in relation to increased traffic central courtyard performances, construction
- Signage - intrusive, traffic distraction
- Will compromise heritage character
- Hours of operation
- Would create precedent for commercial activity

**Statutory Considerations**

**Resource Management Act 1991**

24. When considering this application for resource consent and any submissions received, the consent authority must have regard to the matters listed in Sections 104, 104B, and 104D of the Resource Management Act 1991. Subject to Part II of the Act, which contains the Act’s purpose and principles, including matters of national importance, the consent authority shall have regard to:

a) Any actual and potential effects on the environment of allowing the activity.

b) Any relevant provisions of a plan or proposed plan, national environment standard and regional policy statement.

c) Any other matter the consent authority considers relevant and reasonably necessary to determine the application.

25. It should be noted that other than giving pre-eminence to Part II, Section 104 gives no priority to other matters. They are all matters to have regard to and the consent authority must exercise its discretion as to the weight that it gives certain matters, depending on the circumstances of the case.

26. Under Sections 104B and 104D, when considering an application for resource consent for a non-complying activity, a consent authority may grant or refuse the resource consent, and (if granted) may impose conditions under section 108.

27. Under Section 104D, and despite any decision made for the purpose of Section 95A in relation to minor effects, a consent authority may grant a resource consent for a non-complying activity only if it is satisfied that either the adverse effects of the activity on the environment will be minor, or that the application is for an activity that will not be contrary to the objectives and policies of the plan.

28. Even where one of the threshold tests in Section 104D is met, the consent authority still retains an overall discretion as to whether to grant the application. That discretion is to be exercised having regard to the criteria set out in Section 104.
29. Section 104(3)(a)(ii) states that a consent authority must not have regard to any effect on a person who has given written approval to the application (unless that approval is withdrawn in a written notice before the date of the hearing). The applicant has obtained the written approval of the sole owner of 48 Peterborough Street. As the site is vacant there are no occupiers.

Recovery Strategy for Greater Christchurch

30. The Recovery Strategy for Greater Christchurch (the Recovery Strategy) prepared by CERA under the Canterbury Earthquake Recovery ("CER") Act became operative on 1 June 2012. It is a statutory document that must be “read together with, and forms part of” other relevant legislation within the greater Christchurch area. The City and District Plans (and a number of other statutory documents) must not be interpreted or applied in a way that is inconsistent with the Recovery Strategy.

31. “Recovery” is defined in the CER Act as including both restoration and enhancement (Section 3).

32. Section 4 identifies the vision for the recovery of Greater Christchurch and supporting goals relating to the six components of recovery. The following goals are of particular relevance to this application:

**Economic** – Revitalise greater Christchurch by:
- Planning for a well-functioning Christchurch central city and thriving suburban centres
- Facilitating the recovery and development of the Central Business District
- Restoring the confidence of the business sector to enable economic recovery and growth
- Ensuring a range of employment options.

**Social** – Strengthen community wellbeing and enhance quality of life for residents and visitors by:
- Supporting people by providing community, education, health and social services that are collaborative, accessible, innovative and inclusive
- Supporting people by providing quality housing.

**Cultural** – Renew greater Christchurch’s unique identity by:
- Acknowledging and celebrating Ngai Tahu, colonial and other heritages and connections
- Embracing necessary changes to the city’s character and urban form
- Encouraging participation in a range of entertainment, cultural, recreational and sporting settings.

**Built Environment** – Develop resilient, cost effective, accessible and integrated infrastructure, building, housing and transport networks by:
• Supporting innovative urban design, buildings, technology and infrastructure to redefine greater Christchurch as a safe place built for the future
• Develop a transport system that meets the changed needs of people and businesses
• Rebuild infrastructure and buildings in a resilient, cost-effective and energy-efficient manner
• Having a range of affordable housing options connected to community and strategic infrastructure.

33. Section 5 of the Recovery Strategy identifies a number of priorities for recovery to address and promote social, economic, cultural and environmental wellbeing. These include:

• Regulation, standards and other information to support the rebuild and repair of housing to a quality that meets the technical requirements for the land categories and building standards.
• Permanent repair or rebuild of infrastructure in areas identified for redevelopment and development in the short to medium term.
• Supply of land for recovery needs through efficient consenting processes and timely provision, restoration or optimisation of infrastructure.
• Encouraging the provision of a variety of accommodation that is sufficient for residents, including temporary construction workers and people displaced due to the rebuild.
• A functioning Central Business District and suburban areas that provide opportunities for local businesses and economic activities to relocate, maintain services and grow.
• Opportunities and facilities for sporting, recreational and cultural activities.

34. A number of Recovery Plans have been developed in accordance with Section 7 of the Recovery Strategy. Those of relevance to this application include:

• Christchurch Central Recovery Plan (operative 31 July 2012)
• Transport chapter of the Christchurch Central Recovery Plan entitled “An Accessible City” (operative 31 October 2013)
• Land Use Recovery Plan (operative 6 December 2013).
• Draft Residential chapter of the Central City Recovery Plan entitled “A Liveable City” (comment period closed but not yet operative)
• Draft “Review of the Central City Noise Provisions” (comment period closed but not yet operative).

35. The Christchurch Central Recovery Plan (CCRP) outlines the future development of central Christchurch. It incorporates a spatial Blueprint Plan which identifies ‘anchor’ projects. The site is in walking distance of the indicative site of the Te Puna Ahurea Cultural Centre and in close proximity to the Convention Centre and Performing Arts Centre. There have been amendments made to the City and District Plans to include provisions for workers temporary accommodation to facilitate accommodation for the needs of workers supporting the rebuild of greater Christchurch.
36. The transport provisions of “An Accessible City” have been inserted into the CCRP. This chapter encourages good access into the city centre with a range of travel options. It seeks to foster pedestrian safe environments and introduces a slow speed Inner Zone (of which the application site sits just outside). Kilmore Street and Montreal Street are prioritised for car travel with the closest public transport routes being identified for Rolleston Avenue and Victoria/Kilmore Street. Montreal and Kilmore are identified as main distributer streets aimed at providing key vehicular access to the Core. Whilst Montreal will continue to be one way north, Kilmore Street is shown as being two way. Maximum car parking spaces have been prescribed to manage the vehicles overall within the zone. It is anticipated that off street public visitor parking buildings will locate around the perimeter of the Core. The application site is located just outside of the area specified in this chapter as the Inner Zone where on street parking with short stay limits (and some residential exemptions) is anticipated.

37. Other draft chapters to the living and noise provisions of the CCRP are not yet operative. I don’t consider that any weight can be given to these as they have not been adopted by the Minister. I understand that the community has been consulted on these draft chapters. However, the changes are being made through the CER Act therefore unlike a change made to a proposed plan they sit outside of the RMA framework. There is a significant level of uncertainty about the extent to which community responses will be considered and what form the final provisions will take.

38. The Land Use Recovery Plan (LURP) does not apply to areas covered by the CCRP. Although it does introduce land use policies and rules to assist in the provision of land for residential and business development. It promotes opportunities for housing and introduces intensification measures into the City Plan to create opportunities to make more residential accommodation available quickly. Whilst not directly applicable to this application given its Central City location, it highlights a need for residential accommodation within the wider area. The LURP directed Environment Canterbury to make changes to the Canterbury Regional Policy Statement (RPS) including inserting Chapter 6 Recovery and Rebuilding of Greater Christchurch. The RPS is discussed in more detail later.

### Actual and Potential Effects on the Environment (S.104 (1)(a))

39. As a non-complying activity the Council’s assessment is unrestricted and all actual and potential effects of this proposal must be considered. Relevant guidance is contained in the reasons for the rules breached and the relevant assessment matters as to the effects that require consideration. I have considered the relevant issues and it is my view that they fall broadly into the following categories:

- Noise
- Contamination
- Glare
• Visual Amenity and Character
• Heritage Character and Cultural
• Traffic
• Residential Amenity and Coherence
• Social and Community Wellbeing

Section 104(2)

40. Prior to undertaking an assessment of the effects of this proposal it is useful to consider discretion available under Section 104(2) of the Act (referred to as the “permitted baseline”) whereby a consent authority may disregard an adverse effect of an activity on the environment if the Plan or National Environmental Standard permits an activity with that effect. Case law has established that this relates to the effects of non-fanciful hypothetical activities which could be carried out as of right under the Plan.

41. The Living 4C zone standards predominantly provide for medium to high density residential development with no limit on site size. However, I consider that no permitted baseline is relevant in this case as any application of the scale proposed, given the size of the application site, would require resource consent due to non compliance with the Urban Design and Amenity Standard.

Noise

42. A comprehensive assessment on noise effects prepared by Clare Dykes, Acoustic Engineer of Acoustic Engineering Services (AES), was submitted with the application. A peer review of this was undertaken for Council by Darran Humpheson, Principal Acoustic Engineer of URS. URS’s initial review and addendum to this following receipt of further information is in Appendix Six).

43. The following areas of commonality have been identified within the ARS noise assessment and URS peer review: noise assessments:

• Break out noise from the chapel, theatre within the main auditorium building, café and outdoor seating, studios and youth kid/multipurpose spaces is expected to comply with the City Plan provisions.
• Cumulative effects as a result of numerous activities occurring at once would not be noticeable.
• Both experts are in agreement that related adverse noise effects beyond the boundaries of the site relating to the above issues would be less than minor.

44. In addition, both experts agree that the proposed activities will achieve the noise standards with the following exceptions:
• Outdoor events in the courtyard will breach the day-time noise standard to the west and east of the site.
• Crowd noise within the courtyard will not comply with the night-time noise standard on the western and eastern boundaries.
• Noise break-out from the car park will exceed the night-time noise standards along the southern, eastern and western boundaries.

45. With regard to the above areas of non compliance AES concluded that based on the frequency of occurrence, existing ambient environment, current use of neighbouring sites and restrictions on any potential future noise sensitive development on adjoining sites, we do not expect this noise to have an effect which is more than minor.

46. To give confidence that noise emissions associated with the application are maintained at appropriate levels, AES recommended a number of conditions of consent or advice notes to be adopted. These are highlighted on pages 21 and 22 of their principal report dated 24 June 2014. There is also a proposed Noise Management Plan, which forms part of the application.

47. URS have reviewed the proposed conditions and Noise Management Plan and considered that ‘their imposition will contribute to good noise control’. URS generally agreed with the conclusions reached by AES. However, a difference in opinion relates to the effects in relation to noise break-out from outdoor events in the courtyard area.

48. With regard to courtyard noise beyond site boundaries, AES have concluded that effects will be no more than minor. They did however propose a condition which states that:

*Events featuring outdoor amplified sound shall be restricted to between 1000 and 2200 hours Monday to Sunday, and shall comply with the City Plan daytime noise limits, at or within the boundary of any other site, except for up to 20 occasions per calendar year where noise levels shall not exceed 60 dB LAeq.*

49. URS however, considered it would be common place for additional controls to be included to prevent any adverse effects given that in their view *amplified sound will be audible at the residential zone regardless of whether it is at 55dB or below due to the special audible characterises of the sound, especially during the quieter periods of the day and evening where there are lulls in road traffic.* Additional controls, as outlined on pages 3 and 4 of the URS Addendum Report could include: requirements for sound checks prior to and during an event at the site boundaries; keeping records to demonstrate compliance with noise standards; limiting the time of day to early evening only; limiting the duration of an event; an overall limit on the number of events held per year and further restriction on proposed number of noisier events; and, more restrictive noise limits to
mitigate against any adverse effect e.g. blanket 55 dB $L_{A_{eq(15 \text{ min})}}$ noise limit with the inclusion of 5dB special audible characteristic weighting.

50. With the implementation of the above controls, URS considered that any associated noise effects would be less than minor. Given the scale of non residential activity proposed on site and sensitivity of the receiving residential environment I support a more restrictive approach as outlined by URS. Relying on the expert advice provided, should resource consent be approved I recommend the imposition of all draft conditions proposed by AES (excluding condition ‘A’, relating to outdoor courtyard sound). Condition ‘A’ should be replaced with the additional controls suggested by URS. The Noise Management Plan should be updated to reflect this. In addition, I recommend that two additional conditions are added to further reduce noise emitted from the car park. These include the recommendations made by URS on applying an absorbent surface to the ceiling of the car park and using a textured surface coating at key turning points to prevent excessive wheel squeals.

51. I am mindful of submitters’ concerns over noise generation and impacts on residential amenity. I am aware that the proposal will bring additional people into the surrounding streets. This will potentially result in increased street noise and activity, which could result in disturbance for some people. This component was not really addressed within the noise reports. I expect that as people move to and from the facility, such noise would be passing. I also recognise that the site is located within an inner urban area and is located in very close proximity to the busy Core of the Central City. To this extent, background ambient noise levels would be higher than within a more suburban urban environment so any street noise would be less noticeable.

52. Having considered both noise assessments, I am satisfied that with the inclusion of all recommended measures outlined above the related adverse effects as a result of noise generation would be acceptable and not more than minor.

Contamination

53. I have no concerns around contamination. The Preliminary Site Investigation (PSI) report which accompanied this application has demonstrated that it is highly unlikely that there will be a risk to human health. Thus, Hannah Mirabueno, Council Environmental Health Officer, advised that the activity is permitted under Regulation 8 (4) of the NES (see email comments in Appendix Seven). Ms Mirabueno also advised that as the PSI report has identified three HAIL activities that may have taken place on the site the NES would be trigged as the amount of earthworks would exceed $25m^3/500m^2$ volume of soil disturbance. As no Detailed Site Investigation has been provided the activity will be a discretionary activity under Regulation 11 of the NES. Should the application be granted I would support the condition recommended by Ms Mirabueno around potential discovery of contamination. With this condition in place I consider adverse effects associated with contamination issues to be insignificant.
Glare

54. Effects as a result of glare are considered minor. The large glazed area of the chapel could give rise to a 'lantern' effect when lit internally at night but with adequate controls to ensure compliance with City Plan glare standards I wouldn’t anticipate the effects to be more than minor. Having discussed this with Mr Nicholson, Council Principal Urban Designer, we are of the view that it could look quite beautiful. If the Commissioner is minded to grant the consent, I recommend a condition that the application complies in all respects with the relevant City Plan glare standards at the site boundaries. In my view, with the recommended condition, adverse effects resulting from glare will be no more than minor.

Visual Amenity and Character

55. The proposal triggers a number of urban design related standards including the Urban Design and Appearance Rule, recession plane intrusions at the eastern boundary, height limits and landscape matters.

56. My assessment on the visual amenity and character of the area has been informed by comments made by the Urban Design Panel (UDP), which are in Appendix Eight, Hugh Nicolson, Council Principal Urban Designer and Jennifer Dray, Council Senior Landscape Architect. The reports of Council staff are in Appendices Nine and Ten respectively.

57. Concern over the visual bulk of the auditorium in particular has been raised by UDP members, Mr Nicholson and Ms Dray. Mr Nicolson considered generally that the degree of architectural detailing of the development was appropriate but considered the Montreal Street façade detailing to be visually excessive. The UDP was supportive of the height intrusions ‘provided that improvements were undertaken to mitigate the bulk of the main building’. They recommended some changes around the street façade treatment of the auditorium which they saw as being fundamental. Mr Nicholson supported the UDP’s recommendations and advised that:

…the height intrusions are acceptable provided that the Montreal façade of the auditorium is broken down into a series of finer grained elements more appropriate for the residential setting….

…It is recommended that the parapet line along Montreal Street is reviewed to minimise the bulk of the building.

58. In her advice, Ms Dray advised that the scale and bulk of the auditorium will detract from the surrounding streetscape. She recommended a requirement for a 4.5 metre setback to allow more tree and landscape planting. Mr Nicholson also indicated that it would be appropriate to increase the setback of the auditorium from the street in key locations to allow for tree planting to reduce visual dominance.
To my eye the auditorium does look bulky. Having sat in on UDP meeting discussions I am confident that the design treatment of the auditorium street façade can be resolved more positively and I encourage the introduction of further tree planting. I understand that the applicant is in the process of reconsidering this area of the proposal and is likely to present amended plans at the hearing.

Visually, other aspects of the proposal did not raise as much concern. The introduction of residential units along the car park and the use of a ‘green wall’ are considered to be positive measures and in my view will assist in providing some visual mitigation for the neighbours. Ms Dray has advised that the climbing plants proposed for the green façade are all suitable choices and should aid in mitigating the adverse effects resulting from this building’s non compliances. I would support her recommendation. However I recommend that if consent is granted, an appropriate condition should be formed around ensuring the establishment and maintenance of these plants given that the methods proposed for growing these plants are not yet tested.

With regard to the chapel, Ms Dray considered that the height of the building would make it visually dominant and detract from the character of the square. However, the UDP and Mr Nicholson were generally supportive of the chapel design. Mr Nicholson commented that:

The proposed development has a positive relationship with the adjacent streets and public spaces. It provides a strong built edge to Cranmer Square which is centred around the bold architectural forms of the chapel.

The UDP suggested that the applicant maintains the landscape treatment at the front of the chapel as a hard surface treatment to accentuate the strong architectural form. In observing panel discussions on the proposal I understand that they considered that the height and presence of the chapel as a strong feature were important. Informed by these expert views, I agree that the design and height of the church are appropriate.

Impacts on the surrounding SAM32 are relevant although it is apparent that a number of buildings in the locality have suffered earthquake damage. Mr Nicholson considered that the proposed development would provide an appropriate contemporary response to the character and built form of SAM32.

In terms of impacts on the surrounding area, the UDP commented more generally at its 24 June 2014 meeting that the panel:

Is comfortable with the scale of the proposal, the new uses it introduces to the site and the integration with its potential urban context. Although the development is not exclusively residential as the zoning intends, it displays an affinity with the historic context of the area…
65. From an urban design perspective Mr Nicholson did not raise any objection to the location of the proposed development. He indicated that this application would continue the tradition of larger scale community buildings within a residential area. Effects on the heritage character of the area are considered in more detail below.

66. Due to the proposed height and recession plane intrusion sunlight and daylight have been considered in depth by Mr Nicholson. The main area of potential concern lies with the effects on the adjoining property to the east (at 55 Kilmore Street) given that the car park building intrudes through the recession plane. This adjoining property is a two storey commercial building and the site is zoned Central City Business. I note that an existing building on the application site also intrudes the eastern recession plane. Given that no changes are proposed to this building, any adverse effects as a result of the intrusion are considered insignificant.

67. In determining the effects of the car park building intrusion it is appropriate to make comparison against the level of intrusion anticipated under the Plan. With regard to the eastern recession plane intrusion Mr Nicholson advised that:

*The shading diagrams compare the shading from the proposed development with the shading from a compliant building... I do not believe this is correct and consider that it would be possible for an apartment building to be sited running north south parallel to the boundary built up to the 11 metre height limit and within the recession plane and that this would cause a greater shadow than is shown (...) for a complying building.*

68. It may therefore be beneficial for the applicant to show another scenario at the boundary which shows different results. Notwithstanding this, Mr Nicholson concluded that:

*In general the proposed building setback and façade would provide a reasonably positive relationship between the two buildings and I consider that while there would be minor effects from the additional shading this would be acceptable.*

69. With regard to other height intrusions, Mr Nicolson identified that shadows would fall predominantly on the road corridors of Kilmore and Montreal Streets. Some limited additional shading of the garden area in front of the Chateau Blanc in the morning through the equinoxes would occur he advised but he considered any shade to the building itself to be of little consequence. He acknowledged that there may be some shading to the properties on the southern side of Kilmore Street in the middle of winter through the middle of the day and afternoon. Although, having considered the recession plane diagrams carefully, he considered that the maximum length of the shading is no greater than that which arose from the former Cranmer Courts building with shading on Cranmer Square in the middle of winter being significantly less.
70. I accept Mr Nicholson’s advice on these matters and conclude that any sunlight/daylight effects and visual building dominance directly as a result of the eastern recession plane intrusion and height infringements would be no more than minor.

71. A positive aspect of the proposal is the connectivity that it provides between Cranmer Square and Peterborough Street and its encouragement of movement of the public through the site. The applicant has indicated that there will be 24 hour access into the site and this, along with the public nature of the development, does present a number of safety issues for users. A basic CPTED assessment was carried by Lisa Speight, Council CPTED Advisor (see Appendix Eleven). The open, publically accessible courtyard was identified as a particular area of risk. Ms Speight made a series of recommendations for consideration and these are outlined in detail in Part 5 of her report. In brief they include:

- Oversight and surveillance of internal courtyard and play space
- Activation of deactivated spaces through lighting
- Access control
- Ownership and the need for clear signals between public and private spaces.

72. These issues were addressed in the applicant's further information package dated 1 July 2014 although a full CPTED assessment was not undertaken. Given the scale of this development and encouragement of public use of the site I support Ms Speight's recommendation that a full CPTED review be undertaken. I recommend that should consent be granted a full CPTED assessment is required. The final design should to be certified by Council CPTED staff to ensure that any recommendations made within the assessment are achieved prior to occupation of the site. This will ensure that safety matters are adequately addressed and associated risk is minor.

73. I understand that the corner signage has been removed from the application and replaced with additional way finding signage, as recommended by the UDP. The applicant has shown new signage on their amended plans although they have not currently provided any detail around this in terms of dimensions and type. Having considered the signage on the amended plans Mr Nicholson advised that in general the proposed signage is acceptable and an appropriate scale for a development of this size. Although some of the proposed signage will have a scrolling message I consider that this would likely be reasonably slow moving and unlikely to cause any undue distraction to local residents. Any adverse effects associated with the proposed signage are considered to be minor.

74. Based on the advice of experts and comments made by the UDP I am satisfied that for the most part effects on visual amenity and character, including access to daylight and sunlight will be no more than minor. As the application stands currently however, the Montreal Street façade of the auditorium is considered to be too bulky in appearance and will result in effects which are more than minor.
Heritage Character – Cultural

75. The proposal is located opposite Cranmer Square (Group 2 Classification of Protected Building under the City Plan), The Peterborough Centre (Group 2), an early settler's cottage (Group 3) and wooden two storey colonial shop/residence (Group 2). It is also located in close proximity to a number of other heritage buildings.

76. Fiona Wykes, Senior Heritage Advisor on the Council Heritage Team, provided comments around the impact on heritage character (see Appendix Twelve), including the following:

The proposal does not reduce the visibility of either Cranmer Square or 40 Cranmer Square from the nearby roads or public space. It does not impinge on the settings of the heritage items and does not detract from them. The proposal does not provide the enclosure to Cranmer Square that the former Normal School did, and in my opinion it does not provide the same presence to the corner. However I do not consider that any adverse effects on the adjacent listed heritage items and their settings would be more than minor as the proposal is divided from both items by Kilmore Street.

77. Overall, Ms Wykes recommended that approval (with respect to heritage matters only), be given for the proposed development.

78. Although Ms Dray is not so positive in terms of effects of the proposal on the heritage listed Cranmer Square, I note that comments made by the Urban Design Panel and Mr Nicholson indicate that there will be no detrimental effect. I agree with the advice of the UDP and Mr Nicolson, which recognises that there are similarities between the proposal and the former use of the site and square for educational purposes. Mr Nicolson noted that this application would ‘continue the tradition of larger scale community buildings within a residential area’.

79. I have also received a comment from Mike Vincent, Heritage Advisor Planning of Heritage New Zealand (HNZ) which is contained in Appendix Thirteen. He made no comment about impacts of the proposal on the heritage character of the area. However, he did advise that the Heritage New Zealand Archaeological Risk Model for the Christchurch Central Business District has identified the site as having high archaeological risk. Should the application be granted, I would endorse their request to have an advice note about accidental discovery including stopping work immediately, contacting Heritage New Zealand and Ngai Tuahuriri Runanga (on behalf of local Mana Whenua).

80. The application is largely silent on those assessment matters relating to cultural issues. I acknowledge that the site is located in proximity to a site of Puari (village settlement) and mahingakai (food gathering). There is opportunity for the applicant to recognise the historic heritage relationship of maori culture and traditions through elements of their design. I consider however that any adverse effect would be no more than minor.
The proposal generates six traffic related non compliances. A number of submitters in opposition to the proposal have raised concern around potential impacts on the flow of traffic on the surrounding road network and the level of car parking proposed.

An Integrated Transport Assessment (ITA) prepared by Abley Transportation Consultants was submitted with the application. It concluded that overall the development can be accommodated on the adjacent road network without capacity, efficiency or road safety issues arising and that the traffic non compliances would result in a less than minor adverse effect on the receiving transport environment.

Mark Gregory, Council Transport Network Planner, has also reviewed the proposal (See Appendix Fourteen). Concern over the location of an access was raised with the applicant and as a consequence the location of the vehicle entrance relocated so as to allow straight alignment between the vehicle crossing and the car park ramp. This change, Mr Gregory advised, will allow the site access to perform more efficiently without causing network delays. Although the change will decrease the distance of vehicle crossing from the intersection, he advised that the effects of this increase in non compliance would be negligible compared to the significant benefits. At the time of writing the applicant has not updated their plans to show the change, although an email from Abley to Mr Gregory, dated 12 August 2014, showed a diagram of how Abley propose to make the change (see Appendix Fifteen).

With regard to traffic generation, Mr Gregory is satisfied that provided the above is agreed then effects in relation to traffic generation would be minor. On the assessment of traffic generation and assignment assumptions, he supported the conclusions reached by Abley. I note that Mr Gregory felt further analysis was required to understand the impacts of the auditorium traffic on the PM network peak and that he undertook this assessment and effects were found to be acceptable. There was also some discussion in his report over modelled assumptions around use of a road layout which doesn’t exist yet given that Kilmore Street is currently one way only and the CCRP shows that it will be two directions in the future. Having discussed this with Mr Gregory, I am confident that he is satisfied that appropriate assessment has been undertaken to consider the effects of the current traffic environment and that of the foreseeable future. He has however recommended an advice note to alert the applicant to the fact that future analysis of the roading situation may lead to the requirement for some changes to the design of the access intersection within the road corridor and that these may be executed under the directives of the Local Government Act.

In terms of car parking, Mr Gregory has focussed his assessment on the traffic design within the car parking building. He has recommended a series of advice notes for the applicant to assist with
the future operation of the development. These include painted stop lines to determine priorities, installation of a convex mirror, allotment of tandem spaces, car parking dimensions and a turning radius on the ramp. Although these non compliances relate to on site traffic movement rather than road network effects I would recommend that these become conditions to ensure that the car parking building functions efficiently and safely. With these in place I can conclude that any adverse effects are minor.

86. There is no requirement for minimum numbers of car parks for activities other than residential within the Central City. The proposal breaches a number of rules given that the amount of car parking proposed is in excess of 50% GLFA and by including a commercial car parking building this element requires assessment as a discretionary activity.

87. In assessing car parking however, in my view, it must be recognised that the proposal is for an ‘out of zone’ activity. It is clearly not anticipated within the Living 4C framework that the extent of non residential activity proposed would occur on the site. It is therefore my view that it is important to give consideration to the effects of car parking overspill onto the street. Insufficient car parking has been raised as an area of concern by submitters.

88. Based on figures provided within the Abley ITA, it seems that, during a worst case scenario trip generation on site where full capacity chapel and auditorium events occur concurrently, there would be a total of 394 peak hour vehicle movements (equating to around 355 arrivals/departures and 39 drop off/pick ups). Abley also advised that the nature of the proposed activities means that they will typically be confined to the evening on the weekday or during daylight hours at the weekend when peak trip generation rates outside of peak trip generation times. However, I suspect this scenario could occur in the weekend evenings also. Based on this advice, with an on site car parking capacity (excluding residential) of some 120 spaces, there will be a significant amount of overflow at times (up to 235 vehicles). Logic tells me that visitors will seek to fill any available spaces around the venue, including those within the living zone. Some may choose to park within local commercial car parking buildings. However, there is no doubt that on street parking overflow as a result of the activity will impact on the ability of local residents to access on street car parking at times.

89. The required number of 34 cycle spaces will be provided on site and should demand for this increase there is sufficient space on site to accommodate more. The applicant has indicated that the design of the cycle parking spaces can comply with the requirements within the rule, which relate to their location, manoeuvring areas and design. If approved, I would recommend a condition that requires adherence to the requirements specified in rule 13/2.4.4 Cycle Parking with the final details to be certified by a Council Traffic Specialist.

90. Having reviewed the traffic matters, Mr Gregory has indicated that the overall levels of effects caused by non compliances are adjudged to be minor. For the most part, with the proposed
changes to the car park entrance and imposition of suggested conditions, I accept this advice. I acknowledge however that there will be some increase in demand for car parking within the area and at this time these effects are considered to be more than minor.

Residential Amenity and Coherence

91. Residential amenity is a combination of all factors which contribute to the enjoyment of a person’s living environment. Many of these aspects have been discussed above and include the likes of potential for noise and traffic generation, visual appearance associated with building scale and appearance, signage and lighting, overshadowing, and loss of privacy.

92. Loss of residential coherence through a reduction in on site occupation and isolation from residential neighbours is also a key issue. Within the reasons for the rules, the plan recognises that:

The retention of residential activity on sites within the city’s living area is an essential determinant of the character, cohesiveness and pleasantness of the residential environment. Loss of residential neighbours can result in adverse effects in terms of loss of security, friendship and fellowship, as well as the loss of visual evidence of residential character that can accompany loss of residential occupancy…

93. Assessment matters which are useful to have regard to include the extent to which the area remains dominated by residential activity, the likelihood of residential neighbours being left with no immediate residential neighbours, any adverse effects on the surrounding residential area in terms of loss of security, friendship and fellowship and any cumulative effects of the loss of residential activity in conjunction with other non residential activities in the vicinity.

94. The application site is located on a corner with adjoining sites to the eastern internal boundary and across the road to the north being zoned Central City Business. Across the road to the west sites are zoned Living 5 (Travellers Accommodation) and a resource consent is currently being considered for redevelopment of the Château Blanc Hotel including associated café/bar use. Sites across the road to the south are zoned Living 4C and although partially unoccupied, they are anticipated to be used for residential activity. Six proposed new apartments will front onto these sites. I can conclude that no residential sites will be left without any immediate residential neighbours as a result of the proposal.

95. It could be argued then that there will be limited adverse impacts on nearby residents in terms of loss of security, friendship and fellowship. I agree with the applicant’s assessment that the existing residential units to the north of the site and proposed units to the south will contribute to the wider residential neighbourhood and continue to provide the opportunity for friendship and fellowship to the existing adjoining sites, along with passive surveillance across the site and Cranmer Square. In addition, I agree that as the church itself will employ up to 20 staff this will increase security to the
site due to continued occupancy during the daylight hours and that to some extent the church employees and opportunities to mix with congregation members provide an opportunity to create friendship and fellowship for adjoining property owners. However, this is not the same as the friendship and fellowship resulting from residential neighbours.

96. As well as impacts on the surrounding environment it is important to consider residential coherence on the site itself. The development site is somewhat isolated from the remainder of the Living 4C zone and has three boundaries with either the Central City Business zone or Living 5 zone. In some respects a community activity would offer a transitional buffer between the nosier Category 2 business zones to the north and residential activities south of Kilmore Street. However, the seven residential units will remain at the northern end of site but will be quite separate from the proposed units at the southern end. I am concerned that this won’t offer residents the extent of residential coherence anticipated by the Plan. The introduction of additional residents through the site would strengthen the sense of community that close living can provide.

97. This proposal will result in a partial loss of residential units, from some 37 residential units (exact number unclear) to 13. I have actively encouraged the applicant to add additional residential activity into the complex. The Urban Design Panel highlighted that there are opportunities for this above the studio units and along the laneway adjoining the car park area. Not only would these opportunities align the proposal more closely with the planning framework for the L4C zone, which clearly anticipates predominantly residential activity, they would also increase security across the site and in the area generally. I realise that additional residential activity is a departure from the main objectives of the proposal, which are to create a facility for the Majestic church for the community to benefit from. I acknowledge that, to the applicant’s credit, they have added additional residential units into the complex since initial consultation with the Council began.

98. In my opinion, the Living 4C zone generally exhibits a reasonably strong residential character. The Plan does however recognise that it has come under increasing pressure over the years from non residential activities wanting to establish within it. For this reason, the rules around ‘other activities’ within the Living 4C zone are tight and this is likely the reason that the residential character of the area has been preserved to the extent it has. In general, the City Plan fosters additional opportunities for development such as spiritual, health and educational facilities to establish within residential environments in recognition that adverse effects may be offset by the benefits gained from having these facilities nearby. Rule 2/4.3.6 Residential Coherence, is an example of this where the most stringent requirement of only the persons residing permanently on the site being engaged in the activity applies specifically to the Living 4C zone. I note that the applicant’s representatives voiced an intention at an Urban Design Panel meeting to have a permanent manager living on site, although I am not clear whether this has been confirmed within the application. Should consent be granted this should form a condition of consent.
99. I note at this time that the Minister has also recently released for public comment A Liveable City, which is the draft residential chapter for the CCRP. Although no weight can be applied to this at this time, there is no sign of loosening up the rules to encourage non residential activity within the Living 4C zone.

100. For the reasons discussed above, I consider that effects on residential coherence would be more than minor.

Social/Community wellbeing

101. A number of positive effects have been highlighted earlier in my assessment of effects. However, the most obvious, and the reason for support of the application by a large number of people, is the benefit that the facility will offer to the community and youth in particular. In addition, the design elements of the proposal will draw members of the public through the site.

102. I note that the owner of the adjoining vacant site to the east at 48 Peterborough Street has given their written approval to the proposal. Pursuant to Section 104(3)(a)(ii) any effects on this person must be disregarded.

Conclusion with respect to effects on the environment

103. In summary, it is my opinion that with the inclusion of all recommended conditions as outlined above adverse effects as a result of noise and glare would be minor.

104. Subject to one recommended condition effects associated with contamination are considered to be insignificant.

105. On urban design, heritage character and cultural matters I have concluded that with the imposition of recommended conditions adverse effects would be minor. This is with the exception of effects in relation to the Montreal Street façade of the auditorium which are considered to be more than minor.

106. With the proposed changes to the car park entrance and imposition of suggested conditions I consider adverse effects on the safety and function of the road network and on site traffic environment would be minor. I acknowledge however that there will be some increase in demand for car parking within the area and I consider that effects on the local community will be more than minor.

Effects on residential coherence are considered to be more than minor.
A number of positive effects have been highlighted throughout my assessment with the most significant being the impacts on the community and youth and connections through the site.

**Relevant Objectives, Policies, and other Provisions of a Plan or a Proposed Plan (S.104 (1)(b))**

It is stated within the Plan under the Living Objective that the objectives and policies of the living zone have been developed to:

…provide for a quality living environment by recognising the different elements of amenity and seeking to enhance them, whilst maintaining the distinct characters of the different living areas throughout the City. The dominant role of living areas is to provide for places of residence. Activities not compatible with this character are controlled as to scale, location and other levels of effects.

The proposal does not appear to achieve this.

**Volume 2, Section 4, City Identity**

Objective 4.1 Form seeks the maintenance and enhancement of natural and physical features and characteristics contributing to the distinctive form of the City. The policies and objectives emphasise differences in physical features such as the central business area and the urban area (the latter applies to this site). The maintenance of diversity and contrast between these different elements is seen as key to maintaining a distinct city identity.

Policy 4.4.1 seeks to maintain and enhance the central business area as the principal physical focus of the City. The explanation and reasons identify the central business area as having the greatest diversity and intensity in use. A contrast between the large scale built form and more urban style space is said to emphasise the central business area’s identity and form.

In contrast, policy 4.1.2 Inner Urban Area seeks to maintain and enhance the inner “urban area” as the principal focus for the larger scale and widest range of housing forms, opportunities for higher density living environments and diversity of activities. It is recognised that although surrounding the central business area, this area has a lower physical scale and intensity of development with a greater urban form and orientation toward city living.

The proposal offers a mixed use development. Rather then offering a clear contrast between the central city business activities and urban it provides more of a transition. The proposal is considered to be inconsistent with these policies.

Objective 4.2 Amenity seeks a pleasant and attractive City. The policies accompanying this objective include promotion of: tree cover; the ‘garden city’ image; the identity, heritage and
character of Christchurch; and, harmony and compatibility of buildings. The supporting text of policy 4.2.3 notes that it is important that the urban design considerations are not about seeking a specific architectural style or limiting creativity; but rather achieving good urban design principals. The policies also seek to protect public open spaces, enhance landscape design and create a safe public environment. Having sought advice from a number of experts on these matters I am satisfied generally that the proposal is supportive of this Objective and the supporting Policies. There are areas of inconsistency highlighted within my assessment above including the impact of the auditorium on the streetscape. On balance the proposal is considered to be inconsistent.

114. Policies 4.2.9 *Impacts on noise* and 4.2.10 - 4.2.11 *Sound levels* seek to protect the environment from unreasonable levels of noise. I have determined in my assessment of effects that related adverse effects would be no more than minor provided recommended conditions are adhered to. Therefore, the proposal is considered consistent with these policies.

115. A number of objectives and policies address heritage protection including policy 4.3.5 which seeks to provide for the erection of additional buildings on sites adjoining heritage items where there is no resultant significant adverse effect on the item’s heritage values. Having been informed by the UDP comments, Mr Nicholson and Ms Wykes on this matter, I am satisfied that the proposal would not result in any significant impacts on the heritage character of the square or adjoining heritage buildings. The proposal is therefore considered to be generally in keeping with these provisions.

116. Policy 4.3.6 Tangata Whenua seeks to identify places of special significance to the Tangata Whenua and avoid, remedy or mitigate adverse effects upon their values. The site was likely occupied by human activity prior to 1900 and may well be of significance to Tangata Whenua. The consent holder would be required to adhere to archaeological protocols if any item was discovered, including contacting local runanga. Local Mana Whenua have not been consulted and have not submitted on the proposal however I have no reason to consider that this proposal will be inconsistent with this policy.

117. Objective 4.4 seeks the provision for outdoor advertisement in a way that doesn’t detract from amenity values, have a detrimental impact upon natural and built heritage values or cause potential danger to public safety. This is supported by policies 4.4.1 Amenity, 4.4.2 Traffic safety and health and 4.4.3 Natural and built heritage. I consider that the proposed signage is consistent with these policies in that they will be in keeping with the surrounding environment, are appropriately located and sized, are sensitive to heritage values and will not create a hazard to the road network or a nuisance to residents.

Section 7 Transport

118. The overarching Transport object is for an efficient, safe and sustainable transport system in the City which provides for ease of accessibility for people and goods. Policy 7.2.5 Land use control...
seeks to control the establishment of land use activities to achieve compatibility with the roads they front by avoiding, remedying or mitigating the effects which each has on the other. Policy 7.2.2 to protect the function of the road network and the environment of adjacent land uses from the adverse effects of high traffic generators is also of relevance. The explanation and reasons recognise that important to this is protection from queuing and manoeuvring vehicles through the control of access to and from high traffic generating activities. Having taken advice from Council’s traffic expert I am of the view that with appropriate conditions, and assuming the ramp is relocated as agreed, any adverse effects on the road network in terms of function, efficiency and safety will be no more than minor. Therefore the proposal is generally consistent with these objectives and policies.

119. Safe movement of pedestrians is encouraged via Objective 7.5, as is the need to improve and develop pedestrian facilities through the city (policy 7.5.1). I consider these objectives are achieved with a positive effect generated by the application being the pedestrian link through the site. This will also be suitable for the mobility impaired.

120. Objective 7.6 Off street parking and loading seeks sufficient and accessible off street parking and loading facilities meeting the normal anticipated demands for each activity, while minimising the adverse effect of such facilities on the safety and efficiency of the transport system. Having considered the reasons for this objective I consider that the proposal is generally in accordance with this objective. The efficiency and safety of the road due to vehicle parking and loading and manoeuvring in the street has not been identified as a potential issue by traffic experts nor has the amount of traffic entering and leaving the car parking building. The proposal will however result on parking overflow onto the streets and this is considered to be inconsistent with this objective.

Section 9 Community Facilities and Identity

121. Objective 9.1 Local community facilities seeks provision for accessible community facilities to meet educational, spiritual, health and other local needs. Policy 9.1.1 Locations seeks to provide for local community facilities to locate within living areas of the City, but particularly in close proximity to suburban centres or on arterial roads. Multiple uses of local community facilities are promoted via policy 9.1.2. Policy 9.1.5 Managing Effects seeks to ensure the effects of local community facilities are managed in a way which maintains amenity and in particular residential amenity and coherence. The explanation and reasons for this rule recognise that such effects are particularly significant within or adjoining living areas as sensitive environments.

122. It is likely that this proposal would be considered a metropolitan facility. Policy 9.2.1 seeks to promote the maintenance and establishment of metropolitan cultural facilities, particularly in the central city. Related policy 9.2.4 is about managing the effects of metropolitan facilities. The Plan identifies that metropolitan facilities are deemed to service the needs of the City as a whole, but can also serve local needs. It notes that they may not however contribute to the development of the
‘community’ as local community facilities do. Facilities such as churches, whilst typically serving local needs are identified in some cases as serving a metropolitan function. I consider that this is the case with the Majestic Church. Polices below under the Living zone heading also relate to community and metropolitan facilities in living zones.

Section 11 Living

123. Objective 11.3 Non residential activities seeks *non residential activities located within living areas which meet community needs, and are consistent with maintaining a high standard of amenity in living areas*. Supporting policy 11.3.1 Local community facilities and services seeks *to provide for local community facilities and services to locate within living areas, subject to compatibility with the existing character of different parts of the living environment, and maintaining residential coherence and amenity*. The explanation and reasons supporting this policy consider that residential coherence is a key element and relevant to residential amenities. They state that it is important to ensure that the residential integrity of the living environment is not compromised through excessive intrusion of non residential activities without a residential component. I consider that Policy 11.3.2 Metropolitan facilities and services is also applicable.

124. In assessing the effects in relating to the policies and objectives identified within paragraphs above I consider that the proposal is appropriately located to be accessible to the community and that the facility, with a large component being spiritual and being available for use of the wider community, will have benefits for local residents. The applicant has maximised benefits to the local community through proposed multiple uses. I recognise the sensitivity of the receiving environment however, and for the most part I consider that with appropriate conditions the majority of adverse effects can be managed satisfactorily so as not to be detrimental to the local community. I am however uncomfortable with the adverse impact of the proposal on residential coherence and I note the particular sensitivity of the Living 4C zone to pressures from non residential activities. I consider in this respect that the proposal is not in keeping with these objectives and policies.

125. Objective 11.4 Adverse Environmental Effects seeks a *living environment that is pleasant and within which adverse environmental effects on amenity values are avoided remedied or mitigated, while still providing the opportunity for individual and community expression*. A number of supporting policies seek to protect the provision of open space (11.4.1), sunlight (11.4.2), privacy and outlook (11.4.3 – 11.4.6), on street parking, noise levels (11.4.9) glare (11.4.10 and reinforce the garden city image (11.4.7). Generally, I conclude that the proposal is consistent with these objectives and policies with the exception of the one relating to on street parking, which is discussed in more detail below.

126. I have raised on street car parking provision as an area of concern in my assessment of affects above. Supporting Policy 11.4.8 Parking seeks to *require on site parking in association with development in living areas, to ensure the amenity of streets is maintained*. However, within the
Living 3 and 4 zones, on local roads a degree of on street parking by residents and their visitors is considered to be acceptable. Whist it is clear from the explanation and reasons that the street scene is an important component of residential amenity it is acknowledged that the Living 3 and 4 zones have a more urban character where higher levels of on street parking in keeping with the higher density environment. I consider the proposal to be inconsistent with this policy.

127. Policy 11.4.12 Scale seeks to ensure that the scale of non residential buildings and activities is compatible with the scale of those of the surrounding living environment. A suite of other objectives and policies within Objective 11.5 External Appearance, Policy 11.5.1 Special Amenity Areas and Policy 11.5.2 Urban Design for Infill Development seek positive design outcomes. They seek to ensure: good quality building and site design; that within SAMS open space and site design maintain and enhance their coherent urban character; and, compatibility of design and scale of non residential buildings with existing development that is in accordance with the principles of good urban design. For the reasons discussed in my assessment, I am generally satisfied that the proposal is in accordance with these policies. Based on its current design however, the street façade of the auditorium is considered to be out of keeping. The proposal is therefore considered inconsistent with these policies and objective.

128. After considering the relevant objectives and policies it is my conclusion that in an overall sense, the application is inconsistent with the City Plan objective and policies

Non-complying Activity Threshold Test (S.104D)

129. The application satisfies the threshold test contained in Section 104D of the Act given that the proposal is not considered to be contrary to the objectives and policies of the Plan.

Other relevant Statutory Documents (S.104 (1)(b))

130. The NES controls soil disturbance on land where an activity on the Hazardous Activities and Industries List (HAIL) is being carried out, has been carried out, or is more likely than not to have been carried out. As discussed above in my assessment of contamination above the proposal triggers the NES as a discretionary activity. However, with the imposition of a condition around potential discovery of contamination I am satisfied that adverse effects would be insignificant.

131. The Canterbury Regional Policy Statement (RPS) (operative 14 January 2013) is of relevance as it sets the framework for resource management in Canterbury by providing an overview of the significant resource management issues facing the region. It is noted that the LURP for Greater Christchurch approved by the Minister for Canterbury Earthquake Recovery was gazetted on 6 December 2013 and directed ECAN to make changes to the CRPS. These changes include inserting Chapter 6 “Recovery and Rebuilding of Greater Christchurch”.
Chapter 6 is aimed at enabling recovery by providing for development in a way that achieves the purpose of the Resource Management Act 1991. Objectives I consider to be of relevance to this application include:

133. Objective 6.2.2 – Urban form and settlement pattern

The urban form and settlement pattern in Greater Christchurch is managed to provide sufficient land for rebuilding and recovery needs and set a foundation for future growth, with an urban form that achieves consolation and intensification of urban areas... by [among other measures]...
(2) providing higher density living environments including mixed use developments and a greater range of housing types, particularly in and around the Central City...
(3) reinforcing the role of the Christchurch central business district within the Greater Christchurch are as identified in the Christchurch Central Recovery Plan;

134. Objective 4.2.3 Sustainability

Recovery and rebuilding is undertaken in Greater Christchurch that:
(1) provides for quality living environments incorporating good urban design;
(2) retains identified areas of special amenity and historic heritage value;
(3) retains values of importance to Tangata Whenua;
(4) provides a range of densities and uses; and
(5) is healthy, environmentally sustainable, functionally efficient, and prosperous.

The availability of community and recreation facilities is promoted for Greater Christchurch.

135. Objective 6.2.5 Key activity and other centres

Support and maintain the existing network of centres below as the focal points for commercial, community and service activities during the recovery period:
(1) The Central City
(2) Key Activity Centres
(3) Neighbourhood centres.

These centres will be high quality, support a diversity of business opportunities including appropriate mixed use development, and incorporate good urban design principles.
The development and distribution of commercial activity will avoid significant adverse effects on the function and viability of these centres.

The proposed mixed use development falls outside of the areas identified in the CCRP as Central City Business and Central City Mixed. It is however on the fringe of the Central City Business area and Core and reasonably centrally located within the Four Avenues.
136. Point 6 of Policy 6.3.1 Development within the Greater Christchurch area, seeks avoidance of 
development that adversely affects the function of, or public investment in the Central City and Key 
Activity Centres.

137. Policy 6.3.2 Development of urban design requires that development gives effect to the principles 
of good urban design below, and those of the NZ Urban Design Protocol 2005.

138. Policy 6.3.7 Residential location, yield and intensification 
In relation to residential development, opportunities in Greater Christchurch are identified as 
including not only development of residential Greenfield propriety areas and affordable housing but 
also:

...(4) Intensification development within Christchurch City to achieve an average of:
(a) 50 household units per hectare for intensification development within the Central City;
(b) 30 household units per hectare for intensification development elsewhere...

139. I generally agree with the applicant's assessment of the RPS on pages 111 and 112 of their AEE 
and for the reasons outlined therein agree that the proposal achieves the purpose of many of the 
objectives and policies of Chapter 6 of the RPS. However, a strong push of the RPS is for more 
residential development so in this regard, although a small amount of residential activity is 
proposed, the proposal doesn't directly support policy 6.3.7. A significant amount of L4C zoned 
land, which has been zoned for residential purposes, will be used for non residential activity and 
would otherwise be available for residential use. I consider that additional residential development 
should be incorporated into the proposal.

Relevant Other Matters (S.104 (1)(c))

Recovery Strategy for Greater Christchurch

140. As noted previously, the Recovery Strategy must be "read together with, and forms part of" other 
relevant legislation within the greater Christchurch area. The City and District Plans must not be 
interpreted or applied in a way that is inconsistent with the Recovery Strategy.

141. Overall granting consent to this application is generally considered consistent with the vision, goals 
or priorities outlined in the Recovery Strategy. For example, it will to an extent contribute to 
revitalising Christchurch and it will strengthen community wellbeing by providing a community 
facility. It will contribute towards encouraging participation in a range of entertainment, cultural and 
recreation activities. Assuming the concern over the Montreal Street faced of the auditorium can be 
resolved the proposal represents an example of innovative urban design. It is however inconsistent 
with the goal of supporting people by providing quality housing. I note that priorities identified for
recovery to promote social, economic, cultural and environmental wellbeing include both encouraging the provision of a variety of accommodation and also opportunities and facilities for recreational and cultural activities.

**Christchurch Housing Accord**

142. The Christchurch Housing Accord between the Christchurch City Council (CCC) and the Government aims to increase the immediate and longer term supply and affordability of homes in Christchurch and support the provision of social housing in Christchurch. The Document (dated April 2014) estimates a housing supply shortfall of around 12,000 dwellings. Governance of the Accord is by a Joint Steering Group. A function of this group will be to report on progress of the rebuild in Christchurch and any concerns arising from implementation of the LURP or Central City Development Unit (CCDU) residential planning requirements.

**Central City Development Contributions Rebate Policy**

143. The Central City Development Contributions Rebate (CCDCR) policy 2013-2015 has been put in place by the CCC to encourage developers to build more dwellings in the central city. In the 2013 Three Year Plan the Council decide that rebates could apply to, among other things, residential developments that are inside the Four Avenues, are for increased residential units (in excess of what was on the site) and demonstrate good urban design.

**Lapsing of the consent**

144. Section 125 of the Resource Management Act 1991 provides that resource consents shall lapse on the date specified in the consent, or if no date is specified, 5 years after the date of commencement of consent (unless the consent is given effect to). The applicant is seeking a longer period of 10 years to implement the consent due to the nature and scale of the development. Whilst for practical and financial reasons I understand why it may be necessary to give effect to the resource consent over time I disagree with comments made by the applicant that an extension to the consent will not lead to any adverse effect on the environment.

145. Firstly, I understand that from the applicant’s perspective the main drive behind the development will be to establish the spiritual facilities. However in my opinion, the residential component will have an integral role in providing residential coherence and also satisfying other City wide objectives for increased residential accommodation. Ideally the residential component of the development should take place at the same time as the rest of the development. Secondly, Mr Nicholson advised that he would be concerned if the applicant sought to ‘unbundle’ or stage the chapel and the auditorium independently. Thirdly, there may be implications in terms of car parking provision, although this may be resolved through a temporary supply on vacant parts of the site.
In the absence of any detail on how the application might be staged so as to address these issues, I am reluctant to support a ten year lapsing period in this instance.

**Precedent effect/Plan integrity**

Given the non-complying status of this application it is appropriate to have regard to the issue of precedent, as well as the effect of granting consent upon the integrity of the City Plan and public confidence in its consistent administration. Case Law has established however, through the High Court in *Rodney District Council v Gould*, that concerns relating to plan integrity and precedent effect are not mandatory considerations. The Court held that they are matters that decision makers *may have regard to*, depending on the facts of a particular case including:

1. Whether a proposal is contrary to the objectives and policies of the plan; and if so
2. Whether in the circumstances of a particular case a proposal can be seen as having some unusual quality.

In this case the proposal is not contrary to the objectives and policies, therefore I am satisfied that issues of precedent or plan integrity do not arise.

**Relevant Non-statutory Documents**

The Mahaanui Iwi Management Plan 2013 is of relevance. As this is a non statutory document limited weight can be given to this.

**Part II of the Act**

In considering an application for resource consent, pre-eminence must be given to Part II, the purpose and principles of the Resource Management Act.

The purpose of the Act is to promote the sustainable management of natural and physical resources. Section 5 imposes a duty on consent authorities to promote sustainable management while avoiding, remedying or mitigating adverse effects of activities on the environment.

I do not consider there are any matters of national importance (Section 6) or Treaty of Waitangi issues (Section 8) which need to be taken into account in this instance.

Section 6(f) requires the Council to recognise and provide for the protection of historic heritage from inappropriate, use and development. I am satisfied that the proposal is appropriate in the context of its heritage setting.
153. Section 7 lists various matters to which regard shall be had in achieving the purpose of the Act. The matters of particular relevance to this application are:

(b) The efficient use and development of natural and physical resources;
(c) The maintenance and enhancement of amenity values;
(f) Maintenance and enhancement of the quality of the environment.

154. The proposal generally supports the purpose of the Act. Whist the nature of the development may not be the same as that envisaged by the community for residential activity, as reflected in the Living 4C zone provisions of the Plan, I consider that the proposal represents an efficient use of the site. Given concern about the appearance of the Montreal Street façade of the auditorium and the impacts in terms of loss of residential coherence and street car parking availability, I consider that amenity values and the quality of the environment will be compromised.

155. For these reasons, I consider that the proposal out of keeping with Part II of the Resource Management Act 1991.

### Conclusion

156. After considering the actual and potential effects on the environment of allowing the application, it is my conclusion that adverse effects of the Montreal Street façade of the auditorium, residential coherence and the availability of on street car parking, will be more than minor. Adverse effects in all other regards are considered no more than minor and I recognise that there are many positive aspects to the proposal in particular for the community and youth.

157. I am cognisant of the changing inner city environment and consider that ultimately there will be very little on street car parking for residents (unless a residential parking permit scheme is implemented) so impacts on residential amenity due to loss of on street car are in my opinion, in their own right, not a reason for decline of the application.

158. Effects on residential coherence are considered to be more than minor. This matter may be addressed through the provision of additional residential activity within the development. However, the introduction of more units and whether they address residential coherence matters would need to be considered carefully.

159. On balance I consider that the adverse effects of the proposal will be more than minor.

160. In my opinion that in an overall sense this proposal is inconsistent with the objectives and policies of the City which seek to very broadly to:
provide for a quality living environment by recognising the different elements of amenity and seeking to enhance them, whilst maintaining the distinct characters of the different living areas throughout the City. The dominant role of living areas is to provide for places of residence. Activities not compatible with this character are controlled as to scale, location and other levels of effects.

161. Although areas of consistency are recognised, the proposal is inconsistent with the RPS in the area of housing provision. This proposal will result in a reduction of housing units on the site when compared to its pre earthquake use and will utilise land for ‘other activities’ rather than the residential activity anticipated with the Living 4C zone. Other initiatives such as The Christchurch Housing Accord and The Central City Development Contributions Rebate Scheme recognise the need for more residential housing.

162. I consider that the proposal satisfies the threshold test of Section 104D. In this respect I consider Council has discretion to exercise whether or not to grant consent.

163. I consider that the proposal demonstrates inconsistency with Part II of the Resource Management Act 1991, and that although largely consistent with the Recovery Strategy for Greater Christchurch shows inconsistency, given the Living 4C zoning, around the goal of providing quality housing.

164. Having considered all of the relevant matters under Sections 104, 104B and 104D, it is my opinion that consent should be declined.

**Recommendation**

165. I have assessed this application to establish a mixed use spiritual/residential facility at 350 Kilmore Street. Having considered all the matters relevant to this application, I recommend that:

- This application be **declined** pursuant to Sections 104, 104B, 104D and 108 of the Resource Management Act 1991.
- Permission to extend the lapsing period of the resource consent to ten years is **declined**.
- Non compliance with the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES) be **approved**.

Erina Metcalf

**SENIOR PLANNER**
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<thead>
<tr>
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**LIST OF NEUTRAL SUBMISSIONS**

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**LIST OF OPPOSING SUBMISSIONS**

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Appendix Two: Aerial Photo 2010 showing location of submitters in the vicinity of the site
**SAM 32 - Cranmer Square**

**Description**

SAM 32 is located in the Inner City West and comprises most of the properties facing onto Cranmer Square. Cranmer Square is a key Inner City green space, developed as part of an educational precinct in the 1860s. Some of the original educational buildings remain, listed as heritage buildings in the Christchurch City Plan. However, their focus has since changed from educational to residential and recreational uses. The Square is flanked on the four edges by mature trees. Of particular importance to this SAM is the way in which the buildings relate to the Square.

Buildings around Cranmer Square are generally large two storey houses or multi-storey townhouses or apartments, and are very variable in age and character. The older buildings have porches or verandas and large windows facing the Square, with relatively small building setbacks, creating a strong connection with the street and park. These character elements are also seen in most of the newer buildings around the Square.

1 **Designing within this character**

New buildings in SAM 32 should be designed to work with this character. When designing new buildings consideration needs to be given to the orientation of adjoining buildings and the distance they are set back from the front boundary, to give continuity to the street. Strong simple forms for
the overall building shape that are similar in scale and height to the existing buildings will be appropriate.

Sudden changes in roofline, colour, and building shape can break up the consistency of the streetscape. This disrupts the existing harmony between buildings within the SAM. Respect should also be given to the domestic scale, and modulation, of existing buildings.

The need for fencing should also be assessed. If it is decided that fencing is required, the quality and style of fencing is important as it can impact highly on the neighbourhood. Choose the materials and the height of the fence carefully so that it is in keeping with the existing qualities of the street. Alternatives to fencing, such as hedges, could be considered. Think Fencing - a guide to fencing alternatives, is available free from the Christchurch City Council.

2 City Plan rules

SAM 32 is in a Living 4C zone in the City Plan. The Plan contains a set of rules that regulate the way sites can be developed. There are two additional rules to the standard Living 4C zone rules that apply to SAM 32, to acknowledge the area's special qualities. They are:

- External appearance - resource consent is required when an alteration to the external appearance of an existing building, or a new building, is proposed in SAM 32, that can be seen from a public place such as the street.
- Road setback (street scene) - road setback is the distance that a building must be set back from the front boundary. Buildings are required to be set back 4.5m because of the impact that the proximity of buildings to the street has on the overall character of the street and square.

If you are considering altering the external appearance of an existing building in SAM 32, or building anew, and require resource consent, it is recommended that you seek advice from the Urban Design – Strategy and Planning Group of the Christchurch City Council, before submitting your application.

3 Protected buildings, places and objects

A. Cranmer Square grounds
B. 1864-1900 Cranmer Bridge Club
C. 1876 former Normal School/Cranmer Court
D. 1863 early settlers cottage
E. c1910 Windsor Private Hotel former Warwick House
F. c1870 two storey wooden residence

4 Protected trees

Cranmer Square
English Ash (*Fraxinus excelsior*)
Oriental Plane (*Platanus orientalis*) (x13)
Appendix Five: Report on Waiver of Time Limit for Submissions

Report on Waiver of Time Limit for Making Submissions

(Section 37(1)(b))

Application Number: RMA92025955

Applicant: Majestic Church
Site address: 350 Montreal Street

Description of Application: Mixed use spiritual/residential facility

Introduction

The purpose of this report is to waive compliance with the time limit for making submissions on the above application pursuant to Section 37 of the Resource Management Act 1991, in respect of a late submission from The Cathedral Grammar School.

The Act provides for a period of 20 working days for submissions on a publicly notified application. The submission period closed on 8 August 2014. A number of submissions were received within this period, however on 11 August; the Cathedral Grammar School submission in support of the application was received by the Council. This submission was received 21 working days after the date of notification of the application.

Statutory Considerations

Section 37(1)(b) of the Resource Management Act 1991 allows the consent authority to waive a failure to comply with a requirement under the Act in relation to the time or method of service of documents. In this case this amounts to a failure to lodge submissions within the submission period.
A consent authority must not waive compliance with a time limit in accordance with Section 37 unless it has taken into account:

a) The interests of any person who, in its opinion, may be directly affected by the extension or waiver; and
b) The interests of the community in achieving adequate assessment of the effects of a proposal, policy statement, or plan; and
c) Its duty under section 21 to avoid unreasonable delay.  

(Section 37A(1))

Pursuant to Section 37A(6) the consent authority must ensure that every person who is directly affected by the waiver is notified of the waiver.

Discussion

I have taken into account the matters outlined in Section 37A(1) and consider that the only persons directly affected by the waiver would be the applicant and late submitter. The applicant's representative Mathew McLachlan of Davis Ogilvie has confirmed in writing that the applicant is accepting of the late submission. I consider it is in the interests of both the submitter and the community for the submission to be accepted, to enable the issues raised to be taken into consideration in the assessment of the application.

The acceptance of the late submission will not delay the hearing of the application which has been scheduled for 8 – 9th September 2014, nor will it result in any other delay in the processing of the application.

Recommendation

That pursuant to Section 37 of the Resource Management Act 1991, compliance with the time limit for lodging submissions on the application is waived in respect of the submission made by The Cathedral Grammar School.

Reported and Recommended by:  Erina Metcalf, Senior Planner
Date:  21/8/2014

Decision

That the above recommendation be adopted and the submission from The Cathedral Grammar School in support of the application be received for the reasons outlined in the report.
Ken Gimblett


Appendix Six: Noise Reports URS

Independent Review
Addendum

Acoustics

Majestic Church - 53 Kilmore Street

21 August 2014
42196340/R02/B

Prepared for:
Christchurch City Council

Prepared by URS New Zealand Limited
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### Independent Review Title:
Majestic Church - 53 Kilmore Street
Independent Acoustics Review

### Report No.
42196340/R02/B

### Status:
Final

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INTRODUCTION

1.1 Background

The Majestic Church has submitted a land use consent application (RMA92025955) for a new church campus at 53 Kilmore Street, Christchurch. The proposal is for a mixed use development comprising chapel, auditorium, café, multi-level car parking building, residential apartments, studio spaces, offices, courtyard and landscaped amenity spaces. The consent is for a non-complying activity under the Christchurch City Plan.

URS New Zealand Limited (URS) has been engaged by the Christchurch City Council (CCC) to perform a technical review of the 30 May 2014 application, which has been prepared by Davis Ogilvie. The Assessment of Environmental Effects includes an acoustics assessment performed by Acoustic Engineering Services (AES). URS prepared an independent review of the AES report and relevant application material in June 2014. The AES report was reviewed for technical accuracy, completeness and consistency with industry good practice. Recommendations were made as to suitable requests for information and items that could be addressed in conditions.

Following receipt of further information from the applicant (AES report dated 24 June 2014) and submissions made by interested parties, URS has prepared this addendum to the June 2014 independent review. The submitter’s information has been reviewed on a topic basis rather than considering each submission individually and has been incorporated into the review of the applicant’s original and further information.

URS considers that the further information and submissions have been reviewed by appropriately qualified and experienced acoustics specialists.

1.2 Project overview

The site was formerly Christchurch Normal School and prior to its demolition following the Canterbury earthquakes, it was used as residential apartments. Only the two residential town houses to the north of the site remain and these will be retained as part of the proposed redevelopment of the site. Project details are provided in the application.

1.3 Review of Applicable noise standards

Since the application was lodged, Christchurch Central Development Unit is considering a review of the central city noise provisions. The allowable daytime noise level for sites to the north on Peterborough Street would increase from 55 to 60 dB LAeq and the daytime period is proposed to extend from 2300 to midnight. As the outcome of this review is currently unknown, URS considers that AES has correctly identified the relevant noise standards from the City Plan.

URS understands that the activity is non-complying and achieving the noise standards or otherwise does not determine the overall activity status. It is whether the effects arising from
the proposals would give rise to reasonable noise or not. In these circumstances a more restrictive noise level than the standard may be appropriate to mitigate any adverse effect.

2 REVIEW OF FURTHER INFORMATION

The AES amended report is identical in structure to that previously reviewed.

This review only considers the provision of further information which was considered by URS as lacking in detail or where additional controls were necessary, such as the adoption of controls as part of the site wide noise management plan.

2.1 Noise from outdoor areas

2.1.1 Noise from music performance in central courtyard

AES has addressed the original URS query regarding the source noise levels of the two outdoor loud speaker locations in the central courtyard area. AES states that the sound power level of each loud speaker is ‘105 dB L_{WAeq} (including a 5dB penalty for Special Audible Characteristics for potential bass beat)’.

The City Plan Rule 1.3.5 ‘special exceptions’, provides additional restrictions on outdoor amplified music concerts and events. For those areas which are not included as performance venues (e.g. Hagley Park, The Square and Victoria Square and City Mall and New Regent Street), Rule 1.3.5 states that noise from use of musical amplification which is clearly audible at any other site or place shall comply with the relevant noise standards (rule 1.3.4).

The AES report proposes to restrict the number of outdoor events featuring amplified sound per year and this is addressed in the proposed conditions and Noise Management Plan. The relevant proposed condition states:

A. Events featuring outdoor amplified sound shall be restricted to between 1000 and 2200 hours Monday to Sunday, and shall comply with the City Plan daytime noise limits, at or within the boundary of any other site, except for up to 20 occasions per calendar year where noise levels shall not exceed 60 dB LAeq.

The proposal is for up to 20 amplified events to be held per year which shall not exceed 60 dB L\text{Aeq} at or within the boundary of any other site. There is no proposed restriction on the number of events which would fall below 55 dB LAeq. The AES report and application documentation does not describe how noise levels will be controlled below these thresholds nor does it detail the anticipated overall number of events per year.

Submitters have raised concerns regarding excessive and disturbing noise from amplified music. Amplified sound will be audible at the residential zone regardless of whether it is at 55 dB or below due to the special audible characteristics of the sound, especially during the quieter periods of the day and evening when there are lulls in road traffic. These are valid concerns and it would common place for additional controls to be in place to prevent any adverse effects. These controls could include:

- Limiting the music noise levels from the pa system by undertaking sound checks prior to and during the event at the boundaries of any other site to ensure that sound levels are below the relevant noise level/standard. These checks would limit the maximum volume
of the amplifiers. It will be essential that there is no creep in music noise level during an event. Records should be kept to demonstrate compliance with the relevant noise limits.

- more restrictive controls, such as:
  - limiting the time of day to early evening only (2000 hrs for example) and not until late evening 2200 hrs as proposed.
  - Limiting the duration of an event to no more than 3 hours for example.
  - An overall limit on the number of events held per year and a further restriction on the proposed number of 20 noisier events, eg a maximum of 30 events in total which give rise to audible noise at the boundary of all other sites.
  - More restrictive noise limits to mitigate against any adverse effect, such as a blanket limit of 55 dB(A) with the inclusion of 5dB special audible characteristic weighting.

If these controls are implemented then URS considers that any associated noise effects would be less than minor.

2.1.2 Noise from people in outdoor areas

The AES report acknowledges the adoption of a Noise Management Plan to manage crowd noise in external areas (see Sections 3 and 4 for a review of the relevant controls). This is good practice.

2.2 Break-out noise

2.2.1 Break-out noise from the chapel

With the appropriate design proposals in the AES report, noise break-out from the chapel will readily comply with the noise standards and will result in appropriate noise effects.

2.2.2 Break-out noise from the theatre within the main auditorium building

Noise break-out from the auditorium will comply with the noise standards and will result in appropriate noise effects.

2.2.3 Break-out noise from the café

AES has confirmed that there will be outdoor seating and that noise break-out from the café will comply with the noise standards and will result in appropriate noise effects. URS agrees with this conclusion.

2.2.4 Break-out noise from the studios

Noise break-out from the studios will comply with the noise standards and will result in appropriate noise effects. The proposed Noise Management Plan includes a provision for closing of doors during times of peak internal noise levels. This is good practice.
2.2.5 Break-out noise from the youth / kid multipurpose spaces

Noise break-out from the youth / kid multipurpose spaces will comply with the noise standards and will result in appropriate noise effects. The Noise Management Plan includes a provision for closing of external doors if the spaces are used at night. This is good practice.

2.3 Noise from vehicles

Noise from vehicles within the car park will comply with the noise standards during the day but not at night with minor exceedances of the relevant noise standards on the northern, eastern and southern boundaries. The southern exceedance is within the Living 4C zone whereas the remaining boundary exceedances are in the central city business zone, which does have the potential to include residential.

AES has included the URS recommendation to reduce the internal reverberant sound level and to prevent excessive wheel squeal while vehicles are manoeuvring within the confines of the car park. The control measures proposed include the application of an absorbent surface coating to the ceiling of the car park and to use a texture surface coating at key turning points within the car park (adjacent to up and down ramps).

AES has provided source level data of a car slam / engine start which URS considers is reasonable. AES has also undertaken an assessment of potential sleep disturbance effects which URS considers is reasonable.

AES has proposed managerial controls within the proposed Noise Management Plan to reduce the effects from traffic on site, see Section 4 for further discussions of these measures.

Submitters have raised concerns over traffic, the majority of which refer to congestion related effects. Although concerns regarding traffic noise have been raised, URS is of the opinion that the proposed noise controls would successfully mitigate any adverse effects.

2.4 Noise from external mechanical plant associated with the activity

AES has proposed a suitability worded consent condition to ensure that noise from any plant is able to achieve the relevant noise standards of the City Plan. This is considered an acceptable approach to limiting plant noise levels.

2.5 Cumulative noise

AES has provided additional information regarding concurrent use of the development’s facilities. Based on a likely scenario of noise from an outdoor performance with concurrent use of the studies, café and youth/kids multipurpose spaces then the noise increase compared to an outdoor event alone would be at most 1dB. URS considers this level of noise change to be minimal and will not result in any additional effects to those already considered.

2.6 Construction noise

URS supports the conclusions stated, i.e. adoption of best practice procedures in accordance with NZS 6803:1999 Acoustic – Construction Noise to minimise any adverse effects.
PROPOSED CONDITIONS

AES has proposed six ‘noise’ conditions:

A. Events featuring outdoor amplified sound shall be restricted to between 1000 and 2200 hours Monday to Sunday, and shall comply with the City Plan daytime noise limits, at or within the boundary of any other site, except for up to 20 occasions per calendar year where noise levels shall not exceed 60 dB LAeq.

B. All other activities on site (with the exception of noise from vehicles) shall comply with the City Plan daytime noise limits, and a night-time noise limit of 50 dB L Aeq / 70 dB L Amax.

C. A Noise Management Plan shall be prepared for the activity prior to occupation of the development for approval by the Territorial Authority. This plan shall include provisions relating to the management of noise from traffic, people, and music from the activity, and complaints procedures.

D. An appropriately qualified Acoustic Engineer shall review the Mechanical Services design of all proposed external plant installations associated with the Majestic Church development as part of the Building Consent process, to ensure that any noise emissions comply with the relevant City Plan noise limits.

E. An appropriately qualified Acoustic Engineer shall review the developed Architectural design of the buildings associated with the Majestic Church development as part of the Building Consent process, to ensure that any noise emissions comply with the relevant City Plan noise limits. AC14014 – 02 – R1: Majestic Church, 53 Kilmore Street, Christchurch – Assessment of Environmental Noise Effects

F. The erection of site facilities and landscaping shall be conducted in accordance with the requirement of NZS6803:1999 Acoustics – Construction Noise, and comply with the limits given in table 2 of that standard.

Apart from the observations made regarding outdoor events featuring amplified sound, URS considers the above conditions (B to F) to be appropriate and reasonable.

NOISE MANAGEMENT PLAN

AES has prepared a draft Noise Management Plan and this is seen as a compliment to the suite of proposed noise conditions. The plan sets out the controls proposed for the site with respect to noise. URS is supportive of the management plan. However additional information and guidance is required for ‘Section 3.1 - Noise from music performance in central courtyard’.

URS recognises that use of the outdoor area for amplified sound will result in audible noise at the nearest residential properties. Whilst noise levels may comply with the relevant noise standards, URS is of the opinion that disturbance may be likely given the special audible characteristics of music noise. Hence adverse effects are likely given that there is currently no restriction on the number of events or their duration. For example if an all-day event was held on consecutive days on a weekend, then it is likely that complaints would occur.

The CCC may therefore wish to impose more restrictive controls such as those listed in Section 2.1.1.
CONCLUSIONS

The proposed redevelopment of 53 Kilmore Street, Christchurch will generate audible noise beyond the site boundaries. A noise assessment has been submitted as part of the application. Acoustic Engineering Services (AES) has provided additional information following a review of the noise report in June 2014. The applicant has addressed the issues raised in URS’ independent review.

The assessment had identified that noise will achieve the noise standard with the following exceptions:

- Outdoor events in the courtyard will comply with the daytime noise standard to the north and south of the site but not to the west or east. In these circumstances a restriction on the use of amplified sound is proposed for no more than 20 events per year and that sound levels shall be below 60 dB LAeq at the boundary of any other site.

- Crowd noise within the courtyard will not comply with the night time noise standard on the western and eastern boundaries.

- Noise break-out during from the car park along the northern, eastern and southern boundaries will exceed the night time noise standards.

For each of these activities, AES concluded that noise effects would be no more than minor. AES has now provided a proposed Noise Management Plan and a draft set of noise conditions. These are welcomed and their imposition will contribute to good noise control. URS generally agrees with the conclusion of the AES addendum report but the following observation is made:

- Use of the outdoor area for amplified sound will result in audible noise at the nearest residential properties. Whilst noise levels may comply with the relevant noise standards, URS is of the opinion that disturbance may be likely given the special audible characteristics of music noise. The CCC may wish to impose more restrictive controls and for the organisers of any event to provide evidence of music noise levels as part of any amplified sound event.
6 LIMITATIONS

URS New Zealand Limited (URS) has prepared this report in accordance with the usual care and thoroughness of the consulting profession for the use of Christchurch City Council (CCC) for the purpose of considering the land use consent application.

This report is based on generally accepted practices and standards at the time it was prepared. No other warranty, expressed or implied, is made as to the professional advice included in this Report.

This report is prepared in accordance with the scope of work and for the purpose outlined in the proposal dated 6 June 2014.

Where this Report indicates that information has been provided to URS by third parties, URS has made no independent verification of this information except as expressly stated in the Report. URS assumes no liability for any inaccuracies in or omissions to that information.

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Majestic Church - 53 Kilmore Street

12 June 2014
3142834/R01/B

Prepared for:
Christchurch City Council

Prepared by URS New Zealand Limited
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**Independent Review Title:**
Majestic Church - 53 Kilmore Street
Independent Acoustics Review

**Report No.**
3142834/R01/B

**Status:**
Final

**Client Contact Details:**
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**INTRODUCTION**

1. **Background**

The Majestic Church has submitted a land use consent application for a new church campus at 53 Kilmore Street, Christchurch. The proposal is for a mixed use development comprising chapel, auditorium, café, multi-level car parking building, residential apartments, studio spaces, offices, courtyard and landscaped amenity spaces. The consent is for a non-complying activity under the Christchurch City Plan.

URS New Zealand Limited (URS) has been engaged by the Christchurch City Council (CCC) to perform a technical review of the 30 May 2014 application, which has been prepared by Davis Ogilvie. The Assessment of Environmental Effects includes an acoustics assessment performed by Acoustic Engineering Services (AES).

The AES report has been reviewed for technical accuracy, completeness and consistency with industry good practice. Where appropriate, recommendations are made as to suitable requests for information and items that could be addressed in conditions.

URS considers that the AES report has been prepared and reviewed by appropriately qualified and experienced acoustics specialists.

This report does not make any recommendation on whether the application should be approved or refused.

1.2 **Project overview**

The site was formerly Christchurch Normal School and prior to its demolition following the Canterbury earthquakes, it was used as residential apartments. Only the two residential town houses to the north of the site remain and these will be retained as part of the proposed redevelopment of the site. Project details are provided in the application and are summarised below in Table 1-1.

It is noted that the operating hours within the AES report differ slightly to those in the Davis Ogilvie Application for Land Use Consent report (weekend car parking hours differ – AES report quotes 0200 to 0030 Friday to Sunday). For the purposes of this review the hours stated in the Davis Ogilvie report have been used. This discrepancy should be addressed.

**Table 1-1  Project details**

<table>
<thead>
<tr>
<th>Building Use</th>
<th>Location on site</th>
<th>Operating hours</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>219 seat chapel</td>
<td>Southwest corner</td>
<td>0800-2200 Monday to Thursday 0800-2300 Friday – Sunday</td>
<td>Majestic Church services plus hiring of chapel for weddings, funerals, school assemblies, etc</td>
</tr>
<tr>
<td>718 seat auditorium</td>
<td>North of chapel</td>
<td>0800-2200 Monday to Thursday 0800-2400 Friday – Sunday</td>
<td>Church and community auditoria</td>
</tr>
<tr>
<td>Building Use</td>
<td>Location on site</td>
<td>Operating hours</td>
<td>Use</td>
</tr>
<tr>
<td>------------------------------------</td>
<td>----------------------------------------</td>
<td>------------------------------------------</td>
<td>----------------------------------------------------------------------</td>
</tr>
<tr>
<td>Café</td>
<td>Northwest of site</td>
<td>0700-1900 Monday to Sunday</td>
<td></td>
</tr>
<tr>
<td>Multi-level car parking building – 129 spaces on four levels</td>
<td></td>
<td>0800-2230 Monday to Thursday</td>
<td>Car parking with children and multipurpose rooms (Sunday school and youth groups). Residential apartments overlung Cranmer Square</td>
</tr>
<tr>
<td></td>
<td></td>
<td>0800-0030 Friday – Sunday</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Unrestricted resident access</td>
<td></td>
</tr>
<tr>
<td>Studio spaces</td>
<td>North of site</td>
<td>0800-2200 Monday to Sunday</td>
<td>Creative studios, music lessons, arts and crafts, recording studio and dance studio</td>
</tr>
<tr>
<td>Offices and visitor spaces</td>
<td>South of the studios</td>
<td>0800-1900 Monday to Friday</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>0800-1600 Saturday and Sunday</td>
<td></td>
</tr>
<tr>
<td>Central courtyard</td>
<td>North of site facing Peterborough Street</td>
<td></td>
<td>Outdoor performances and baptismal pool</td>
</tr>
<tr>
<td>Townhouses</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Apartments</td>
<td>Within car park building facing Kilmore Street</td>
<td>6 units with balconies overlooking Kilmore Street</td>
<td></td>
</tr>
<tr>
<td>Service area for deliveries</td>
<td>Within site</td>
<td>No details</td>
<td>Access off Kilmore Street egress on Montreal Street</td>
</tr>
</tbody>
</table>

The site is zoned Living 4C and is located within the Outer Zone in the Central City as defined in the Christchurch City Plan. A plan of the site and surrounding zones is shown in Figure 1-1. The plan also shows the extent of the category 2 entertainment/hospitality precinct. Within this precinct a higher level of night time noise is permitted.

The site is surrounded by a variety of different land uses with different noise sensitivities:

- Properties to the south on the opposite site of Kilmore Street Living Zone 4C
- Cranmer Square to the south is zoned Conservation 2 (historic and garden city parks)
- Properties to the north east are within the Central City Business Zone (CCB).

### Applicable noise standards

AES correctly identifies the relevant noise standards from the City Plan, which are from Section 1.3.4 of Volume 3: Part 11 Health and Safety of the Christchurch City Plan. The Rule states that ‘any activity which complies with any relevant development standards specified in Table 2 shall be a permitted activity’. However as the activity is non-complying for other reasons, achieving the noise standards or otherwise does not determine the overall activity status.

In Section 2, AES states that s16 of the Resource Management Act (RMA) applies and compares the City Plan noise standards to NZS 6802, the World Health Organisation.
community noise guidelines and existing ambient noise levels. While URS agrees that s16 applies to all occupiers of land, URS is unsure of its relevance to a consent application. As the activity is non-complying it must be assessed against section 104D of the RMA, which requires the activity to pass either of the two gateway tests. An acoustics specialist can only comment on whether the acoustics effects will be no more than minor; s104D(1)(b) can only be determined by a planner, with technical input as necessary.

AES’ approach to assessing effects is to compare predicted noise levels to the City Plan, and where they comply, determine that effects are less than minor. Where exceedances are predicted, noise levels are compared to the ambient environment, and consideration given to the time of day, frequency, and duration of activities. URS considers this approach reasonable, however more direct reference to the character of the noise and effects such as sleep disturbance would be useful. URS considers a separate section “Assessment of effects” would assist the reader.

Of relevance to the provision of the six new apartments Rule 4.2.15 of Volume 3: Part 2 Living Zones (Development standards) requires any new habitable space within 40 metres of the edge of the nearest marked traffic land of a minor arterial or major arterial road to achieve a minimum external to internal noise reduction of 30 dBA $D_{eq,2m,nT}$. Whilst not a resource consent consideration there should also be adequate airborne and impact sound insulation between habitable and non-habitable spaces of the car park building to maintain a good standard of residential amenity. This is an important detailed design factor as the proposed residential element not only overlooks Kilmore Street, which is a minor arterial road, but is also within the main car park building. AES comments upon this Rule in Section 3.3 of their report.
Figure 1-1 Christchurch City Plan and site location
2 REVIEW OF APPLICATION

The following information sources have been considered as part of this review:

- Application Package – Dated 30 May 2014, in particular:
  - Appendix 5 – Architectural Statement – dKO Architects.
  - Appendix 6 – Landscaping Report and Plans – Realm Studios Ltd.
  - Appendix 8 - Acoustic Engineering Services, Majestic Church, 53 Kilmore Street, Christchurch: Assessment of Environmental Noise Effects, 29 May 2014.
  - Appendix 9 - Abley Transportation Consultants Ltd, Majestic Church integrated Transportation Assessment 8 April 2014.

- Christchurch City Plan

- Relevant New Zealand Standards

The David Ogilvie report determined that the activity is non-complying with the City Plan, unrelated with noise or general amenity issues. URS has accepted this without investigation.

2.1 Existing environment

The existing noise environment within the site and its environs is described in Section 1.1 and 2.2 of the AES report. URS notes that the surrounding area will change as the development of City progresses, for example changes in traffic flows, changes in road infrastructure, and new land uses. Whilst this may lead to a future change in the existing noise environment, URS does not consider that the change will be significant to influence the conclusions reached in the AES report, i.e. material changes in existing noise levels or changes in land use sensitivities.

2.1.1 Baseline Noise Survey

AES summary

Baseline noise surveys were undertaken on three occasions during the day, evening and night. Measurements were carried out along the boundaries of the site which is consistent with good practice. Recorded noise levels are shown to be higher during the day and reducing during the evening and night time periods. Aural observations note that road traffic noise was the dominant source of noise during each measurement period.

URS review

The survey undertaken by AES provides a representative ‘snap shot’ of the baseline noise environment. The survey has been undertaken in accordance with relevant national standards on noise (New Zealand Standard NZS 6801: 2008 Measurement of Sound).

URS assessment of information gaps

The AES reports states that the evening (2100-2130) and night time (2300-2330) measurements were recorded on a Sunday evening. The report also states that the measurements were recorded on 24 February 2014, however this date corresponds with a
Monday and not a Sunday evening, which may influenced the presented levels. Although enquires have taken place with AES (telecom Humpheson/Dykes 11 June 2014), clarification is sought as to which day of the week the measurements were taken.

There are no other identified information gaps in the baseline noise assessment.

Conclusion

Although there is ambiguity on the dates of the survey, the presented data appears reasonable and typical of the local noise environment.

2.2 Assessment of key activities

The AES report has considered noise from the following elements:

- Outdoor areas;
- Breakout from buildings;
- Vehicles;
- External plant;
- Cumulative noise; and
- Construction.

The general approach AES has adopted is to describe the activity, predicted noise levels, compare to the relevant standards and comment on the effects of the activity. URS considers approach to be generally appropriate, however URS notes that an assessment of effects should consider the character of the noise, not just the level and duration. For example, whether the noise has any low frequency characteristics, tonality, variability, etc.

URS has considered each of these activities and comments on them in the same order.

2.3 Noise from outdoor areas

AES has undertaken noise modelling using SoundPLAN software and has produced noise contour maps based upon the site layout and likely levels of outdoor noise. URS considers this approach appropriate.

2.3.1 Noise from music performance in central courtyard

AES summary

AES has predicted noise levels based upon two outdoor loud speaker locations in the central courtyard area. AES states that the sound power level of each loud speaker is ‘105 dB L_{Aeq} (including a 5dB penalty for Special Audible Characteristics)’. AES states that this level will be typical of a small scale outdoor event with a public address system. AES predicts that noise from the music event is expected to comply with the 55 dB daytime noise standard to the north and south boundaries. To the west and east the noise standard would not be met with noise levels up to 60 dB L_{Aeq} being predicted, which exceeds the noise standard.
AES considers that the frequency of activities will not be regular and based upon the existing noise environment (comparable baseline noise data), the effect of the activity would be less than minor.

URS review

AES has based their music noise predictions based upon a quoted sound power level of ‘105 dB L_{Aeq}‘. URS requests formal confirmation that it is a time-average sound power level (L_{WA,eq}) not a sound pressure level (L_{Aeq}). AES has verbally confirmed that this is the case (telephone conversation Humpheson/Dykes 11 June 2014). The remainder of this section assumes that the predictions are correct and just the text slightly ambiguous. It has been assumed that the 5 dB special audible characteristic is due to the presence of amplified music.

The AES report proposes to restrict the number of outdoor events featuring amplified sound per year, but there is no indication as to an acceptable number. A limit on the number of these events would be reasonable and would assist with protecting the amenity of the area. URS agrees that noise levels of up to 60 dB L_{Aeq} up to 2200h, for a limited number of events using amplified sound would generally result in acceptable noise effects, which are no more than minor.

URS assessment of information gaps

Clarification is required as to the actual source level of each loud speaker. The source level should be quoted as a sound power level (L_{WA,eq}) or sound pressure level (L_{Aeq}) at a stated distance. AES may need to re-calculate the noise impact depending upon the response received.

The AES assessment states that a penalty for a special audible characteristic has been applied, but does not state what characteristic it is. Specific comment should be made, and reference to any potential effect and why the inclusion of a penalty is sufficient to address this effect.

Conclusion

Conditions could be worded to protect the amenity of the area, using a restriction on the number of events and the music noise level of the activity.

2.3.2 Noise from people in outdoor areas

AES summary

AES has predicted crowd noise based upon 800 people within the central courtyard. AES quotes the nominal level sound power level of each person speaking as being ‘71 dB L_{Aeq}‘. A sound power level of 71 dB would approximately correspond to a normal voice effort, albeit that URS calculates the actual sound power level to be 68 dB (derived from sound pressure level of 59.5 dB at 1m). URS considers that the source level should reflect a raised voice given the busy and dense crowded conditions that would occur. Hence a realistic sound power level would be 75 dB.
Based on a source level of 71dB(A) AES predicts that crowd noise levels are expected to comply with the 55 dB daytime noise during the day time and ‘non-compliances’ to the east and west during the night time (levels up to 49 dB L_{Aeq,t}). AES considers that the effect of the existing noise environment (comparable baseline noise data), would mean that the effect of the activity would be less than minor.

AES states that they understand that a Noise Management Plan will be adopted for the site, which would describe the best practicable options for minimising noise, which would include:

- Site signage reminding visitors that the site is located in a residential area and discouraging them from using raised voices or engaging in other noisy behaviour.
- Discouragement of people using the area directly to the east of the office. This could be accomplished through minimal lighting in the area and signage.
- Management and staff procedures including the timely and orderly departure at the end of an event, and that they should clean up, lock up and leave as quietly as possible.
- The use of on-site supervision to move on spontaneous social gatherings and for crowd control.
- Reminders and the beginning and conclusion of events to occupants of surrounding environment by hosts.

**URS review**

There is uncertainty as to the appropriate source noise level used in the predictions as a sound power level of 71 dB L_{Aeq} is quoted, rather than the raised voice effort of 75 dB which URS considers would be more appropriate. The number of people within the courtyard is quoted as being 800 and URS considers that this number would represent an absolute worst case.

Assuming that the predictions are representative, the activity will comply with the daytime noise standard but not during the night time period on the western and eastern boundaries.

The AES report acknowledges the adoption of a Noise Management Plan which URS commends. From experience these plans help formalise procedures to control adverse noise and disturbance and are a transparent means of demonstrating a commitment to noise management.

**URS assessment of information gaps**

Clarification is required as to the actual source level used in the noise modelling. AES may need to re-calculate the noise impact depending upon the response received.

**Conclusion**

It is likely that with appropriate controls, crowd noise would not cause a significant effect.
2.4 Break-out noise

AES has undertaken noise break-out modelling using SoundPLAN software based upon stated assumptions on the typical construction details of each building, i.e. façade and roof sound reduction qualities. URS agrees with this approach.

The AES assessment considers a number of noise break-out scenarios as outlined below.

2.4.1 Break-out noise from the chapel

AES summary

AES has predicted noise break-out from the chapel assuming that the activity will occur at night and assumed that the internal reverberant noise level will not exceed 95 dB L_{Aeq}. Assumptions have been made on the building construction and that the doors of the chapel will remain closed during services. AES predicts that use of the chapel will comply with the daytime and night time noise standard and that the effect of the activity would be less than minor.

URS review

AES quotes an internal noise level of 95 dB L_{Aeq}, which URS considers a reasonable reverberant sound level within a chapel space for a congregation singing. AES has assumed standard construction details for the building which are also considered reasonable.

URS assessment of information gaps

There are no information gaps.

Conclusion

Noise break-out from the chapel will readily comply with the noise standards and will result in appropriate noise effects.

2.4.2 Break-out noise from the theatre within the main auditorium building

AES summary

AES has predicted noise break-out from the auditorium assuming that the activity will occur at night and has assumed that the internal noise level would be 110 dB L_{Aeq} (including a 5dB penalty for Special Audible Characteristics). Assumptions have been made on the building construction and that the doors between the foyer and outside will remain open. AES predicts that use of the auditorium will comply with the daytime and night time noise standard and that the effect of the activity would be less than minor.

URS review

AES quotes an internal noise level of 110 dB L_{Aeq}, which URS considers a reasonable reverberant sound level and is likely to be a conservative level (high end of the possible range.
of sound levels). AES has assumed standard construction details for the building which are also considered reasonable.

URS assessment of information gaps

There are no information gaps.

Conclusion

Noise break-out from the auditorium will comply with the noise standards and will result in appropriate noise effects.

2.4.3 Break-out noise from the café

AES summary

AES has predicted noise break-out from the café assuming that there will be 50 occupants, with 50% talking in normal voices. The activity will only occur during the day and AES has assumed that the internal noise level would be 85 dB $L_{Aeq}$. Assumptions have been made on the building construction and that the doors of the café will remain open. There is no indication whether outdoor spaces will be used by customers. AES predicts that use of the café will comply with the daytime noise standard and that the effect of the activity would be less than minor.

URS review

AES quotes an internal noise level of 85 dB $L_{Aeq}$, which is a reasonable reverberant sound level. AES has assumed standard construction details for the building which are also considered reasonable.

URS assessment of information gaps

Although there is no indication of whether the café would comprise an outdoor space, predicted noise levels for this situation are unlikely to be materially different to those presented in the AES report.

Conclusion

Noise break-out from the café will comply with the noise standards and will result in appropriate noise effects.

2.4.4 Break-out noise from the studios

AES summary

AES has predicted noise break-out from the studios assuming that the activity will occur during the day time only and that the internal noise level would be 110 dB $L_{Aeq}$ (including a 5dB penalty for Special Audible Characteristics). Assumptions have been made on the construction details of each building and that the doors will remain closed during times of peak internal
noise. AES predicts that use of the studios will comply with the daytime noise standard and that the effect of the activity would be less than minor.

URS review

AES quotes an internal noise level of 110 dB $L_{Aeq}$, which is a reasonable reverberant sound level and is likely to be a conservative level (high end of the possible range of sound levels). AES has assumed standard construction details for the buildings which are also considered reasonable.

URS assessment of information gaps

There are no information gaps.

Conclusion

Noise break-out from the studios will comply with the noise standards and will result in appropriate noise effects. It is recommended that the Noise Management Plan includes a provision for closing of doors during times of peak internal noise levels.

2.4.5 Break-out noise from the youth / kid multipurpose spaces

AES summary

AES has predicted noise break-out from the ground floor of the car park building. The activity will only occur during the day and AES has assumed that the internal noise level would be 90 dB $L_{Aeq}$. Assumptions have been made on the building construction and that the doors of the building will remain open. AES predicts that use of the youth / kid multipurpose spaces will comply with the daytime noise standard and that the effect of the activity would be less than minor.

URS review

The internal noise level quoted by AES is reasonable (albeit on the high side of the possible range of sound levels) and the assumptions stated for the construction of the spaces are also considered reasonable. AES states that the spaces may be used at night in conjunction with the chapel and auditorium, provided that the doors remain closed.

URS assessment of information gaps

There are no information gaps.

Conclusion

Noise break-out from the youth / kid multipurpose spaces will comply with the noise standards and will result in appropriate noise effects. It is recommended that the Noise Management Plan includes a provision for closing of external doors if the spaces are used at night.
2.5 Noise from vehicles

AES summary

AES has predicted noise break-out from the use of the car park building based upon information contained in the Abley Transportation Consultants report. The assumptions used in the vehicle noise assessment are stated based upon a source noise level of a single vehicle being 73 dB $L_{AE}$ (SEL) at 5 metres. The activity would occur during the day time and night time and would achieve the City Plan noise standards at all boundaries except the southern boundary at night at which a predicted level of 49 dB $L_{Aeq,15min}$ is stated. AES has also undertaken an assessment of door slams and engine starts and has provided maximum noise levels at the boundary of the site. The source level used in the calculations has not been provided.

AES considers that the effect of the existing noise environment (comparable baseline noise data), would mean that the effect of the activity would be less than minor.

URS review

The AES assumptions and calculation of vehicle manoeuvring noise are considered reasonable and representative.

The AES report notes that whilst there is an exceedence of the night time noise standard at the southern property boundary, the effect would be minor. URS agrees with this appraisal and concurs with the view of AES that the Noise Management Plan should include vehicle specific control measures such as speed restriction within the site, discouragement of idling engines and encouragement of sustainable transport options.

With respect to the car park there are additional control measures that can be adopted to reduce the internal reverberant sound level and to prevent excessive wheel squeal while vehicles are manoeuvring within the confines of the car park. These control measures could include the application of an absorbent surface coating to the ceiling of the car park and to use a texture surface coating at key turning points within the car park (adjacent to up and down ramps).

URS assessment of information gaps

The source level of a car slam / engine start should be provided. There is no assessment of potential sleep disturbance effects, both on site and off site.

Conclusion

Noise break-out from the car park will comply with the daytime noise standards, but will exceed the night time noise standards. URS concurs with the adoption of vehicle specific control measures within the Noise Management Plan, specifically restricting vehicle speeds on site to a maximum of 10 km/h.

2.6 Noise from external mechanical plant associated with the activity

There are no details provided in the assessment as to the likely impact of external mechanical plant. It is however, acknowledged by URS that AES has proposed a suitability worded...
consent condition to ensure that noise from any plant is able to achieve the relevant noise standards of the City Plan. This is considered an acceptable approach to limiting plant noise levels.

2.7 Cumulative noise

AES has provided a statement with regards to the cumulative impact of noise from different activities which could occur simultaneously on site. AES states that generally the higher noise activities are not expected to occur simultaneously. Whilst URS agrees with this statement, it would have been helpful to provide an indication of the likely impact of concurrent daytime activities such as outdoor events and use of the café, studios and youth / kid multipurpose spaces. Without this information an appraisal of the cumulative noise impact assessment cannot be undertaken. Concurrent noise levels are likely to be above 60 dB on the western boundary using the data presented in the AES report.

It is recommended that the applicant provides further information on cumulative impacts, specifically on the western and eastern boundaries.

2.8 Construction noise

AES has provided a brief appraisal of potential disturbance during the construction phase of the development. However, AES has not provided any indication of the likely effects. URS agrees that a detailed assessment is not required and URS supports the conclusions stated, i.e. adoption of best practice procedures in accordance with NZS 6803:1999 Acoustic – Construction Noise to minimise any adverse effects.
3 CONCLUSIONS

The proposed redevelopment of 53 Kilmore Street, Christchurch will generate audible noise beyond the site boundaries. A noise assessment has been submitted as part of the application.

Acoustic Engineering Services (AES) has predicted noise using appropriate methods with realistic inputs.

The assessment had identified that noise will achieve the noise standard with the following exceptions:

- Outdoor events in the courtyard will comply with the daytime noise standard to the north and south of the site but not to the west or east.
- Crowd noise within the courtyard will not comply with the night time noise standard on the western and eastern boundaries.
- Noise break-out from the car park along the southern boundary will exceed the noise standard.

For each of these activities, AES concluded that noise effects would be no more than minor.

URS generally agrees with conclusion but further information would be beneficial to fully quantify the significance of the noise effects.

3.1 Requests for further information

The processing officer may wish to consider requesting the following from the applicant:

1. A table summarising the predicted noise levels at the most affected receiver(s) for each activity, hours of operation, frequency of activities (for occasional events) and commentary on the resultant noise effects, specifically including character and the potential for sleep disturbance. The assessment should also include a cumulative assessment of activities that may occur concurrently.

2. Clarification on sound power levels (see section 2.3).

3. Hours of operation (noise report differs from Davis Ogilvie report).

4. $L_{AF_{\text{max}}}$ source levels used in the assessment of car door slams and engine starts (see section 2.5).

3.2 Noise limits

Noise limits have not been proposed in the application. The CCC may wish to impose noise limits, particularly during the more sensitive night time period to reflect the potential for sleep disturbance from amplified music, vehicle movements and patron noise. URS considers a night-time noise limit of 50 dB $L_{A_{\text{eq}}}$ and 70 dB $L_{AF_{\text{max}}}$ would be appropriate for this application during the proposed hours of operation.
3.3 Conditions

Conditions for resource consent should include:

- Appropriate noise limits.
- Details of the Noise Management Plan for the site.
- Design and specification of building services plant to ensure that the City Plan noise standards are met
- Design of buildings to minimize adverse noise break-out and to ensure that the City Plan noise standards are met.

The detailed design of the development should also consider noise break-in to the proposed residential apartments and noise transfer between the various spaces including residential and non-residential spaces.
4 LIMITATIONS

URS New Zealand Limited (URS) has prepared this report in accordance with the usual care and thoroughness of the consulting profession for the use of Christchurch City Council (CCC) for the purpose of considering the land use consent application.

This report is based on generally accepted practices and standards at the time it was prepared. No other warranty, expressed or implied, is made as to the professional advice included in this Report.

This report is prepared in accordance with the scope of work and for the purpose outlined in the proposal dated 6 June 2014.

Where this Report indicates that information has been provided to URS by third parties, URS has made no independent verification of this information except as expressly stated in the Report. URS assumes no liability for any inaccuracies in or omissions to that information.

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Appendix Seven: Email Excerpts of Environmental Health Officer

Hi Erina

Yes you are right there is not much issue in terms of the NES. So my final report is short which is as follows:

The preliminary site investigation (PSI) report which accompanied this application has demonstrated that it is highly unlikely that there will be a risk to human health. Thus, the activity is permitted under Reg 8 (4) of the NES.

Cheers
Hannah

Hi Erina

The PSI report has identified three HAIL activities that may have taken place on the site. The NES would be triggered because the amount of earthworks would exceed 25m³ / 500m² volume of soil disturbance. As there was no DSI provided, the activity would be discretionary under Reg 11 of the NES. A consent condition around potential discovery of contamination is proposed below:

In the event that soils are found that have visible staining, odours and/or other conditions that indicate soil contamination, then work must cease until a Suitably Qualified and Experienced Practitioner (SQEP) has assessed the matter and advised of the appropriate remediation and/or disposal options for these soils. The applicant shall immediately notify the Environmental Compliance Team by email to envresourcemonitoring@ccc.govt.nz of this matter. Any measures to manage the risk from potential soil contamination must be approved by the Christchurch City Council.

I reiterate the risk is low from the coal bunker but the consent condition above would take care of any potential discovery of contaminants associated with the coal storage.

Hope this helps

Cheers
Hannah
Appendix Eight – Urban Design Panel Comments

NB: Earlier UDP comments are located within Appendix 10 of the Application
3 July 2014

Rachel McClung
Davis Ogilvie

By Email: rachel@do.co.nz

Dear Rachel

Urban Design Panel – 53 Kilmore Street (Majestic Church)

The Urban Design Panel considered your application on 24 June 2014. Please find below the confirmed comments in response to the material circulated and the application meeting.

The Panel:

1. Compliments the Applicant on the further development of the proposal and the inclusion of the six apartment units on the Kilmore Street frontage and along the lane.

2. Requests that the architectural renderings are checked to be consistent with the consent application landscape plan, in particular with regard to location of the future large trees.

3. Is comfortable with the scale of the proposal, the new uses it introduces to the site and the integration with its potential urban context. Although the development is not exclusively residential as the zoning intends, it displays an affinity with the historic context of the area with a long established mix of residential, educational, community/other uses which has resulted in a character of larger built forms around Cranmer Square including Christchurch Girls’ High, the Normal School and the Teacher’s College and Cathedral Grammar, all sitting comfortably within an inner city residential environment.

4. Supports the height intrusions provided that the fundamental design improvements are undertaken to mitigate the bulk of the main auditorium building.

FUNDAMENTAL

The Panel:

1. Recommends the clarification of the proposed cladding of the auditorium and suggests that the large scale planar forms be broken up into a series of facets instead of the graphic overlay with the aim of breaking the continuous parapet line and the single oversize wall plane on Montreal Street into a series of smaller elements that will catch light and shadow and provide a finer grain in keeping with the surrounding urban/residential character of the area. The design of these smaller elements should be co-ordinated with the locations for future tree planting along the Montreal Street frontage to assist with reducing the visual bulk of this aspect of the auditorium.

IMPORTANT

The Panel:

1. Recommends that the Applicant carries out a CPTED assessment on the proposed scheme.
2. Recommends that the Applicant employs signage and way-finding to clearly indicate the threshold of the public/private space within the development. It recommends the removal of the proposed signage plinth on the corner and replacement with signage and way-finding at the two pedestrian entry points.

3. Recommends that the car park building should be made secure and screened at the ground level and requests clarification about how this will be achieved.

4. Recommends semi-mature trees are planted throughout the development at the out-set of the project.

5. Recommends low or no planting in front of the chapel corner to allow the strength of the architectural form of the building to read through clearly.

6. Recommends the addition of tree planting along the eastern car park site boundary to improve the outlook from adjoining properties and to provide a landscape setting around the entire site.

7. Recommends review of the proposed plant list for frost tender species.

**DESIRABLE**

The Panel:

1. Supports the Applicant having a caretaker living on site and considers that this would help to resolve a number of potential CPTED issues.

2. Acknowledges that the inclusion of the green living wall is a positive aspect, but suggests adding trees along the eastern boundary to further break the perceived bulk of the building and improve the outlook for neighbours.

3. Suggests the use of timber soffits on the apartment building above the balconies.

4. Recommends that the Applicant engages a lighting specialist considering this is a semi-public place and is situated on a prominent corner of the city.

The Urban Design Panel is an advisory body only. The Panel’s recommendations are to assist you in the refinement of your development proposal and the reporting Council officer will take its advice into account when processing any resource consent applications. The decision on any application rests with the Council.

The Christchurch City Council understands that you may wish to refer to the Urban Design Panel comments in the promotion of your development proposal. Please note the comments are not intended for publication.

If you have any queries, please do not hesitate to contact me.

Yours sincerely

[Signature]

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www.ccc.govt.nz
Lucy Halsall
Committee Adviser
Governance and Civic Services Unit
DDI 941 6227
Appendix Nine: Urban Design Assessment

IN THE MATTER OF The Resource Management Act 1991

AND

IN THE MATTER OF Resource Consent Application RMA 92025955

Proposed Majestic Church at 53 Kilmore Street, Christchurch

EVIDENCE OF HUGH ANTHONY NICHOLSON

Introduction
1. My name is Hugh Nicholson and I am a Principal Adviser, Urban Design within the Strategy & Planning Group at the Christchurch City Council. I hold a Post-Graduate Diploma of Landscape Architecture and a Post-Graduate Certificate in Urban Design. I am a registered member of the New Zealand Institute of Landscape Architects with more than twenty years experience in both the public and private sectors. I have worked as a principal urban designer with the Christchurch City Council for seven years. Prior to this I have worked as an urban designer with the Wellington City Council for seven years. I was a member of the advisory panel for the development of the National Guidelines for Crime Prevention through Environmental Design for the Ministry of Justice.

2. I have been asked by the Christchurch City Council to provide urban design evidence in relation to the above application. I have studied the application submitted by Davis Ogilvie, I have visited the site and the surrounding area, and read the submissions.

The Proposal
3. The applicant is seeking resource consent under The Christchurch City Plan (City Plan) to establish a new mixed use spiritual facility / residential development at 53 Kilmore Street, Christchurch. The site is the original site of the Christchurch Normal School which was converted into Cranmer Courts apartments in the 1980s. The buildings were demolished after the Canterbury Earthquakes of February 2011, with the exception of seven residential units to the north of the site.

City Plan Provisions
4. The application site is zoned Living 4C (Central City and Central New Brighton – Character) and is characterised by a variety of medium density residential environments. The site is also located within Special Amenity Area (SAM) 32 which comprises most of the properties facing onto Cranmer Square.
URBAN DESIGN ASSESSMENT

Residential Coherence

5. The Urban Design Panel at its meeting on 24 June 2014 commented that the Panel:

“Is comfortable with the scale of the proposal, the new uses it introduces to the site and
the integration with its potential urban context. Although the development is not
exclusively residential as the zoning intends, it displays an affinity with the historic context
of the area with a long established mix of residential, educational, community/other uses
which has resulted in a character of larger built forms around Cranmer Square including
Christchurch Girls’ High, the Normal School and the Teacher’s College and Cathedral
Grammar, all sitting within the inner city residential environment.”

6. The receiving environment including Cranmer Square and the immediately adjacent areas
has included a number of significant and relatively large scale buildings associated with
educational, community and residential uses. While a number of these buildings have
been destroyed as a result of the Canterbury Earthquakes including the former Normal
School on this site, this application would continue the tradition of larger scale community
buildings within a residential area.

7. These larger scale buildings can be characterised as having strong street presence with a
high degree of architectural detailing. The proposed development is a contemporary
architectural response which will potentially contribute a lively and engaging façade to
Cranmer Square.

8. The site is immediately adjacent to the Central City Business zone along Victoria Street
and provides a relatively logical co-location of more intensive community activities and
parking with the Victoria Street commercial and entertainment precinct.

Special Amenity Area (SAM) 32

9. The site is within SAM 32. The description of the SAM notes that the area was originally
developed as an educational precinct and that particular importance should be given to
the way in which the buildings relate to the Square. The description also notes that new
buildings should be ‘similar in scale and height to existing buildings’. The proposed
development would be of a similar scale and height to the Old Normal School building that
it replaces.

10. When the Council reviewed the Central City living zones in February 2013 as directed by
the Christchurch Central Recovery Plan, it also reviewed the central city SAMs and
concluded in the draft central city living zone chapter supplied to the Minister of
Canterbury Earthquake Recovery that SAM 32 should be removed due to the high level of
earthquake damage in this area. Subsequently the Minister has released a draft Liveable City chapter which proposes removing all of the central city SAMs. Although no weight can be given to the draft chapter the proposed changes reflect the level of earthquake damage in SAM 32.

11. The Urban Design Panel on 24 June 2014 also commented that the Panel:
   “Considers that the proposal provides a built edge to Cranmer Square in a contemporary manner without compromising the character of Cranmer Square and the remaining historic buildings nearby.”

12. I agree with the Urban Design Panel and consider that the proposed development would provide an appropriate contemporary response to the character and built form of SAM 32.

**Building Height & Sunlight and Outlook for Neighbours**

13. The proposed chapel, auditorium, carpark building and apartments breach the 11 metre height limit for this area. The scale of the intrusions ranges from 6.5 metres for the auditorium to 1.1 metres for the apartments. The intrusions are not uniform across the building footprints but vary with the architectural form of the buildings.

![Figure 1: Intrusions through 11 metre height limit](image)

14. The Urban Design Panel at its meeting on 24 June 2014 commented that the Panel:
   “Supports the height intrusions provided that the fundamental design improvements are undertaken to mitigate the bulk of the main auditorium building.”
15. In its fundamental recommendations the Panel:

"Recommends the clarification of the proposed cladding of the auditorium and suggests that the large scale planar forms be broken up into a series of facets instead of the graphic overlay with the aim of breaking the continuous parapet line and the single oversize wall plane on Montreal Street into a series of smaller elements that will catch light and shadow and provide a finer grain in keeping with the surrounding urban/residential character of the area. The design of these smaller elements should be co-ordinated with the locations for future tree planting along the Montreal Street frontage to assist with reducing the visual bulk of this aspect of the auditorium."

16. I have reviewed the shading diagrams provided by the applicant and consider that apart from the shading along the eastern boundary which is discussed later in the report, the additional shading caused by the height intrusions generally falls within the road corridors of Kilmore and Montreal Streets with two exceptions.

17. The proposed development would cause some limited additional shading of the garden area in front of the Chateau Blanc in the mornings through the equinoxes. The extent of this shading would not shade the Chateau Blanc itself to any significant extent.

18. The proposed development would also shade the properties on the opposite side of Kilmore Street in the middle of winter through the middle of the day and the afternoon. The maximum length of the shading is no greater than the length of the shadow from the old Normal School building, and the area of shading is 61% of the area of shading from the old Normal School.

19. In general the additional shading on Cranmer Square in the middle of winter is significantly less than the shading caused by the former Normal School.

20. Generally the larger scale educational and community buildings in this area have been highly articulated with strong and distinctive architectural features. While some effort has been made to provide a graphic overlay on the auditorium that responds to the gabled forms in the area, the large planar wall surface and continuous parapet line would be the dominant features. Breaking up the façade and the parapet line into a series of smaller elements that catch the light and shade would reduce the impact of the scale of auditorium on the surrounding area.

21. I support the Urban Design Panel's recommendations and consider that the height intrusions are acceptable provided that the Montreal Street façade of the auditorium is broken down into a series of finer grained elements more appropriate for the residential setting. I would consider the effects to be more than minor if changes to the Montreal Street façade and parapet line were not resolved.
22. In addition to reconsidering the architectural treatment of the Montreal Street façade it would be appropriate to increase setback of the auditorium from the street in key locations to allow for tree planting to reduce the visual dominance of the building.

23. I would also be concerned if the applicant sought to ‘unbundle’ or stage the chapel and the auditorium independently. I consider that the chapel effectively sleeves the auditorium and forms the southern and arguably the most significant façade facing Cranmer Square. Although separated by a laneway the two buildings need to be constructed at the same time.

Recession Planes on the Eastern Boundary

24. The proposed carpark building also intrudes through the recession plane on the eastern boundary by 1.1 metres (although the green wall appears to intrude further in places). The adjacent property on Kilmore Street is a two storey commercial building with carparking.

25. The shading diagrams compare the shading from the proposed development with the shading from a compliant building. They seem to show a significant area of additional shading from the proposed carparking building on 55 Kilmore Street that would not result from a compliant building. I do not believe this is correct and consider that it would be possible for an apartment building to be sited running north-south parallel to the boundary built up to the 11 metre height limit and within the recession plane and that this would cast a greater shadow than is shown below for a complying building.
However even if this is the case it is still clear that the breaches of the height limit and recession planes along this boundary result in a limited degree of additional shading on 55 Kilmore Street (greater than a compliant building).

27. The proposed carparking building would be set back between 4.8 and 5.1 metres from the boundary, and I note that the applicant is proposing to create an attractive ‘green’ façade along this building facade. The neighbouring property is zoned Central City Business and would have no setbacks or recession plane requirements with adjacent commercially zoned properties.

28. In general the proposed building setback and façade would provide a reasonably positive relationship between the two buildings and I consider that while there would be minor effects from the additional shading this would be acceptable.

29. Currently the development rights of the adjacent landowner are restricted by the recession plane requirements of the neighbouring Living 4C zone. If the proposed development was
approved it would be appropriate for the applicant to consider waiving the recession plane requirements for 55 Kilmore Street which would provide additional development rights and might go some way towards mitigating the additional shading.

![Figure 3: Recession plane intrusion on eastern boundary](image)

30. In its desirable recommendations the Urban Design Panel:

   "*suggests adding trees along the eastern boundary to further break the perceived bulk of the building and improve the outlook for neighbours."

   If possible this would assist in providing some visual mitigation for the neighbours.

**Urban Design Assessment Matters**

31. (i) **Site and context**
   
   a. *Developments should consider local environmental conditions.*
   
   b. *Developments should be sympathetic to nearby listed heritage items.*
   
   c. *Developments should connect to the street network with vehicle, cycle, and pedestrian routes that maintain or enhance physical and visual links to key destinations.*
   
   d. *Developments are encouraged to adapt and/or renovate existing character buildings and retain existing trees*
   
   e. *Developments are encouraged to support prominent vistas and view shafts.*

32. Generally the proposed development responds positively to its site and context. It sits on a prominent corner addressing both Montreal and Kilmore Streets and Cranmer Square with a series of contemporary buildings with architectural forms that are in part a response to the former heritage buildings on the site. The paving and plinth to the chapel propose to incorporate some of the original materials from the site.
33. A series of laneways and pedestrian connections provide access through the site together with a mix of uses that includes residential units, a café, and auditorium and chapel, a carpark and educational facilities.

34. **(ii) Relationship with street and public open spaces**
   a. Buildings should be oriented toward the street and positioned close to the road boundary.
   b. Developments should place active areas of buildings, such as habitable rooms and entrances, along the street and public open spaces, particularly at ground level.
   c. Buildings should have pedestrian entrances that are identifiable, well articulated and directly accessible from the street or, in the case of rear units, shared access ways.
   d. Facades facing the street should have a generous extent of glazing that is evenly distributed.
   e. Fences and landscaping along the road boundary or adjacent to public open spaces should not obstruct ground level views.
   f. Fences are encouraged to be of high quality materials and complement the building design.

35. The proposed development has a positive relationship with adjacent streets and public spaces. It provides a strong built edge to Cranmer Square which is centred around the bold architectural forms of the chapel. It also provides a sleeve of six apartments in front of the carparking building which would provide natural surveillance of the Square.

36. The buildings are well glazed where appropriate, and the main entrances are identified through a ‘threshold’ landscape treatment providing a series of entranceways into the campus.

37. **(iii) Corner sites**
   a. Buildings on corner sites should orientate towards all adjacent streets and public open spaces and emphasise these corners.
   b. Pedestrian entrances are encouraged to be located along main pedestrian routes.

38. The buildings are oriented towards all adjacent streets and public open spaces and emphasize the corner. Pedestrian entrances provide a series of opportunities to enter the site from various directions.

39. **(iv) Building form and articulation**
   a. Development layout and form should reflect the predominant pattern of subdivision within a neighbourhood.
   b. Buildings should be of a domestic scale and avoid excessive repetition of building forms.
c. Buildings should avoid façades and elevations whose length or bulk is visually excessive or blank.
d. Roofs should be designed to limit continuous ridgelines and minimise the visual bulk of a building.
e. The separation of buildings within sites is encouraged to reduce perceived building bulk.
f. Architectural features and a variety of materials and colours are encouraged to provide human scale and visual interest.
g. The use of high quality, durable and easily maintained materials on the exterior of buildings is encouraged.

40. The typical built form of larger educational and community buildings among medium density residential development is reflected in the proposed development.

41. While generally the degree of architectural detailing is appropriate, the Montreal Street façade of the auditorium is visually excessive and it is recommended that the façade is redesigned to reflect the finer grained and highly detailed buildings in this area. Similarly it is recommended that the parapet line along Montreal Street is reviewed to minimise the visual bulk of the building.

42. The proposed buildings are separated and generally the architectural features, materials and colours will provide human scale and visual interest.

43. (v) Access and car parking
   a. Developments should be laid out to ensure the safe and efficient movement of pedestrians, cyclists and vehicles.
   b. Developments should be designed to minimise the number of service and vehicle access ways from the street to reinforce pedestrian priority along the footpath and within the site.
   c. Car parking and garage areas should not dominate the development, particularly as viewed from the street or neighbouring properties.
   d. Parking areas at ground and upper levels within buildings are encouraged to be located behind habitable rooms to minimise visibility from streets or public open spaces.

44. The provision of a proposed carparking building minimises the potential impact of relatively large numbers of visitors to the development on surrounding streets and on-street parking. Access to the carpark is via an entrance off Kilmore Street. The parking building is proposed to be screened with a ‘green’ wall and a ‘sleeve’ of apartments on Kilmore Street.
Signage
45. The Urban Design Panel at its meeting on 24 June 2014:
   “Recommends that the Applicant employs signage and way-finding to clearly indicate the
   threshold of the public/private space within the development. It recommends the removal
   of the proposed signage plinth on the corner and replacement with signage and way-
   finding at the two pedestrian entry points.”

46. I have reviewed the proposed signage and note that the applicant appears to have
   removed the signage plinth on the corner of Kilmore and Montreal Streets as requested
   by the Urban Design Panel and replaced this with signs at the pedestrian thresholds. I
   support this change.

47. In general I consider that the proposed signage is acceptable and of an appropriate scale
   for a development of this size.
Appendix Ten: Landscape Assessment

Christchurch City Council
Capital Programme Group

Date: 19 August 2014

From: Jennifer Dray
Senior Landscape Architect
Capital Programme Group

To: Erina Metcalf
Senior Planner
Resource Consents Unit, CCC

RE: LANDSCAPE ASSESSMENT - MAJESTIC CHURCH - RMA92025955

The applicant is seeking resource consent under The Christchurch City Plan (City Plan) to establish a new mixed use spiritual facility/residential development at 53 Kilmore Street, Christchurch. The site is the original site of the Christchurch Normal School which was converted into Cranmer Courts apartments in the 1980s. The buildings were demolished after the Canterbury Earthquakes of February 2011, with the exception of seven residential units to the north of the site.

I have visited the site on Monday 18 August 2014 and viewed the relevant submitted documents and plans which include the Application for Land Use consent prepared by Davis Ogilvie (May 2014), the Landscape Report Prepared by Realm Studios (7 March 2014) and the Masterplan prepared by Realm (9 March 2014). I have also read the comments made by the Urban Design Panel on 13 December 2013 and 19 February 2014. These comments are a visual and landscape assessment of any effects which may result from non compliances with associated landscape rules.

The City Plan
The application site is zoned Living 4C (Central City and Central New Brighton – Character) and is characterised by a variety of residential environments of special residential character, amenity and coherence. The site is also located within Special Amenity Area (SAM) 32 which comprises
most of the properties facing onto Cranmer Square. Of particular importance to this SAM is the way in which the buildings relate to the Square.

There are a number of Heritage listed buildings/places within close proximity to the application site, with Cranmer Square itself being Group 2 listed Heritage item. There is one notable tree located on the northern end of the site, being a Quercus robur (English Oak) and standing at least 17m in height.

The proposal does not comply with a number rules within the City Plan, with the most significant non compliances relating to landscape and visual amenity being

- 10:1.3.3 Protected buildings, places and objects located within the Central City. The erection of any new building on a site that adjoins a site containing a listed heritage item is a Restricted Discretionary Activity.
- 2:4.2.3 (b) Street Scene – SAM areas – The minimum building setback from road boundaries shall be 4.5m.
- 2:4.2.13 Landscaping and tree planting (a) a tree to be planted for every 10m of road boundary and (e) a 3m² area of landscaping to be provided adjacent to the entrance of each residential unit.
- 2:4.3.1 (a) Scale of activity – other activities. The maximum gross floor area (GFA) …shall be 40m² or 30% of the GFA of all the buildings on the site, whichever is the larger.
- 2:4.4.4 Building Height – The maximum height of any building shall be 11m

The Site

The application site has a 76.0m frontage to Kilmore Street and a 95.5m frontage to Montreal Street. The site is surrounded by a mixture of Living, Conservation, Cultural and Business zonings.

The site sits directly across Kilmore Street from Cranmer Square. Cranmer Square is a key Inner City green space, developed as part of an educational precinct in the 1860s. The focus has since changed from educational to residential and recreational uses. The Square is flanked on the four edges by mature trees which are all listed as notable trees within the City Plan and include Oaks, Planes and Lime trees. An early settlers cottage (1863) and a two storey wooden residence (1870) sit opposite the application site on the corner of Kilmore Street and Cranmer Square.

The properties surrounding Cranmer Square, with the exception of Cathedral College, are residential in character and mainly of a two storied timber construction with established gardens and tree planting.

The application site occupies a very prominent corner which is easily viewed from Cranmer Square.

The Proposal

The Assessment of Environmental Effects (AEE) and the Architect’s Statement submitted by the applicant gives a thorough description of the proposal. Buildings of particular significance are
The glazed Chapel building situated on the Kilmore/Montreal corner which is 249m² and features a series of gabled roofs varying in height to a maximum 16.75m above existing ground level (GL). At the base of this building are a series of triangular stone faced walls which measure approximately 3.0m in height. This building sits directly on the road boundary with no setback (a 4.5m setback is required).

The 1253m² Auditorium building sits on the western boundary shared with Montreal Street. It presents an approximately 20m long building face to the street, with some of the building being overhanging at a height of approximately 2.5m. This building is 17.5m at it’s highest point (a maximum building height restriction of 11m applies) and is coloured a dark grey or black with some decorative detailing referencing the façade of the old Normal School buildings.

A multi level car park building will be located on the south east corner of the site and will be 13.1m in height. A “Green Façade” of living climbing plants is proposed for the north, east and south elevations of this building. The upper levels encroach the setback, being just 1.4m from the road boundary.

Adjacent to the carpark building on Kilmore Street is an apartment building at an equivalent height of 13.1m. This building also encroaches on the building setback by 3.0m with the upper levels being 1.5m from the road boundary. These apartments show strong horizontal lines and have open areas at the ground level for easy pedestrian movement.

The submitted Landscape Report discusses the Design Approach and the Key Landscape Elements. These include

- **Threshold Site Entries.** There are four entry points from Kilmore, Montreal and Peterborough Street. These entry points measure variously 5m to 13m in width and allow public pedestrian and car access to the internal main courtyard. The three main entries are paved with decorative paving detailing the building motifs of the original Normal School and reuse some of the original materials. “Tree Alleys” mark some of these key entry points.

- **Courtyard.** A large central space with trees, seating, paving, and a timber stage/pool area.

- **Lighting.** To be a combination of integrated lighting and flood lighting for night time use.

- **Drainage.** Planters to the carpark buildings green façade are to act as rain gardens, and other stormwater catchment and discharge has been integrated into structural elements of the landscape rather than be expressed as pits and grates.

- **Carpark Green Façade.** Growing media yet to be specified and plant material have been proposed which includes *Clematis paniculata* (Clematis), *Trachelospermum jasminoides* (Jasmine), *Ficus pumila* (Creeping Fig), and *Hedera helix* (Ivy).

- **Other planting.** *Quercus palustris* (Pin Oak) is the only proposed tree species, and a range of shrubs and ground covers have also been specified. These plants are mainly exotic, flowering or colourful plant species.

**Assessment**

The proposed Chapel building is to be non compliant with respect to building height (16.75m and road setback (0m). The design of the building incorporates a set of acutely angled gables at
varying heights. The bulk of the façade is glazed with the exception of a set of large triangular stone walls at the base. The corner of the application site where the chapel is to be located is a very prominent corner when viewed from Cranmer Square. In my opinion the dramatic changes in roofline disrupt the consistency of the streetscape within this SAM area. The height of this building and it’s proposed positioning directly on the road boundary make it very visually dominant and will detract from the character of Cranmer Square and the surrounding residential SAM area. I would recommend that the 4.5m building setback is enforced on this corner and that the height of the chapel building is reduced to mitigate it’s impact on the streetscape, but more particularly on the heritage listed Cranmer Square opposite.

The Auditorium building is to be on a large scale, at 1253m² and 17.5m in height. The building has no relief in the way of windows or any reference to a domestic form. The building is effectively presenting it’s back to the street. The dark colouring and intrusion into the building setback by 2m will add to the perception of the building’s bulk. This will be alleviated to some degree by the building overhangs at street level however in my opinion the scale and bulk of this building will detract from the surrounding streetscape, given the domestic scale of the nearby listed heritage buildings and residential dwellings. My recommendation is that the 4.5m building setback be required on this street frontage. This will also allow for more tree and landscape planting to improve the streetscape at street level.

The reduced building setback on both street frontages reduces the opportunity for the planting of large tree species which would aid in the mitigation of the bulk and height of both buildings. The four generously wide entry points aid in reducing the bulk of the buildings and impact positively on the streetscape, while also allowing easy pedestrian movement. The decorative paving designs create an intimacy at street level. CPTED policies seem to be followed with good sightlines and no entrapment areas. However a full CPTED report should be carried out.

The proposed tree species are suitable for the site as they relate well to the deciduous canopy species within Cranmer Square and will thrive in this growing environment. The canopies of these trees can be limbed up to 2.5m once established to provide safe sightlines.

The green façade which is proposed for three sides of the car park building is an interesting way to mitigate the setback and building height intrusions of the car park building. The adjacent properties are zoned CCB (Central City Business) with a height restriction of 17m and will not be much affected by the non compliances, however the heritage listed buildings on Cranmer Square sit directly opposite and are more likely to be affected. The climbing plants proposed for the green façade are all suitable choices. The method of growing these plants in planter boxes to be irrigated by car park runoff is yet to be tested, and an appropriate condition should be formed around ensuring the establishment and maintenance of these plants. The green façade, if well established should aid in the mitigation of this building’s non compliances.

The circulation space at the ground floor level of the apartment building will aid in mitigation of this building’s non compliances.
Recommendations

- Chapel. I would recommend that the 4.5m building setback is enforced on this corner and that the height of the chapel building is reduced to mitigate its impact on the streetscape but more particularly on the heritage listed Cranmer Square opposite.
- Auditorium. My recommendation is that the 4.5m building setback be required on this street frontage.
- A full CPTED report to be carried out.
- Establishment and maintenance of the green façade plants be carried out to ensure full cover of the supporting screens within 3 years.

Conclusion

The application site is located in a residential zone which is characterised by a variety of residential environments of special residential character, amenity and coherence. The site is also located within Special Amenity Area (SAM) 32 and of particular importance to this SAM is the way in which the buildings relate to Cranmer Square.

The corner of the application site where the chapel is to be located is a very prominent corner in relation to Cranmer Square. The dramatic changes in the roofline of the chapel will disrupt the consistency of the streetscape within this SAM area. The height of this building and its proposed positioning directly on the road boundary make it very visually dominant and will detract from the character of Cranmer Square and the surrounding residential SAM area.

Similarly, the auditorium building is to be on a large scale, with dark colouring and intruding into the building setback by 2m. The bulk of this building will detract from the surrounding streetscape, given the domestic scale of the nearby listed heritage buildings and residential dwellings.

It is my opinion that if the applicant proceeds with this development as it is currently proposed, then the effects of the proposal on the surrounding streetscape and the heritage listed Cranmer Square will be more than minor.

Jennifer Dray
Senior Landscape Architect
Capital Delivery, Capital Programme Group, CCC

Peer reviewed Dennis Preston, Team Leader, Capital Delivery
Appendix Eleven: CPTED Assessment

35 Kilmore St
Spiritual Facility and Residential Development
RMA 92025955
CPTED Review

6 June 2014

1 Background

This review has been requested by the Senior Planner, Resource Consents, associated with this project. Due to time constraints it has not been possible to conduct a full CPTED review of the ODP and receiving environment, and the review should be considered with that in mind. This review focuses on CPTED issues identified from the ODP and does not address as yet unresolved design details.

The documents included in the review are:

RMA 92025955 Application Plans for Processing Draft

2 Review Criteria

CPTED looks to create safe places and safe communities through the application of a range of principles, strategies and methods. A primary reference source is the National Guidelines for Crime Prevention through Environmental Design in New Zealand¹. This review is conducted in accordance with the National Guidelines and also considers the issues of:

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• Context ie the consideration of the impact of the wider environment on the crime and safety issues of the project.
• Connections ie how the project relates to vehicle routes, transport connections, and significant pedestrian desire lines.
• Compatibility of use ie how the internal uses relate to one another.

3 Safety Issues

This project is concerned with creating a high amenity mixed use complex, featuring a chapel, an auditorium, several creative studio spaces, a café, a playground, a public courtyard, residential apartments and a car parking building all contained in an intensive, largely day-centric and inward focussed site. Developments of this nature may present certain increased risks from crime. These risks may include:

• Isolation from other activities and lack of oversight from passers-by,
• Impedance to sightlines ahead of travel.
• Lack of ‘readability’, where safe routes are not obvious or well signposted
• Presence of movement predictors where opportunities for alternative routes are absent,
• Entrapment spaces that can be used by a perpetrator to magnify control over a victim,
• Lack of clear ownership and threshold signals differentiating between public, semi-private and private space,
• Unintended uses and activities, including graffiti vandalism, alcohol consumption etc.

The extent to which these issues have been addressed and resolved is the basis for this review.

4 Assessment

It is apparent that safety from crime has been considered within the design, though it seems that a comprehensive CPTED perspective is lacking from this stage of the project. CPTED is an essential consideration for early-stage projects with a public space element. Comprehensive and expert CPTED input is recommended in order to maximise the overall success of the project.
The open, publically accessible courtyard has been identified as an area with increased risk factors associated. These risks include:

- The possibility of unintended use (anti-social and disorderly behaviour) within the complex, especially during periods of deactivation.
- Occupation of the courtyard space by non-legitimate groups who may impede or intimidate other users or residents, especially during periods of low activation or low light conditions.
- Pedestrian and vehicle congestion and potential conflict at peak times, especially in the vehicle drop-off / loading bay area identified between the chapel and the auditorium.
- Isolation from other activities and a lack of oversight from residents and passers-by due to impeded sightlines. This applies especially to the area of the children’s play ground between the car park building and the office.
- A lack of ‘readability’ regarding a) safe routes and b) ownership and the public vs private nature of the space.
- A lack of appropriate access control during periods of deactivation.
- A lack of clarity of provision of services / back of house facilities eg rubbish skips, food / goods deliveries, rubbish collection for residential units, letter boxes for residential units.
- A lack of clear semi-private community space for residents that is clearly defined as separate from the public courtyards.

5 Recommendations

The Design Team is to be commended for the quality of amenity indicated by the proposal. The mixed use nature of the complex extends its hours of activation and appeals to a wider demographic, and uses within the complex are complementary. Efforts have been made to activate street frontages by the positioning of residential units overlooking the street, and green walls and landscaping help to create a pleasant environment.

On review of the Application Plans Draft, the following recommendations are offered for consideration:

5.1 Oversight and Surveillance

- Oversight and surveillance of the internal courtyard are limited from the street front. Investigate opportunities to improve sightlines by the use of glazed and/or flared openings at the street front entrances.
• Oversight and surveillance of the internal courtyard are limited during periods of deactivation. Residential units appear to have limited sightlines into this area. Consider placement of windows, internal design of apartments and selection of landscaping features (trees lining courtyard) to improve sightlines and oversight.

• Oversight and surveillance of the children’s play space is limited by its location. Consider relocating the play area to a position of greater activation and better oversight (in front of the visitors info area?) in order to provide better supervised space. Alternatively, consider fully glazing the office frontage facing the play area and providing seating for parents in the play area to better enable supervision.

• Maintain any landscaping / trees to limit their impact on sightlines. Trees should be “high limbed” to provide good lines of sight across the complex, and of open growth habit to allow good sightlines into the courtyard from surrounding apartments.

• There appears to be an undercroft on the ground level of the parking building. Undercrofts are known to be crime attractors and offences such as facilitate unlawful entry and theft ex vehicle, as well as attracting drug and alcohol related antisocial and nuisance behaviour. We recommend that an alternative configuration of the ground floor is provided to eliminate or reduce these events.

5.2 Activation

• Improve appearance of activation during low activity times by making use of light spill from studios, café and kids’ space in parking building. Light spill and the use of theatrical lighting as specified in the ODP lighting plan will create a space that is visually active and interesting and increase the perception of offenders that anti-social behaviour will be noticed.

5.3 Access Control

• Consider access control measures during periods of deactivation, especially with regards to residential units and related areas. Residents should not fear encountering unauthorised people in the area when coming and going from apartments by night.

• Provide clear back of house and service areas with access controlled to legitimate use.

5.4 Ownership

• Create clear signals of ownership and public vs semi-public space between the complex and the street front. Make use of changes in surface materiality, lighting, signage and amenity to send a message of ownership
and to indicate to users of the space that the area is owned and should be treated with respect.

- Create clear signals of ownership and semi-public vs private space within the complex by the use of internal threshold treatments (repeating and consistent design elements, hierarchy of surfaces etc).

5.5 Safe Pathways and Connections

- Include pedestrian provision in vehicle drop off and loading bay area between chapel and auditorium to minimise potential for conflict between vehicles and pedestrians.
- Include wayfinding signage within complex to indicate landmarks / destinations both internal and external, in order to enable users to orient themselves in the wider environment and help them to plan ahead of their journey.

5.6 Community Space

Shared community space is important in building community connections within a neighbourhood or complex. It is important that residents in the apartments included in this complex have access to some form of shared ‘bump’ space that will enable them to encounter and mix with other residents in a neutral and comfortable manner. This will help residents to build relationships and make them more likely to take note of each other and who is around, taking more ownership over their own space and acting as capable guardians. The public courtyard in the complex cannot fulfil this role as the space is accessible to and invites use by (as it is intended to) a wide cross section of the public. Consider the inclusion of an area of shared space for residents, such as a shared garden or barbecue area. This could be located in the space currently identified as the children’s play space, should the play space be relocated to an area with better lines of sight and improved supervision.
Appendix Twelve: Heritage Assessment

Memorandum

To: Erina Metcalf, Senior Planner, Resource Consents Unit
From: Fiona Wykes, Senior Heritage Advisor, Natural Environment and Heritage Unit
cc:  
Date: 15 August 2014

Application for Land Use Consent

Mixed use spiritual facility/residential development

350 Montreal Street

The proposal is on the site of the former Normal School which was demolished following the Canterbury earthquakes. The application is of relevance to the heritage team as the site is adjacent to two Group 2 heritage items, namely Cranmer Square and 40 Cranmer Square.

Heritage Significance

Cranmer Square is a feature of the original town plan for Christchurch. It was the centre of a major educational precinct and is used for both formal and informal recreation. 40 Cranmer Square is a two storey, timber building that was formerly a shop. For a period of time it was use as a tuck shop for the Normal School and so has a direct link to the site of the proposed development.

Introduction

This application is for the construction of a new mixed use spiritual facility, along with a residential development. The proposal includes an auditorium, a chapel, a multi-storey car park, creative studios, a café, youth areas, a church office and six new one bedroom apartments.

Heritage Assessment

The proposal does not reduce the visibility of either Cranmer Square or 40 Cranmer Square from the nearby roads or public space. It does not impinge on the settings of the heritage items and does not detract from them. The proposal does not provide the enclosure to Cranmer Square that the former Normal School did, and in my opinion it does not provide the same presence to the corner. However I do not consider that any adverse effects on the adjacent listed heritage items and their settings would be more than minor as the proposal is divided from both items by Kilmore Street.
Submissions

I note that two submissions specifically raised concern around heritage matters; the submissions by ICON - Christchurch Inner City West Neighbourhood Inc. and Cranmer Park Ltd. The ICON submission talks about the heritage character of the area through the various listed items in the area. However, as noted above in my comments, I am only able to look at the effect on the sites adjacent to the proposal and not to the general character of the area as a whole. The Cranmer Park Ltd. submission states that the non-compliances around the heritage and amenity rules are totally unacceptable. As noted above, the only rule relating to heritage is the one pertaining to adjacent heritage items which I have discussed above. Given this is the case I consider that there is nothing further to be added to my report following consideration of the submissions made on the proposal.

I consider that any adverse effects on heritage values would be minor and therefore this proposal is acceptable with regards to heritage.
7 August 2014

Erina Metcalfe
Senior Planner
Christchurch City Council
PO Box 79214
Christchurch Mail Centre
Christchurch 8334

Dear Erina,

EXPERT ADVICE OF HERITAGE NEW ZEALAND POUHERE TAONGA ON PUBLICLY NOTIFIED RESOURCE CONSENT RMA92025955 APPLICATION 1/350 MONTREAL STREET.

1. Thank you for consulting Heritage New Zealand Pouhere Taonga on this proposal.

2. Heritage New Zealand Pouhere Taonga (formerly New Zealand Historic Places Trust) is an autonomous Crown Entity with statutory responsibility under the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA) for the identification, protection, preservation and conservation of New Zealand’s historical and cultural heritage. Heritage New Zealand is New Zealand’s lead agency for heritage protection.

3. Historic heritage is a matter of national importance under Section 6(f) of the Resource Management Act 1991 (the RMA). The definition of historic heritage under Part 2 of the RMA includes archaeology. Under section 104(1) of the RMA, a territorial authority must consider Part 2 matters (which includes section 6(f)) when making a decision on an application. Therefore, effects on archaeological sites must be taken into account by council when assessing a consent application.

4. Section 2 of the HNZPTA defines an archaeological site as:
   a) any place in New Zealand, including any building or structure (or part of a building or structure), that—
      (i) was associated with human activity that occurred before 1900 or is the site of the wreck of any vessel where the wreck occurred before 1900; and
      (ii) provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand;

5. The Heritage New Zealand Pouhere Taonga Act 2014 provides protection for all archaeological sites, whether recorded or not. It is unlawful to modify or destroy an archaeological site without the prior authority of Heritage New Zealand. By careful project design, it is frequently possible to avoid any such modification. However, where avoidance of an archaeological site is not possible, an Archaeological Authority will be required. An Authority is also required if there is reasonable cause to suspect that an archaeological site may be modified or destroyed. All applications for Archaeological Authorities must be made to Heritage New Zealand.
6. Heritage New Zealand’s Archaeological Risk Model for the Christchurch Central Business District has identified the site at 350 Montreal Street as having high archaeological risk. Therefore there is a high potential for archaeological remains to be uncovered during earthworks at this site.

7. If the Council is to approve this application Heritage New Zealand request that an advice note and information about the requirements of the HNZPTA be included in any decision notice advising that an archaeological authority is required from Heritage New Zealand.

8. If you require any further information about archaeological matters or the requirements of the Heritage New Zealand Pouhere Taonga Act please contact the Canterbury Regional Archaeologist on 03 357 9615 or email archaeologist@heritage.org.nz.

9. I would be grateful if you could send a copy of the decision notice for our records.

Yours sincerely,

[Signature]

Mike Vincent
Heritage Advisor Planning
Memorandum

Date: 15th August 2014

From: Mark Gregory (Transport Network Planner)

To: Erina Metcalfe – Resource Consents Team

CC: Richard Holland (Team Leader)

Re: RMA92025955 Development of a Spiritual Facility, 53 Kilmore Street

I have reviewed the following material:

- Integrated Transport Assessment (Abley), 8th April 2014
- Response to RFI, (Abley) 25th June 2014

1.0 Summary:

1.1 The non-compliances of the application include:

   a. High Traffic Generator
   b. Queuing space
   c. Distance of vehicle crossings from the intersections

Other issues which have been noted:

   d. Non compliance in ramp grades (as per AS/NS 2890.1, endorsed by the building code). The applicant has proposed an internal traffic management solution to this issue.

1.2 The overall levels of effects caused by non compliances are adjudged to be minor, based on assessment of effects and assessment of measures proposed by the Applicant to address effects. I consider the proposed measures to be suitably effective.
1.3 Concerns of impacts of non compliance have been raised with Aimee Dunne, transport Consultant at Abley, and suitable remediation has been agreed upon.

1.3.1 The following conditions are proposed:

a. That the location of the vehicle entrance is relocated so as to allow as straight alignment between the vehicle crossing and the car park ramp.

1.3.2 Abley have confirmed that the Architect can make this change. The change will allow the site access to perform more efficiently, without causing network delays. The change will increase non compliance of distance of vehicle crossings from intersections rule. However, the effects of this change would be negligible, compared to the benefits, which would be significant in my opinion.

1.4 Advice notes:

1.4.1 Notwithstanding the above, the Applicant shall be advised that the future conversion of Kilmore Street into a two-way road may necessitate for the installation of a median or device required to limit the site access to ‘left in – left out’ only. This would be undertaken under the Local Government Act requirements.

1.4.2 Although the site is not required to comply with parking rules, it is anticipated that, especially during the week, overflow parking demand may not be accommodated within the surrounding public parking network. Council may in the future elect to implement a residential parking permit scheme and therefore it is advised that the Applicant does not seek to rely on public parking amenities to satisfy parking requirements of the site.

1.4.3 The applicant is strongly encouraged to increase the provision of cycling facilities in order to improve the overall level of accessibility to the site.

2.0 Assessment of High Traffic Generator Rule

2.1 The determination of effects is most impacted by:

a. Levels of traffic demand turning into the site
b. Subsequent impacts upon network operations (as modelled by the applicant)
c. The design of the site access and internal access way, in order to allow for efficient access which minimises delay on the network.
2.2 Provided that the queuing space / access design rule non compliances is amended as has been agreed with Abley (see Condition 1 above), then the remainder of the assessment can be assessed as minor.

2.2.1 The reason is that the original site access ("access 1") was designed in order to minimise non compliance of the ‘Distance of vehicle crossings from intersections’ rule. In doing so, the alignment between the vehicle crossing and the car park ramp was misaligned, meaning that vehicles entering the site would be immediately required to negotiate a tight turn. The knock on effects would be to delay vehicles following behind, and increase the number of seconds required for vehicles to turn from Kilmore Street - which would result in intersection operation impacts.

2.2.2 This access issue would not have been considered in the modelling, which applied a standard gap acceptance parameter of 4 seconds.

2.3 If the changes to access design are made, as agreed, then negotiation time between the intersection and car park entrance will be reduced and therefore the modelling results, which show that the site access should perform well – can be upheld.

2.4 A Sidra model undertaken by Abley has been examined. The demand flows have been factored (using the ‘sensitivity analysis’ feature within Sidra). Vehicle flows were examined up to 200% and during PM peak conditions. The results were that, even demand flows are doubled, the access will function with a good level of service.

2.5 However, the type of access tested does not yet exist (it will be delivered in Central City Infrastructure Rebuild, phase 2) and may require implementation of a dedicated right turn bay, or changing to left in left out, as deemed appropriate following detailed design works. This is the reasoning for the advice note included in the summary.

2.6 Assessment of traffic generation and assignment assumptions

2.6.1 I support the conclusions reached by Abley.

2.6.2 The Abley report includes a ‘worst case scenario’ traffic generation, which is defined as the Chapel and Auditorium being simultaneously used, on a Sunday.

2.6.3 The trip generation rates for the Church are based on empirical evidence and observation, based on travel habits of the existing congregation of the existing site. This approach is supported and the data applied is therefore supported.
2.6.4 The ‘assignment’ assumptions of traffic were examined in the CAST model, and it is my opinion that the modelled outputs closely resemble assumptions by Abley.

2.6.5 Some detailed examination of ‘effects’ were undertaken in Sidra. The scenario is intended to be representative of the ‘worst case’. However, this is defined based on the peak activity access, and as opposed to the network peak. (‘Worst case’ in this instance may be subjective – however, this has been accounted for in the assessment).

2.6.6 The assumptions for the Auditorium have been assumed to be similar to the Church, as it would ‘host similar activities’. I am not disputing this assumption, but felt that further analysis was required to see the impacts of auditorium traffic upon the PM network peak. The reason for this is that the Auditorium may be hired as a conference venue, which may exhibit a different traffic characteristic to that of the Church.

2.6.7 I made a duplicate of the model and made some minor changes to the lane geometry (to reflect a typical two-way road layout) and applied traffic network flows from CAST 2021 model. The site access and egress flows were maintained, as both Church and Auditorium traffic generations are greater than the available parking on site. The findings were well within an acceptable limit. (However, modelled assumptions will be discussed in more detail below). I then applied a sensitivity test to the ‘right turn in’ movement, allowing for up to 200% of assumed flows, and the result was also well within an acceptable parameter. (Again, modelled assumptions need to be discussed in further detail).

2.6.8 The Sidra model has been coded by Ms Dunne to reflect a road layout which does not yet exist. Kilmore Street is presently one way only; whereas CCRP shows that it will be two-directional. It is Council’s intention that this will be delivered in Phase 2. It is sensible to investigate this future possibility. However, the model sent to Council includes assumed lane geometry of two through lanes and one exit lane. This is an unusual design configuration, and unlikely to be implemented. Therefore, it has been modified to include one through lane, one exit lane and one separate right turn short lane, which is a more feasible design outcome.

2.6.9 Considering the model outputs, and modifications made, the access has been estimated by Sidra to cause only minor effects to the networks, under all scenarios checked.

2.6.10 However, the intersection model can only offer indicative assessment of an intersection in isolation. The CAST model (PM peak, 2021) suggests that the Kilmore Street
approach to the Kilmore / Durham / Victoria will operate at an acceptable of capacity (75%) and experience on average a 37 second delay. This intersection is located ~140m east of the site access. Given this information, and understanding some of the limitations of CAST, it is my opinion that the section of Kilmore Street between Cranmer Square and Durham Street will probably be subject to congestion at times, which may impact upon the operation of site access. Specific effects may include increased delays to traffic turning out of the site, as well as traffic turning right into the site. It is the latter effect which presents the greatest network concerns.

2.6.11 Further updates to the CAST model, and Central City modelling work may demonstrate requirement for some changes to the design of the access intersection. However, fundamentally, it has been demonstrated at resource consent stage that it is possible for the site to be accessed without causing a more than minor effect to the network.

2.7 Assessment of proposed loading arrangements and heavy vehicle access

2.7.1 Deliveries to the site are to occur once daily (approximately) and timing of arrival has been specified to not coincide with peak periods. This reduces the impact of heavy vehicle access on the network

2.7.2 Delivery vehicles will enter the site via a dedicated entrance, which at all other times will be barricaded with temporary bollards. During RFI, it was confirmed that the site manager would be responsible for removing and replacing the bollards.

2.7.3 Following discussion with Abley, the proposed delivery access plan is supported, and effects considered negligible, under relevant assessment matters pertaining to ‘Heavy vehicles’ under the High Traffic Generator rule.

3.0 Assessment of parking area and access design

3.1 The application includes an intense traffic environment within the confines of the site and as such the operating conditions have been assessed against City Plan requirements (applicable in CCRP), in order to ensure public safety and a standard of design which upholds an acceptable standard for the Central City rebuild.

3.2 The car parking area and accesses are designed either to Australian / New Zealand standards, (2890.1), or with remediation where this has not been achieved.

3.3 I offer the following advice notes to assist the future operation of the development:
3.3.1 Advice notes:

a. whilst the impact of the need to install internal traffic management may not impact upon the network, it is advised that a stop lane is painted on the ramp, and priorities are determined. Priority should be given to vehicles travelling towards the exit.

b. A convex mirror may also be convenient in order for waiting vehicles to see the oncoming vehicles.

c. ‘Tandem spaces’ will work best if both spaces are allotted to the same dwelling. It is advised that tandem spaces should not be employed for a ‘public’ car parking arrangement.

d. The site does not comply with the City Plan (applicable in CCRP) with note 5 of Appendix 1 (Transport Chapter 13), which requires spaces abutting walls to be an additional 300mm wide. (Note this is also a design recommendation in the AS / NZ 2890.1: ‘blind aisles’ clause). The plans show these non complying spaces as marked ‘residential’. This can be an acceptable mitigation; however, the Applicant should be advised that the reason for the rule is to ensure that vehicles have appropriate over-steer space, in order to avoid vehicle damage. Therefore, Council will not be liable for any damage by failing to observe this non compliance in the assessment. The Applicant should be advised of this non compliance.

e. The Abley report confirms that, at the top of the ramp connecting ground floor to level 1, the available turning radius is inadequate for two percentile vehicles to pass one another. As such, vehicle warning sensors are proposed. This implementation is supported, because there are also grade changes on the turn, which, on the inside of the ‘bend’ are not separated by a 2m transition grade. This could not be achieved because the corner is 90°. It is not likely to be a problem, because of the proposal to allow only one vehicle through at a time, meaning that the resulting inner radius of ~4m should allow sufficient vertical clearance. (If this weren’t the case then vehicles with low suspension would likely scrape, as the sum of grade changes exceeds the maximum recommended design standard).

3.4 Parking space dimensions are larger than the City Plan requirement and the access narrower. However, this is allowable as this aspect of the parking module is designed to AS/NS 2890.1.

4.0 Conclusion
4.1 Provided that site access design is changed, it is determined at the stage of resource Consent that the impacts of High Traffic Generation will be minor.

4.2 Advice notes are included to the effect that future modelling and studies may show that changes to access design are required as part of the Central City Recovery process, and that these may be executed under directives of the Local Government Act.

4.3 Changes to public parking rules (for example, introduction of residential permit schemes) may be introduced, which could possibly impact upon patrons of the Church from being legally able to park on some residential streets. No further information is available about this - only that it is a possibility.

Please contact me on ext. 8618 if you would like to discuss further.

Regards,

Mark Gregory,
Transport Network Planner
Ext. 8618
Appendix Fifteen: Revised Access Email

Metcalf, Erina

From: Gregory, Mark  
Sent: Monday, 18 August 2014 9:41 AM  
To: Metcalf, Erina  
Subject: FW: Majestic Church - car park access relocation  
Attachments: image017.png, image020.png, image023.png, image010.emz, image011.png, image012.emz, image013.emz, image014.png, image015.png, image001.emz, image005.emz, image007.emz, image003.emz, image008.emz, image011.emz

This is what I have.

At the very least they support the condition, so there won't be any dispute.

Mark Gregory  
Transport Network Planner  
PH: (64) 03 941 8618

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From: Aimee Dunne [mailto:Aimee.Dunne@abley.com]  
Sent: Tuesday, 12 August 2014 3:47 p.m.  
To: Gregory, Mark  
Subject: FW: Majestic Church - car park access relocation

Hi Mark,

Please find in the email below a sketch of the realigned access into the car park. Hopefully this should sort things from our end but if you need anything else just let me know.

Many thanks,

Aimee

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From: Ying Chee Tan [mailto:YingChee.Tan@dko.com.au]  
Sent: Friday, 18 July 2014 3:55 p.m.  
To: Aimee Dunne  
Cc: rachel@do.co.nz; Koos de Keijzer; Jesse Linardi  
Subject: FW: Majestic Church - car park access relocation

Hi Aimee,

We are ok with the shift, I have mock up the new layout arrangement as shown below, but I will update the actual Resource Consent Package after public notification along with any other comments.

Thank you.

27/08/2014