

## **PLANNING COMMITTEE AGENDA**

**FRIDAY 15 FEBRUARY 2013**

**AT 1PM**

**IN COMMITTEE ROOM 1, CIVIC OFFICES, 53 HEREFORD STREET**

**Committee:** Councillor Sue Wells (Chairperson),  
Councillors Peter Beck, Sally Buck, Jimmy Chen, Aaron Keown, Glenn Livingstone and  
Claudia Reid.

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- PART A - MATTERS REQUIRING A COUNCIL DECISION**
- PART B - REPORTS FOR INFORMATION**
- PART C - DELEGATED DECISIONS**

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1. APOLOGIES

2. DEPUTATIONS BY APPOINTMENT

Nil.



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**3. PROPOSED CHRISTCHURCH CENTRAL RECOVERY PLAN CHANGES TO CENTRAL CITY LIVING ZONE PROVISIONS IN THE OPERATIVE CHRISTCHURCH CITY DISTRICT PLAN**

<b>General Manager responsible:</b>	General Manager Strategy and Planning, DDI 941-8281
<b>Officer responsible:</b>	Urban Design and Regeneration Unit Manager
<b>Author:</b>	Scott Blair, Senior Planner

**PURPOSE OF REPORT**

1. The purpose of the report is to:
  - (a) Give the Committee an overview of the Central City Living Zone investigation background, terms of reference (refer page 8 of **Committee Report Attachment 1: Overview Central City Living Zone Review and District Plan Changes**), targeted consultation, review process, and conclusions; and
  - (b) Recommend to the Council that the front end report **Committee Report Attachment 1** and changes to the City Plan in **Committee Report Attachment 2: Central City Living Zones Technical Report 1 Proposed Changes to the City Plan** be adopted as those that it was directed to propose to the Minister of Earthquake Recovery (the Minister), in accordance with Sections 24(3) and (5) of the Canterbury Earthquake Recovery Act 2011, on or before 1 March 2013.

**EXECUTIVE SUMMARY**

2. The Christchurch Central Recovery Plan (CCRP) was released by the Minister on 30 July 2012. It directed that the Council propose changes to its Operative District Plan for the Living Zones within the Central City as necessary in order to give effect to the CCRP, on or before 1 March 2013. Specifically the Council must:

*"...propose changes to objectives, policies, and methods relating to the Living 4A (Central City Diverse), Living 4B (Central City and North Beach – High Rise), Living 4C (Central City – Character) Living 5 (Travellers' Accommodation) and Special Amenity Areas 22, 23, 23a, 24, 25, 26, 27, 30, 31, 32, and 33 as they relate to the CBD (as defined in section 4 of the CER Act) necessary to give effect to the Recovery Plan and provide such changes to the Minister of Earthquake Recovery on or before 1 March 2013. This work is to be undertaken in conjunction with CERA and is not required to comply with Schedule 1 of the RMA or any other formal public process.<sup>1</sup>*

3. Terms of Reference for the review were recommended by the Planning Committee to the Council, and adopted by the Council on 25 October 2012. A copy of those terms of reference is attached at **Committee Report Attachment 1** on page 8. In summary the following issues are within scope:

- District Plan objectives and policies
- Split zoning into Living 4A, 4B and 4C sub-Zones
- Built form and amenity standards
- Special Amenity Areas
- Living 5 Zones
- Consequential changes.

Staff have carried out the review in accordance with the adopted terms of reference and have developed the package of regulatory changes shown in **Committee Report Attachment 2**.

4. As part of the development of the package of changes, staff have undertaken a series of targeted workshops and consultation meetings with developers, landowners, and resident's

<sup>1</sup> Christchurch Central Recovery Plan, page 108, Statutory Directions, direction 2.

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groups that have interests within the Living Zones of the Central City. An information sheet, with a feedback form that could be returned by free post, was distributed by the team at these meetings. Staff have also consulted the Urban Design Panel. This targeted feedback period ran from 31 October to 7 December 2012. A summary of the consultation, including, that received under the feedback form, is attached at **Attachment 3: Central City Living Zones Review Appendix 2 Consultation**. A Central City Development Unit (CCDU) representative was present at a number of the consultation events and at the Urban Design Panel meeting. Staff have also held briefing meetings with CCDU officers as the project progressed.

5. The major (and diverse) themes to come out through consultation were:
  - Desire by major travellers accommodation operators/owners to retain the Living 5 zones and relax some standards.
  - Acknowledgement by some residents that some Special Amenity Areas (SAs) have not worked particularly well and/or that their character has changed.
  - Some residents wanted to keep SAs to guide redevelopment and recognised that some SAs still retained their character.
  - A desire by some residents to retain the character of the Living 4 areas.
  - A range of views on heights which tended to be area specific. Some wanting relaxed or standardised heights, others wishing to retain an area specific height. Some indicating that if heights are changed they should be lowered.
  - Developers presented a diverse range of views with some suggesting, for example"
    - certainty in the resource consent process and that it be flexible and enabling.
    - assessment matters can create some uncertainty at the early stage of consenting process.
    - parking requirements had a major impact on how sites were developed, but also acknowledged that their market required car parking.
  
6. Several of the themes from developers that came out from the consultation were beyond the scope of the statutory directions and the Council's Terms of Reference for this project. These themes were:
  - the Urban Design Panel needed 'more teeth' to make decisions;
  - case manager approach to consenting was important;
  - developer contributions should be relaxed;
  - thoughts that 'tinkering with the rules' will not 'kick start' development. Demand and other process issues needed to be attended to.
  
7. Several investigations and analysis have been undertaken to identify elements within the existing living zones that might be changed in accordance with the Minister's directions:
  - Modelling and/or analysis of development, community or critical standards and the potential effects of altering, consolidating or deleting some standards (refer **Committee Report Attachment 4: Central City Living Zones Review - Technical Report 3 Urban Design**).
  - Site visits and further analysis to determine the relevance of some development, community or critical standards in the post earthquake context.
  - A review of the 11 Special Amenity Areas in the central city and their associated rules in the post earthquake context. (refer **Committee Report Attachment 5: Central City Living Zones Review – Technical Report 4 Central City Special Amenity Areas**).
  - A review of Plan Change 53 as it relates to Living 4 in the Central City in the post earthquake context, in particular the Council's decisions on submissions released post 22 February 2011 earthquake.
  - A general review of the City Plan Objectives, Policies and Rules following completion of the aforementioned investigations, analysis and consultation.
  - Other investigations and background material referred to in the Overview Central City Living Zone Review and District Plan Changes (**Committee Report Attachment 1**) are set out in **Committee Report Attachments 6-9**.

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The conclusions from this process are summarised below:

- (i) The Living 4A and Living 4B zones in the central city should be merged with the Living 4C zone in the central city. Retention of the Living 4C zoning will minimise number of changes required to the text in the City Plan. Creation of a new zone requires extensive changes throughout the Plan.
- (ii) The Living 5 (Travellers Accommodation) zone should be retained on the existing travellers accommodation sites at Peterborough (the George), Montreal (Chateau Blanc) and the Avon Loop (the Holiday Inn), but that the zone be removed from the rest of the block bounded by Kilmore Street, Park Terrace, Peterborough Street and Montreal Street, not containing travellers accommodation.

- (iii) The following development, community or critical standards should be consolidated.

Volume 3, Part 2, Rule 4.2.1 Outdoor Living Space - Residential Activities. The outdoor living space requirement should be standardised across the whole Central City Living zones as a minimum of 24m<sup>2</sup> with a minimum private area of 12m<sup>2</sup>.

Volume 3, Part 2, Rule 4.2.3 Street Scene and Accessways – Residential and Other Activities. The road setback should be standardised to 2m across all sites.

Volume 3, Part 2 Rule 4.2.5 Separation from neighbours. The required separation should be standardised to 1.8m from the boundary for all sites.

Volume 3, Part 2, Rule 4.2.10 Ground Floor Habitable Room Residential Activities be altered so that 30 per cent all residential units in the Central City Living 4C Zone have a habitable space on the ground floor.

Volume 3 Part 2, Rule 4.4.4 Height Residential Activities, where it relates to heights in the Central City Living zones (breach of which is a non complying activity) be deleted and a new Community Standard (breach of which is a discretionary activity) for these height limits be introduced.

Volume 3, Part 2, Appendix 1 Recession Planes be amended so that only Diagram E applies across the Central City Living 4C zone.

- (iv) The following development, community or critical standards, as they relate to the Central City Living 4 Zones, should be removed:

Volume 3 Part 2 Rule 4.2.3 (b) Street Scene and Accessways – Residential and Other Activities – Special Amenity Areas (SAs) Only – except for the SAs as agreed under SAs

Volume 3, Part 2, Rule 4.4.1 Residential Site Density – Residential Activities  
This is a floor area ratio that is no longer relevant following PC 53.

Volume 3 Part 2, Rule 4.4.2 Site Density – Other Activities where it relates to site density of 0.5 for SAs 24, 25, 26, and 27.

Volume 3, Part 2, Rule 4.4.3 Open Space – Residential Activities – Living 4C (Avon Loop). This is a maximum building coverage that is no longer relevant.

- (v) The following development, community or critical standards should be altered:

Height Limits:

- The heights shown as 30 metres on Hagley Avenue and east of Cranmer Square be reduced to 14 metres.
- The heights shown as 20 metres east of Latimer Square be reduced to 14 metres.

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- The heights shown as 11 metres North of Cranmer Square be increased to 14 metres.
  - The height shown as 11 metres South of Cranmer Square (south east corner of Montreal and Kilmore Street only) be increased to 14 metres.
  - The heights shown for the L4C Avon Loop be given a uniform 8 metres.
- (vi) The individual assessment matters for the SAmS in the Central City should be deleted. The existing general assessment matters for SAmS will suffice.
- (vii) The current 'trigger' for assessment under the urban design rule Volume 3 Part 2, 4.2.7 Urban design appearance and amenity - residential and other activities in the SAmS remain unchanged.
- (viii) The following SAmS should be deleted in their entirety:
- 23 Salisbury Street, 23a Salisbury Street, 24 Avon Loop, 31 Park Terrace/Rolleston Avenue (but keep specific setback of 4.5m), 32 Cranmer Square, and 33 Latimer Square.
- (ix) The following SAmS areas should be retained as an overlay with amendments made to the City Plan so that the general assessment matters introduced by Plan Change 53 apply to all new buildings as seen from a public place:
- 22 Gloucester/Montreal - Retain the 4.5 metre setback for SAm 22.
  - 25 Gracefield – Reduced in area, but retain the 4.5 metre setback for SAm 25.
  - 26 Peacock/Beveridge/Conference - Also: Delete SAm specific development, community or critical standards.
  - 27 Otley/Ely – Also: Delete SAm specific development, community or critical standards.
  - 30 Chester Street East – Also Delete SAm specific development, community or critical standards.
8. A table which compares the existing city plan rules against the proposed amended City Plan rules has been included as **Committee Report Attachment 10**. The following is a summary of that table (note the following table does not contain changes that not substantive or consequential):



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## Main Changes

PROVISION	OLD	NEW
Planning maps – extent of zones		
Living 4A 4B and 4C zones	L4A, L4B and L4C over a portion of the Central City.	All L4A, L4B and L4C zones become Living 4C.
Living 5 zone	Two L5s inside the Central City – Peterborough and Avon Loop.	<ul style="list-style-type: none"> <li>Peterborough St L5 is now smaller and split into two; one of the balance in the Peterborough block renamed the Montreal St L5. Avon Loop L5 remains.</li> <li>Zone description amended accordingly.</li> </ul>
Volume 3 Living 4 Rules and other clauses.		
Development Standards		
Street scene (Volume 3, Part 2, 4.2.3)	<ul style="list-style-type: none"> <li>Referred to L4B (Central City) which doesn't apply in Central City any more</li> </ul>	<ul style="list-style-type: none"> <li>Reference to L4B in the Central City deleted.</li> <li>(References to some SAm areas deleted – see SAm changes outlined below);</li> </ul>
Separation from neighbours (Volume 3, Part 2, 4.2.5)	L4B (Central City) – no setback from internal boundary	Rule for L4B (Central City) deleted - this has the effect of applying a 1.8m setback to all internal boundaries in the areas that were formerly L4B.
Development Standards		
List of standards which when breached require a non-notified resource consent (Volume 3, Part 2, 4.2)		Resource consent to breach 4.2.10 Ground floor habitable room becomes non publicly notified not requiring other parties written approvals.

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PROVISION	OLD	NEW
Street scene and accessways (Volume 3, Part 2, 4.2.3)	<ul style="list-style-type: none"> <li>• (a) required 1-2m street scene setbacks in L4C (Avon Loop) as per planning map 39G;</li> <li>• sub-clause (a)(v) providing for height reduction by 2m in some Central City areas (map 39G);</li> <li>• sub-clause (c) - rule on placement of car parking in L4C (Avon Loop)</li> <li>• For Park Terrace (between Bealey and Armagh/Rolleston cnr – a part of former SAm 31) - road setback was 2m</li> </ul>	<ul style="list-style-type: none"> <li>• references to L4C (Avon Loop) and map 39G deleted – normal L4C 2m setback rules apply;</li> <li>• sub-clause (a)(v) deleted (no height reduction);</li> <li>• subclause (c) deleted</li> <li>• Added new road setback of 4.5m for Park Terrace L4C area;</li> <li>• references to some SAm areas deleted;</li> </ul>
Separation from neighbours (Volume 3, Part 2, 4.2.5)	L4C (Avon Loop) – no setback from internal boundary	Normal setback of 1.8m from internal now applies for Central City L4C zone in the Avon Loop area.
Urban design appearance and amenity (Volume 3, Part 2, 4.2.7)	Provisions combined for Central City and other SAm areas.	Clause altered – specific provisions for SAm areas within Central City - subject to assessment matters in Volume 3 Part 2, rule 13.2.8 Urban design, appearance and amenity.
Ground floor habitable room (Volume 3, Part 2, 4.2.10)	Generic rule for all L3, 4A, 4B and 4C – 50% of all units in development shall have a habitable space at ground level.	Specific sub-clause added for L4C in Central City and percentage of units required to have a habitable space on the ground floor reduced to 30%;
Outdoor living space (Volume 3, Part 2, 4.2.11)	Generic rule for all L3, 4A, 4B and 4C – 30m <sup>2</sup> outdoor living space requirement, or 16m <sup>2</sup> if combined with communal areas	Changed to 24m <sup>2</sup> or 12m <sup>2</sup> if combined with communal areas for the new Central City L4C area.

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PROVISION	OLD	NEW
Community Standards (other activities only)		
<p>Scale of activity – other activities (Volume 3, Part 2, 4.3.1)</p> <p>Site size – other activities (Volume 3, Part 2, 4.3.2)</p> <p>Hours of operation – other activities (Volume 3, Part 2, 4.3.3)</p> <p>Traffic generation – other activities (Volume 3, Part 2, 4.3.4)</p> <p>Residential coherence – other activities (Volume 3, Part 2, 4.3.6)</p>	<p>Changes to the intent of ‘other activity rules’ (non residential activity rules) are outside the scope of this review – they have been previously changed under the recovery plan.</p>	<p>Some drafting changes made to reflect there being only one zone by referring to hatched areas on the zoning planning map.</p>
<p>Building Height in Living 4C zones in the Central City – New rule (Volume 3, Part 2, 4.3.7)</p>	<ul style="list-style-type: none"> <li>• Building heights as per current planning map 39D</li> <li>• Corner of Hagley Avenue and Moorhouse Avenue L4B - height limit was 30m;</li> <li>• Height limits for L4C (Avon Loop) as per map 39C (ranged from 6m to 12m);</li> <li>• Area of L4B east of Latimer Sq – 20m</li> <li>• Two areas of L4C north and south of Cranmer Sq – 11m</li> <li>• Area of L4C between Rolleston Ave, Cambridge Terrace, Montreal &amp; Hereford St – 20m</li> </ul>	<ul style="list-style-type: none"> <li>• New rule refers to building heights as shown on the amended planning map 39D for Central City Living Zones Review. Some amended:</li> <li>• Corner of Hagley Avenue and Moorhouse Avenue (now L4C) - new height of 14m;</li> <li>• New height limit for Avon Loop area (now standard L4C) – 8m;</li> <li>• L4B replaced with L4C, new height – 14m</li> <li>• Two areas of L4C north and south of Cranmer Sq – new limit - 14m</li> <li>• Area of L4C between Rolleston Ave, Cambridge Terrace, Montreal &amp; Hereford St – 14m</li> </ul>

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PROVISION	OLD	NEW
Critical Standards		
Residential site density (Volume 3, Part 2, 4.4.1)	<ul style="list-style-type: none"> <li>• Rule for L4A</li> <li>• Rule for L4C excluding L4C (Avon Loop) – 1.2 floor ratio</li> <li>• Exception for SAm 25, 26, 27</li> </ul>	<ul style="list-style-type: none"> <li>• Residential site density rules no longer apply in the L4C central city living zone.</li> <li>• Exception for SAm 25, 26, 27 deleted</li> </ul>
Site density - other activities (Volume 3, Part 2, 4.4.2)	<ul style="list-style-type: none"> <li>• Rule for L4A</li> <li>• Exception for SAm 25, 26, 27</li> </ul>	<ul style="list-style-type: none"> <li>• L4A deleted</li> <li>• Exception for SAm 25, 26, 27 deleted</li> </ul>
Open space – residential activities – L4C (Avon Loop) (Volume 3, Part 2, 4.4.3)	Specific rule for L4C Avon Loop	Rule deleted
Building Height (Volume 3, Part 2, 4.4.4(i))	Existing Central City height limits as a critical standard	<ul style="list-style-type: none"> <li>• Rule (i) deleted</li> <li>• Breach of heights become a discretionary activity (Community Standard)</li> </ul>
Retailing – other activities (Volume 3, Part 2, 4.4.5)	Reference to L4C (Avon Loop) – changes out of scope of project	Mechanical changes – the intent remains the same.
Volume 3 Living 5 Rules and Other Clauses.		
Categories of Activities (Volume 3, Part 2, 5.1)		
Residential activities and other activities (except travellers' accommodation) - all standards (Living 5 Zone) (Volume 3, Part 2, 5.1.1)	Reference to “Peterborough – As for L4A zone”;	<ul style="list-style-type: none"> <li>• Reference changed to “Peterborough – As for L4C (Central City) zone”;</li> <li>• New reference added to “Montreal – As for L4C (Central City) zone”;</li> </ul>
Development Standards (Volume 3, Part 2, 5.2)		
Site density (Volume 3, Part 2, 5.2.1)		Plot ratio of 0.8 for Montreal St L5 added – this reflects the existing 0.8 on the Peterborough block.
Sunlight & outlook for neighbours (Volume 3, Part 2, 5.2.3)	The more restrictive Diagram D recession planes applied to the Central City Living 5 Zones	Recession planes restriction for new Montreal L5 added; <ul style="list-style-type: none"> <li>• Peterborough St changed to Diagram E (less restrictive)</li> </ul>

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PROVISION	OLD	NEW
Street scene (Volume 3, Part 2, 5.2.4(c))	(c) Requirement for lower building height in L5 in Avon loop where no street setback was required as per the old map 39G.	(c) deleted and replaced with no street scene setback provision for those parts of Avon Loop L5 where no street scene setback is shown on the amended planning map 39G.
Separation from neighbours (Volume 3, Part 2, 5.2.7)		3m setback requirement now applies, Montreal L5 now added to the rule
External appearance (Volume 3, Part 2, 5.2.8)	<ul style="list-style-type: none"> <li>Montreal L5 had no controls,</li> <li>(c) Building alterations and new buildings in the Avon L5 were a controlled activity</li> </ul>	<ul style="list-style-type: none"> <li>In both Montreal and Avon L5 areas, new buildings, alterations and additions visible from public places are now a discretionary activity,</li> <li>Sub-clause (c) now deleted</li> </ul>
Volume 3 Part 2 Critical Standards		
Site density (Volume 3, Part 2, 5.4.1)		<ul style="list-style-type: none"> <li>Montreal L5 now subject to 0.9 plot ratio</li> </ul>
Building Height (Volume 3, Part 2, 5.4.3)	Avon L5 – controls as per map 39G	Montreal and Avon L5 are now subject to maximum height as per amended map 39D
Volume 3 Part 2 Assessment matters		
Generally (Volume 3, Part 2, 13.2, 13.2.4, 13.2.7, 13.2.9, 13.2.10, 13.2.11, 13.2.13 - 13.2.17)	References to L4A, L4B and L4C	<ul style="list-style-type: none"> <li>Changes made to reflect the deletion of the L4A and L4B zones in the Central City.</li> </ul>
Urban design, appearance and amenity - Living 3, 4A, 4B and 4C Zones (Volume 3, Part 2, 13.2.8)	(b) contained specific matters related to various SAm areas	Matters related to SAm 22, 30, 31, 32, 33 have been deleted

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PROVISION	OLD	NEW
Volume 3 Part 2 – Living Zones - Appendices		
<b>Appendix 1 – Recession planes and containment angle diagrams</b>	<ul style="list-style-type: none"> <li>• References to L4A in various diagrams;</li> <li>• Diagram D applied to all of L4C zone; and L5 (Peterborough) and adjoining non-living zones;</li> <li>• Diagram E applied to L5 (Avon) and adjoining non-living zones</li> </ul>	<ul style="list-style-type: none"> <li>• References to L4A deleted in all diagrams;</li> <li>• Diagram D applies to L4C zone outside the Central City only but references to L5 (Peterborough) and adjoining non-living zones are now in Diagram E</li> <li>• Diagram E – references to L5 (Avon) and adjoining non-living zones now deleted</li> <li>• Diagram E (less restrictive) now applies to L4C and L5 inside the Central City;</li> </ul>
	<ul style="list-style-type: none"> <li>• MAPS 39B, D, G</li> </ul>	Amended as per new maps. 39G deleted as it has become redundant. SAm 22, 30, 31, 32, 33 deleted. Some remaining SAmS reduced in size.

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9. The recommended changes are expected to make the City Plan easier for the general public to understand and interpret and for Council officers to administer by removing or consolidating rules that are no longer necessary because:
- (i) the physical circumstances in the Central City have changed as a result of the earthquakes and the rules are redundant; and
  - (ii) ongoing urban development over time has shown that some rules have not been effective and need not continue in City Plan; and
  - (iii) some rules and assessment matters are duplications of other rules or the outcomes that they seek are better delivered by other City Plan mechanisms and are therefore not required.

**FINANCIAL IMPLICATIONS**

10. See below.

**Do the Recommendations of this Report Align with 2009-19 LTCCP budgets?**

11. The project has been undertaken with some urgency and is funded from existing budgets.

**LEGAL CONSIDERATIONS**

12. The review is required by a Statutory Direction from the Christchurch Central Recovery Plan, pursuant to section 24 of the CER Act 2011.

13. The Council must:

*"...propose changes to objectives, policies, and methods relating to the Living 4A (Central City Diverse), Living 4B (Central City and North Beach – High Rise), Living 4C (Central City – Character) Living 5 (Travellers' Accommodation) and Special Amenity Areas 22, 23, 23a, 24, 25, 26, 27, 30, 31, 32, and 33 as they relate to the CBD (as defined in section 4 of the CER Act) necessary to give effect to the Recovery Plan and provide such changes to the Minister of Earthquake Recovery on or before 1 March 2013. This work is to be undertaken in conjunction with CERA and is not required to comply with Schedule 1 of the RMA or any other formal public process.<sup>2</sup> "*

**ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

14. See below.

**Do the recommendations of this report support a level of service or project in the 2009-19 LTCCP?**

15. The requirement for a review of Central City Living Zones was not anticipated by the LTCCP, being an outcome of the Christchurch Central Recovery Plan.

**ALIGNMENT WITH STRATEGIES**

16. In undertaking the review, regard has been had to the Recovery Strategy, the Christchurch Central Recovery Plan, the Greater Christchurch Urban Development Strategy, and the Healthy Environment Strategies.

**Do the recommendations align with the Council's strategies?**

17. See above.

<sup>2</sup> Christchurch Central Recovery Plan, page 108, Statutory Directions, direction 2.

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**CONSULTATION FULFILMENT**

18. Public Consultation was not required by the Statutory Direction. Nevertheless some 'targeted stakeholder input' has been undertaken in accordance with the terms of reference shown in **Attachment 1**. The investigation process has had regard to the outcomes of the extensive consultation undertaken by the Council during the preparation of the Draft Central City Plan in 2011 and by the Minister in early 2012, following receipt of the draft Central City Recovery Plan.
19. Following discussions with CERA representatives it is not completely clear whether the Minister will follow a further public consultation process once he receives the recommendations. However given the nature of the changes discussed it seems unlikely that the Minister would proceed to direct changes to the City Plan without a further consultation process. It is noted that a further consultation process was undertaken for the earlier change to the City Plan arising from the Central City Recovery Plan – including the consultation on the transport provisions which are currently underway. Whilst officers have undertaken some consultation it is recommended that the Council recommend to the Minister that a further public comments process be undertaken by the Minister before he makes a final decision on the Council's recommendations.

**STAFF RECOMMENDATION**

That the Planning Committee recommend that the Council:

- (a) Recommend to Minister of Earthquake Recovery that he undertake a further period of public feedback and comment on the Council's recommended changes as enabled by the Canterbury Earthquake Recovery Act 2011; and
- (b) Propose to the Minister of Earthquake Recovery that, following and taking into account the further consultation recommended in (1) he direct the Council to amend the Operative Christchurch City District Plan, in accordance with the changes and the supporting analysis, as set out in **Committee Report Attachments 1-10** inclusive.

**BACKGROUND**

The Minister's direction in the Central City Recovery Plan

20. On 30 July 2012 the Minister released the Christchurch Central Recovery Plan (CCRP). As part of the Recovery Plan the Minister directed the Christchurch City Council to make changes to the Operative Christchurch City District Plan so as to facilitate the recovery of the Central City. Significant changes were made to Objectives, Policies, Rules and Zones in the City Plan. These changes were shown in Appendix 1 of the CCRP. The changes that were directed related to the new Central City Business Zone, the new Central City Mixed Use Zone, the Conservation 5 Zone, the Special Purpose Hospital Zone, the Business 1 Zone, the Cultural Zones, Temporary Activities, Transport Provisions, Heritage Provisions, Noise and Entertainment Provisions. A large number of Designations for recovery related projects were also introduced.
21. However only very limited changes were made to the Living 4 (residential) zone provisions for the Central City. The Minister explained the reason for this at page 107 of the Recovery Plan:

*"A review of the existing Living Zones has confirmed that the zone provisions give effect to the proposed Regional Policy Statement objective of intensifying development and increasing the residential population. Whilst there is some complexity in the zone provisions it is not considered that this complexity impedes immediate recovery and accordingly the changes made at this time are restricted to tightening the controls on non residential activities and resolving some minor zoning anomalies.*

*Together with increasing the population of the central city, the Recovery Plan aims to improve the quality of the living environment. The analysis undertaken by CERA indicates that the*



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*number of different Living Zones together with the overlay of the Special Amenity Areas results in an unduly and unnecessarily complex planning environment. Provisions that were designed to improve and/or protect amenity some years ago may now be less effective than is desirable given the changed circumstances of these areas. To ensure the goal of creating a high quality inner city living environment is met, a review of the various Living Zone provisions including the Special Amenity Areas is directed to be undertaken by the Council ...” (Emphasis added)*

22. Other relevant statements in the Recovery Plan are:

*To ensure that a high-quality inner city living environment is created, Christchurch City Council has been directed to review the various Living Zone provisions, including the Special Amenity Areas, via the Statutory Direction to Amend Planning Instruments section of this plan (page 81).*

23. What officers have taken from these extracts (particularly the emphasised parts), and is reflected in the terms of reference (discussed in the next section) is that the Minister is concerned that the zone provisions are unduly and unnecessarily complex, but that changes should improve the quality of the living environment.

24. The Minister’s specific direction was that the Council must:

*“...propose changes to objectives, policies, and methods relating to the Living 4A (Central City Diverse), Living 4B (Central City and North Beach – High Rise), Living 4C (Central City – Character) Living 5 (Travellers’ Accommodation) and Special Amenity Areas 22, 23, 23a, 24, 25, 26, 27, 30, 31, 32, and 33 as they relate to the CBD (as defined in section 4 of the CER Act) necessary to give effect to the Recovery Plan and provide such changes to the Minister of Earthquake Recovery on or before 1 March 2013. This work is to be undertaken in conjunction with CERA and is not required to comply with Schedule 1 of the RMA or any other formal public process.*

Terms of reference

25. On 25 October 2012 the Council adopted the recommendation of the Planning Committee for the staff’s terms of reference for the review directed by the Minister – discussed in the preceding section of this report. Those terms of reference are set out in page 8 of **Committee Report Attachment 1**.

26. The terms of reference were set by the Council to ensure that a pragmatic approach was followed which recognised residential drivers, aimed to reduce complexity and uncertainty, but ensured a high quality residential environment. The terms of reference also ensured that staff did not look into areas that were not relevant (within the context of the statutory direction) or were not strictly city plan contents related. Nevertheless staff took into account:

- other staff’s implementation experience; and
- that Plan Change 53 (discussed below under *Review of Plan Change 53*) has only recently become operative; and
- that the City Plan rules/mechanisms are one part of the regulatory and non regulatory package that will drive recovery in Central City Living and that any changes should work with these.

Targeted stakeholder engagement and feedback.

27. Notwithstanding that the Council was not obligated to undertake a formal public consultation process in this investigation staff have engaged in ‘targeted stakeholder’ engagement. Staff have endeavoured to identify people or other entities who have a specific interest or are representative of larger groups in the community. Meetings have been held with:

- Nicky Wagner Member of Parliament for Christchurch Central
- Carter Group, Chateau Blanc Holdings and the owner’s representative, General Manager of The George Hotel, and major travellers accommodation business owners in the Living 5 Zone

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- Seven Residents Associations in a facilitated meeting
  - Chester Street East Residents Association
  - Victoria Neighbourhood Association
  - Hagley Ferrymead Community Board (Public Meeting)
  - Planning Committee of Christchurch City Council 3 October (Public Meeting)
  - Public drop in session – HMNZS Pegasus Meeting Room
  - Avon Loop Planning Association
  - Community and Public Health Staff
  - Council Meeting 25 October (Public Meeting)
  - Urban Design Panel
  - Chester Street East Residents Association
  - Mahaanui Kurataiao Limited (MKT) on behalf to Te Rununga O Ngai Tahu
  - Christ's College
  - DJK Holdings
  - Alpine View Landholdings
  - Inner City Developers workshop 4 December.
28. A representative of the CCDU was present at a number of the stakeholder engagements and responded to questions about the process as necessary. A representative was also invited to attend team coordination meetings.
29. The project was listed on the 'Have Your Say' page of the Council's Website. The public could submit comments up to 5pm on Friday 7 December 2012.
30. Staff produced, and made available at meetings and other engagements, an information and discussion brochure and feedback form. Feedback could be submitted to staff up to 5pm on Friday 7 December 2012.
31. After staff identified the option to remove the Living 5 zoning from parts of the block bounded by Park Terrace, Peterborough Street, Montreal Street and Kilmore Street (and put a Living 4C zoning in its place) a letter was sent out to the potentially affected landowners with information about the proposed change. Owners were asked to provide comments on the proposal by 8 February 2013. The results of this extra consultation will be reported to the Committee.
32. The major (and diverse) themes to come out through consultation were:
- Desire by major travellers accommodation operators/owners to retain the Living 5 zones and relax some standards.
  - Acknowledgement by some residents that some SAs have not worked particularly well or that their character has changed.
  - Some residents wanted to keep SAs to guide redevelopment and that some SAs still retained their character.
  - A desire by some residents to retain the character of the Living 4 areas.
  - A range of views on heights which tended to be area specific. Some wanting relaxed or standardised heights, others wished to retain an area specific height. Some indicating that if heights are changed they should only be lowered.
  - Some developers wanted certainty in the resource consent process and that it be flexible and enabling.
  - Some developers felt assessment matters can create some uncertainty at the early stage of consenting process.
  - Some developers felt the Urban Design Panel needed 'more teeth' to make decisions.
  - Some developers felt that parking requirements had a major impact on how sites were developed, but also acknowledged that their market required car parking.
  - Some developers felt a case manager approach to consenting was important.
  - Some developers felt developer contributions should be relaxed.
  - Some developers felt 'tinkering with the rules' will not 'kick start' development. Demand and other process issues needed to be attended to.

### 3 Cont'd

33. Whilst staff have undertaken some consultation it is recognised that this been limited by the time available in the review process. The Minister has the ability to call for a period of further public response and comment before he makes a final decision on the recommended changes. It is recommended that the Council recommend to the Minister that he undertakes a further consultation on these changes.

#### Investigations and Analysis

34. Staff have initiated and carried out individual investigations and analysis to identify elements within the existing living zones that might be changed in accordance with the Minister's directions:

#### *Development, Community and Critical standards modelling and analysis*

35. Staff undertook computer modelling, review and analysis of heights and recession planes and floor area ratio controls. The investigation's technical report is attached in **Committee Report Attachment 4**.
36. Staff undertook site visits to check City Plan heights in the context of the actual built environment.

#### *Review of SAMs*

37. Staff visited all SAMs and undertook an analysis that included:
- what remains following the earthquakes; and
  - whether the SAM and its controls were relevant in the post earthquake environment; and
  - whether the SAM had achieved its purpose or had transitioned and lost its 'character'.
38. The SAMs technical report is attached in **Committee Report Attachment 5**.

#### *Workshop*

39. Project staff undertook an intensive workshop in mid December where all technical reports, consultation feedback were reviewed and recommendations debated and tested.

#### *Peer review of conclusions*

40. The conclusions of the investigation were reported to and reviewed by a staff panel comprising the City Planning Unit Manager, the Principal Advisor Urban Design, and the Team Leader Urban Design. The conclusions were also reported to the General Manager Strategy and Planning.

#### Findings and recommended changes

#### *Number of Living Zones*

41. In regard to the number of Central City Living 4 zones, staff have identified that there is an unnecessary number of zones – this is especially true now that one of the main differentiators between the zones – the controls on 'other' (or non residential activities) have been standardised by the changes brought by the Christchurch Central Recovery Plan. This conclusion is supported by the further changes and standardisation of the development, community or critical standards discussed below. These zones can therefore be consolidated into one. Some localised development, community or critical standard non residential activity rules to reflect local context remain – these can be dealt with by way of special notation on the planning maps.

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#### *Red Zoned Area – Avon Loop*

42. Staff have concluded that for the time being the 'Red Zone' area in the Avon Loop should retain its L4C zoning with the eight metre height limit that is predominant across the area. Whilst there is substantial damage to land and housing within the area no decisions have been forthcoming from the Canterbury Earthquake Recovery Authority as to the future of the land. If it is eventually rehabilitated for residential use then the L4C zoning will enable this. If the land eventually becomes a reserve then the Council can give it an appropriate open space zoning at a latter date – perhaps of the general City Plan review.

#### *Living 5 Zone*

43. Staff have concluded that the Living 5 (Travellers Accommodation) Zone should remain on the George Hotel (Park Terrace/ Peterborough Street), Chateau Blanc (Montreal Street) and the Quality Inn (Avon Loop). Removal of the zoning from these areas may impede the operation of accommodation facilities that can contribute to the recovery. However there is a large portion of the block bounded by Park Terrace, Peterborough Street, Montreal Street and Kilmore Street that has been zoned for travellers accommodation for at least 15 years and the opportunity has not been taken up. Removing these areas of the zoning (and letting it revert to Living 4C) would remove an unnecessary level of complexity from the plan.

#### *Development, Community, and Critical Standards*

44. A table which compares the existing city plan rules against the proposed amended City Plan rules has been included as **Committee Report Attachment 10**.
45. In regard to the general development, community or critical standards across the Living Zones, modelling and analysis has shown that:

- (i) The following development, community or critical standards should be consolidated or altered:

Volume 3, Part 2, Rule 4.2.1 Outdoor Living Space - Residential Activities. The outdoor living space requirement should be standardised across the whole Central City Living zones as a minimum of 24m<sup>2</sup> with a minimum private area of 12m<sup>2</sup>. With the combining of the zones, and in combination with other rule alterations it is not necessary to maintain separate size requirements. The suggested standard is generally consistent with other higher density zones across the Country.

Volume 3, Part 2, Rule 4.2.3 Street Scene and Accessways – Residential and Other Activities. The road setback should be standardised to 2 metres across all sites. In the post earthquake context there is no need to maintain different for different areas (with the exception of the 4.5m setback along Park Terrace).

Volume 3, Part 2 Rule 4.2.5 Separation from neighbours. The required separation should be standardised to 1.8 metres for all sites. There is no need to maintain different separation distances across different areas.

Volume 3, Part 2, Rule 4.2.10 Ground Floor Habitable Room Residential Activities be altered so that 30 per cent all residential units in the Central City Living 4C Zone have a habitable space on the ground floor.

That Volume 3, Part 2, Rule 4.4.4 be altered so that non compliance with the height limits are no longer a non complying activity and that a new community standard be included in Volume 3, Part 2 so that non compliance with the height limits are a discretionary activity.

Volume 3, Part 2, Appendix 1 Recession Planes be amended so that only Diagram E applies across the Central City Living 4C zone. The differences between the recession planes across the area are subtle and minor – there is no need to maintain the differences and the less restrictive recession plane should apply.

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- (ii) Four standards can be removed completely. These are:

Volume 3, Part 2, Rule 4.2.3 (b) Street Scene and Accessways – Residential and Other Activities – Special Amenity Sam Areas Only. These set individual building setbacks from roads that are no longer relevant. (except that the 4.5 metres for SAmS 22 and 25 should be retained.)

Volume 3, Part 2, Rule 4.4.1 Residential Site Density – Residential Activities  
This is a floor area ratio that is no longer relevant following Plan Change 53.

Volume 3, Part 2, Rule 4.4.2 Site Density – Other Activities where it relates to site density of 0.5 for SAmS 24, 25, 26, and 27.

Volume 3, Part 2, Rule 4.4.3 Open Space – Residential Activities – Living 4C (Avon Loop). These controls had the same effect as the Residential Site Density rule – but was only applied to the Avon Loop Living 4C. For consistency, and to reduce complexity, the rule should be removed.

- (iii) That the Height Limits shown on the planning maps should be altered as follows:

- The heights shown as 30 metres on Hagley Avenue and east of Cranmer Square be reduced to 14 metres.
- The heights shown as 20 metres east of Latimer Square be reduced to 14 metres.
- The heights shown as 11 metres North of Cranmer Square be increased to 14 metres.
- The height shown as 11 metres South of Cranmer Square (south east corner of Montreal and Kilmore Street only) be increased to 14 metres.
- The heights shown for the L4C Avon Loop be given a uniform 8 metres.

The new heights are shown on the Amended Heights Map in Appendix 1 of **Committee Report Attachment 2**.

46. The rationale for these changes, in particular the changes to the height limits can be found at Section 2 of **Committee Report Attachment 4**.

*Special Amenity Areas*

47. Special Amenity Areas (SAmS) are located both within and outside the Central City. This review has concentrated only on the SAmS inside the Central City in accordance with the statutory direction and the terms of reference. The review has found that some of the SAmS are no longer relevant in the post earthquake recovery context and their continuation in the City Plan would continue an unnecessary level of regulation. These SAmS are:

- SAm 23 Salisbury Street
- SAm 23a Salisbury Street
- SAm 24 Avon Loop
- SAm 31 Park Terrace/Rolleston Avenue (but keep specific setback of 4.5 metres)
- SAm 32 Cranmer Square
- SAm 33 Latimer Square.

48. The review has found that some of the SAmS are still relevant in the post earthquake recovery context and their retention has some merit. In some cases the area of the SAm can be reduced because of damage from the earthquake or general change over time. In some cases development, community or critical standards have been identified in the SAmS that conflict with the character of the SAm and the adverse effects that they are intended to address are covered by the general restricted discretion urban design assessment matters. Where these have been identified it has been recommended that the standard be deleted, in favour of the assessment matter. These SAmS are:

- SAm 22 Gloucester/Montreal - Retain the 4.5m setback for SAm 22
- SAm 25 Gracefield – Reduced in area, but retain the 4.5m setback for SAm 25

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- SAm 26 Peacock/Beveridge/Conference - Also: Delete SAm specific development, community or critical standards
  - SAm 27 Otley/Ely – Also: Delete SAm specific development, community or critical standards
  - SAm 30 Chester Street East – Also Delete SAm specific development, community or critical standards
  - SAm 32 Cranmer Square – Reduce in area, also delete SAm specific development, community or critical standards.
49. The review has also found that in the case of other SAmS existing general SAm assessment matters and the other general assessment matters under the City Plan relating to the general restricted discretion in urban design adequately cover the character matters which the SAmS were created to control. Where staff have identified redundant SAm assessment matters their deletion is recommended. Nevertheless the unique character in these SAm areas remains and they are more sensitive to new building activity than in the wider Central City Living Zones. It is recommended that there be a lower 'trigger' for urban design assessment of new buildings and other structure in these remaining areas – but that the assessment rely on the general urban design assessment matters.

*Objectives and Policies*

50. Staff have concluded that it is not necessary to amend the existing objectives and policies in the City Plan because:
- (i) They are consistent with and do not conflict with the recovery strategy, Proposed Change 1 to the Regional Policy Statement, and the Urban Development Strategy.
  - (ii) The proposed changes to the 'methods' (rules, SAmS, assessment matters etc) are consistent with the existing objectives and policies – and better give effect to the existing objectives and policies than the methods they are replacing.
  - (iii) The relevant objectives and policies are not discrete to the Central City Living Zones, but also cover a number of remaining higher density living zones outside the Central City. Changes would necessitate creating an entirely new set of objectives and policies for the Central City Living Zones whilst leaving the existing in place. This would add another, and unnecessary, level of complexity to the City Plan. The review of the District Plan commencing in the 2014/15 financial year will provide an opportunity to comprehensively review all of the objectives and policies where they address issues on a city wide basis.

*Review of Plan Change 53*

51. Plan Change 53 has recently undergone an extensive and robust Section 32 Resource Management Act (RMA) investigation. It has also been through the First Schedule of the RMA public notification, hearing of submissions (by elected representatives and a planning expert), Council decisions on submissions, and Environment Court Appeals, process. The plan change was made operative in July 2012 after being publicly notified in February 2010. Issues addressed through the plan change remain issues after the earthquakes in respect of urban design, appearance and amenity. In fact, these issues are potentially heightened. It is important that development is designed and assessed in accordance with good urban design standards and principles. The Plan Change should continue to operate in its current form, and be subject to the general City Plan review that will commence in the 2014/15 financial year.
52. Plan Change 53 introduced changes to development, community or critical standards and a new qualitative urban design assessment matter which enables the consideration of good urban design standards and principles. There is clear evidence from the investigation for Plan Change 53 that if built outcomes are left to the traditional bulk and locations standards (such as height and setback) then they will not necessarily meet the recovery plan's aim of improving the quality of the living environment.

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53. Plan Change 53 generally avoided changing SAM specific provisions. However, the technical reports prepared for the current work under the statutory direction show that many of the changes recommended in these reports (particularly those that relate to either deletions of SAMs or SAM assessment matters) are on the basis that the General Urban Design Assessment Matters address the adverse effects of concern, including the SAM or SAM assessment matters and are no longer necessary. It is also noted that many of the standards or provisions that are recommended for change have their roots in planning practice from the early to mid 1990's (and some even earlier than that) and have not necessarily kept pace with current planning and urban design practice or the built environment as it has evolved over this period – while Plan Change 53 is contemporary with planning practice.
54. Keeping a general urban design discretion is consistent with the approach taken to urban design in the Central City Business Zones as amended by the Christchurch Central Recovery Plan.

Potential Ministerial Actions After Receiving the Recommendations

55. Council officers met CERA/CCDU staff on 15 January 2013 to discuss the process once the proposed changes have been lodged with the Minister on 1 March 2013. Potential options for the Minister that were outlined were:
- (i) That the Minister adopts the recommendations and puts them out for public consultation in the same way that the proposed amendments to the transport provisions in the City Plan were put out for public consultation by CERA.
  - (ii) That the Minister uses his powers under Section 27 of the CER Act 2011 to amend the City Plan.
  - (iii) That the Minister decides the amendments have 'gone too far' or 'not far enough' and engages in some other process to review the Living Zones.
  - (iv) That the Minister decides that the Council should apply the normal first schedule of the Resource Management Act 1991 plan amendment process to the changes.
56. CCDU staff will give advice to the Minister on which course of action to follow. Council staff understand from discussions with CCDU staff that, subject to seeing the final recommendations of the Council, that Option (i) is the preferred recommendation to the Minister.
57. It is useful to note that this Living Zones review is one of a number of projects and potential initiatives which are suggested in the Christchurch Central Recovery Plan to support residential development in the central city. One such 'live' project is the New Urban Village.

**SUMMARY**

58. Staff have undertaken as robust an investigation, analysis and targeted stakeholder engagement as the timeframe available allowed (as dictated by the need to expedite recovery planning and meet the Minister's direction). The review has been in accordance with the terms of reference set by the Council.
59. The Central City Recovery Plan envisages a high-quality inner city living environment. Existing elements of the City Plan that will contribute to a high quality outcome have been retained (for example the urban design rules). However, where unnecessary complexity, that might hinder the achievement of that high quality environment, have been identified (e.g. in the zone structure, a multiplicity of rules, and the now redundant special amenity areas or special amenity area provisions) and opportunities to improve the quality of the living environment have been identified changes to the Operative City Plan are recommended. Staff expect that the City Plan will become easier to apply and interpret as a result of the proposed changes leading to more efficient consenting processes.

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60. The recommended changes are expected to make the City Plan easier for the general public to understand and interpret and for Council officers to administer by removing or consolidating rules that are no longer necessary because:
- (i) the physical circumstances in the Central City have changed as a result of the earthquakes and the rules are redundant; and
  - (ii) ongoing urban development over time has shown that some rules have not been effective and need not continue in City Plan; and
  - (iii) some rules and assessment matters are duplications of other rules or the outcomes that they seek are better delivered by other City Plan mechanisms and are therefore not required.

**THE OPTIONS**

1. Recommend to the Council the changes to the Operative City Plan, and the supporting analysis, as set out in Committee Report Attachments 1-10 inclusive.
2. Recommend to the Council the changes to the Operative City Plan, and the supporting analysis in Committee Report Attachments 1-10 inclusive, and that the Minister undertake a further period of public consultation before making a final decision on the recommended changes.
3. Recommend to the Council other changes to the Operative City Plan.

**THE PREFERRED OPTION**

61. The preferred option is option 2.



# *Christchurch Central Recovery Plan*

## *Overview Central City Living Zone Review and Proposed District Plan Changes*

## Council approval

This report was approved by Christchurch City Council on 28 February 2013 and presented to the Christchurch Earthquake Recovery Authority Offices on 1 March 2013 for the attention of the Hon Gerry Brownlee, Minister for Canterbury Earthquake Recovery.

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## Executive summary and principal recommendations

These are the recommendations of the Christchurch City Council staff to Christchurch City Council to recommend to the Minister for Canterbury Earthquake Recovery as changes to the Christchurch City District Plan.

The Central City Recovery Plan (CCRP) released by the Hon Gerry Brownlee, Minister for Canterbury Earthquake Recovery, on July 2012 directed that Christchurch City Council propose changes to objectives, policies, and methods relating to the Living 4A (Central City Diverse), Living 4B (Central City and North Beach-High Rise), Living 4C (Central City Character), Living 5 (Travellers Accommodation), and, Special Amenity Areas 22, 23, 23a, 24, 25, 26, 27, 30, 31, 32, and 33 as they relate to the CBD (as defined by section 4 of the CER Act) necessary to give effect to the Recovery Plan. The Council is to make these recommendations available to the Minister by 1 March 2013.

The CCRP stated that while the Central City Living Zone Planning Framework was not an immediate impediment to recovery from the earthquakes, it is unduly and unnecessarily complex. Given the changed circumstances following the earthquake the framework may be less effective than desirable.

Christchurch City Council approved terms of reference for its review on 25 October 2012. A staff team of senior planners, planners and urban designers (the Team) undertook the investigation in accordance with the Council's terms of reference.

While not required to do so by the Statutory Direction the Team undertook 'targeted' stakeholder consultation via meetings and workshops with:

- Residents' associations
- Te Rununga O Ngai Tahu
- Inner City Residential Developers
- Christ's College
- Living 5 (Travellers' Accommodation) Zone, travellers' accommodation owners and operators
- Christchurch Central Member of Parliament
- Canterbury Regional Council
- Canterbury District Health Board – Community and Public Health
- The Urban Design Panel
- A public drop in session
- Hagley Ferrymead Community Board
- Christchurch City Councillors.

The Council also provided an opportunity via its 'Have Your Say' page on its website for the public to make written comments on the review. This written feedback period ran from 31 October to 7 December

The Minister's direction required that the Council work in conjunction with the Canterbury Earthquake Recovery Authority (CERA). The Council's terms of reference for the Team directed that:

*Council will work in conjunction with CERA staff as needed, but will undertake all the written and graphics work. CERA staff will only be available in an advisory and review role during the course of the project, and also to assist with targeted stakeholder discussions.*

A CERA representative (Mr Phil Gurnsey) attended a number of the workshops, meetings, and the public drop in session. He attended a number of meetings of the Team where the direction of review and its conclusions were discussed. Ms Katherine Snook of CERA attended the workshop with the Urban Design Panel, CERA staff were provided with a draft of this report, and the technical appendices for their review.

A detailed review of the Special Amenity Areas (SAs) was undertaken, this review has identified SAs that are no longer relevant in the post earthquake environment, for which a recommendation is made for their deletion. The review also identified other SAs and related provisions for which there are recommendations for amendments.

This was a focused review, within the parameters set by the Statutory Direction (and the timeframe set in that direction) and the Council's terms of reference – (discussed below). This should not be considered to be a comprehensive review of all aspects of the Living Zones as they relate to the central city area. The Council intends to commence a comprehensive review of the City Plan, in accordance with the requirements of the Resource Management Act 1991, in the 2014/2015 financial year. Any matters that are not addressed in this review will be subject to that review.

#### Key findings

The Team reviewed the Living Zone framework, all of the relevant development, community and critical standards and urban design provisions. The review found that over the years changes (through the various statutory processes of Council plan changes, private plan changes, and Environment Court decisions) have led to a complex planning framework for the Central City Living Zones and that this can be rectified by:

- Consolidating the L4A, L4B, and L4C Zones into one; and
- a number of the disparate development standards associated with these Zones can be standardised; and
- the height limits can be consolidated to reflect the predominant 8m, 11m, and 14m height pattern in the Central City Living Zones.
- Some Special Amenity Areas (SAs) can be removed, some can be reduced in size, and some can be retained.
- Various specific assessment matters for all SAs can be removed.
- Some SA specific standards can be removed.

An Urban Design Technical report and a SAs review report are attached as Technical Reports 3 and 4 to this report.

Nevertheless the Team found that there remains a variety of built contexts across the neighbourhood and this diversity adds amenity value for existing residents. This diversity across the area can be maintained, to a degree, by standards and assessment matters.

The Team also found that the recently completed Plan Change 53 Living 3 and Living 4 Zones which introduced a restricted discretion to the Council to consider design and appearance of new buildings will continue to contribute to the high quality inner city living sought by the Christchurch Central Recovery Plan and should remain unchanged. With the recommended deletion or alteration of some development standards the importance of the provisions of Plan Change 53 will be elevated.

#### The principal recommendations of this review are:

##### *Living 4A, 4B and 4C Zones (as they relate to the central city only):*

That the Living 4A, 4B and 4C Zones be consolidated into one Zone – Living 4C. Maintaining the L4C name enables focussed alterations to existing City Plan provisions. Using a new Zone name would necessitate much more extensive and complex changes to the City Plan – introducing another level of complexity.

##### *Living 5 Zone:*

That the Living 5 Zone be retained over the existing travellers' accommodation sites only on Park Terrace and Montreal Street.

That the Living 5 Zone be maintained on the existing area of the Avon Loop travellers' accommodation.

That the existing restricted discretion on external appearance on the Park Terrace and Montreal Street sites continue to apply but the assessment matters be changed to those relevant under Volume 3 Part 2 Assessment Matters 13.2.8. The assessment matters under 13.2.8 do the work of the specific assessment matters that applied to this Living 5 area.

That the existing controlled activity on external appearance on the Avon Loop site be changed to restricted discretion and the assessment matters be changed to those relevant under Volume 3 Part 2 Assessment Matters 13.2.8. This will make the consenting process consistent with the rest of the Central City Zones.

*Development standards:*

A. The following standards should be consolidated:

Volume 3, Part 2, Rule 4.2.1 Outdoor Living Space - Residential Activities. The outdoor living space requirement should be a minimum of 24m<sup>2</sup> with a minimum private area of 12m<sup>2</sup> across all sites across the Central City Living 4C Zone.

Volume 3, Part 2, Rule 4.2.3 Street Scene and Accessways – Residential and Other Activities. The road setback should be standardised to 2m across all sites across the Central City Living 4C Zone – except for SAmS 22 and 24 – which should be maintained at 4.5m.

Volume 3, Part 2, Rule 4.2.5 Separation from neighbours. The required building setback from internal boundaries should be standardised to 1.8m for all sites across the Central City Living 4C Zone.

Volume 3, Part 2, Appendix 1 Recession Planes be amended so that a standard recession plane (Diagram E) applies across the Central City Living 4C Zone.

B. The following standards should be removed:

Volume 3, Part 2, Rule 4.2.3(b) Street Scene and Accessways – Residential and Other Activities – Special Amenity Areas (Sam) Only – except the area specific set backs of 4.5m in the former Sam 31 adjacent to Park Terrace and Sam 25 (as amended) should be retained.

Volume 3, Part 2, Rule 4.4.1 Residential Site Density – Residential Activities – as it relates to the Central City Living Zone (floor area ratio rule)

Volume 3, Part 2, Rule 4.4.2 Site Density – other activities where it relates to site density of 0.5 for SAmS 24, 25, 26, and 27.

Volume 3, Part 2, Rule 4.4.3 Open Space – Residential Activities – Living 4C (Avon Loop).

C. The following standards should be altered:

Volume 3, Part 2, Rule 4.2.10 Ground Floor Habitable Room Residential Activities be altered so that 30% all residential units have a habitable space on the ground floor.

Volume 3, Part 2, Rule 4.4.4 Height Residential Activities:

- The heights shown as 30m on Hagley Avenue and east of Cranmer Square be reduced to 14m.
- The heights shown as 20m east of Latimer Square be reduced to 14m.
- The heights shown as 11m North of Cranmer Square be increased to 14m.

- The height shown as 11m South of Cranmer Square ( south east corner of Montreal and Armagh Street only) be increased to 14m.
- The heights shown for the L4C Avon Loop be given a uniform 8m.

Volume 3 Part 2, Rule 4.4.4 Height Residential Activities should be changed from a Critical Standard (breach of which is a non complying activity) to a Community Standard (breach of which is a discretionary activity).

*Special Amenity Areas:*

That the following Special Amenity Areas should be removed:

- SAm 23 Salisbury Street,
- SAm 23a Salisbury Street,
- SAm 24 Avon Loop
- SAm 31 Park Terrace/Rolleston Avenue (but keep specific setback of 4.5m along Park Terrace),
- SAm 32 Cranmer Square
- SAm 33 Latimer Square.

That the following Special Amenity Areas should be amended:

- SAm 22 Gloucester/Montreal – remove the SAm 22 overlay from the southern corner of the former Girls High School site, because it was reZoned from Living 4C to Cultural 3 through the Recovery Plan.
- SAm 25 Gracefield Avenue – reduce SAm overlay in area to take in properties 376 Durham Street North, 50, 49 (excluding 49A), 45, 46, 43, 42, 41, 40, 39, 38, 35, 34, 31, 28, 27, 24, 22, 1/20 Gracefield Avenue, maintain the special setback of 4.5 metres for the remaining SAm and delete the SAm specific assessment matters.
- SAm 26 Peacock/Beveridge/Conference – delete all SAm specific standards and assessment matters.
- SAm 27 Otley/Ely exclude areas on 22 and 20 Melrose Street from the overlay (these are open space and owned by the Christchurch City Council) – also, delete all SAm specific standards and assessment matters.
- SAm 30 Chester Street East – delete SAm specific standards and assessment matters.

These deletions and changes are shown on the plan ‘Amended SAmS’ in Appendix 1.

That the general SAmS assessment matters (and not the individual SAm assessment matters) apply.

These changes simplify the overall planning framework by:

- Providing, as far as practicable, one set of standards with exceptions linked to specific locations (e.g. heights or street scene setbacks) that reflect the context of the area.
- Deleting Special Amenity Areas that are no longer relevant in the post earthquake environment.
- Amending remaining Special Amenity Areas to reflect the post-earthquake environment.

The review to define the ‘post-earthquake environment’ (SAmS assessment in Appendix 4) found some of the key character elements that defined the SAmS were destroyed in the earthquakes, making the SAmS, or parts of the SAmS, redundant. Further character in some of the SAmS has been eroded by ongoing development over the years – again making the SAmS or parts of the SAmS redundant.

## Statutory Direction

Page 108 of the Christchurch Central Recovery Plan sets out the Statutory Direction of the Minister:

*In accordance with section 24(3) and (5) of the Canterbury Earthquake Recovery Act 2011, Christchurch City Council is directed to propose changes to objectives, policies, and methods relating to the Living 4A (Central City Diverse) Living 4B (Central City and North Beach-High Rise), Living 4C (Central City Character) Living 5 (Travellers' Accommodation) and Special Amenity Areas 22, 23, 23a, 24, 25, 26, 27, 30, 31, 32, and 33 as they relate to the CBD (as defined by section 4 of the CER Act) necessary to give effect to the Recovery Plan and provide such changes to the Minister of Canterbury Earthquake Recovery on or before 1 March 2013. This work is to be undertaken in conjunction with CERA and is not required to comply with Schedule 1 of the RMA or any other formal public process.*

This was a focused review, within the parameters and timeframe set by the Statutory Direction and the Council's terms of reference – (discussed below). This should not be considered to be a comprehensive review of all aspects of the Living Zones as they relate to the central city area. The Council intends to commence a comprehensive review of the City Plan in accordance with the requirements of the Resource Management Act 1991 in the 2014/2015 financial year. Any matters that are not addressed in this review will be subject to that review.

## Terms of reference for review of Living Zones within the Central City

Taking its cue from the Statutory Direction and the discussion in the recovery plan, the Christchurch City Council resolved, on 25 October 2012, that the Team's terms of reference for this review would be as follows:

### **Purpose of project:**

*To deliver a robust review with clear recommendations for the Living Zones and Special Amenity Area overlays **within the Central City** as defined by the CER Act. The project is directed to be delivered in accordance with the timeframe (1 March 2013) and scope described in the Statutory Direction from CERA on page 108 of the Central City Recovery Plan, and the statements in the Recovery Plan seeking high quality inner city living (e.g. page 107).*

### **Specific Issues within scope:**

#### **District Plan objectives and policies**

*Covers the wording of objectives and policies in Volume 2 of the Operative District Plan, but only insofar as they relate to the Living 4 and 5 Zones within the Central City. With regard to the high-level objectives and policies that apply city-wide, it is noted that a review of the whole District Plan is due to commence in the 2014-2015 financial year.*

#### **Split zoning into Living 4A, 4B and 4C sub-Zones**

*Appendix 1 of the Recovery Plan strengthened the rules that control non-residential activities in the Living 4 Zones. As a result, the differences between the planning frameworks of the A, B and C sub-Zones have lessened. A review of the need for three different sub-Zones within Living 4 is required.*

#### **Built form and amenity standards**

*These include Development Standards 4.2.1 – 4.2.14 and their assessment matters, plus Critical Standards 4.4.1, 4.4.3 and 4.4.4. These include the controls on:*

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- *Building height limits, including the allowance for additional height for roofs as provided in the definition of 'height' for Living 4 Zones.*
- *Density*
- *Sunlight and outlook*
- *Street scene*
- *Separation from neighbours*
- *Continuous building length*
- *Building overhangs*
- *Outdoor living space*
- *Urban design appearance and amenity*
- *Fences and screening structures*
- *Minimum unit size*
- *Ground floor habitable room*
- *Service and storage spaces*
- *Landscaping and tree planting*
- *Screening of parking*
- *Open Space rule for Living 4C (Avon Loop) Zone.*

*The review may identify the need for additional standards.*

### **Special Amenity Areas**

*There are 11 Special Amenity Areas (SAs) within the Central City, all of which are Zoned Living 4 or 5 except for some sites within a Cultural Zone. The review must investigate whether these planning overlays are still an effective and appropriate method to deliver the outcomes sought by the aspirations of the Recovery Plan, given changes in context throughout the Living 4 Zones since 1998 when the Council determined the final locations and rules pertaining to the SAs. Given that there are also 35 SAs outside of the Central City, any recommended changes must allow for the continuation of those SAs.*

### **Living 5 Zones**

*Consideration of whether the use of a special Living 5 Zone 'spot' is still an appropriate method to apply to its two locations within the Central City known as Peterborough and Avon.*

### **Consequential changes**

*Consequential changes may be required throughout Volume 3 of the Operative District Plan in the event of, for example, a change in the exact name of a Living Zone within the Central City.*

### **Out of scope:**

- *In the Introduction to Appendix 1, the legal advice states that "Section 24 (of the CER Act) does not entitle a Recovery Plan to direct amendments of descriptions, explanatory guidance and statements, reasons, anticipated outcomes, implementation and/or monitoring provisions." As such these specific parts of the operative District Plan are considered out of scope.*
- *Recommendations for non-statutory methods and actions. However staff working on this Living Zone review will need to be cognisant of other work programmes under CCC or CERA. For example, those projects that are investigating barriers to residential intensification throughout the Central City and the use of incentives.*
- *Changes to the Recovery Plan (i.e. other than the scope explicitly provided by the Statutory Direction), however it is noted that CERA retain the option to prepare an addendum to the Recovery Plan.*

- *Transport – those Development, Community and Critical Standards which have been specifically amended through Appendix 1 changes and those matters currently being reviewed by CERA as part of the transport review.*

**Recently amended by CCDU through the Recovery Plan, and therefore unlikely to be reviewed in detail:**

- **Zone boundaries** - *In creating the Planning Maps for Appendix 1 to the Recovery Plan, CCDU made many changes to living Zone boundaries, such as Living 4A reZoned to Mixed Use, Cultural 1 reZoned to Living 4C, Living 4C reZoned to Cultural 3, Business 3B reZoned to Living 4C, Living 4C reZoned to Business 1, and others. Given that this comprehensive review of Zone boundaries has just taken place, it is unlikely that any further material changes to locations of living Zones will be recommended through this review.*
- **Non-residential activities** - *The Recovery Plan contained several specific changes to the Community Standards that control non-residential activities in the Living 4 Zones, which were based on the recommendations in the Draft Central City Plan. On this basis, it is unlikely that further analysis of these provisions will be undertaken.*
- **Acoustic attenuation** - *The Recovery Plan confirmed the Noise and Entertainment Provisions for all Zones in the Central City. They include specific acoustic attenuation standards for noise sensitive activities within the Living 4 and 5 Zones, based on the proximity of buildings to certain classifications of roads. Whilst the overall Noise and Entertainment framework will not be investigated again, the road classifications may change following the outcome of further transport studies by CCDU, and hence some consequential changes may be needed in due course.*

**Resourcing**

*Council will work in conjunction with CERA staff as needed, but will undertake all the written and graphics work. CERA staff will only be available in an advisory and review role during the course of the project, and also to assist with targeted stakeholder discussions.*

**Consultation**

*Public consultation is not required by the Statutory Direction, however there is a need for some targeted stakeholder input and this is acknowledged by CERA. A consultation plan is being prepared in conjunction with Consultation Team staff from the Communications Unit and the relevant Strengthening Community Advisers for the Central City.*

*Following discussions with there is recommended to be:(SIC)*

- *Confirmation of the scope of the review through a briefing to the Hagley- Ferrymead Community Board, a workshop with Council, and a report to a Planning Committee meeting.*
- *Input sought from external parties such as a mix of residents groups, architects/designers, residential developers, and planning consultants that lodge applications for residential developers. In selecting stakeholders, there is a need to take particular account of submitters to the August and December 2011 versions of the Draft Central City Plan.*
- *Advice sought from staff across the Strategy and Planning Group, particularly those previously involved with the preparation of Plan Change 53 and investigations into the effectiveness of the Special Amenity Area provisions.*
- *Advice sought from Council staff in the Resource Consents and Building Policy Unit involved in the assessment of Central City development proposals against the planning framework before and after the Plan Change 53 changes.*
- *Significant changes may require public notification by CERA following their receipt of the recommendations from Council. That process sits with the Minister pursuant to s.22 of the CER Act which deals with amendments to Recovery Plans that constitute more than corrections of minor errors.*

**Strategic planning and earthquake recovery context**

The Team have been guided by these strategic planning documents while undertaking this review and compiling recommendations.

National Level Guidance*Canterbury Earthquake Recovery Act 2011*

The purposes of the CER Act are stated as:

- (a) to provide appropriate measures to ensure that greater Christchurch and the councils and *their communities respond to, and recover from, the impacts of the Canterbury earthquakes:*
- (b) *to enable community participation in the planning of the recovery of affected communities without impeding a focused, timely, and expedited recovery:*
- (c) *to provide for the Minister and CERA to ensure that recovery:*
- (d) *to enable a focused, timely, and expedited recovery:*
- (e) *to enable information to be gathered about any land, structure, or infrastructure affected by the Canterbury earthquakes:*
- (f) *to facilitate, co-ordinate, and direct the planning, rebuilding, and recovery of affected communities, including the repair and rebuilding of land, infrastructure, and other property:*
- (g) *to restore the social, economic, cultural, and environmental well-being of greater Christchurch communities:*
- (h) *to provide adequate statutory power for the purposes stated in paragraphs (a) to (g).*

The Minister made his direction to review the Central City Living Zone provisions and make recommendations to him by 1 March 2013 under Section 24 of the CER Act. The section provides that:

- (1) *Despite anything to the contrary in Part 5 of the Resource Management Act 1991, a council must amend an RMA document (to the extent that it relates to greater Christchurch), if a Recovery Plan directs so,—*
  - (a) to include specific objectives, policies, and methods set out in the Recovery Plan; or*
  - (b) to remove any objectives, policies, or methods in the document that the Recovery Plan identifies for deletion; or*
  - (c) to change or vary any objectives, policies, or methods in the document to give effect to provisions of the Recovery Plan.*
- (2) *A council must make the amendments referred to in subsection (1)(a) or (b) as soon as practicable without using the process in Schedule 1 of the Resource Management Act 1991 or any other formal public process.*
- (3) *A council must make the amendments referred to in subsection (1)(c) within the time specified in the Recovery Plan or (if not specified) as soon as practicable, in accordance with a public process determined by the Minister.*
- (4) *To avoid doubt, nothing in section 32 or Schedule 1 of the Resource Management Act 1991 applies to action taken under this section.*
- (5) *Despite clause 21 of Schedule 1 of the Resource Management Act 1991, only the Minister may request a change or variation to any amendment made under subsection (1).*
- (6) *Nothing in section 85 of the Resource Management Act 1991 applies in respect of any amendment to an RMA document under this section.*

## Urban Design Protocol

The Council is a signatory of the Ministry for the Environment's Urban Design Protocol. The protocol identifies seven essential design qualities:

- **Context:** seeing that buildings, places and spaces are part of the whole town or city
- **Character:** reflecting and enhancing the distinctive character, heritage and identity of our urban environment
- **Choice:** ensuring diversity and choice for people
- **Connections:** enhancing how different networks link together for people
- **Creativity:** encouraging innovative and imaginative solutions
- **Custodianship:** ensuring design is environmentally sustainable, safe and healthy
- **Collaboration:** communicating and sharing knowledge across sectors, professions and with communities.

## Canterbury Region

### Recovery Strategy

This Central City Living Zone review could not be undertaken (interpreted or applied) in a way that is inconsistent with the Recovery Strategy for Greater Christchurch – Mahere Haumanutanga o Waitaha. (Section 15 of the CER Act.). A summary of the components that the Team took particular note of while undertaking the review and making recommendations are set out in Appendix 6 to this report.

### Urban Development Strategy

Relevant to the Central City - the Greater Christchurch Urban Development Strategy envisages that by 2041 Greater Christchurch will have a vibrant inner city and suburban area. There will be a wealth of public spaces ranging from bustling inner city streets to expansive open spaces and parks, which embrace natural systems, landscapes and heritage. Innovative businesses are welcome and can thrive supported by a wide range of attractive facilities and opportunities. Prosperous communities can enjoy a variety of lifestyles in good health and safety, enriched by the diversity of cultures and the beautiful environment of Greater Christchurch.

The UDS also envisages there will be a substantial increase in the central city's residential population. The Central City Living Zones are an important component of this substantial increase. (30,000 people by 2041). To date the main statutory documents that have drawn on or been guided by the UDS are the Recovery Strategy, the Christchurch Central City Recovery Plan and Proposed Change 1 to the Regional Policy Statement.

### Proposed Change 1 to the Regional Policy Statement

Proposed Change 1 to the Regional Policy Statement is a statutory document relevant to this review. Whilst the Council is not bound by Part 5 of the Resource Management Act<sup>1</sup> that would normally require that in drafting of the District Plan the Council should have regard to PC 1, the Team has still taken guidance from PC 1. In particular:

- Policy 6 of PC 1 states that the Council is to encourage 13,990 households to establish in the Central City Area by 2041, through intensification.
- Policy 7 of PC 1 states that the Council, in intensifying the Central City, shall observe the principles of the urban design protocol

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<sup>1</sup> Refer Section 23(1) of the CER Act 2011.

## City Plan Framework

The City Plan seeks to manage Christchurch's growth through a strategy of enabling new urban growth adjacent to the existing urban edge, while encouraging redevelopment within the existing urban area. Redevelopment is promoted partly by providing for higher densities in the residential areas closest to the City Centre (the Living 4 Zones). Such development generally takes the form of multi-unit townhouses and apartments. Higher density development close to the City Centre has been possible for several decades, as numerous 1960s and 1970s 'sausage block' flats attest, although the current Plan provisions generally enable greater density than that possible under earlier plans.

Development to the desired densities is currently enabled by the provisions of the City Plan. However some built outcomes are of low quality and a disincentive to people considering inner city living. In response a council plan change (Plan Change 53) became operative in 2012. This plan change introduced a requirement for new buildings to be considered against urban design and amenity criteria. Plan Change 53 is further discussed below.

## Christchurch Central Recovery Plan and the City Plan Framework

The planning framework for the Central City Living Zones was changed in some discrete and specific ways by the Central City Development Unit (CCDU) through the changes outlined in Appendix 1 to the CCRP. These changes involved the:

- controls on non residential activities (commonly called 'other activities' in the City Plan)
- resolution of some zoning anomalies
- requirement for noise attenuation in dwellings close to roads that carry higher levels of traffic.

The review did not address development standards and urban design controls.

The CCDU has enabled the construction of new buildings for temporary workers' accommodation in the Living 4 Zones by directing the Council in October 2012 to amend the City Plan to provide for it as a controlled activity (site layout and building design being one of the matters that the Council has control over). Permanent accommodation buildings can be used as temporary workers accommodation as a permitted activity (subject to some conditions).

The CCDU has also released for public consultation "An Accessible City" – proposed draft changes to the Transportation provisions of the City Plan as they relate to the Central City. Consultation on this document ends on 1 February 2013. While still only draft, the Team have taken note of the themes and direction set out in the draft.

The purpose of this review is to ensure that the objectives of the Christchurch Central Recovery Plan are met. Restoration, enhancement, high quality, and reducing complexity are central themes to the Christchurch Central Recovery Plan. The Minister expressed the opportunity to restore and enhance arising from the earthquakes in his foreword to the CCRP:

*"What would a 21<sup>st</sup> century city look like if its people were given the chance to 'build again', keeping the good and improving the rest? Greater Christchurch has an almost unprecedented opportunity to find out."*

and

*"Urban Living will become an attractive possibility with substantial development of a range of different residential options."*

Page 23 of the CCRP sets out a number of aspirations of the community that were distilled from public consultation by the Council and the CCDU. Those relating to the residential environment included:

- Use of strong urban design principles;
- High-quality inner city housing;

Page 81 of the CCRP discusses the desired outcomes for the residential demonstration project on land Zoned L4C north of Latimer Square, (but for which a designation has been included in the City Plan).

*“To ensure that a high-quality inner city living environment is created, Christchurch City Council has been directed to review the various Living Zone provisions, including the Special Amenity Areas...”*

Discussion that lead to the Statutory Direction to review the Central City Living Zones was included on page 107 of the recovery plan:

*A review of the existing Living Zones has confirmed that the Zone provisions give effect to the Regional Policy Statement objective of intensifying development and increasing the residential population. Whilst there is some complexity in the Zone provisions it is not considered that this complexity impedes immediate recovery and accordingly the changes made at this time are restricted to tightening the controls on non residential activities and resolving some minor zoning anomalies.*

*Together with increasing the population of the Central City, the Recovery Plan aims to improve the quality of the living environment. The analysis undertaken by CERA indicates that the number of different living Zones together with the overlay of Special Amenity Areas results in an unduly and unnecessarily complex planning environment. Provisions that were designed to improve or protect amenity some years ago may now be less effective than is desirable given the changed circumstances of these areas.(Emphasis Added)*

Themes of maintaining urban design principles, enhancing and producing high quality inner-city living, increasing the residential population, and reducing regulatory complexity, have been ‘touchstones’ for the team developing these recommendations.

#### Related non-statutory work by Council

- Residential capacity studies
- Housing Choice
- Incentives
- Open Space Strategy
- Facilities Rebuild Plan
- Residential Conservation Areas Study
  
- Amenity Improvements through Anchor Projects and investment in other infrastructure through the LTP 2013-2023. e.g. Avon River Park and East and North Frames.
  
- Residential Demonstration Project – Concept designs are expected in February 2013.

#### **Consultation summary**

The Statutory Direction states that the review is “*not required to comply with Schedule 1 of the RMA or any other formal public process*”, however it was considered that the compressed timeframe still allowed for some targeted stakeholder consultation and public feedback that would help inform and support the eventual recommendations. A mix of consultative (inform stakeholders and be informed by their input) and collaborative (in which stakeholders are encouraged to directly shape the recommendations) processes were used.

There was meaningful engagement with as many relevant stakeholders as possible during a period of public consultation from 31 October to 7 December, which built on the outcomes of the extensive three-step public consultation process undertaken by Council during the development of the Draft Central City Plan in 2011. Following the notification and distribution of a public information leaflet

regarding the review, a public drop-in session was held to enable residents to speak directly to members of the project team and promote the opportunity to provide written input if they wished.

There were 13 separate face-to-face meetings over a five week period, which involved several key landowners and developers, plus all of the seven residents associations across the affected neighbourhoods. Several of these meetings were run as focused workshops to enable contentious issues within the scope of the review to be debated in an open and transparent way in an informal setting, in contrast to a formal hearing of submissions under the traditional statutory planning process. All of the consultation events are summarised in a table in Appendix 2.

With regard to written comments, there were 18 comments received that were within the scope of the review. These came from a wide range of stakeholders. All comments have been summarised in the table in Appendix 2.

An additional consultation mail out to owners of properties within the block bounded by Peterborough Street, Montreal Street, Park Terrace and Kilmore Street that is Living 5, is proposed to be reZoned Living 4C, was undertaken in January 2013. 24 owners were sent letters. Of these three owners have not updated their address on the Council's rates database and the letters have been returned (all three from the same property). These owners were asked to provide comments by 8 February 2013.

### Technical input

#### The Project Team:

The Project Team of City Council Strategy and Planning Unit Staff (the Team) was comprised of experienced senior planners, planners and urban designers.

#### Urban design report

The methodology for compiling the urban design report has involved:

- Undertaking a review of resource consents for new residential development within L4 Zones over the last 12 months;
- Consultation with members of the Council's Urban Design Panel with experience in designing and delivering residential development within the L4 Zones, including three registered architects, an urban designer and landscape architect. A summary of these discussions is provided;
- Consultation with members of Christchurch City Council's Resource Consent and Building Policy Unit;
- Reviewing other relevant studies and supporting information carried out as part of the PC53 process (including the, Issues and Options paper, Technical Report on Urban Design and the Section 32 Report);
- Carrying out a series of site visits between November and December 2012;
- Reviewing relevant submissions and feedback from public consultation events and resident group workshops.

The full technical report is in Appendix 3.

#### SAMs review

Team members (planners and urban designers) visited all SAMs and undertook an analysis of:

- Remaining character and building stock following the earthquakes
- Whether the SAM and its controls were relevant in the post-earthquake environment
- Whether the SAM had achieved its purpose or had transitioned and lost its 'character'.

The full technical report is in Appendix 4

Plan Change 53 – review in post-earthquake and the Central City Living Zone review context.

**Background to Plan Change 53**

The current City Plan was publicly notified in 1995 and during the late 1990s there were a number of multi-unit developments that complied with the plan rules yet did not provide a particularly good standard of design and appearance and were of a considerably greater height and bulk than surrounding residential properties. Concerns were raised by residents' associations, Council officers, and members of professional bodies such as the New Zealand Institute of Architects about the perceived low quality of such developments.

An example of lower amenity inner city Living 4 residential units (note the almost blank façade and minimal overlooking/engagement with the street):



The Council produced some voluntary design guides for the Living 4 Zones in the late 1990s to encourage better design, and the decisions released in 1999 on submissions to the Proposed Plan amended some of the Living 4 Zone rules and Zone boundaries. The rules were further amended through references (appeals) to the Environment Court.

Widespread community dissatisfaction with the quality of the design of some higher density development has continued. A Mayoral Forum was established to address a range of commercial and residential issues within the Four Avenues, and this led to a detailed review of the Living 3 and Living 4 Zone provisions, in particular there was an investigation into whether the design and appearance of multi-unit developments could be improved while still providing for higher density development close to the City Centre. The Council prepared an issues and options paper for the Living 4 Zones. These discussion papers formed the basis for a round of public consultation that was undertaken in 2007. This issues and options paper is attached in Appendix 8 and was one of the reports that informed this review.

**Plan Change 53 Investigation and First Schedule of the RMA process.**

Plan Change 53 has recently undergone an extensive and robust Section 32 Resource Management Act (RMA) investigation. It has also been through the First Schedule of the RMA public notification,



hearing of submissions (by elected representatives and a planning expert), Council decisions on submissions, Environment Court Appeals process. The plan change was made operative in July 2012.

The Plan Change was publicly notified in February 2010. Issues addressed through the plan change remain issues after the earthquakes in respect of urban design, appearance and amenity. In fact, these issues are potentially heightened. This is given the expected level of redevelopment to occur and that the effects of poor urban design can be widespread. It is important that development is designed and assessed in accordance with good urban design standards and principles. The provisions of Plan Change 53 should continue to operate in its current form, and be subject to the general City Plan review that will commence in the 2014/15 financial year. Except, as is recommended below, the assessment matters for individual Special Amenity Areas should be deleted.

Plan Change 53 introduced changes to physical standards and new qualitative urban design assessment matters which enabled the consideration of good urban design standards and principles. The rules work as a package and individual non compliances with standards are not normally the focus, rather it is the development as a whole and working with the designer to achieve the best outcome. There is clear evidence from the investigation for Plan Change 53 that if left to the traditional development standards (such as height and setback) only, then built outcomes will not necessarily meet the recovery plan's aim of improving the quality of the living environment.

With respect to Special Amenity Areas (SAs) Plan Change 53 generally avoided changing SA specific provisions however, the technical reports prepared for the current work under the Statutory Direction show that many of the changes recommended in these reports (particularly those that relate to either deletions of SAs or SA assessment matters) are on the basis that the General Urban Design Assessment Matters address the adverse effects of concern and the SA or SA assessment matters and are no longer necessary. It is also noted that many of the standards or provisions that are recommended for change have their roots in planning practice from the early to mid 1990's (and some significantly earlier than that) and have not necessarily kept pace with current planning and urban design practice or the built environment as it has evolved over this period – while Plan Change 53 is contemporary with planning practice.

Keeping a general urban design discretion is consistent with the approach taken to urban design in the Central City Business Zones as amended by the Christchurch Central Recovery Plan.

#### Objectives and Policies

The relevant objectives and policies are spread through a number of sections of Volume 2 of the Plan, with similar or complementary policy directions repeated in different sections. The most relevant objectives and policies are set out in Appendix 5 to this report. Whilst there was the potential to amend these objectives and policies as they relate to the Central City Living Zones, the Team has recommended that the objectives and policies not be reviewed at this stage because:

1. They are consistent with and do not conflict with the recovery strategy, Proposed Change 1 to the RPS, and the UDS.
2. Changes to methods proposed in this document are consistent with the existing objectives and policies – and give better effect to the existing objectives and policies than the methods they are replacing.
3. The relevant objectives and policies are not discrete to the Central City Living Zones, but also cover a number of the remaining higher density living Zones outside of the Central City. Changes would necessitate creating an entirely new set of objectives and policies for the central city living Zones whilst leaving the existing in place. This would add another, and unnecessary level, of complexity to the City Plan. The review of the District Plan commencing in the 2014/15 financial year will provide an opportunity to comprehensively review all of the objectives and policies where they address issues on a city wide basis.

### Regulatory process and case management

Resource consents are processed by the Resource Consents and Building Policy Unit of Council, pursuant to the relevant sections of the RMA. In the last 6 months 99 percent of resource consent applications have been processed within the 20 working day statutory timeframe. (It is also noted that it is extremely rare that resource consents are declined in any given year). A number of these consents also deal with similar matters as are proposed for the Living 4 Zone (for example the Living 3 Zone).

For the Central City area, there is also a 10 working day timeframe which is a Council Key Performance Indicator. This was put in place as a result of the draft Central City Plan which specified 10 working days and was subsequently incorporated in to the Long Term Plan (LTP). As it turned out the final Central City Plan did not include the 10 working day timeframe but at that stage it was already in the LTP. The 10 day target is being applied. Developments in the Living 4 Zone are within the Central City so would be subject to the 10 day timeframe.

The Council, through its building operation's unit, has provided a case manager for consenting of projects where the applicant has requested one. The case manager looks after and guides the application through the consenting process. This process has been in place since September 2012. There is the potential for this or a similar service to be extended to larger resource consent applications associated with the Living Zones in the Central City.

### Urban Design Panel

The Urban Design Panel provides advice to the Council on all resource consent applications for 5 or more residential units in the Livings Zones in the Central City. Its focus is on how building or development relates to the surrounding public space and it is especially concerned with how the proposal fits into and improves the existing environment. The terms of reference for the Panel are set out in Appendix 7 of the technical reports.

The Panel process provides the added value of peer review and advice to the applicants and their consultants, while promoting the best outcome for the urban environment. In order to maintain the confidence of developers, meetings of the Panel are closed to all but the applicant's nominated representatives, the Panel and Council representatives.

The current threshold for a development of residential units to be referred to the urban design panel (5 residential units or more) was set as Council policy in November of 2012. There is no reason at this stage to change the threshold.

### Council design guides and advice notes

The assessment matters introduced with Plan Change 53 are extensive and there is the potential for an interpretation that all of the assessment matters apply to all resource consent applications in the Living 4 Zones or for inconsistent interpretation between applications. However from carefully reading the assessment matters and the accompanying explanations it can be seen that some assessment matters will be relevant to an application and others will not. Nevertheless Council staff are to develop design guides and advice notes on the use of the assessment matters for use of planners, developers and the general public. These design guides will ensure the correct and consistent application of the assessment matters in consent applications.

### Peer review of conclusions

Conclusions of the investigations were reported to and reviewed by a staff panel comprising the City Planning Unit Manager, the Principal Advisor Urban Design, and the Team Leader Urban Design.

## Results and recommendations of review

### Red Zoned Area – Avon Loop

The Team have concluded that the 78 CERA 'Red Zone' properties in the Avon Loop should retain their Living 4C zoning with an 8 metre height limit that is consistent with the rest of the Avon Loop. If the land is eventually remediated in part or in whole to provide suitable ground conditions for residential use, then the Living 4C zoning will enable this.

### Number of Living 4 Zones

The Living 4A, 4B and 4C Zone relate only loosely to the overall package of measurable standards. For example height limits in Living 4A range from 11 to 14m, while in Living 4C they range from 6m to 20m. Height limits have always been controlled through reference to a map rather than the sub-Zones. As another example, the street setback requirement is 2m in all three sub-Zones, with a partially reduced setback allowed in some circumstances in Living 4B. Recession planes only vary marginally between the Zones.

The Team have concluded that there is an unnecessary number of Zones – this is especially true now that one of the main differentiators between the Zones – the controls on 'other' (or non residential activities) has been standardised by the changes brought by the Central City Recovery Plan. This conclusion is supported by the further changes and standardisation of the development, community or critical standards discussed below. These Zones can be consolidated into one. As will also be discussed below, some localised physical standards or rules to reflect local context remain – these can be dealt with by way of special notation on the planning maps or amendment of the associated rules.

### Living 5 (Travellers' Accommodation) Zone

The Team have concluded that the Living 5 Zone in the block bounded by Kilmore Street, Park Terrace, Montreal Street and Peterborough Street be reduced in size so that the Living 5 Zone only takes in the existing travellers accommodations adjacent to Park Terrace (the George Hotel) and adjacent to Montreal Street (Chateau Blanc). These existing travellers accommodations will help provide for the recovery of tourism/visitor numbers to Christchurch. Both complexes have existed for a number of years and consultation with the owners/operators indicate that they intend to rebuild (the Chateau Blanc is currently partially demolished and what remains is unhabitable) and continue operations.

However the land in between these two facilities, whilst being Zoned for travellers accommodation for the last 15 years, does not have any travellers accommodation on it. The team have concluded that the most appropriate use for the land in between is in residential units. The Living 5 Zone should be removed from these midblock sites. The Living 4C Zone would apply in this area.

The other area of Living 5 is within the Avon Loop. The travellers' accommodation complex on this site is extensively damaged and not currently operating. There is a question of whether a travellers' accommodation zoning is warranted on this site (it is noted that if the Living 5 Zone were removed from this site the underlying zoning of Living 4C would enable construction of residential units more in keeping with the Avon Loop area's amenity).

However the owners note that the facility is well placed to provide accommodation close to this part of the new Avon River Park. It is also well placed to provide accommodation within easy walking distance (less than a kilometre) to the eastern part of the Frame and the proposed sports stadium. Continued travellers accommodation on this site can contribute to the recovery of the tourism sector within the four avenues – albeit at the lower height of 8m as recommended elsewhere in this report.<sup>2</sup>

---

<sup>2</sup> Although those parts of the existing established complex that are currently over 8m can be built back to this height under existing use rights – assuming they meet the requirements of Section 10 of the RMA)

Consultation with the facility's owners indicates that they wish to work with the Council to develop specific provisions for this activity. There maybe an opportunity to do this in the forthcoming General City Plan review however this not been possible within the timeframe or scope of this review.

There is an existing restricted discretion on external appearance for the Peterborough Living 5 Zone. However the assessment matters relate to SAM areas that are recommended for deletion. It is important that an external appearance rule continues to apply to these travellers accommodation sites given their relationships with important open space (Hagley Park and Cranmer Square). Most of the assessment matters under 13.2.8 are applicable to these sites, (some are related to residential only and it is recommended that these do not apply).

There is an existing controlled activity external appearance rule for the Living 5 Avon. This approach is now inconsistent with the restricted discretionary activity approach taken to external appearance across the majority of the Zones within the four avenues. It is recommended that for consistency the relevant assessment matters under 13.2.8 also apply (this will enable the deletion of what would then be redundant assessment matters under 13.2.7).

Development, Community and Critical Standards

In regard to the general measurable standards across the Living Zones, modelling and analysis has shown that;

A. The following standards should be consolidated:

Volume 3, Part 2, Rule 4.2.1 Outdoor Living Space - Residential Activities. The outdoor living space requirement should be a minimum of 24m<sup>2</sup> with a minimum private area of 12m<sup>2</sup> across all sites across the Central City Living 4C Zone.

Volume 3, Part 2, Rule 4.2.3 Street Scene and Accessways – Residential and Other Activities. The road setback should be standardised to 2m across all sites across the Central City Living 4C Zone – except for SAMs 22 and 24 – which should be maintained at 4.5m.

Volume 3, Part 2 Rule 4.2.5 Separation from neighbours. The required building setback from internal boundaries should be standardised to 1.8m for all sites across the Central City Living 4C Zone.

Volume 3, Part 2, Appendix 1 Recession Planes be amended so that a standard recession plane (Diagram E) applies across the Central City Living 4C Zone

B. The following standards should be removed:

Volume 3, Part 2, Rule 4.2.3(b) Street Scene and Accessways – Residential and Other Activities – Special Amenity Areas (Sam) Only – except the area specific set backs of 4.5m (in the former Sam 31 adjacent to Park Terrace) and Sam 25 (as amended) should be retained.

Volume 3, Part 2, Rule 4.4.1 Residential Site Density – Residential Activities – as it relates to the Central City Living Zone (floor area ratio rule)

Volume 3, Part 2, Rule 4.4.2 where it relates to site density of 0.5 for SAMs 24, 25, 26, and 27.

Volume 3, Part 2, Rule 4.4.3 Open Space – Residential Activities – Living 4C (Avon Loop)

C. The following standards should be altered:

Volume 3, Part 2, Rule 4.2.10 Ground Floor Habitable Room Residential Activities be altered so that 30% all residential units have a habitable space on the ground floor.

Volume 3, Part 2, Rule 4.4.4 Height Residential Activities:

- The heights shown as 30m on Hagley Avenue and east of Cranmer Square be reduced to 14m.
- The heights shown as 20m east of Latimer Square be reduced to 14m.
- The heights shown as 11 m North of Cranmer Square be increased to 14m.
- The height shown as 11m South of Cranmer Square ( south east corner of Montreal and Armagh Street only) be increased to 14m.
- The heights shown for the L4C Avon Loop be given a uniform 8m.

Volume 3 Part 2, Rule 4.4.4 Height Residential Activities should be changed from a Critical Standard (breach of which is a non complying activity) to a Community Standard (breach of which is a discretionary activity).

Special Amenity Areas

The Council decision that created the central city SAmS in 1997 stated that the extent of SAm areas and the standards prescribed for each require further investigation and review. This was in response to various requests by submission to extend the SAmS. That review work has not been undertaken until this review.

There is a question as to whether the SAmS contain the same degree of coherence or consistency of character that justified their creation some 15 years ago. An assessment of the 11 SAmS in the Central City reveals that their character has changed through the last 15 years of modern infill development combined with recent demolitions of many pre-1940s buildings. Some SAmS have lost ¾ of their pre-earthquake building stock, and one SAm (24), has been completely red-Zoned. Further the measurable standards in the Living 4 Zones were set in the City Plan independently from the investigation of the SAmS, and hence the rules governing building scale do not relate strongly to the locations or character of the SAmS - for example SAm 31 has 3 different building height limits – 8m, 14m and 20m.

The Team’s review has found that some of the SAmS are no longer relevant or justified in the post earthquake recovery context, and their continuation in City Plan would continue an unnecessary level of regulation. These SAmS are:

- SAm 23 Salisbury Street
- SAm 23a Salisbury Street,
- SAm 24 Avon Loop,
- SAm 31 Park Terrace/Rolleston Avenue (but keep specific setback of 4.5m along Park Terrace),
- SAm 32 Cranmer Square
- SAm 33 Latimer Square.

The review has also found that in the case of other SAmS existing assessment matters under the City Plan relating to the general restricted discretion in urban design and amenity can address many of the character matters which the SAmS were created to control – where the Team have identified this the redundant SAm assessment matters should be deleted. Nevertheless the unique character in these SAm areas remains and they are more sensitive to new building activity than in the wider Central City Living Zones. It is recommended that there be a lower ‘trigger’ for urban design assessment of new buildings and other structure in these remaining areas – but that the assessment rely on the general urban design assessment matters.

However the review also acknowledged that, while the general assessment matters addressed many of the adverse environmental effects of concern in the remaining SAmS collectively they may not address the total character in the SAm. (i.e. the whole may be more than the sum of its parts). To guard against the general assessment matters for SAmS set out in 13.2.7(a) of the assessment matters

should still apply. This can be achieved simply by amending the first note to the assessment matters as follows:

- (i) The above general matters do not apply to the L3, ~~L4A, L4B, and L4C~~ Zones and the L4B and L4C Zones that are outside the Central City.

This will necessitate the review of the SAm guides for SAmS 22, 25, 26, 27, and 30 for the post earthquake context. However this does not need to be an exhaustive process as this review has already undertaken a comprehensive review of these SAmS and defined their remaining character. Mostly the reviews will lead to deletions of statements that are no longer relevant – buildings that are no longer in the SAm, or references to rules in the City Plan that have been deleted.

In some cases development, community or critical standards have been identified in the SAmS that conflict with the character of the SAm or the adverse effects that they are intended to address are covered by the aforementioned general restricted discretion urban design assessment matters. Where these have been identified it has been recommended that the standard be deleted, in favour of the assessment matter. These SAmS and the relevant standards are:

- SAm 22 Gloucester/Montreal – remove the SAm22 overlay from the southern corner of the former Girls High School site, because it was reZoned from Living 4C to Cultural 3 through the Recovery Plan.
- SAm 25 Gracefield Avenue – reduce in area to take in properties 376 Durham Street North, 50, 49 (excluding 49A), 45, 46, 43, 42, 41, 40, 39, 38, 35, 34, 31, 28, 27, 24, 22, 1/20 Gracefield Avenue, maintain the special setback of 4.5 metres.
- SAm 26 Peacock/Beveridge/Conference – also, delete all SAm specific standards.
- SAm 27 Otley/Ely – also, delete all SAm specific standards.
- SAm 30 Chester Street East – also, delete SAm specific standards.

# *Appendix 1 Plan Change Text*

## **Central City Living Zones Review – Technical Report 1 Proposed Changes to the City Plan**

This is a technical report focussing on the proposed changes to the City Plan. The supporting rational for changes are in the other Technical Reports 2-8 inclusive, but in particular Technical Reports 3 and 4.

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## Understanding the changes

The proposed changes to the District Plan are varied. In some instances it has been necessary to replace entire provisions with new provisions. In other instances changes have been able to be made to individual words or parts of existing provisions. In each instance the proposed deletions are shown in ~~strike through and bold~~, while the new provisions are underlined and bold. Text that has previously been changed pursuant to the Canterbury Earthquake Recovery Act 2011 is shown as *italic and bold*. Text before a changed provision and text after a changed provision is indicated by the use of “(...)”. Instructions to add understanding of what is to be amended are included in a text box.

Further clarity and understanding of the changes can be gained by reviewing the **Statutory Direction to Amend District Plan** Chapter of the Christchurch Central Recovery Plan. This provides an overview of the reasons for the changes made together with the Statutory Direction to undertake this work. (Page 108).

Every effort has been made to ensure that the changes specified in this document give the reader a full and fair understanding of the exact change proposed. For this reason substantive changes have generally been shown in context, where as consequential changes have generally been summarised and grouped. It should be noted, however, that given the complexity of the changes proposed to the existing City Plan, readers are encouraged to view these amendments alongside the District Plan, which is available online under the title “City Plan”.

## Volume 3, Part 2 Living Zones

Amend Volume 3 Part 2 1.1 General Zone description and purpose as follows:

### 1.0 Zone descriptions

#### 1.1 General zone description and purpose

(...)

The Living 3 Zone is generally located around some district centres and in the inner city as well as in some larger greenfield sites, ~~while the Living 4A, 4B and 4C are is~~ located in the central city ~~with a~~ **and there are** pockets of Living 4B at North New Brighton and an area of Living 4C in central New Brighton.

The Living 5 Zone covers ~~eleven~~ **thirteen** major areas within the residential areas of the city, which are occupied by existing or proposed travellers' accommodation establishments. The zone allows travellers' accommodation, but generally reflects the standard applicable in the adjoining living zone.

(...)

Editing Note: The existing City Plan text is wrong, there are currently 12 Living 5 Zones

Delete Volume 3 Part 2 1.8 Living 4A zone description as follows:

### ~~1.8 Living 4A (Central City Diverse) Zone~~

#### ~~Zone description and purpose~~

~~The Living 4A Zone is located around the northern and eastern periphery of the central city business area. The zone is bounded by Bealey Avenue in the north and Fitzgerald Avenue to the east. Although characterised by a diverse range of activities the zone provides principally for medium-high density residential accommodation.~~

~~It is anticipated that the zone provisions will maintain a dominance of residential buildings at medium high densities and heights (1-5 storeys), lightly framed by open space and planting. The density/height equation acknowledges the existing intensity of development over much of the area and its remaining potential for residential infill, redevelopment and enhancement. Environmental standards have been set at a level which will avoid, remedy or mitigate the adverse environmental effects caused by higher densities such as loss of spaciousness, privacy and planting and ensure a high level of residential amenity.~~

~~Other small scale activities, which provide at least some permanent residential accommodation, are anticipated throughout the zone. The scope for other activities is broadened over a large pocket to serve visitors to the city and the wider Christchurch public. In addition, specific provision is made on scheduled sites throughout the Living 4A Zone for activities which for historical, spatial or strategic reasons require a central city location, see scheduled activities (Part 9). These activities will, however, be subject to site development and community related standards to ensure that any adverse effects are minimal.~~

~~Environmental results anticipated~~

- ~~(a) A diverse range of residential buildings to medium high densities and moderate heights (generally 1-5 storeys), consistent with the location of the zone adjacent to the central city business core.~~
- ~~(b) An environment which although dominated by dwellings is framed by open space and planting where possible. Scope for future infill and redevelopment of sites at a scale and intensity which can be sustained given the character and infrastructure of the area, but which is greater than Living 3 Zone densities.~~
- ~~(c) An open street scene which does not detract from the garden city image despite the intensity of building expected.~~
- ~~(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 central city living.~~
- ~~(e) The ability to find individual and community expression through controls that encourage, rather than restrain, variety in residential building design and style.~~
- ~~(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) Emergence of a greater residential coherence in the area by generally limiting non-residential activities to those which are small scale, and provide permanent accommodation on the site.~~
- ~~(h) Travellers' accommodation and a range of metropolitan activities locating in a pocket of the zone capable of absorbing the effects of these activities.~~
- ~~(i) Protection of significant investment and development 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).~~
- ~~(j) 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.~~
- ~~(k) Maintenance and enhancement of special amenity areas within the zone with future development appropriate to the predominant character of the special amenity areas.~~

Amend Volume 3 Part 2 1.9 Living 4B Zone description as follows:
--

1.9 Living 4B (~~Central City~~ Carlton Mill Road and North Beach - High Rise) Zone

*Zone description and purpose*

The Living 4B Zone covers only a small ~~area part of the central city living area. It occurs~~ adjacent to Hagley Park along Carlton Mill Road and ~~Hagley Avenue, east of Latimer Square and in a small pocket to the east of Cranmer Square. It also occurs in~~ a small area at North Beach.

The zone anticipates high densities of residential development to heights not greater than about 10 storeys ~~at Carlton Mill Road. for the central city.~~

(...)

The density/height equation acknowledges both the strategic location of the Living 4B Zone adjacent to large areas of open space and the appropriateness of providing for this type of living environment ~~in the central city area, and at North Beach (New Brighton).~~

(...)

~~In parts of the Central City Living 4B Zone permanent residential accommodation forms only a small proportion of the total available space. In order to protect the zone for the purpose that it is intended, other activities are limited to those which provide at least some permanent residential accommodation. However, specific provision is made on scheduled sites throughout the Central City Living 4B Zone for some existing activities which either for historic, spatial or strategic reasons require a central city location or serve the immediate residential environment. (See Scheduled activities, Part 9.) However, standards for these activities have been developed to avoid, remedy or mitigate any adverse environmental effects.~~

~~1690m<sup>2</sup> of land at 420-426 Hagley Avenue (being lots 1 & 2 DP 7835 and Lot 1 DP 8570) on the corner of Moorhouse Avenue and Hagley Avenue (the site) contains specific provisions allowing mixed use activity to occur in the event of a single comprehensive development of the 3 titles forming the site. This is due to its proximity to a prominent corner location and the effects associated with such a location. This site if developed for mixed use activity will be subject to design and appearance controls.~~

Editing note: The preceding paragraph has been relocated to the end of the zone description for Living 4C.
--

### *Environmental results anticipated*

- (a) A range of residential buildings to high densities and heights ~~(generally 1-10 storeys except in the North Beach Living 4B Zone)~~ in locations capable both of contributing to the overall city form, and absorbing the adverse effects of loss of spaciousness.

(...)

- ~~(f) Preservation of as much remaining land and space as practicable within the Central City Living 4B Zone for residential activities given its location in the heart of the city and the pressure for other activities to locate there.~~

(...)

- ~~(h) For the Central City Living 4B Zone protection of existing significant investment and development 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).~~

(...)

- ~~(j) Maintenance and enhancement of special amenity areas within the zone with future development appropriate to the predominant character of the special amenity areas.~~

- ~~(k) A landmark building on the corner of Hagley Avenue and Moorhouse Avenue.~~

Amend Volume 3 Part 2 1.10 Living 4C zone description as follows:

**1.10 Living 4C (Central City and central New Brighton - Character) Zone**

*Zone description and purpose*

The Living 4C Zone comprises ~~a number of character~~ **all residential** areas **except the Central City Living 5 Zones** within the four avenues ~~including the Central City West, Victoria, Avon Loop and Moa areas and areas around Churchill Street and Chester Street~~. There is also a pocket of Living 4C Zone in central New Brighton.

(...)

**1690m<sup>2</sup> of land at 420-426 Hagley Avenue (being lots 1 & 2 DP 7835 and Lot 1 DP 8570) on the corner of Moorhouse Avenue and Hagley Avenue (the site) contains specific provisions allowing mixed use activity to occur in the event of a single comprehensive development of the 3 titles forming the site. This is due to its proximity to a prominent corner location and the effects associated with such a location. This site if developed for mixed use activity will be subject to design and appearance controls.**

Amend Volume 3 Part 2 1.11 Living 5 Zone description as follows:

**1.11 Living 5 (Travellers' Accommodation) Zone**

*Zone description and purpose*

The Living 5 (Travellers' Accommodation) Zone covers ~~eleven~~ **thirteen** areas within residential areas. These areas are as follows:

**(1A) Peterborough (adjacent to the corner of Park Terrace and Peterborough Street) (bounded by Peterborough Street, Kilmore Street, Park Avenue and Montreal Street).**

**(1B) Montreal (adjacent to Montreal and Kilmore Streets)**

(...)

Amend Volume 3 Part 2, rule title 4.1 as follows:

**4.1 Categories of activities - Living 3, ~~4A,~~ 4B and 4C Zones**

Amend Volume 3 Part 2 rule 4.1.1 as follows:

**4.1.1 Residential activities**

- (a) Any residential activity which complies with:
  - all of the development standards under Clause 4.2; and;
  - **all of the community standards under Clause 4.3; and**
  - all of the critical standards under Clause 4.4

shall be a **permitted activity**

(...)

Amend Volume 3 Part 2 Clarification of rules 4.1.3 as follows:

#### 4.1.3 Clarification of rules

~~(a) Living 4C Zone (Avon Loop)~~

~~The rules applying to the Living 4C Zone (Avon Loop) are the same as the Living 4C Zone unless specifically stated otherwise.~~

~~(b) Living 3 Zone - Tonbridge and Rastrick Streets~~

(...)

Amend Volume 3 Part 2 Rule 4.1.5 as follows:

#### 4.1.5 Corner of Hagley Avenue and Moorhouse Avenue - other activities only

- (a) Any other activity on the site located at 420-426 Hagley Avenue (being Lots 1 & 2 DP 7835 and Lot 1 DP 8570) shall comply with all the following development, community, critical and site specific standards.

**Living 4CB Standards**

(...)

**Community**

(...)

**(ix) Compliance with maximum height limit of 14m.**

**Critical**

~~(ix)~~ Compliance with rule 4.4.6 Boarding of animals - other activities.

~~(xi)~~ Compliance with rule 4.4.7 Dismantling or repair of motor vehicles - other activities.

**Site Specific Critical Standards**

~~(xii)~~ Retail activities and non-site related car parking of no more than 150m<sup>2</sup> of GLFA including any outdoor area.

~~(xii-xiii)~~ The hours of operation for any outdoor area associated with any retail activity shall be between 0700 hrs - 2200 hrs.

~~(xiii)~~ ~~(xiv)~~ A maximum plot ratio of 1.3.

~~(xv)~~ Lots 1 & 2 DP 7835 and Lot 1 DP 8570 are to be amalgamated.

**~~(xv) Maximum height limit of 30m.~~**

Where a proposal does not comply with the standards identified above, it shall be assessed as a restricted discretionary activity in terms of (i) - (vi), a discretionary activity in terms of (vii) - ~~(viii)~~ ~~(ix)~~, or a non-complying activity in terms of ~~(ix)~~ - (xv). The relevant assessment of the L4B zone in relation to (i) - (vii) shall be applicable.

(...)

Amend Volume 3 Part 2 Rule 4.2 as follows:

#### 4.2 *Development standards - Living 3, ~~4A~~, 4B and 4C Zones*

Any application for resource consent for an activity that is in breach of the following rules, and does not breach any other rules, will not require the written consent of other persons and shall be non-notified:

(...)

##### **4.2.10 Ground floor habitable room – residential activities (within Central City Living 4C Zone only)**

(...)

Editing Note: there appears to be an error in the existing City Plan text that where reference to rule 4.2.10 was not originally included.

Amend Volume 3 Part 2 Rule 4.2.1 as follows:

#### 4.2.1 *Building height - residential and other activities*

(...)

(Refer also to community and critical standards for building height – clauses 4.3.7 (Living 4C in Central City) and 4.4.4.)

(...)

Amend Volume 3 Part 2 Rule 4.2.3 as follows:

#### 4.2.3 *Street scene and accessways - residential and other activities*

(a) All areas except special amenity areas

Minimum building setback from road boundaries shall be as follows:

	<b>Minimum Setback</b>
	(...)
<b>Living 4A Zone</b>	<b>2m</b>
Living 4B ( <b><u>Carlton Mill Road</u></b> ) Zone	2m, except that there shall be no minimum for a maximum of 50% of the total length of the road frontage of the site.
	(...)

**Living 4C Zone (Avon Loop)**

~~In accordance with Planning Map 39G~~

(...)

(iv) for sites fronting Bealey Avenue, Fitzgerald Avenue or Deans Avenue south of Blenheim Road the minimum setback shall be 6m, **while** ; and

~~(v) for those areas shown on Planning Map 39G where no street scene setback is required for all parts of buildings within 3 metres of the road boundary the maximum height shall be reduced by 2m.~~

(v) for sites fronting the eastern side of Park Terrace between Bealey Avenue and the corner of Armagh Street and Rolleston Avenue the minimum setback shall be 4.5m

(b) Special amenity areas (Sam Areas) only

The minimum building setback from road boundaries shall be as follows:

Sam Area (Number)	Minimum Building Setback
<del>26, 24</del>	<del>2m</del>
27	3m
19, 21	4m
18, 38	6m
22, <del>23, 23a</del> , 25, <del>30, 31, 32, 33</del>	4.5m

Editing Note: 2m is the default Living 4C setback for SAs 26 and 24 – so this reference is not needed in the rule

<del>27</del>	<del>3m</del>
19, 21	4m
18, 38	6m
22, <del>23, 23a</del> , 25, <del>30, 31, 32, 33</del>	4.5m

except that

(...)

~~(c) In the Living 4C Zone (Avon Loop) or that part of Lot 2 DP 67014 with a 10m maximum building height, carparking associated with other activities shall not be located between the building and the road boundary.~~

(...)

Amend Volume 3 Part 2 Rule 4.2.5 as follows:

*4.2.5 Separation from neighbours - residential and other activities*

(a) the minimum building setback from internal boundaries shall be 1.8m, except that

(...)

~~(vi) no setback is required in the Living 4B (Central City) Zone;~~

~~(vii) no setback is required in the Living 4C Zone (Avon Loop), provided that there shall be no window located closer than 1.8m from the boundary.~~

(...)

Amend Volume 3 Part 2 Rule 4.2.7 as follows:



#### 4.2.7 Urban design appearance and amenity - residential and other activities

(...)

- (b) (i) Within ~~the areas shown on Planning Map 39F and 39G as special amenity areas and within~~ special amenity areas 18, 19, 20, 21, and 38, the erection of all new buildings and additions or alterations to existing buildings and the erection of fences and walls within the required street scene setback, not covered by clause (a) above, where visible from a public place, shall be discretionary activity with the exercise of the Council's discretion limited to their design, appearance, and amenity.

**(ii) Within the areas shown on the Planning Map 39F as special amenity areas the erection of all new buildings and additions or alterations to existing buildings and the erection of fences and walls within the required street scene setback, not covered by clause (a) above, where visible from a public place, shall be discretionary activity with the exercise of the Council's discretion limited to the assessment matters listed in clause 13.2.8.**

(...)

Amend Volume 3 Part 2 Rule 4.2.10 as follows:
---

#### 4.2.10 Ground floor habitable room - residential activities

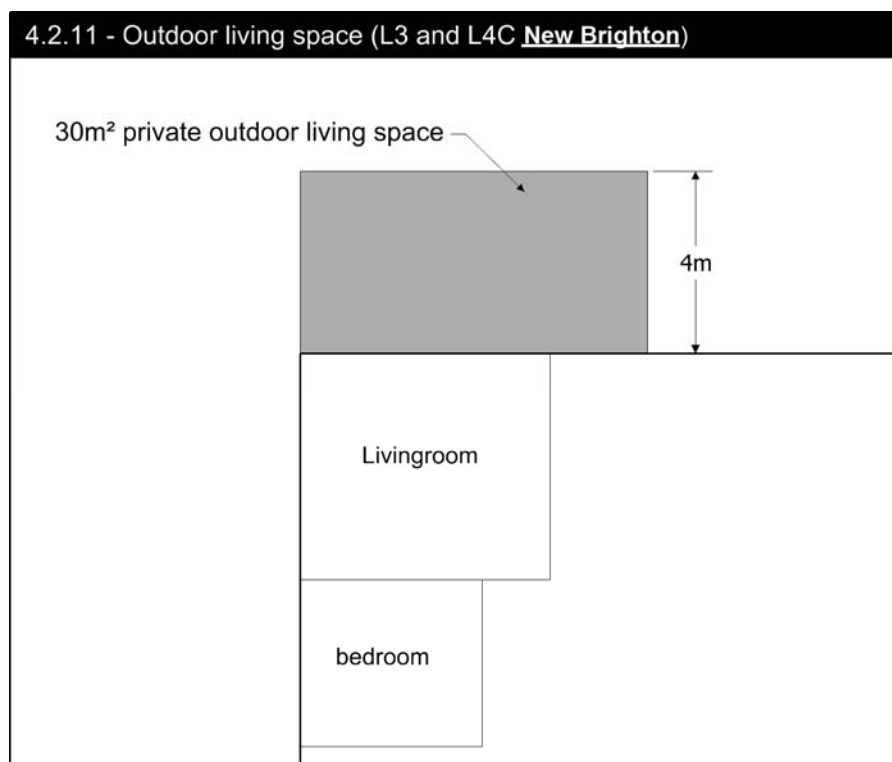
- (a) In the Living 3, ~~4A 4B~~ and 4C Zones **outside the Central City**, where the permitted height limit is 11m or less at least 50% of all residential units within a development shall have a habitable space located at the ground level. Except that, any residential units fronting a road or public space, except those built over accessways, shall have a habitable room located at the ground level.
- (b) In the Living 4C zone within the Central City, at least 30% of all residential units within a development shall have a habitable space located at the ground level.**
- ~~(bc)~~ Each of these habitable spaces located at the ground level shall have a minimum floor area of 12m<sup>2</sup> and a minimum internal dimension of 3m and be internally accessible to the rest of the unit.
- ~~(cd)~~ In the Living 3, ~~4A 4B~~ and L4C Zones **outside the Central City**, where the permitted height limit is over 11m, ~~and 4B Zones~~, a minimum of 50% of the ground floor area shall be occupied by habitable spaces and/or indoor communal living space. This area may include pedestrian access to lifts, stairs and foyers.

Amend Volume 3 Part 2 Rule 4.2.11 as follows:
---

#### 4.2.11 Outdoor living space - residential activities

- (a) 30m<sup>2</sup> of outdoor living space shall be provided on site for each unit in the Living 3 and 4C **outside the Central City** Zones, **24m<sup>2</sup> of outdoor living space shall be provided on site for each unit in the Living 4C zone inside the Central City**, and 20m<sup>2</sup> of outdoor living space shall be provided on site for each unit in the Living ~~4A and~~ 4B zones.
- (b) In the Living 3 and Living 4C Zones this required outdoor living space can be provided through a mix of private and communal areas, at the ground level or in balconies provided, that:
- (i) Each unit shall have private outdoor living space of at least 16m<sup>2</sup> in total **in Living 4C outside the Central City, and 12m<sup>2</sup> total in Living 4C inside the Central City zones.**

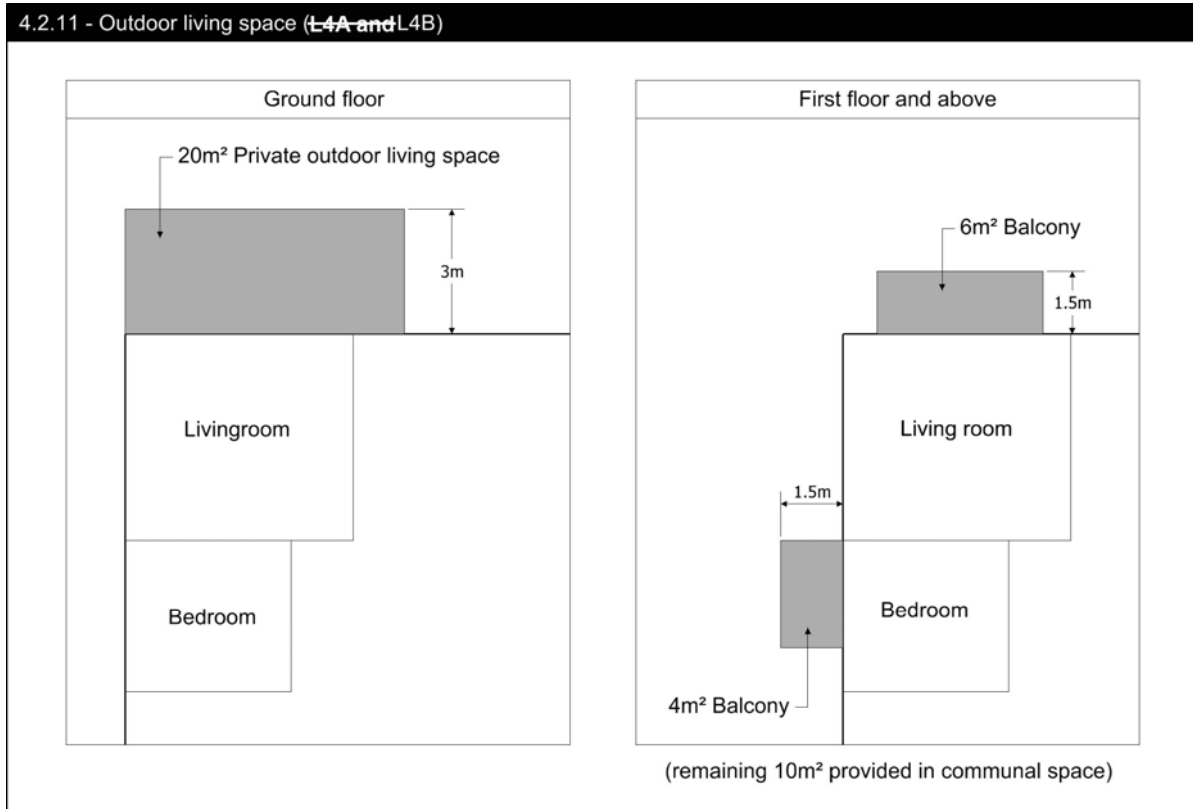
(...)



(...)

- (c) In the Living ~~4A-8~~ 4B Zones this required outdoor living space can be provided through a mix of private and communal areas, at the ground level or in balconies, provided that:

(...)



(...)

- (d) In the Living 3 and Living ~~L4A~~, 4B, and 4C zones, any communal space may be located indoors provided its use is explicitly for a recreation activity for the exclusive use of the residents and guests of the units on the site. Where such an indoor communal space is provided it shall have a minimum dimension of 4m and be capable of containing a circle with a minimum diameter of 8m;

(...)

Amend Volume 3 Part 2 Rule 4.2.18 as follows:

#### 4.2.18 *Retailing - other activities*

Retail activities involving the sale of goods grown or produced on the site shall be a discretionary activity with the exercise of the Council's discretion limited to the impact on the surrounding living environment except in the Living 4C Zone in the (Avon Loop) shown on the planning map 39C on Lot 1 DP 72062 or that part of Lot 2 DP 67014 with a 10m maximum building height.

(Refer also to critical standards for retail sales - Clause 4.4.5.)

(...)

Amend Volume 3 Part 2 title 4.3 as follows:

**4.3 Community standards (other activities only) - Living 3, ~~4A~~, 4B and 4C Zones**

Amend Volume 3 Part 2 Rule 4.3.1 as follows:

**4.3.1 Scale of activity - other activities**

(a) The maximum gross floor area of buildings plus the area of any outdoor storage, used for activities other than residential activities, shall be 40m<sup>2</sup> or 30% of the gross floor area of all buildings on the site, whichever is the larger;

**Except**

(...)

(iii) in the Living ~~4A~~ **C** Zone for educational, spiritual, day-care, health facilities or travellers' accommodation on sites with access to Bealey Avenue (~~between Durham Street North and Madras Street~~), Colombo Street, Manchester Street (north of Salisbury Street).

(iv) In the Living 4C Zone ~~in the (Avon Loop) shown on the planning map 39C on Lot 1 DP 72062 or that part of Lot 2 DP 67014 with a 10m maximum building height~~ the maximum gross floor area of buildings plus the area of any outdoor storage used for activities other than residential activities, shall be 70m<sup>2</sup> or 30% of the gross floor area of all buildings on the site, whichever is the smaller.

(...)

(c) In the ~~Living 4C residential coherence area shown on the Planning Map 39C Living 4A and in the Living 4B~~ **Living 4C residential coherence area shown on the Planning Map 39C Living 4A and in the Living 4B** Zones no more than one full time equivalent person, who permanently resides elsewhere than on the site, may be employed in undertaking any activity on the site, ~~except in the Living 4A Zone for educational, spiritual, day care, health facilities or travellers' accommodation on sites with access to Bealey Avenue (between Durham Street North and Madras Street), Colombo Street, Manchester Street (north of Salisbury Street).~~

(d) In the Living 4C Zone ~~in the (Avon Loop) shown on the planning map 39C on Lot 1 DP 72062 or that part of Lot 2 DP 67014 with a 10m maximum building height~~, the activity shall be located in a building except outdoor areas for a restaurant or tavern which shall occupy not more than 20m<sup>2</sup> outside of a building.

Amend Volume 3 Part 2 Rule 4.3.2 as follows:

**4.3.2 Site size - other activities**

Maximum net area of any site for activities other than residential activities shall be:

(...)

Living ~~4A~~, 4B and 4C Zones                      800m<sup>2</sup>

**except that** this site area may be exceeded:

(...)

(b) in the Living **4A**, 4B and 4C Zones

(...)

(c) in the Living 4C Zone **in the (Avon Loop) shown on the planning map 39C on Lot 1 DP 72062 or that part of Lot 2 DP 67014 with a 10m maximum building height**

(i) where the activity occupies not more than 70m<sup>2</sup> of floor space; and

(ii) where the activity is located in a building, except outdoor areas for a restaurant or tavern which shall occupy not more than 20m<sup>2</sup> outside of a building.

Amend Volume 3 Part 2 Rule 4.3.3 as follows:

#### 4.3.3 Hours of operation - other activities

(a) The maximum total number of hours the site shall be open to visitors, clients or deliveries for any activity other than a residential activity shall be 50 hours per week, **except**

(...)

(ii) in the Living 4C Zone **in the (Avon Loop) shown on the planning map 39C. on Lot 1 DP 72062 or that part of Lot 2 DP 67014 with a 10m maximum building height**

(b) Hours of operation shall be limited to between the hours:

0700 - 2300 Monday to Friday, and

0800 - 2300 Saturday, Sunday and public holidays

**except**

(i) in the Living 4C Zone **in the (Avon Loop) shown on the planning map 39C on Lot 1 DP 72062 or that part of Lot 2 DP 67014 with a 10m maximum building height**

(...)

(vi) travellers accommodation in the Living **4A-C** Zone **inside the Central City on** sites with access to Bealey Avenue (**between Durham Street North and Madras Street**), Colombo Street, Manchester Street (north of Salisbury Street).

(...)

Amend Volume 3 Part 2 Rule 4.3.4 as follows:

#### 4.3.4 Traffic generation - other activities

(a) Maximum number of vehicle trips per site shall be:

(...)

(iii) Other Sites:

Heavy vehicles                      4 per week

Other vehicles 50 per day  
**except that**

(...)

- for educational, spiritual, daycare, health facilities, and travellers accommodation in the Living **4A C** Zone on sites with access to Bealey Avenue (***between Durham Street North and Madras Street***), Colombo Street, Manchester Street (north of Salisbury Street), the maximum number of vehicle trips per site shall be **100** per day.

(...)

Amend Volume 3 Part 2 Rule 4.3.6 as follows:

#### *4.3.6 Residential coherence - other activities*

(...)

- (b) Living **4A C residential coherence area shown on the Planning Map 39C** and 4B Zones (except for apartment blocks greater than 3 storeys)

At least one person engaged in the activity shall reside permanently on the site except in the Living **4A C** Zone for educational, spiritual, day-care, health facilities or travellers' accommodation on sites with access to Bealey Avenue (***between Durham Street North and Madras Street***), Colombo Street, Manchester Street (north of Salisbury Street).

- (c) Living **4A and** 4B Zones (apartment blocks over 3 storeys only) and Living 4C Zone except for the area **shown on the central city planning map 39C on Lot 1 DP 72062 or that part of Lot 2 DP 67014 with a 10m maximum building height in the Living 4C Zone in the** (Avon Loop).

Only the person(s) residing permanently on the site shall be engaged in the activity.

(Refer also to community standard for scale of activity - clause 4.3.1.)

Insert new Rule 4.3.7 Building Height in the Living 4C Zones in the Central City in Volume 3 Part 2 as follows:

#### **4.3.7 Building Height in Living 4C zones in the Central City - residential and other activities**

**The maximum building heights shall be as shown on the Heights Planning Map 39D.**

**Note: When assessing height in the Living 4 Zones refer also to the definition of 'Height' in Volume 3, Part 1, which provides an exception that allows the roof area to exceed the maximum height.**

(...)

Amend Volume 3 Part 2 title 4.4 as follows:

**4.4 Critical standards - Living 3, ~~4A~~, 4B and 4C Zones**

Amend Volume 3 Part 2 Rule 4.4.1 as follows:

**4.4.1 Residential site density - residential activities**

The maximum residential floor area ratio per site shall be:

Living 3 Zone	0.8
<del>Living 4A Zone</del>	<del>1.2</del>
Living 4B Zone	1.4
Living 4C Zone <u>(New Brighton only)</u> <del>excluding</del>	1.2
<del>L4C Zone (Avon Loop)</del>	

except that

- ~~(a) in Sam areas 25, 26 and 27 the maximum residential floor area ratio per site shall be 0.9; and~~
- (...)

Amend Volume 3 Part 2 Rule 4.4.2 as follows:

**4.4.2 Site density - other activities**

The maximum plot ratio per site shall be:

Living 3 Zone	0.5
<del>Living 4A Zone</del>	<del>0.8</del>
Living 4B Zone	0.8
Living 4C Zone	0.8

except that

- ~~(a) in Sam areas 24, 25, 26 and 27 the maximum plot ratio shall be 0.5; and~~
- (...)

Delete Volume 3 Part 2 4.4.3 as follows:

~~**4.4.3 Open Space - residential activities - Living 4C Zone (Avon Loop)**~~

~~The maximum percentage of the net area of any site covered by buildings (excluding underground car parking and basements not protruding above ground level) shall be as follows:~~

<del>Sites subject to a maximum height limit of up to 8m</del>	<del>45%</del>
<del>Sites subject to a maximum height limit greater than 8m</del>	<del>50%</del>

~~Note: Heights are indicated on Planning Map 39G.~~

Amend Volume 3 Part 2 Rule 4.4.4 as follows:

**4.4.4 Building height - residential and other activities**

The maximum height of any building shall be:

(...)

- (i) ~~Living 4A and 4C Zones (-)~~ **in accordance with planning maps 39B, 39D and 39G**
- (j) Living 4B Zone (~~Carlton Mill Road Central City~~) in accordance with planning map 39B and 39D
- (k) Living 4B Zone (North Beach) 14m
- (l) Living 4C Zone (central New Brighton only) 20m

Note: When assessing height in the Living 4 Zones refer also to the definition of 'Height' in Volume 3, Part 1, which provides an exception that allows the roof area to exceed the maximum height. (Refer also to development standard building height - Clause 4.2.1 for Living 3 Zone at Sumner, and community standard 4.3.7 for Living 4C zone in the Central City).

Amend Volume 3 Part 2 Rule 4.4.5 as follows:

**4.4.5 Retailing - other activities**

Retail activities shall be limited to the sale of goods grown or produced on the site except the Living 4C Zone ~~in the (Avon Loop), shown on planning map 39C, on Lot 1 DP 72062 or that part of Lot 2 DP 67014 with a 10m maximum building height in the Living 4C Zone.~~

Refer also to development standards for retail sales - Clause 4.2.15 which means that the sale of goods grown or produced on the site is a discretionary activity in respect of that standard with the exercise of the Council's discretion limited to the impact of the surrounding living environment.

(...)

Amend Volume 3 Part 2 Appendix 4 as follows:

**Appendix 4 - List of Special amenity areas (Sams)**

<b>Appendix 4 - List of Special amenity areas (Sams)</b>		
Sam number	General location	Rules applicable (or other method)
(...)		
<del>23</del>	<del>Salisbury Street</del>	<del>Street scene</del>
-	-	-
<del>23a</del>	<del>Salisbury Street</del>	<del>Street scene; external appearance</del>
-	-	-
<del>24</del>	<del>Oxford Terrace</del>	<del>Street scene; open space; external appearance</del>
-	-	-
(...)		



<b>31</b>	<b>Park Terrace/Rolleston Avenue</b>	<b>Street scene; external appearance</b>
-	-	-
<b>32</b>	<b>Cranmer Square</b>	<b>Street scene; external appearance</b>
-	-	-
<b>33</b>	<b>Latimer Square</b>	<b>Street scene; external appearance</b>
-	-	-
(...)	-	-

Amend Volume 3 Part 2 Rule 5.1.1 as follows:

**5.1.1 Residential activities and other activities (except travellers' accommodation) - all standards (Living 5 Zone)**

All standards for the above activities shall be those for the zones specified below:

Peterborough

As for **L4A L4C Zone in the Central City**

**Montreal**

**As for L4C Zone in the Central City**

(...)

Amend Volume 3 Part 2 Rule 5.2 as follows:

**5.2 Development standards - travellers' accommodation activities - Living 5 Zone**

Any application arising from clauses 5.2.6, ~~and~~ 5.2.7 (only on sites other than those adjoining or across a road from a living, cultural or open space zone), **and 5.2.8**, will not require the consent of other persons and shall be non-notified.

Amend Volume 3 Part 2 Rule 5.2.1 as follows:

**5.2.1 Site density**

The maximum plot ratio per site shall be:

Peterborough **and Montreal**

0.8

(...)

Amend Volume 3 Part 2 Rule 5.2.3 as follows:

**5.2.3 Sunlight and outlook for neighbours**

(a) Buildings shall not project beyond a building envelope constructed by recession planes from points 2.3m above internal boundaries as shown in Part 2, Appendix 1 as follows:

(...)

**Diagram D – Peterborough,**

Diagram E – Avon, **Peterborough and Montreal,**

(...)

Amend Volume 3 Part 2 Rule 5.2.4 as follows:

**5.2.4 Street scene**

The minimum setback from road boundaries for buildings and outdoor storage areas shall be 4.5 metres **except that:**

(...)

~~(c) for those areas shown on Planning Map 39G where no street scene setback is required for all parts of buildings within 3 metres of the road boundary the maximum height shall be reduced by 2m.~~

**(c) for those areas shown on the planning map 39C in the Living 5 and Living 4C on the Avon Loop where no street scene setback is required.**

(...)

Amend Volume 3 Part 2 Rule 5.2.7 as follows:

**5.2.7 Separation from neighbours**

(a) The minimum building setback from any internal boundary shall be:

Peterborough, **Montreal**, Avon, Riccarton, Kilmarnock, Raceway, 3 metres

(...)

Amend Volume 3 Part 2 Rule 5.2.8 as follows:

**5.2.8 External appearance**

(a) Peterborough, **Montreal and Avon:** ~~Within special amenity areas 31 and 32 only, t~~ The erection of new buildings and additions or alterations to existing buildings, where visible from a public place, shall be a discretionary activity with the exercise of the Council's discretion **restricted to those matters set out in 13.2.8 excluding assessment matters (iv)(a) and (b), (vii) (a)-(d) inclusive and (ix)(a)-(c) inclusive. limited to their visual impact.**

(...)

~~(c) Avon: the erection of new buildings and additions or alterations to existing buildings shall be a controlled activity with the exercise of the Council's discretion limited to their visual impact.~~

(...)

Amend Volume 3 Part 2 Rule 5.4.1 as follows:

**5.4.1 Site density**

The maximum plot ratio per site shall be:

Peterborough **and Montreal:** 0.9

(...)

Amend Volume 3 Part 2 Rule 5.4.3 as follows:

### *5.4.3 Building height*

The maximum height of any building shall be:

Peterborough, Montreal, and Avon In accordance with planning maps 39D and 39G

Note: When assessing height in the Living 5 (Avon) Zone refer also to the definition of 'Height' in Volume 3, Part 1, which provides an exception that allows the roof area to exceed the maximum height.

Amend Volume 3 Part 2 Assessment Matter 13.2 as follows:

### *13.2 Living 1, 1F, H, RS, RV, TMB, 2, 3, ~~4A~~, 4B, 4C and G Zones*

(...)

Amend Volume 3 Part 2 Assessment Matter 13.2.5 as follows:

### *13.2 Living 1, 1F, H, RS, RV, TMB, 2, 3, ~~4A~~, 4B, 4C and G Zones : 13.2.5 Separation from neighbours*

In addition to the matters to be assessed above, in the Living 3, ~~4A~~, 4B and 4C Zones the following apply:

Amend Volume 3 Part 2 Assessment Matter 13.2.7 as follows:

### *13.2.7 External appearance*

(a) General matters for Special Amenity Areas

(...)

#### **Note:**

(i) The above general matters do not apply to the L3, ~~L4A, 4B, and L4C~~ and the L4B and L4C Zones that are outside the Central City.

(...)

(b) Specific matters for Special Amenity Areas

In addition to the above general matters, the following specific matters shall apply where indicated.

~~Special amenity area 33~~

(...)

Amend Volume 3 Part 2 Assessment Matter 13.2.8 as follows:

### 13.2.8 Urban design, appearance and amenity - Living 3, ~~4A~~, 4B, and 4C, Zones

(...)

#### (b) Specific matters

In addition to the above general matters, the following specific matters shall apply where indicated.

##### ~~Special amenity area 22~~

~~(i) The extent to which the proposed development is in accordance with the following characteristics of Special Amenity Area 22: Copying of these characteristics is not necessarily required and the use of modern building methods and materials is accepted.~~

~~a. Victorian and Edwardian two storey townhouses which are or have:~~

- ~~▲ Weatherboard cladding and pitched hip and gable corrugated iron roofs;~~
- ~~▲ A simple overall form that is generally rectangular, square or L shaped;~~
- ~~▲ Traditionally proportioned window and door treatments and proportions of solid to void;~~
- ~~▲ In some cases simple verandas;~~
- ~~▲ Eaves that are mostly very narrow~~
- ~~▲ Setback of between 3m and 15m;~~
- ~~▲ Front gardens with large established trees and other plantings that frame the houses;~~
- ~~▲ Fences that are mostly less than 1.5m high;~~
- ~~▲ Principal orientation to the street.~~

~~And particularly in respect of these characteristics:~~

- ~~b. the orientation to the street and setback of existing buildings in the special amenity area.~~
- ~~c. the building shape, colour and roofline of existing buildings that contribute to the consistency of the streetscape within the special amenity area.~~
- ~~d. the material, style, ornamentation and texture of existing buildings within the special amenity area;~~
- ~~e. the orientation of existing windows and doors to the street;~~
- ~~f. the placement of garages within the special amenity area.~~

~~Note : strong and simple forms similar in scale and height to existing buildings within the special amenity area are appropriate.~~

##### ~~Special amenity area 30~~

~~(ii) The extent to which the proposed development is in accordance with the most applicable one of the following sets of characteristics of Special Amenity Area 30: Copying these characteristics is not necessarily required.~~

~~a. With one exception the buildings in this special amenity area are over 100 years old and are:~~

~~One storey Victorian hipped roofed workers cottages which are or have:~~

- ~~▲ Simple in style and construction and are sited close to the street;~~
- ~~▲ Predominantly weather board or plaster cladding with corrugated iron roofs;~~
- ~~▲ Symmetrical front facades with two windows either side of a recessed entry porch;~~
- ~~▲ Windows articulated with bracketed hoods;~~

- ~~▲ Close to the street with low fencing and hedges allowing a visual link between the street and the buildings;~~
- ~~▲ Principal orientation to the street.~~

~~—or~~

~~Two storey Victorian domestic semi-detached town houses which are or have:~~

- ~~▲ Pitched hip and gabled corrugated iron roofs;~~
- ~~▲ Faceted double height bay windows;~~
- ~~▲ Traditionally proportioned window and door treatments and proportions of solid to void;~~
- ~~▲ Weather board cladding;~~
- ~~▲ Double hung sash windows with lead light fan lights;~~
- ~~▲ Large setbacks allowing for large planting;~~
- ~~▲ Fences variable in style or height, predominantly constructed of timber;~~
- ~~▲ Principal orientation to the street.~~

~~—or~~

~~Other varying styles from Villas to English Domestic Revival which are or have:~~

- ~~▲ Up to two storeys;~~
- ~~▲ Weather board cladding;~~
- ~~▲ Pitched hip and gabled roofs;~~
- ~~▲ Traditionally proportioned window and door treatments and proportions of solid to void;~~
- ~~▲ Little ornamentation;~~
- ~~▲ Varying setback of 5 to 30 metres which acts as a transition between worker's cottages and semi-detached town houses;~~
- ~~▲ Principal orientation to the street;~~

~~And particularly in respect of these characteristics:~~

- ~~b. the orientation to the street and setback of existing buildings in the special amenity area;~~
- ~~c. the building shape and roofline that contributes to the consistency of the streetscape within the special amenity area;~~
- ~~d. the material and style of existing buildings within the special amenity area;~~
- ~~e. the way windows and doors on existing buildings within the special amenity area address the street;~~
- ~~f. the surface texture and ornamentation of existing buildings within the special amenity area;~~

~~Note : strong and simple forms similar in scale and height to existing buildings within the special amenity area are appropriate except where facades of adjacent buildings are more broken in form e.g. Victorian semi-detached town houses.~~

~~Special amenity area 31~~

~~(iii) The extent to which the proposed development is in accordance with the most applicable one of the following sets of characteristics of Special Amenity Area 31: Copying these characteristics is not necessarily required.~~

- ~~a. Heritage buildings and other buildings located in close proximity to and oriented with outlooks facing the River Avon Okataro and Hagley Park. Buildings are generally domestic in scale and have a degree of modulation. This character includes a number of large apartment buildings but care has been taken to break up the bulk of these buildings using receding floors, balconies and changes in wall and roof angles.~~

~~And particularly in respect of these characteristics:~~

- ~~b. the orientation of existing buildings to the River Avon Okataro and Hagley Park;~~

- ~~c. the orientation to the street and setback of existing buildings within the special amenity area;~~
- ~~d. the use of receding floors, balconies and changes in roof angles that have been used to break up the bulk of existing apartment buildings within the special amenity area;~~
- ~~e. the ground level areas of existing buildings within the special amenity area that interact with pedestrians and pedestrian linkages;~~
- ~~f. the domestic scale and modulation of existing houses (as opposed to apartment buildings) within the special amenity area.~~

~~Note : a modulated facade is one where the whole is made up from components which visually relate to each other even though they may be different sizes and/or materials~~

~~Special amenity area 32~~

~~(iv) The extent to which the proposed development is in accordance with the following characteristics of Special Amenity Area 32:~~

- ~~a. Cranmer square's heritage as a former educational precinct (dating from the 1860s) and a key Inner City green space. Some of the original educational buildings remain although their use has changed. It is flanked on the four edges by mature exotic trees. Its character also comprises houses which are or have:
 
  - ~~▲ Generally large two storey houses and multi-storey town houses or apartments;~~
  - ~~▲ Pitched hipped roofed Victorian classically styled older houses along the northeast section;~~
  - ~~▲ Recessed porches on older houses;~~
  - ~~▲ Large windows facing the square;~~
  - ~~▲ Small building setbacks creating strong connection with the street and park.~~~~

~~And particularly in respect of these characteristics:~~

- ~~b. a strong connection between existing buildings, the street and the park;~~
- ~~c. the orientation to the street and set back of existing buildings within the special amenity area;~~
- ~~d. the domestic scale and modulation of existing buildings within the special amenity area;~~
- ~~e. the building shape and roofline that contributes to the consistency of the streetscape within the special amenity area.~~

~~Note : a modulated facade is one where the whole is made up from components which visually relate to each other even though they may be different sizes and/or materials. Strong and simple forms similar in scale and height to existing buildings within the special amenity area are appropriate.~~

~~Special amenity area 33~~

~~(v) The extent to which the proposed development is in accordance with the following characteristics of Special Amenity Area 33: Copying of these characteristics is not necessarily required.~~

- ~~a. Latimer Square's heritage as the main sports and recreation ground for Christchurch in the 1850s and 1860s and as a key Inner City green space. As surrounding residential densities become more intense it will become more important for rest and recreation. The character of the square is also comprised of the mature exotic trees on its four edges. The special amenity area itself contains a mixture of building styles reflecting different eras. Key indicators of the desirable building character for this special amenity area are:
 
  - ~~▲ Balconies and large windows facing the street;~~
  - ~~▲ Broken facades and rooflines;~~
  - ~~▲ Predominantly small building setbacks;~~
  - ~~▲ Oriented west to face the park;~~
  - ~~▲ Domestic scale and modulation.~~~~

~~—And particularly in respect of these characteristics:~~

- ~~b. the strong connection between existing residential or originally residential buildings, the street and the park;~~
- ~~c. the orientation to the street and set back of existing residential or originally residential buildings within the special amenity area;~~
- ~~d. the material and style of existing residential or originally residential buildings within the special amenity area;~~
- ~~e. the domestic scale and modulation of existing residential or originally residential buildings within the special amenity area.~~

~~Note : a modulated facade is one where the whole is made up from components which visually relate to each other even though they may be different sizes and/or materials.~~

~~Special amenity areas 31, 32 and 33 in general~~

~~(vi) The extent to which the building reflects, respects or compliments its relationship with adjoining or nearby areas of important public open spaces, particularly in respect of:~~

~~(a)~~

- ~~▲ the formal or informal nature of the space (e.g., axial, symmetrical, open and free flowing);~~
- ~~▲ any impacts of the building on the use of those spaces (e.g., shadowing and wind funnelling);~~
- ~~▲ any visual focal points or features (e.g., statues, memorials, water features or specimen trees);~~
- ~~▲ any vistas or pedestrian linkages~~
- ~~▲ the impact of the building on the definition or containment of the space~~

~~(b) The extent to which the ground level area of the building interacts with pedestrians and pedestrian linkages.~~

~~(...)~~

~~Special amenity area 22 Worcester Street frontage~~

~~(ix) The extent to which the development is orientated towards the boulevard and reflects the existing form of buildings along this part of the boulevard.~~

~~Special amenity area 24~~

~~(x) The extent to which the development takes account of and acknowledges its relationship with the character, heritage, and/or architectural style of adjoining or nearby buildings within the SAM. New buildings and additions to the frontage of existing buildings should respect the architectural character of the Avon Loop and maintain harmony with adjacent buildings and continuity with the streetscape. The elements of a new building should be sympathetic with the dominant elements of the surrounding streetscape. The shape and size of new buildings should reflect the scale and form which has been established by existing buildings.~~

~~(Refer also to rules for Living 4C Zone (Avon Loop) (xi) below.)~~

~~Living 4C Zone (Avon Loop) including Special amenity area 24~~

~~(xi)~~

- ~~▲ The extent to which the building form, design and external appearance respects or complements the area by way of:~~
- ~~▲ building colours and materials~~
- ~~▲ planting~~
- ~~▲ roof pitch~~
- ~~▲ the effect and form of facade modulation~~

- ~~▲ the relationship of the street facade to overall streetscape~~
- ~~▲ the relationship of the building to existing neighbouring buildings in respect of facade modulation and colour~~
- ~~▲ The extent to which the ground level area of the building interacts with the street, pedestrians and pedestrian linkages including screening having a degree of transparency to the road.~~
- ~~▲ The extent to which the development, where an allotment faces the river, provides the potential for views and enjoyment of the river frontage, with particular emphasis on facade orientation to the river.~~
- ~~▲ The extent to which the building design and site layout reduces the impact of vehicle access, off street parking and garaging provisions, particularly in respect of the street fronts of properties.~~
- ~~▲ The orientation of buildings should optimise access to sunlight and outlook to open space, be that parks, the street or the river.~~
- ~~▲ The extent to which developments and building form on corner sites reflect the visual prominence and landmark importance of those sites.~~

(...)

Amend Volume 3 Part 2 Rule 13.1.2 as follows:

### *13.2.12 Outdoor living space*

(...)

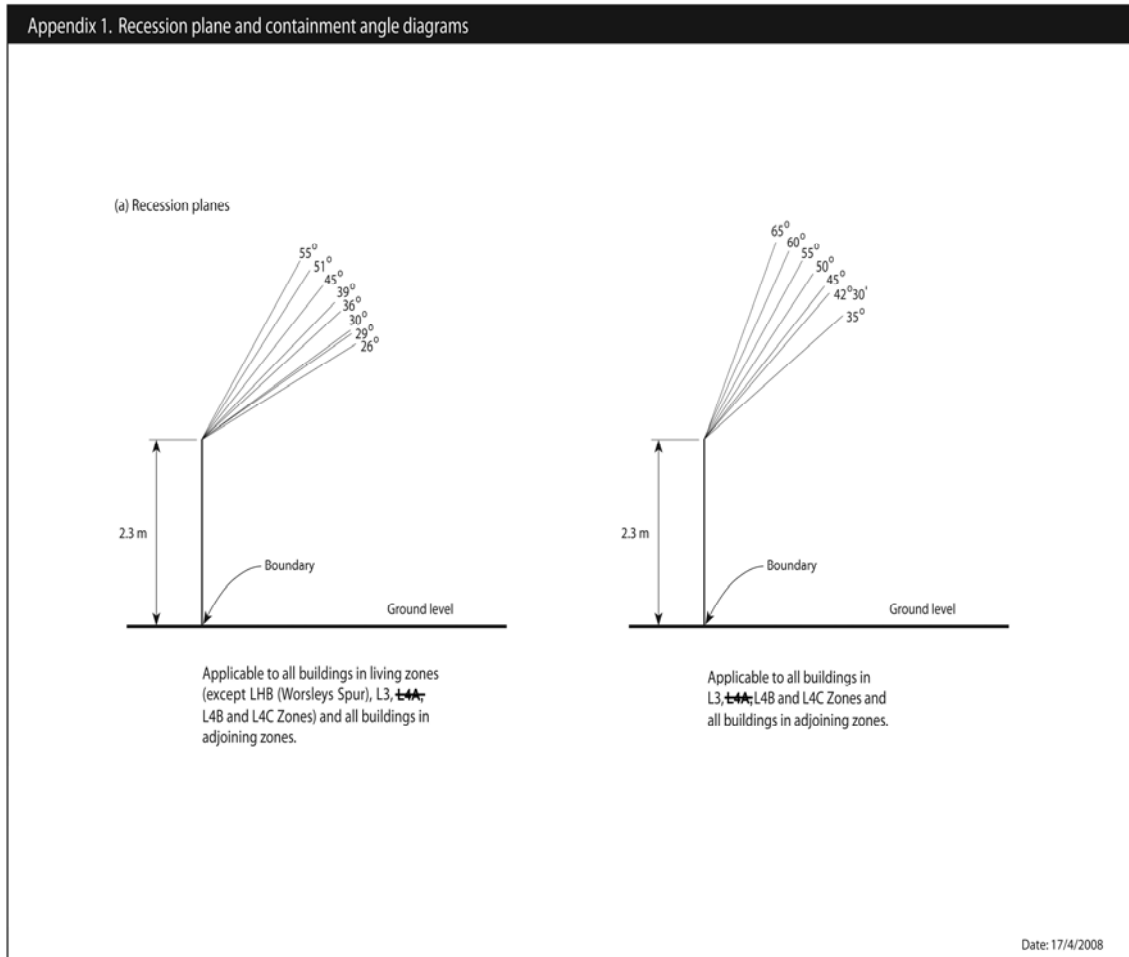
In addition to the matters to be assessed above, in the Living 3, ~~4A~~, 4B, and 4C Zones the following apply:

(...)



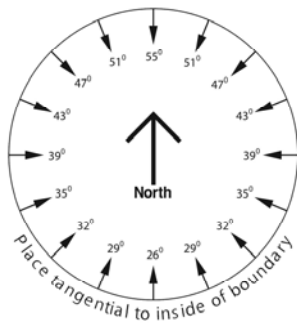
Amend Volume 3 Part 2 Appendix 1 as follows:

*Appendix 1 - Recession plane and containment angle diagrams*

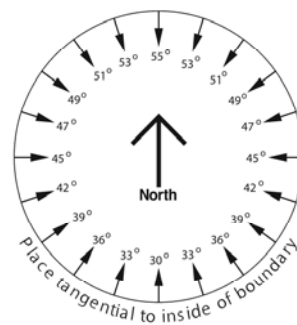


Appendix 1. Recession plane and containment angle diagrams

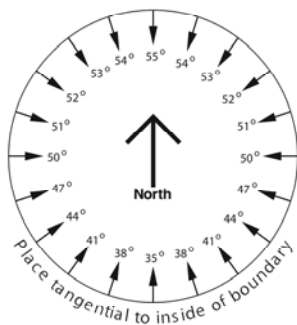
Living Zones **2**



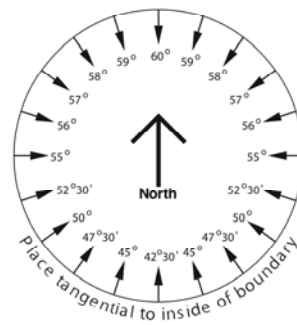
- A Applicable to all buildings:
- in the L1, L1A, L1B, L1D and L1E zones
  - on sites in other (non-living) zones that adjoin the L1, L1A, L1B, L1D and L1E zones.



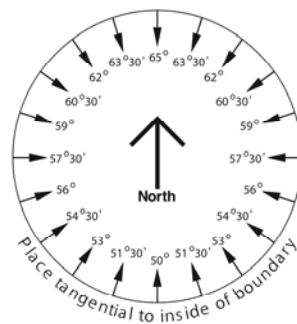
- B Applicable to all buildings:
- in the LH, L2, LRS and LRV zones
  - on sites in other (non-living) zones that adjoin the LH, L2, LRS and LRV zones.



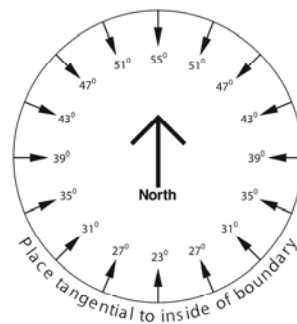
- C Applicable to all buildings:
- in the L3 zone
  - on sites in other (non-living) zones that adjoin the L3 zone
  - in the Living 5 Zone (Riccarton, Kilmarnock and Raceway only)
  - on sites in other (non-living) zones that adjoin the Living 5 Zone (Riccarton, Kilmarnock and Raceway only).



- D Applicable to all buildings:
- in the L4C zone outside the Central City
  - on sites in other (non-living) zones that adjoin the L4C zone
  - in the ~~L4A and~~ L4B zones (except those buildings over 11 metres in height)
  - on sites in other (non-living) zones that adjoin the L4A and L4B zones (except those buildings over 11 metres in height)
  - ~~in the Living 5 Zone (Peterborough only)~~
  - ~~on sites in other (non-living) zones that adjoin the Living 5 Zone (Peterborough only)~~



- E Applicable to all buildings:
- over 11 metres in height in the L4A and L4B zones
  - over 11 metres in height on sites in other (non-living) zones that adjoin the ~~L4A and~~ L4B zones.
  - ~~in the Living 5 Zone (Avon only)~~
  - ~~on sites in other (non-living) zones that adjoin the Living 5 Zone (Avon only)~~
  - L4C Zones inside the Central City
  - L5 Zones inside the Central City



- F Applicable to all buildings:
- in the LHA, LHB and TMB zones
  - on sites in other (non-living) zones that adjoin the LHA, LHB and TMB zones,
  - in the Living 5 Zone (Merivale, Papanui, Memorial Avenue, Shirley, Upper Riccarton and Russley only)
  - on sites in other (non-living) zones that adjoin the Living 5 Zone (Merivale, Papanui, Memorial Avenue, Shirley, Upper Riccarton and Russley only)

Note: North is true north

## Volume 3, Part 14 Subdivision

Amend Volume 3 Part 14 Rule 4.2.2 as follows:

### 4.2.2 Allotment dimensions

No allotment, vacant at the time of subdivision, shall be created such that it is unable to accommodate a rectangle of the dimensions specified below:

(...)

Living 2, 3, ~~4A~~, 4B, 4C Zones                      13 x 16m

(...)

Amend Volume 3 Part 14 Rule 4.3.2 as follows:

### 4.3.2 Minimum standards - Living zones

Every allotment to be created by a subdivision shall comply with the minimum standards specified for each zone below except as provided for in Clauses 4.3.8, and 4.3.12.

(A)

Zone	Minimum net area	Minimum average net area (see interpretation clause in the next column)	Maximum net area	Interpretation of living zone minimum standards	References to other minimum standards under 4.3.2 that apply to each zone and prohibited activities (see (B) - (M) below)
(...)					
<b>LIVING 2, 3, 4A, 4B, 4C AND 5 ZONES</b>					
(...)					
Living 3, <del>4A</del> , 4B, 4C, 5	300m <sup>2</sup>	350m <sup>2</sup>		The average area provisions shall only apply to subdivisions of more than three resultant allotments. Any lots greater than 900m <sup>2</sup> in area shall be deemed to be 900m <sup>2</sup> in area for averaging purposes.	
(...)					

Amend Volume 3 Part 14 Rule 4.3.8 as follows:

**4.3.8 Allotments with existing or proposed buildings**

<b>Zone</b> (...)	<b>Minimum net area</b>
Living 3 Zone (except SAM area 21), <del>4A</del> , 4B and 4C Zones	

Amend Volume 3 Part 14 Rule 5.2.1 as follows:

**5.2.1 Access (Private ways, access legs, and vehicular access on cross or company leases or unit titles)**

(...)

Minimum requirements for access							
Activity	Potential No. of Units	Legal Width (m)	Formed Width (m)	Turning Area	Passing Area	Sealed and Drained	Height (m)
(...) Residential (Living 3, <del>4A</del> , 4B and 4C Zones)	4 to 8	3.5	3.0	Yes	Yes	Yes	4.0
Residential	9 to 15	6.0	5.0	Yes	Yes	Yes	4.0
Residential (Living 3, <del>4A</del> , 4B and 4C Zones outside the Central City)	9 to 15	5.0	4.0	Yes	Yes	Yes	4.0
(...)							

No limit

## Other changes throughout the City Plan

---

Amend the City Plan as Follows:

---

### Volume 3, Rule and Clause Titles

Remove "L4A" from rule and clause titles as required.

#### *Volume 3 : Part 1 Definition of Height*

(...)

(c) lift shafts, plant rooms, water tanks, air conditioning units, ventilation ducts, chimneys and antennae and similar architectural features on buildings in all Business Zones including Special Purpose (Wigram) Zone area, the Central City Zone, the Cultural 4 Zone, the Living ~~L4A~~, 4B, 4C and 5 Zones, and the Special Purpose (Airport) Zone, provided they do not exceed an additional 6m or 20% of the height of a building, (whichever is lesser) and not more than 25% of the plan area of a building.

(d) chimneys (not exceeding 1.1m in any direction) except as allowed for in the ~~L4A~~, L4B, L4C and L5 zones under subclause (c) above.

(...)

### Volume 3 : Part 2 Living Zones Assessment Matters

(...)

#### *13.2.12 Outdoor living space*

(...)

In addition to the matters to be assessed above, in the Living 3, ~~4A~~, 4B and 4C Zones the following apply:

(...)

### Volume 3 : Part 3 Business Zones

#### *3.2 Residential activities*

(...)

***(d) In any part of the Business 1 Zone adjoining a Living ~~4A, 4B or~~ 4C Zone located within the Central City, residential units may be erected. In addition to the Business 1 Zone rules all residential activities shall comply with the Living Zones (Part 2) Clauses 4.2.9, 4.2.11 and 4.2.12 inclusive, Transport (Part 13) and Subdivisions (Part 14) provisions as if the site were zoned Living 4A, 4B or 4C.***

Volume 3 : Part 7 Cultural Zones : 3.3 Development standards :

*3.3.1 Open space*

The maximum percentage of the site area to be covered by buildings shall be as follows:

(...)

- (b) On school sites subject to Living 3, ~~4A~~, 4B, 4C, 5 and cultural zone provisions in Clauses 3.6.1 and 3.6.2 40%

Volume 3 : Part 7 Cultural Zones : 3.3 Development standards :

*3.3.3 Street scene*

- (a) The minimum building setback from road boundaries shall be:

(...)

(ii)	On school sites subject to Living 3, <del>4A</del> , 4B, 4C, 5, Business 3, and cultural zone provisions in Clauses 3.6.1 or 3.6.2	3m
------	--	----

(...)

Volume 3 : Part 7 Cultural Zones : 3.5 Critical standards :

*3.5.1 Building height*

The maximum height of any building shall be as specified below:

(...)

- (c) On school sites subject to Living ~~4A~~, 4B and 4C Zone rules, in Clauses 3.6.1 and 3.6.2, refer to Planning Maps ~~39B and 39C~~ 39D-maximum height controls.

(...)

Volume 3 : Part 7 Cultural Zones : 3.6 List of schools :

*3.6.1 Secondary or composite*

Column A	Location	Map	Column B
(...) Hagley Community College (...)	Hagley Avenue, City	39A	Living <del>4B</del> <u>4C</u>

Volume 3 : Part 7 Cultural Zones : 3.6 List of schools :

*3.6.2 Primary and Intermediate*

Column A	Location	Map	Column B
(...) Christchurch East (...)	Gloucester Street, City	39A	Living <del>4A</del> <u>4C</u>
(...) St Mary's (R.C.) (...)	Manchester Street, City	39C	Living <del>4A</del> <u>4C</u>

Volume 3 : Part 8 Special Purpose Zones :

*2.1 Zone rules - Activities other than those defined as health facilities*

The provisions of the following zones shall apply to any activities in the Special Purpose (Hospital) Zone which are not defined as health facilities;

(...)

As for Living ~~4A~~ 4C Zone - (Residential Activities and Other Activities)

Christchurch Women's Hospital  
 Lyndhurst Hospital

(...)

Volume 3 : Part 9 General City Rules : 2.2 Temporary buildings and activities :

## **2.2.4 Development standard**

(...)

**Notwithstanding anything to the contrary in this Plan, and except as set out in Clause 2.2.3, the following shall be permitted activities in any zone in the Central City, except the Living ~~4A, 4B, 4C~~ and 5 and Cultural 3 zones:**

(...)

**For temporary activities and buildings in the Living ~~4A, 4B, 4C~~ and 5 and Cultural 3 zone, the Canterbury Earthquake (Resource Management Act Permitted Activities) Order 2011 applies.**

Volume 3 : Part 9 General City Rules : 3.4 Development standards :

### **3.4.2 Street scene**

Minimum building setback from road boundaries shall be:

Scheduled metropolitan facilities, scheduled hotels, taverns, and spiritual facilities in Living 3, ~~4A, 4B~~ & 4C Zones, scheduled fire stations 3m

Volume 3 : Part 9 General City Rules : 3.4 Development standards :

### **3.4.3 Separation from neighbours**

Minimum building setback from any internal boundary of a scheduled site shall be:

Scheduled metropolitan facilities, scheduled hotels, taverns, and spiritual facilities in Living 3 & ~~4A, 4B~~ and 4C Zones, scheduled service centres and community services, scheduled public utilities, scheduled fire stations 3m

Volume 3 : Part 9 General City Rules : 3.4 Development standards :

### **3.4.5 Visual amenity**

(b) Area to be landscaped

Minimum percentage of the site to be set aside as a landscaped area shall be:

Scheduled metropolitan facilities, scheduled hotels, taverns, and spiritual facilities in Living 3, ~~4A, 4B~~ and 4C Zones, scheduled service stations, scheduled fire stations



Volume 3 : Part 9 General City Rules : 3.5 Critical Standard :

**3.5.1 Height**

The maximum height of any building shall be as follows:

(...)

Scheduled hotels and taverns in Living ~~4A and~~ 4C Zones,

Scheduled metropolitan facilities, scheduled fire stations in Living 4C Zone, and

Scheduled spiritual facilities in the Living 4 Zones

~~11m~~ in accordance with planning maps ~~39B and~~ 39D

(...)

Living 4 Zones

20% above the maximum height permitted by planning maps ~~39B and~~ 39D

Volume 3 : Part 9 General City Rules :

**9.2 Workers' temporary accommodation for the greater Christchurch rebuild : Temporary buildings for workers' temporary accommodation**

(...)

**Standards and terms**

(i) *The workers' temporary accommodation unit or workers' temporary accommodation complex is located on a site in:*

- *Christchurch City within the Living 2, 3, ~~4A,~~ 4B, 4C Zone or Business 1 or 2 Zone of the City Plan or within the Lyttelton Town Centre Zone of the Banks Peninsula District Plan; or*

(...)

Volume 3 : Part 10 Heritage and Amenities : 3.4 Development standards:

**3.4.1 Area and number**

(...)

(ii) for other (non-residential) activities within a community footprint, fronting an arterial road or on a site in the Living ~~4C 4A~~ Zone with access to Bealey Avenue, Montreal Street, Durham Street North, Colombo Street and Manchester Street (north of Salisbury Street), the maximum total area of outdoor advertisements shall be 1.0m<sup>2</sup>

Volume 3 : Part 11 Health and Safety : 1.3 Specific rules - Noise control :  
**1.3.4 Noise Standards for all zones within the Central City**

(...)

*For the purposes of this Rule, "habitable space" in relation to health facilities and educational facilities includes rooms which are normally occupied frequently or for extended periods.*

(i) *Living 4A, 4B and 4C and Living 5 Zones - Protection of Noise Sensitive Activities*

(...)

*Note: Compliance with this Rule may be achieved by ensuring any construction is in accordance with the acceptable solutions listed in Part 11, Appendix 1. In the Living 4A, 4B and 4C and Living 5 Zones no alternative ventilation is required in situations where the Rule is only met with windows closed. Alternatively, compliance with the Rule can be achieved through certification by a qualified acoustic engineer that the design is capable of achieving compliance with the performance standard.*

(...)

Volume 3 Part 12 Designations :

**2.10A Minister for Canterbury Earthquake Recovery : Notation  
 Residential Demonstration Project**

Site name	Location	Planning map no.	Underlying zoning
<b>Residential Demonstration Project</b>	<b>Part Block defined by Madras, Armagh and Gloucester Streets</b>	<b>39J</b>	<b>Living 4B 4C</b>

Volume 3 : Part 13 Transport : 2.2 Development standards - Parking and loading :

**2.2.1 Parking space numbers**

(...)

<b>Table 1 . Minimum parking required in all zones</b>			
Activity	Car parking spaces	Cycle parking spaces	Loading/unloading

	Residents/visitors	Staff	
All living zones including residential activities within Open Space 3D (Clearwater) Zone and except Living 3, <del>4A, 4B (Central City)</del> , 4C, G and Central City <b>Mixed Use</b> Zones (...)	Residents: 2 spaces (1 garageable)/unit +  Visitors: 1 space/5 units	N/A	Nil
Living <del>4A</del> , 4B and 4C Zones  (...)	Residents: 1 garageable space per unit + Visitors: No parking requirement for the 10 units, thereafter 1 space per 5 units.	N/A	Nil

Volume 3 : Part 13 Transport : 2.2 Development standards - Parking and loading :

**2.2.10 Parking area and access design - All Zones outside the Central City**

All vehicular access to a site, shall be in accordance with the standards set out in Table 2 below.

Table 2 - Minimum requirements for private ways and vehicular access							
Activity	Potential number of units	Legal Width (m)	Formed Width (m)	Turning area	Passing area	Sealed and drained	Height (m) (4)
(...) Residential (Living 3, <del>4A</del> , 4B and 4C Zones (...)	4 to 8	3.5	3.0	Yes	Yes	Yes	4.0
Residential (Living 3, <del>4A</del> , 4B and 4C Zones (...)	9 to 15	5.0	4.0	Yes	Yes	Yes	4.0

(...)

## Active Zone List

---

Map Notation

Zone

~~L4A~~

~~Living 4A (Central City - Diverse)~~

---

## Planning Maps : Introduction : Designations

(...)

~~L4A Living 4A (Central City - Diverse)~~

(...)  
LL4B Living 4B (~~Central City~~ Carlton Mill Road and North Beach - High Rise)

## Planning Maps 39C, 39D, 39F and 39G

---

Amend planning maps 39C, 39D, 39F and delete planning map 39G to reflect the changes to Zones, Heights, Special Amenity Areas and references to area or site specific rules shown in the Planning Maps (Map 1, Map 2, Map 3) that follow:

---

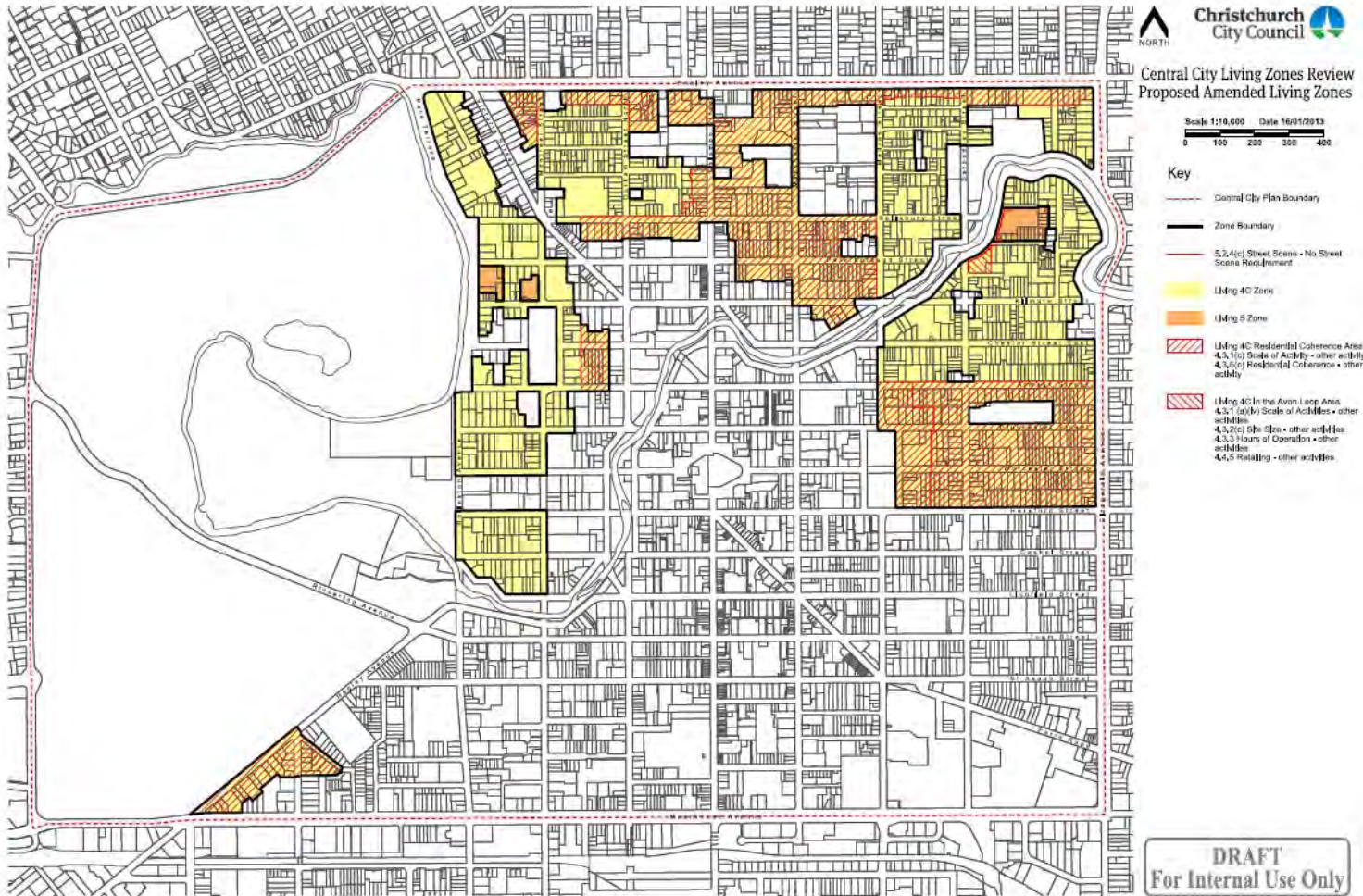
## Consequential Amendments

---

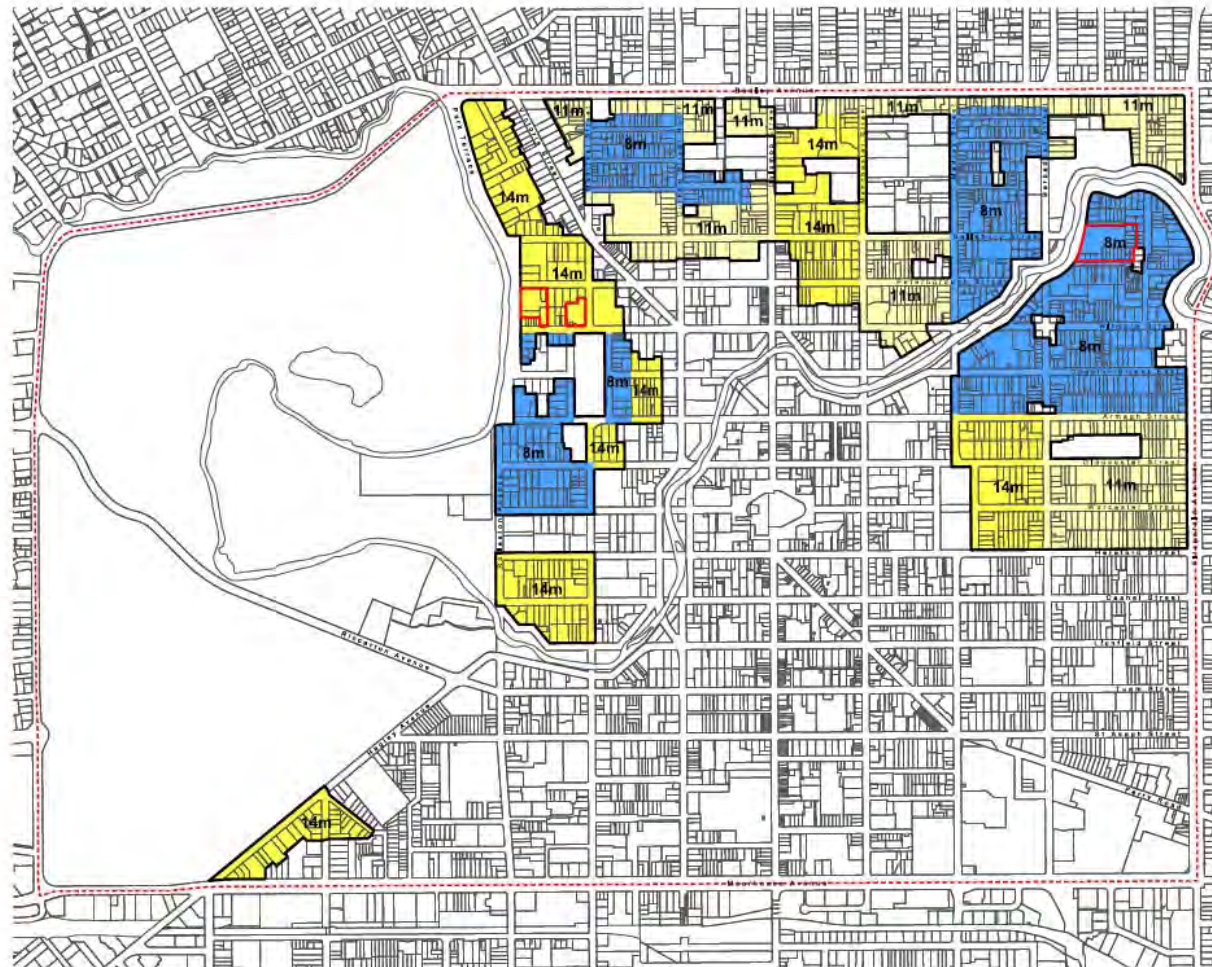
Whilst every effort has been made to identify the necessary changes, there may be other consequential (non substantive) changes required to give effect to these recommendations. Where these are subsequently identified then appropriate amendments should be made without further formality.

---

**Map 1 Amended Zoning Map – Central City Living Zones only**



**Map 2 Amended Heights Map – Central City Living Zones only**



**Christchurch City Council**  
 Central City Living Zones Review  
 Proposed Maximum Building Heights  
 in Living Zones

Scale 1:10,000 Date 14/01/2013  
 0 100 200 300 400

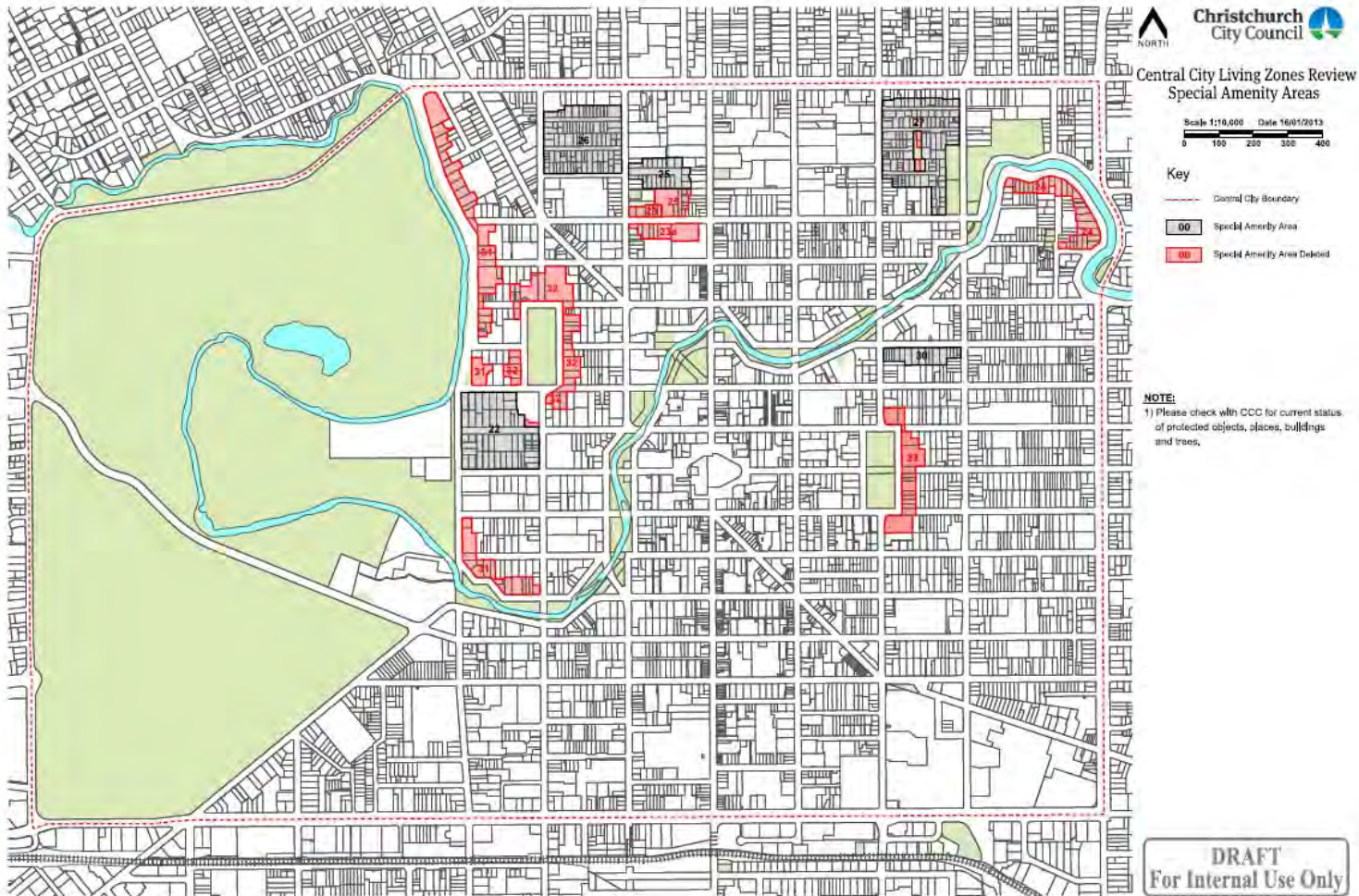
- Key**
- Central City Plan Boundary
  - Living 4C Zone Boundary
  - Living 5 Zone Boundary
- Maximum Building Heights**
- 8m
  - 11m
  - 14m

- NOTES:**
- 1) Refer to Planning Map 1 for zone boundaries.
  - 2) Refer to all relevant Development, Community and Critical Standards for maximum building height in each zone.

**DRAFT**  
 For Internal Use Only



### Map 3 Amended Central City SAmS Map



# *Appendix 2 Consultation*

Central City Living Zones Review – Technical Report 2 Consultation

## Contents

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## Consultation Event Summary and Records of Discussions

Consultation Events			
Stakeholders	Project Team	Where and when	Summary of discussion
Nicky Wagner MP for Christchurch Central	Adam Fort	Electorate Office on Salisbury Street 10 September 1pm	Discussed the Statutory Direction and what area the Living 4 and 5 zones cover. Ms. Wagner lives in the L4 zone in the Victoria Neighbourhood (SAm 26) and her electorate office is in SAm 23 on Salisbury Street. She sends around an e-newsletter each month or so and was briefed on the project to inform discussion with her constituents.
Hagley-Ferrymead Community Board (public)	Adam Fort Andrew Willis Katie Smith	Woolston Club 19 September 3pm	This was a briefing to the Board to inform them of the upcoming review, clarify its scope and field questions regarding its intent.
Planning Committee Meeting (public)	Adam Fort Andrew Willis (plus Phil Gurnsey from CERA)	Committee Room 3 October 9am	Discussion in the pre-circulated report focused on whether to proceed with the review (which staff recommended), or to seek deferral of the statutory direction through the Minister. A deputation from the Combined Residents Groups and subsequent discussion between Project Team staff and the Residents Groups led to a unanimous vote for a Committee recommendation that Council proceed with the review.
Chester Street East Residents Association	Adam Fort (plus Phil Gurnsey from CERA)	Pomeroy's 11 October 4pm-6pm	Primary purpose of meeting was to brief the group on the Housing Demonstration Project. There was significant discussion about the Living Zone Review.
Council Meeting (public)	Adam Fort	Council Chamber 25 October 9am	Cr Wells led discussion and noted the willingness of parties to proceed with the review. Council voted unanimously to approve the recommendation of the Planning Committee.
Carter Group (Philip Carter and Sharon)	Adam Fort Fiona Wykes	Rebuild Central 2 November (plus Dec 6 phone conversation)	Discussion focused on delivery of medium density developments and the Avon Loop where the L5 Holiday Inn Hotel site abuts the red zoned L4C zoned land. December 6 – Follow-up phone call to confirm a submission will be coming in, and that the existence of an L5 zone in the Avon Loop is being questioned through the review.
Public drop-in session; 12 members of public, plus one Councillor	Adam Fort Katie Smith (plus Phil Gurnsey from CERA)	HMNZS Pegasus Meeting room, 417 Montreal St 7 November 4pm-7pm	Detailed discussion between members of the public, the project team, and Phil Gurnsey in relation to CCDU Recovery Plan Projects.
Combined Residents Groups x 7; All 7 residents groups were represented,	Adam Fort Katie Smith Kieran Cummings Andrew Willis	WEA Meeting Room 12 November 7-9pm	Traversed a number of issues including: <b>1. SAm's</b> a.) A desire to keep SAm's from some groups b.) Perception that lower threshold for design and appearance in SAm's is worth keeping

<p>by one or two persons each; Facilitated by Ken Lawn (Independent Planning Commissioner)</p>	<p>(plus Phil Gurnsey from CERA)</p>		<p>c.) Recognition that some SAMs have not achieved much, and may no longer be very relevant d.) Some SAMs still have particular character <u>Project team recommendation:</u> Reduce the number of SAMs to those that add value over and above new design and appearance controls.</p> <p><b>2. Non-residential uses</b> a.) Bolster residential nature of the Living Zones; encourage mixed use in the commercial business zones b.) Consider L4C rules across all residential area, unless there are specific reasons for a difference <u>Project team recommendation:</u> Start from L4C rules and see what needs to be different. Start from concept that these residential areas are precious and the key to growing residential component of Central City.</p> <p><b>3. Heights</b> a.) A desire not to lose the current texture of height, which has arisen for specific reasons b.) If changes are made, it should be to reduce heights c.) Some heights now out of step with lower heights in business zones <u>Project team recommendation:</u> Keep the 8/10/14 general texture, but check the boundaries and areas they cover to see that they make sense. Review other heights to see if they are still appropriate.</p> <p><b>4. Floor Area Ratio (FAR) Density</b> a.) Some concern about dropping it</p>
<p>Victoria Neighbourhood Association; Meeting was well attended by 12-15 members of the residents' group; Dave Kelly chaired</p>	<p>Adam Fort Katie Smith Kieran Cummings</p>	<p>43 Beveridge Street 13 November 8pm-10pm</p>	<p>Discussion focused on key issues such as: a.) Protection against non-residential uses (preference to retain L4C protection along Colombo St frontage) b.) Halt issuing of resource consents to breaches of the Community Standards (as amended and strengthened by the CCRP) c.) Keep the 8m heights in their current locations, the diversity is good d.) SAM 26 not really a useful purpose, fairly negative feeling about it due to 15 years of modern infill buildings. SAM 25 more intact, and may be useful to have its larger street scene setback, but not a compelling argument for that e.) Concern over future use of the Special Purpose Hospital zone on two parcels fronting Gracefield Ave</p>
<p>Canterbury Regional Council</p>	<p>Adam Fort</p>	<p>Phone calls and email 27 November</p>	<p>Various phone calls and emails with Stephen Timms from November 27 to Dec 7. Eventually arranged face to face meeting with Stephen on Dec 11.</p>

Contact: Stephen Timms, Principal Planner			
Community and Public Health (CDHB) Contacts: Jane Murray and Matt Willoughby	Adam Fort	Rebuild Central 28 November	Explained the intent of the review and some issues that have become apparent so far. CPH staff asked questions around scope and have clear organisational views on urban design discretion to achieve improved health outcomes, having already submitted to PC53. They are to draft their submission and have Anna Stevenson (Health Registrar, Christchurch City Council - Strategy and Planning Group) review it before lodgement.
Avon Loop Planning Association; 7 members of the Committee attended, including Siobhan Murphy and Cilla Clements who both attended the CRG meeting on 12 November	Adam Fort Kieran Cummings	28 Hurley St 29 November 6pm-7.15pm	Views expressed included: a.) Support for height of Avon Hotel site to be 8m, (retaining L4C 3.5m bonus), and 8m also across the remainder of the Avon Loop Living 4C Zone b.) Due to uncertainty over future of red-zoned land, they wish for continuing partnerships and consultation, including those residents that have been forced out through red-zoning c.) Support for trees and protected pump house building to be retained d.) Remaining heritage buildings outside the loop, such as in Ely Street east side, should be protected due to what the city has lost as a whole. e.) Support for some small scale non-residential activities, but acknowledged B1 zoning changes through the Recovery Plan.
Urban Design Panel: Nicole Lauenstein William Field Jasper van der Lingen Alec Bruce William Fulton	Adam Fort Scott Blair Katie Smith Fiona Wykes Kieran Cummings Katherine Snook (CERA)	Committee Room 2 30 November	The panel's general recommendations were:  <b><u>1. Height</u></b> Height controls typology, would make more sense to consider storeys, rather than height; Height and number of storeys is currently used in combination - in L3 New Brighton for example, but always a precise upper limit in metres is necessary.  Interface between heights is problematic  Different heights on different sides of a street can create an awkward interface – would make sense for example for the height limit south of the Arts Centre, currently 20m, to be 16m along Hereford Street and 20m south of that. One height limit could create a monotony of form and would also prevent variety at corners.  Some discussion of where the city would be looking for apartment developments and the growth scenarios post blueprint.  The 30m height limit in the south west along Hagley Avenue makes sense as this is the best place in the central city to have 8-9 storey apartments,

			<p>overlooking the park.</p> <p>11m+ associated with larger public green spaces makes sense – e.g. the Avon River, the East Frame, Hagley Park. Either side of the river could possibly be 5-6 storeys, quality rental properties, including a floor for parking. There was seen to be demand for this due to location and cheaper land than the inner city west.</p> <p>Consideration should be given to the living zone immediately to the north of the proposed stadium in terms of visual outlook and to the south in terms of the huge bulk of the stadium itself.</p> <p>The north of Manchester and Colombo Streets are areas of greater intensity/density.</p> <p>The 20m and 30m height limits around Latimer and Cranmer Squares respectively are now at odds with the blueprint released by CERA.</p> <p><b><u>2. Economic Drivers</u></b>                  There can be a reluctance around using a body corporate, particularly following the earthquakes. Apartments – often floor by floor rental rather than sale, can be a good way to develop                  Was a strong demand for land for 3 level, fee simple development; the next level for 5 or 6 storey rental properties with stand alone the ultimate preference. Need to investigate if demand has changed post-earthquakes.                  Construction costs related to heights – above 3 storeys there are issues with access and lifts.</p> <p><b><u>3. Density</u></b>                  At what point in terms of amalgamation of sites would the residential floor area ratio (RFAR) actually come into play - i.e. when is it necessary? Don't wish to discourage comprehensive development. Agreement that it is not an effective 'built form' rule. There was a suggestion it could apply above a certain threshold of number of units or floor area to catch comprehensive developments.</p> <p><b><u>4. Outdoor Living Space</u></b>                  Assessment of proposed outdoor living space is the key – provision, type and quality.                  There was some agreement for a minimum 'private' space requirement of 12m<sup>2</sup> per unit being appropriate. Currently L4C requires 16m<sup>2</sup> private while L4A requires 10m<sup>2</sup> private.</p> <p><b><u>5. Setback and Recession Planes</u></b>                  Where heights have had to be lifted due to the flood plain, they are now breaking recession planes.</p>
--	--	--	---



			<p>However, the entire street breaks these, until you get to the interface between the flood plain requirements and next site. This issue will need to be investigated further.</p> <p>The setback and recession plane requirements mean there will always be a good setback between sites – where the recession planes go vertical (14m height) would be about 8m setback from internal east or west boundaries and the understanding is that 16m total separation between 12+m tall apartments provides a comfort zone in terms of privacy.</p> <p>Agreed that a single recession plane, Angle E (50° from south boundary) or Angle D (42’30° from south boundary) would be appropriate for all of L4. Angle E is slightly more generous than Angle D, but would cause greater shading for southern neighbours.</p> <p><b><u>6. Outdoor Service Space</u></b> Communal bin storage area seen as important in multi-unit developments.</p> <p><b><u>7. SAmS</u></b> Rule thresholds may need to be lower if important public open space. Support for retaining some but no clear recommendations as there was not time to go through all the assessment</p> <p><b><u>8. Other</u></b> a.) Opportunity for master planning by Council to create better results around residential areas of the city b.) Need a market mix c.) Links to public transport are key d.) Greenspace is key to higher intensity developments – need a good area of green space in the northern part of the central city residential area</p>
<p>Christ's College (have extensive landholdings in SAm 22 L4C plus large site in SAm 23A L4A); Sarah Watson (Associate at Duncan Cotterill Lawyers)</p>	<p>Adam Fort</p>	<p>Phone calls only 6 December</p>	<p>Conversation regarding Christ's College landholdings and interests and the scope of the CCL Review. Discussed the block bounded by Armagh-Rolleston-Gloucester-Montreal. Requested Christ's College to respond and advise of the future for Darnley Flats site, whether the building (in SAm23a) is being retained and repaired or demolished.</p>
<p>Chateau Blanc</p>	<p>Adam Fort Scott Blair</p>	<p>Rebuild Central,</p>	<p>Meeting to discuss the scope of the review and options for the nature of the planning framework</p>

<p>Holdings; Guy Carnaby (Davis Ogilvie), Robert Hogg and Mark Shillito (Hotel Manager)</p>		<p>Lichfield Street 3 December</p>	<p>changes that they would favour for the block containing their landholdings. CBH clarified that the remaining part of the Chateau Blanc Buildings (fronting Montreal St for 40m length) will not be demolished. They favoured increase in height to 17m for the portion of their landholdings fronting Montreal St and abutting Peterborough and Kilmore for a depth of approx 20m. New boundaries were proposed through their 2010 resource consent for redeveloped and new hotel buildings. 14-18m height all along this portion of land were approved. It was agreed however that height breaches should be considered (and may be consented) through a process that recognises context, design and appearance. Their existing consents would need amending or a new resource consent issued to recognise the demolition of the southern block of the hotel. Agreed that 14m (plus 3.5m L4 bonus) limit rather than existing mixed 11 and 14 m L5 limits which don't have the 3.5m bonus would suit. They supported reducing height to be a community / development standard.</p> <p>They agreed that plot ratio did not lead to positive design outcomes, noting that they received consent for plot ratio of 2.0, far above the Critical Std, with support from the UD Panel in Council.</p> <p>With regard to their L5 zoning, they wanted to retain the exceptions for temporary accommodation (TA) activities that they enjoy under this special zone, however they acknowledged that it is only themselves and the George Hotel owners that are TA activities within this block, and residential activities would be the best use of land through the centre of the block which has lower noise levels due to protection from Montreal St.</p>
<p>Chester Street East Residents Assoc.; 12 attendees from the residents group; chaired by Simone Pearson</p>	<p>Adam Fort Scott Blair Katie Smith Kieran Cummings Phil Gurnsey (CERA)</p>	<p>Squash Club Meeting Room, Chester St East 4 December 7pm – 8.20pm</p>	<p>In terms of built form and character, a general feeling that residents 'like it the way it is' and don't want privacy eroded with large scale buildings. Others acknowledged that increased population and density is critical to getting a vibrant central city back again. Desire for small neighbourhood parks, and concern over retaining one-way streets. (They were advised to put a submission in to CCDU on this issue).</p> <p>Strong preference for retaining large side yard setbacks for privacy.</p> <p>Two-storey works well in terms of height, with 8m plus bonus 3.5m still supported.</p>
<p>Alpine View – landholdings in block between Manchester and Colombo Streets; Gerard</p>	<p>Adam Fort</p>	<p>Phone calls only 4 December</p>	<p>Conversation regarding Alpine View's concerns and also generally about the project scope and process</p>

<p>Cleary's (Anthony Harper Lawyers)</p>			
<p>Developers Workshop External Attendees: <i>Chris Batt</i> <i>Liz Harris</i> <i>Bernadette Muir</i> <i>Tony Brazier</i> <i>David Mortimer</i> <i>Grant MacKinnon</i> <i>Michael Doig</i> <i>Jeremy Phillips</i> <i>Andrew Evans</i></p>	<p>Adam Fort Katie Smith Scott Blair Kieran Cummings Fiona Wykes David MacDonald (facilitator) Phil Gurnsey (from CERA)</p>	<p>Function Room, Civic Offices 4 December</p>	<p>Issues and concerns arising from the workshop included:                  a.) Developers require certainty and flexibility in the consenting process                  b.) Development contributions suggested as a real barrier                  c.) Assessment matters do not help create certainty of outcome at early stages                  d.) Case manager approach considered critical for certain size/type of residential projects                  e.) Market research – developers keen to see any research that can help them better understand market demand drivers                  f.) Parking – Need to understand exactly what occupants/purchasers want and what can be delivered                  g.) Rubbish bins – needs to be a better solution for medium to high density than having masses of bins.                  h.) Urban Design Panel – concern about enforceability of recommendations                  i.) Pre application meetings not delivering any real certainty                  j.) Planners and urban designers need to better understand challenges of delivering 'high quality inner city housing'. Consenting processes, then PIM, stack the costs and uncertainty against the builder. Different personalities, Council silos, and inaccuracies on the PIM can all frustrate delivery of a project.                  The rules are not the concern – it is uncertain demand, compliance costs, etc.                  k.) Need to constrain greenfield growth to achieve inner city target populations.                  l.) Consider construction effects, noise and dust nuisance etc. during recovery period.                  m.) Liz Harris and Tony Brazier (who have experience as landlord and property manager respectively) advised that direct sunlight into units not as important as lots of natural light throughout all rooms.</p>

<p>The George: <i>Bruce Garrett</i> (Hotel Manager, <i>Yoshihiro</i> <i>Kawamura</i> (owner)</p>	<p>Adam Fort Scott Blair</p>	<p>The George 5 December 2-3pm</p>	<p>Project team outlined the scope and purpose, etc. and answered questions including discussion around what the L5 Zone allows as different to the underlying L4C Zone. Explored consequences of the L5 Zone being removed and replaced with L4C Zone across the whole block. Advised that this would create a higher hurdle if they were to propose significant expansion of TA activities into the L4C Zone, however consideration of resource consent application is based on the proposal's merits and case-by-case, allowing for recognition of existing environment. Yoshi and Bruce questioned whether 14m height limit was appropriate give that taller buildings exist along Park Tce.</p>
<p>Mahaanui Kurataiao Limited (MKT) on behalf of Te Rununga O Ngai Tahu (TRONT)</p>	<p>Adam Fort</p>	<p>MKT Offices, Rehua Marae, Christchurch 6 December meeting 2- 3pm</p>	<p>Meeting with Clare Gibb to discuss the scope and process of the review. Confirmed that TRONT's submission to the Central City Plan 2011 is relevant. Ms. Gibb raised concerns over rules that control site coverage with impermeable surfaces and their resultant adverse effects on water quality. There have been changes in this regard achieved through PC53, which is now operative and requires landscaped areas and additional Outdoor Living Space at ground level and hence improves the situation from the pre-earthquake rules.</p>

## Central City Living Zone Review – Summary of Submissions

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<b>Central City Living Zone Review Summary of Submissions</b>		
<b>Respondent</b> Submission format	<b>Topics</b>	<b>Summary points of submission (refer to original submission for full text)</b>
<b>1. Pauline Huggins</b> Submission form	SAm 25	<ul style="list-style-type: none"> <li>• Retain 4.5m setback</li> <li>• Retain angled roofs, avoid boxy designs</li> </ul>
	Living 4C rules	<ul style="list-style-type: none"> <li>• Important for retaining residential amenity</li> <li>• More outdoor space to protect privacy and amenity</li> </ul>
	Non-residential use	<ul style="list-style-type: none"> <li>• Living 4C rules protect against encroachment of non-residential uses in Living zone</li> </ul>
<b>2. Jane Egerton</b> Submission form	SAm 25	<ul style="list-style-type: none"> <li>• Support SAm brochure and design guidance contained within</li> <li>• Single garages acceptable, double garages unacceptable</li> <li>• Support 4.5m setback</li> <li>• Protection required due to rebuilding anticipated following earthquake damage</li> <li>• Protect character through height and setback rules, ensure these are respected</li> </ul>
<b>3. Marjorie Manthei, Bob Manthei</b> Submission form	Non-residential use	<ul style="list-style-type: none"> <li>• No exceptions to scale of non-residential activities</li> <li>• Protect residential amenity</li> <li>• Non-residential uses only if owner lives on site</li> </ul>
	SAm 25	<ul style="list-style-type: none"> <li>• Gracefield Avenue has not been eroded to the same degree as surrounding streets</li> <li>• Use rules to protect SAm, including 4.5m setback, windows facing the street, low fences and gable roofs</li> </ul>
	Outdoor living space	<ul style="list-style-type: none"> <li>• Support retaining 30m<sup>2</sup> minimum and 16m<sup>2</sup> private to avoid overdevelopment</li> </ul>
	Living 4C rules	<ul style="list-style-type: none"> <li>• Retain stricter Living 4C rules over Living 4A rules</li> </ul>
<b>4. Oxford Terrace Baptist Church (Chris Chamberlain)</b> Electronic via "Have Your Say"	Rules changes	<ul style="list-style-type: none"> <li>• Does not support changes to rules that may further limit development</li> </ul>
	Underlying Zone	<ul style="list-style-type: none"> <li>• Does not support reversion to underlying zoning that then necessitates a resource consent process</li> <li>• Resource consent process is costly and diverts funding away from restoring the fabric of the city</li> <li>• An issue for other Central City churches</li> </ul>
<b>5. Chester Street East Residents Association c/- Simone Rewa Pearson</b> Electronic, via email	Overall	<ul style="list-style-type: none"> <li>• Supports inner city living</li> <li>• Accepts higher density development but not at expense of residential amenity</li> </ul>
	Non-residential use	<ul style="list-style-type: none"> <li>• Does not support non-residential use in residential zoned areas</li> <li>• Mixed use should only be residential use in Business zoned areas</li> <li>• Draft rule provided (see submission text)</li> </ul>

	Height	<ul style="list-style-type: none"> <li>• Support retaining existing height limits</li> <li>• Support standardisation of height limits (8, 11, 14m)</li> <li>• Local variation in height limit acceptable where appropriate</li> <li>• Avoid overbearing buildings on Latimer Square. Maximum height of 14m along east and north sides</li> <li>• Support for ICENG request to lower height limits east of Latimer Square to Fitzgerald 20 to 14m, 14m to 11m, 11m to 8m</li> <li>• Reduce 20m and 30m height limits to 14m</li> </ul>
	Sunlight	<ul style="list-style-type: none"> <li>• Support Peterborough Village request in submission to v.2 of the draft Central City Plan to require existing and permitted development to have 3 hours of midwinter sun to living areas</li> </ul>
	SAm SAm 30 SAm 33 SAm 24	<ul style="list-style-type: none"> <li>• SAm 30. Much of the representative built fabric remains</li> <li>• Retain SAm 30 setback and extend SAm to include the Girl Guides site</li> <li>• SAm 33. No reason to retain SAm following loss of original buildings. 2m setback sufficient if height limit set at 14m</li> <li>• SAm 24. Support recognition of Avon Loop Planning Association as a 'key stakeholder' to ensure new development is suitable and reflective of community and history of the area</li> </ul>
	Support for other submissions	<ul style="list-style-type: none"> <li>• This submission is supported by the Peterborough Village Incorporated Society.</li> </ul>
<b>6. Chateau Blanc Holdings (CBH LTD)</b> Electronic, via email	CBH Ltd holdings - 351 Montreal Street	<ul style="list-style-type: none"> <li>• CBH Ltd operated a travellers' accommodation on site and had consent to expand.</li> <li>• CBH Ltd own 351 and 386 Montreal Street; 22, 26 and 30 Peterborough Street; 25 Kilmore Street.</li> </ul>
	L5 Zone – Peterborough Site	<ul style="list-style-type: none"> <li>• CBH intention is to repair, rebuild and reopen the hotel on this site</li> <li>• CBH require travellers' accommodation to be a permitted activity on this site</li> <li>• CBH seeks retention of the L5 zoning</li> </ul>
	Review of Zones L5 Critical Standards	<ul style="list-style-type: none"> <li>• Critical Standards should become community or development standards to allow Council to consider applications on merit rather than through the application of artificial rules that restrict design and innovation</li> <li>• Remove plot ratio of 0.9. Allow Council to consider merits of application measured by effects</li> <li>• Height limit of 11m inappropriate for portion of L5 Peterborough zone. Support Rule 5.4.3 as a development standard of 14m. 14m limit required to provide scale and definition required for inner city road intersections</li> </ul>
	L5 Development standards	<ul style="list-style-type: none"> <li>• Rule 5.2.1. sets a plot ratio of 0.9. Remove this standard</li> </ul>

		<ul style="list-style-type: none"> <li>• Reduce 4.5m setback to 2m</li> </ul>
	L4A Critical Standards	<ul style="list-style-type: none"> <li>• Critical Standards should become community or development standards to allow Council to consider applications on merit rather than through the application of artificial rules that restrict design and innovation</li> <li>• Rule 4.4.4. Comments as per 5.4.3 also apply.</li> </ul>
	L4A Development Standards SAm 32	<ul style="list-style-type: none"> <li>• Reduce setback to 2m for CBH land to provide definition to corner site and match original setback of Cranmer Courts</li> </ul>
<b>7. Avon Loop Planning Association</b> Electronic, via email	Height	<ul style="list-style-type: none"> <li>• Support global limit of 8m across the Avon Loop</li> <li>• Support Avon Loop south to Hereford Street also at 8m</li> <li>• Retain recession planes</li> </ul>
	SAm 24 SAms general	<ul style="list-style-type: none"> <li>• Retain SAm 24 for future planning of zone</li> <li>• Support retention of other SAmS</li> <li>• Retain outstanding heritage homes with new listings</li> </ul>
	Future Avon Loop Park	<ul style="list-style-type: none"> <li>• Request Avon Loop have input into planning</li> <li>• Precedent set for this with consultation with Gilby residents over Beverley Park</li> <li>• Red-zoned land should become a park, retain trees</li> <li>• Reduced or no car access along Oxford Terrace</li> <li>• Protect historic pump house</li> </ul>
	Mixed Use	<ul style="list-style-type: none"> <li>• Retain existing commercial use but do not allow further commercial use</li> </ul>
<b>8. Canterbury District Health Board</b> Electronic, via email	General	<ul style="list-style-type: none"> <li>• Urges continued use of the Integrated Recovery Guide in review of L4</li> <li>• Supports promotion of active transport choices</li> <li>• Seeks good urban design principles to ensure an attractive and accessible environment</li> </ul>
	L4C	<ul style="list-style-type: none"> <li>• Retain L4C along with all associated standards to retain coherence, amenity and residential character</li> </ul>
	SAm 24 and SAm 25	<ul style="list-style-type: none"> <li>• Some zones are in the red zone and SAm identification is no longer needed</li> <li>• Merge SAmS 24 and 25 into L4C</li> </ul>
	L4A and L4B	<ul style="list-style-type: none"> <li>• Large areas of L4B have been cleared</li> <li>• Public prefers lower buildings</li> <li>• Merge L4B into L4A to achieve lower building heights, lowering stress from high rise living and allowing more sunlight into surrounding buildings</li> </ul>
	Density	<ul style="list-style-type: none"> <li>• Mixed density will suit the widest variety of populations</li> <li>• Mixed density development contributes to active transport and increased connectivity</li> <li>• Support for CCC commitment to a variety of building types</li> </ul>
	Mixed Tenure	<ul style="list-style-type: none"> <li>• Mixed tenure reinforces neighbourhood stability and allows people to stay in the same community throughout their lives</li> <li>• Recommend the Council considers rules</li> </ul>



		<p>around mixed tenure, including a mix of 1, 2 and 3 bed houses in the same development</p> <ul style="list-style-type: none"> <li>• Consider the inclusion of social housing in new developments</li> </ul>
	Sunlight and outlook	<ul style="list-style-type: none"> <li>• Orientation of buildings important for passive solar heating</li> <li>• Support design standards that maximise solar gain and encourage energy efficiency</li> </ul>
	Outdoor space	<ul style="list-style-type: none"> <li>• A greener urban environment is better for perceived general health</li> <li>• Recommends larger private living spaces</li> <li>• Increase private space to 30m<sup>2</sup> in L3 and L4 Zones.</li> </ul>
	Noise	<ul style="list-style-type: none"> <li>• Noise can have a negative impact in wellbeing</li> <li>• Support CCC development standards for noise reduction through insulation and setback standards</li> <li>• Encourage the development of further standards</li> </ul>
	Streetscene	<ul style="list-style-type: none"> <li>• Encourage the use of vegetation for screening and to enhance the street</li> </ul>
	Non-residential activity	<ul style="list-style-type: none"> <li>• Support neighbourhoods that encourage easy links to key destinations and foster internal social connections</li> <li>• Retain mixed use residential zoning to allow businesses that serve the local community (diaries, café)</li> <li>• CCC should seek ways to encourage displaced businesses to return to their original neighbourhood</li> </ul>
<p><b>9. Victoria Neighbourhood Association</b> Electronic via email</p>	Height	<ul style="list-style-type: none"> <li>• 13 different height zones in Central City.</li> <li>• Support reducing variety of zones, including east of Cranmer Square (30m reduce to 14m), Cashel Street near hospital (20m reduce to 14m)</li> <li>• Support existing height limits in Living Zones</li> <li>• Inconsistent heights create issues of privacy of private open space for existing residents. Support consistent height limits to prevent this</li> <li>• Retain 8m and 11m height limits in densely settled older residential areas</li> <li>• Address how the transition between 8m and 11m height limits are arranged within the VNA area</li> <li>• Refer to VNA submission to the Central City Plan for details of density and height preferred mix</li> </ul>
	<p>SAm SAm 26 SAm 23 23a SAm 31 SAm 25</p>	<ul style="list-style-type: none"> <li>• VHA covers a number of SAm</li> <li>• SAm 26 is largely developed and no longer has a unifying style but retains close packed residential character</li> <li>• SAm 23/23a and 25 were intact but have suffered post-quake demolitions</li> </ul>

		<ul style="list-style-type: none"> <li>• SAm 31 has lost original buildings but retains character</li> <li>• SAmS are worth keeping, particularly a strong view of residents of SAm 25</li> <li>• Retain SAmS because they will guide future redevelopment; SAm areas have a lower threshold for reference to the Urban Design Panel (UDP) which may be useful for a number of years until the effectiveness of the UDP is established.</li> </ul>
	Living Zones	<ul style="list-style-type: none"> <li>• L5 hotels are corrosive to the residential environment</li> <li>• Supports changes to reduce the expansion of hotels into residential areas</li> <li>• Retain separate L4A and L4C Zones, or if combined retain rules that are favourable to residents, these are usually those of L4C</li> <li>• L4C rules critical to prevent non-residential activities in residential areas</li> <li>• L4A has been used to expand non-residential activity, including the expansion of the Salvation Army site</li> <li>• The Recovery Plan has introduced more control over the proliferation of non-residential activity which means that L4C is now less important in this regard, but should still be retained due to key differences with L4A.</li> </ul>
	Key differences between L4A and L4C, and the preference for which rule should prevail	<ul style="list-style-type: none"> <li>• Retain L4C recession planes. L4A allows steeper buildings above 11m and could cause shadowing of residential properties in some circumstances.</li> <li>• Retain L4C outdoor space requirements. L4A outdoor living space is inadequate for modern living requirements and may encourage the proliferation of poor quality developments</li> <li>• Retain L4C restrictions on non-residential activities. L4A is more permissive to non-residential activities, particularly with regard to the allowance for 1 FTE non-employee. L4C only allows resident employees and therefore is more effective at preventing and regulating business activity within Living Zones. Non-residential activities in the Living Zone is harmful to the amenity of the area and deflects from the aim to have businesses re-establish in the smaller CBD. Support mixed use where residential is added to commercial areas and home-based business activities</li> <li>• Preferred option is to retain two separate zones as this supports appropriate activity in the zones and encourages people to live in the inner city areas</li> </ul>
	Site density	<ul style="list-style-type: none"> <li>• On small sections the setbacks, recessions planes and other controls are more likely to determine site density that site density</li> </ul>

		<p>controls</p> <ul style="list-style-type: none"> <li>• Site density controls are useful for addressing the unforeseen developments</li> <li>• Retain plot density ratios</li> </ul>
<b>10. Alexis Watson</b> Electronic, via "Have Your Say"	SAm 26	<ul style="list-style-type: none"> <li>• Conference, Beveridge and Peacock Streets are attractive as they are</li> <li>• Do not allow higher density development in this area</li> <li>• Development has been high quality with outdoor space and owner occupation</li> </ul>
<b>11. Inner City West Neighbourhood Inc. ICON</b> Electronic, via email	Non-residential activity	<ul style="list-style-type: none"> <li>• An ongoing problem, e.g. market stalls on Worcester St and University classrooms on Cambridge Terrace</li> <li>• No further intrusion of commercial and health uses, temporary consents must not be renewed, villas occupied by health uses need to be returned to residential use</li> <li>• Retain Peterborough apartments. If uneconomical then move L5 zone to retain historic building for travellers' accommodation</li> <li>• Review L5. Hotels are best suited to business zones</li> <li>• Resists attempts to rezone sites for other than L4C, e.g. the normal school site</li> </ul>
	Height	<ul style="list-style-type: none"> <li>• Agree with current heights except: Cambridge Terrace, north to Hereford Street: reduce to 16m to conform with old university buildings and open space of river precinct Armagh/Chester Street west: reduce to 16m and rezone as L4C. 30m height limit inconsistent with 8m limit around Cranmer Square</li> </ul>
	SAm 22 SAm 31 SAm 32	<ul style="list-style-type: none"> <li>• Retain and reinforce urban design rules relating to these SAmS</li> </ul>
	Heritage Buildings	<ul style="list-style-type: none"> <li>• Request that CCC make all efforts to retain heritage buildings</li> <li>• Cranmer Red House and Tuck shop are now more important</li> </ul>
	Brothels	<ul style="list-style-type: none"> <li>• Very concerned about proposals to allow brothels in areas adjacent to residential zones</li> <li>• Area around the casino for brothels is of great concern</li> <li>• Risk of creating a 'red light' district close to residential areas</li> </ul>
<b>12. Inner City East Neighbourhood Group Inc.</b> Submission form	Zoning	<ul style="list-style-type: none"> <li>• Support retention of L4C</li> <li>• Support rezoning all L4A and L4B Zones as L4C</li> <li>• Support protection of residential areas from encroachment of non-residential activities</li> <li>• Support residential activities in commercial areas</li> </ul>
	Height	<ul style="list-style-type: none"> <li>• Support reduction of 20 and 30m height areas to 14m</li> <li>• Support dropping height limit in residential zones to 14m, 11m and 8m respectively</li> </ul>

		<ul style="list-style-type: none"> <li>• Support dropping height limit for Inner City East / Latimer Square areas currently 11m to 8m, and 20m to 14m to allow redevelopment without visual intrusion on neighbours</li> <li>• Support moving the height limit to include both the north and south side of Hereford Street</li> </ul>
	Affordable Housing allowance	<ul style="list-style-type: none"> <li>• Support introducing requirement for affordable housing in new developments (e.g. 25% of development) in the form of social housing, affordable home ownership scheme or affordable rent scheme suitable for low income persons</li> </ul>
	SAMs	<ul style="list-style-type: none"> <li>• Some SAMs have been compromised as a result of earthquake damage</li> <li>• Would recommend a comprehensive review of the SAMs</li> </ul>
	Support for other submissions	<ul style="list-style-type: none"> <li>• Support for the Combined Central City Residents Group submissions<sup>1</sup>.</li> <li>• Support ALPA input into Avon Park.</li> <li>• Support Peterborough Village's request for minimum sunlight rule in submission to v.2 of the draft Central City Plan.</li> </ul>
<b>13. Carter Group Limited</b> Electronic via email	Overall Avon Loop	<ul style="list-style-type: none"> <li>• Encourages Council to make the most of the opportunity to review zones</li> <li>• Support development of a comprehensive new zone</li> <li>• Support utilising the powers contained within the CER Act and enable diverse development without undue restriction</li> <li>• Request that the Council give consideration to opportunities of the CCRP vision in the Avon Loop</li> </ul>
	Avon Loop SAm 24	<ul style="list-style-type: none"> <li>• Traditional residential area, earthquakes and red zone have significantly changed the area</li> <li>• Sensitive interfaces that required careful controls no longer exist. River amenity space creates new opportunities</li> <li>• Area will have a key role in supporting CCRP and RPS aspirations for increased residential population and enabling mixed use development</li> <li>• Holiday Inn and Star and Garter sites provide opportunity to develop a destination development in association with the river park</li> <li>• Support development outcomes for mixed use containing offices, cafes, food and beverage at ground floor level with residential on the upper floors.</li> <li>• Support a residential development with respect to neighbours and that makes use of the location along the river for additional height and communal open space</li> </ul>

<sup>1</sup> No submission received from an organisation with this name,  
[Central City Living Zones Review](#)  
[Technical Report 2 Consultation Working Draft February 2013](#)  
 TRIM 13/31309  
 Last Updated: 1 February 2013

		<ul style="list-style-type: none"> <li>Suggests working with the Council to develop specific provisions for the Avon Loop</li> </ul>
<b>14. Moa Neighbourhood Group</b> Electronic via email	Mixed Use	<ul style="list-style-type: none"> <li>Support mixed use in commercial areas but note that the cost of building in the inner city business zones has made this less viable</li> <li>Oppose non-residential activity in the Living Zone</li> </ul>
	Living 4C Zone	<ul style="list-style-type: none"> <li>Support retaining Living 4C</li> <li>Support applying Living 4C rules to all Central City Living Zones</li> </ul>
	Height	<ul style="list-style-type: none"> <li>Support lowering maximum heights in the 20m and 30m areas to 14m</li> <li>Support the 14m, 11m and 8m heights for residential areas to allow high density while protecting existing amenity</li> </ul>
	SAMs	<ul style="list-style-type: none"> <li>General support for SAMs but consider them ineffective and generally ignored by planners and developers</li> <li>Support review of SAMs post earthquakes</li> <li>Support neighbourhood groups being involved in the SAM review process and providing information on key characteristics on SAMs</li> <li>Support having an assessment trigger in the consent process to require developers to demonstrate how they will address key characteristics of the SAM</li> </ul>
<b>15. Mahaanui Kurataiao Ltd</b> Electronic via email	Avon River	<ul style="list-style-type: none"> <li>Draws the Council's attention to the MKT submission to the draft Central City Plan with particular regard to the plans for the Avon River</li> </ul>
	General	<ul style="list-style-type: none"> <li>No specific comments on the review.</li> </ul>
<b>16. Kathleen Murphy</b> Submission form	SAMs general	<ul style="list-style-type: none"> <li>Will the review do anything to protect SAMs or residential heritage contained within?</li> <li>Do other rules or heritage listings protect residential heritage?</li> <li>Requests recognition by planning authorities of the unique character of SAM areas and the individual buildings contained within</li> <li>Concerned that if zoning of land makes demolition attractive then there is little incentive to maintain and restore character housing</li> <li>Concerned that CCDU and CERA do not respect heritage values</li> <li>Disproportionate concentration of SAMs in the western Central City. This ignores character to the eastern side</li> <li>Development in the eastern residential areas have been of poor visual quality and this must be stopped</li> <li>Requests protection of remaining character, balancing development and protection.</li> </ul>

	Mixed use and density	<ul style="list-style-type: none"> <li>Improve southern side of Central City with mixed use and medium density development</li> </ul>
	Living 5	<ul style="list-style-type: none"> <li>No longer appropriate following red zoning of Avon Loop</li> <li>Request that Living 5 (hotel site) revert back to residential</li> <li>Resite heritage houses from Avon Loop on (rezoned) Living 5</li> <li>Help to preserve character houses after loss of a number of original houses to redevelopment</li> </ul>
	Urban design	<ul style="list-style-type: none"> <li>Concerned about disproportionate scale of new development compared to historical housing</li> </ul>
<b>17. Te Whare Romata Trust – Jenny Smith</b> Submission form	Zoning mixed use; Non-residential activity	<ul style="list-style-type: none"> <li>Supports rezoning all residential areas to Living 4C and disposing of Living 4A and 4B</li> <li>Supports mixed use in commercial areas, not in residential areas</li> <li>Supports more rules or strengthening of existing rules around protection from non-residential uses in residential areas</li> </ul>
	Height	<ul style="list-style-type: none"> <li>Strong support for lowering height limits to 14m, 11m and 8m respectively</li> <li>Support lowering 20m and 30m blocks to 14m</li> <li>Support inner city east area dropping from 20m to 14m, 14m to 11m and 11m to 8m</li> </ul>
	Affordable housing	<ul style="list-style-type: none"> <li>Support introducing new rules to require a percentage of new developments to be affordable (e.g. 25%). This may include a mix of affordable home ownership and rental accommodation</li> </ul>
	SAMs	<ul style="list-style-type: none"> <li>Acknowledge that SAMs are problematic and that a number have been impacted by earthquake damage</li> <li>Request full review of each individual SAM</li> </ul>
	Support for other submissions	<ul style="list-style-type: none"> <li>Support both ICENG Inc. and the Combined Central City Resident’s Group’s submissions<sup>2</sup> and recommendations and position adopted</li> </ul>
<b>18. Introdas Architecture</b> Electronic via email	Recession planes; Setbacks	<ul style="list-style-type: none"> <li>Rules that are in most need of change are those for sites where there are no buildings on the adjacent sites</li> <li>Recession planes only required where the next site has an existing building. Otherwise recession planes create design undesirable outcomes</li> <li>Existing rules create discontinuous forms; structure stepping back from boundary, units along the length of site with large gap to neighbouring buildings</li> <li>Support removal of recession planes and setback to allow for the possibility of continuous building frontage to the street, e.g. those in Sydney/Melbourne, Europe</li> <li>Amended rules could add more life to the</li> </ul>

<sup>2</sup> No submission received from an organisation with this name,  
[Central City Living Zones Review](#)  
[Technical Report 2 Consultation Working Draft February 2013](#)  
 TRIM 13/31309  
 Last Updated: 1 February 2013

		<p>street</p> <ul style="list-style-type: none"> <li>• Recession planes may still be required at rear of site</li> <li>• Alternative urban outcome possible (see submission attachment) including:             <ul style="list-style-type: none"> <li>○ Reduced setback, perhaps more so on the south side of the street</li> <li>○ Joint right of way mid-block for access</li> </ul> </li> <li>• Some protection still needed along the side boundary for order and to prevent adverse impact on outlook/sun of neighbouring use</li> <li>• Transport arrangements would need to be considered but basement garages are unviable</li> <li>• Disjointed spaces created by existing rules are one cause of poor design outcomes</li> </ul>
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### Additional Living 5 Zone mail out

An additional consultation mail out to owners of properties within the block bounded by Peterborough Street, Montreal Street, Park Terrace and Kilmore Street that is Living 5, proposed to be rezoned Living 4C, was undertaken in January 2013. 24 owners were sent letters. Of these three owners have not updated their address on the Council's rates database and the letters have been returned (all three from the same property). These owners were asked to provide comments by 8 February 2013.

Email Responses as 29 January 2013:

I live and own the property at 9 Kilmore Street which under the Central City Living Zones City Plan Review may be changed from Living 5 to Living 4C.

I would not like this zoning change to take effect on my area/property. I believe it reduces the value and use of the property. I had originally purchased the property with the intention of letting it out in future as a short term furnished rental to travellers. My property adjoins the George Hotel.

Thanks,

Josh Brown  
 iTOPS Limited

Dear Mr. Blair,

Thank-you for your letter of the 9th January asking us for written feedback about the City Plan Review. Before we can prefer one zone over another, however, we would like to determine the impact of our choice and, in particular, the financial impact. As we live next to The George, with the Chateau Blanc to the East, there is perhaps an advantage to remaining Living 5, while for domestic purposes, retaining maximum sunlight is important. Of course, our property may be overshadowed by the extra height of another hotel on the vacant land to our East, between us and the Chateau, so in that respect and others, we might be better to opt for the L4C zoning.

In short, we are having trouble deciding. I expect much of this is detailed in the CCC plan, but I doubt whether there is any information about the comparative land values. To some degree, this is bound to be speculative, but we hope you can either advise us, or suggest someone, somewhere, who can.

Yours truly,

Lee and Philip Trusttum.



# ***Appendix 3 Urban Design Technical Report***

## **Central City Living Zones Review – Technical Report 3 Urban Design**

This is a technical report focussing on issues of urban design and provides supporting rational for the proposed amendments to the City Plan provisions shown in Technical Report 1.

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## 1. Background

This report has been prepared in support of the Central City Living Zones Review carried out by Christchurch City Council in response to a Ministerial direction within the Christchurch Central Recovery Plan (CCRP), published on 30<sup>th</sup> July 2012. In accordance with the approved terms of reference for this project<sup>1</sup>, this report examines some of the key development standards which currently apply to residential development within the Central City living zones and makes recommendations for a simplified planning framework for new housing in Living 4 Zones.

Christchurch City Council is required to deliver a robust review with clear recommendations for the Living Zones and Special Amenity Area overlays within the Central City as defined by the Canterbury Earthquake Recovery Act 2011 (CER Act). The project is directed to be delivered in accordance with the timeframe (1 March 2013) and scope described in the Statutory Direction from the Minister of Canterbury Earthquake Recovery on page 108 of the CCRP and other statements in that plan seeking high quality inner city living (e.g. page 107).

A key aspiration of the CCRP is to deliver 'high-quality inner city housing'<sup>2</sup> within the heart of Christchurch. Delivering growth in the central city residential population is seen as key to supporting existing and future businesses as well as supporting vital services and infrastructure and bringing new vitality to the central city. The directive to review the Living Zones is required to ensure that the goal for inner city living is met and to improve the quality of the living environment. Any changes must give effect to the CCRP as this is now the primary guiding document for development within the central city.

### Scope

High quality urban design is integral to the form, feel and function of a place. The Christchurch City Plan recognises the importance of high quality urban design through objectives, policies, and methods, including urban design assessment matters, for the Central City Living Zones.

The Council recently undertook Plan Change 53 (PC53) – Review of Living 3 and 4 Zone Rules. This plan change was made operative in July 2012. The intention of the plan change was to facilitate higher standards of urban design within the higher density residential areas of the city. As part of this plan change a suite of urban design rules and assessment matters were introduced into the Christchurch City Plan (Part 2, section 13.2.1). These assessment matters cover a broad range of urban design, appearance and amenity issues, including for example site and context, building form and articulation, landscaping, relationship to the street, parking and access.

Given the comprehensive nature of the PC53 review and the short period of time the changes have been effect, those issues considered under PC53 have not be revisited here

<sup>1</sup> Set out in the overarching Recommendations Report.

<sup>2</sup> *Christchurch Central Recovery Plan Te Mahere 'Maraka Ōtautahi'*, Canterbury Earthquake Recovery Authority, p23

although where appropriate, some of the research undertaken in support of the plan change has been drawn on. This report does however examine those areas which fell beyond the scope of PC53 – notably the critical standards of building height and residential site density. It also looks at those areas where there are differences in the development standards which apply to the different L4 Sub-zones, or complicated in other ways, namely:

- Sunlight and outlook for neighbours (recession planes)
- Density – Residential floor area ratio and open space – residential activities – living 4C Zone (Avon Loop)
- Separation from neighbours
- Outdoor living space
- Street scene setback
- Ground floor habitable room

Section 2 below considers each of these critical and development standards in turn, examining whether there is scope for removing the standard altogether, amending the standard, or rationalising the standards in any way so that there is greater consistency across the L4 Sub-zones. The aim of this exercise has been to create a simplified planning framework for residential development in the central city which balances the need to encourage and promote new development with the need to protect the amenity of existing and future residents through appropriate planning controls.

## Methodology

The methodology for carrying out this review has involved:

- Undertaking a review of resource consents for new residential development within L4 Zones over the last 12 months (**Appendix 1**). The purpose of this review was to understand current development trends in the residential sector in L4 Zones and to identify any areas where development standards were either consistently being breached or challenged as this may provide an indication of possible tensions or conflicts within the planning framework;
- Consultation with members of the Council's Urban Design Panel with experience in designing and delivering residential development within the L4 Zones, including three registered architects, an urban designer and landscape architect. A summary of these discussions is provided (**Appendix 3**);
- Consultation with members of Christchurch City Council's Resource Consent and Building Policy Unit;
- Reviewing other relevant studies and supporting information carried out as part of the PC53 process (including the technical report on Urban Design, the Section 32 Report and the Section 42a Report);
- Carrying out a series of site visits between November and December 2012; and
- Reviewing relevant submissions and feedback from public consultation events and resident group workshops (outlined in main report).

## 2. Review of current standards

### i) Building height

The existing height limits set out in the Christchurch City Plan (see **Appendix 2**) are long established, having been set mostly in the late 1990s through the City Plan as publicly notified, submissions and hearings on the City Plan, and in some cases, Environment Court mediation and/or hearings. The pattern of height limits and the variety that exists across the city to a large extent reflects the historic building form (and in some cases individual buildings). A degree of variety in the height of buildings across a city or neighbourhood can serve to reinforce local character and distinctiveness, for example by ensuring new development respects the scale of existing buildings. Height differences can also be used to emphasise important features (e.g. street corners), provide enclosure to a space, create visual landmarks or reinforce the hierarchy and legibility of a city (for example by concentrating the tallest buildings within the Central Business District). A lack of variety in building height could lead to a loss of character and create a monotony of form. The height a developer can build to also influences the viability of a scheme by affecting potential returns although there is often a trade off involved as build costs increase with height.

Currently, the height limits most often found across the central city are 8m, 11m and 14m. Height is measured to the eaves level with an extra 3.5m allowed for a pitched roof, provided that the roof area is within a slope of 45°. For residential development, an 8metre height limit would typically equate to a two storey building, or possibly up to three storeys allowing for partial use of roof-space. An 11m height limit would typically equate to a three storey housing typology and 14m height limits to a four to five storey typology (with the potential for an additional level within the roof-space). Up to three storeys creates a vertical development type (where a single residential unit is split into three storeys) whereas above three storeys development becomes more horizontal (where a residential unit occupies each storey).

High quality results can be difficult to achieve at the interface between heights, such as where an 11m area meets an area with a 14m height limit. This particularly happens around the northern part of the central city where the height is more variable, to reflect the different residential neighbourhoods, and the area to the east, where there are 8m, 14m and 11m butting up against one another. However, as a general rule controls around set back and separation from neighbours prevent the potential adverse effects from the alterations in height and quality design can mitigate what could be difficult interfaces. Results can also be awkward when heights differ from one side of the street to the other – for example south of the Arts Centre on Hereford Street where the height limit on the south side of the street is 20m and on the north side of the street 16m – leading to a different sense of enclosure on the opposite sides of the street. However, the street is often a logical place to alter height limits as it offers separation between the differing heights and can limit issues of shadowing and overlooking if they are not picked up through the controls mentioned above.

It is noted that there are some particular anomalies in height limits around the central city which could be amended to provide better outcomes for the residential areas and reduce

the complexity of rules within the Christchurch City Plan. These are each assessed to see whether they can be amended. They are:

- The 30m height limit to the east of Cranmer Square
- The 11m height limits to the north and south of Cranmer Square
- The 30m height limit on Hagley Avenue
- The 20m height limit to the east of Latimer Square
- The 20m height limit to the south of Hereford Street between Rolleston Avenue and Montreal Street
- The mix of heights around the Avon Loop
- The height limits in the red zoned area of the Avon Loop.

The map at **Appendix 2** has these areas outlined.

Out of the 8 sites reviewed (treating the areas north and south of Cranmer Square as separate sites), height limits have been reduced in six instances. Only two areas have been identified where a small increase in height limits is considered to be appropriate (north and south of Cranmer Square). In the Avon Loop, height limits have mostly been reduced or remained the same with the exception of a single plot south of Rees Street which has increased from 6m up to 8m. Some areas have seen a significant reduction in overall height limits, for example along Hagley Avenue where the 30m limit has been reduced to 14m. In other areas, the change has been more modest with reductions of between 1 and 6 metres being suggested.

The overall pattern across the central city is therefore to reduce height limits. To some degree, this will influence the capacity of the central city to accommodate future housing growth. An assessment has been carried out to examine the difference in the number of residential units that would be deliverable under the current height limits compared to the number that could be delivered under the suggested changes. In doing this, it should be noted that building height is not necessarily a reliable indicator of residential capacity, particularly where market or other constraints mean that building upwards is not always an option. Also, any calculation is complicated by the potential range of building typologies: for example, a three storey building may comprise a large number of single-storey apartments spread over three levels or a small number of three storey town houses.

For the purposes of this numerical exercise, we have assumed an apartment typology of single level units. Using this approach, a height difference of 6m for example is equated to the theoretical number of residential units that could be accommodated within this height and within a given building footprint. A number of assumptions are made in regard to unit sizes, plot ratio (i.e. the ratio of building footprint to site area) and gross to net conversion ratios. These assumptions are set out below, together with details of the methodology which has been adopted for the purposes of this exercise.

The methodology adopted has involved:

1. Calculating the net site area (i.e. excluding roads) of each site where changes in height are proposed;
2. Converting the change in height limits applicable to that site to the number of residential floors, assuming a floor to floor height of 2.7m;
3. Applying an assumed plot ratio of 50% (i.e. a building footprint which occupies half of the site area);

4. Applying a gross to net ratio of 0.9 to the developable area to allow for non-habitable space such as communal stairs, lifts, access corridors, foyers etc;
5. Dividing the net developable area by an average unit size of 100 sq. m gross for a two bedroom apartment;
6. Multiplying the number of units by the number of residential floors represented by the changes in height limits.

Using this methodology, the suggested height changes would equate to a potential loss of approximately 1700 units when compared to the current situation. The real difference is likely to be much smaller as it would be unrealistic to assume that all of the current height limits are achievable (given other planning restrictions) or even deliverable from the market's perspective. As noted above, the true figure would also depend on the building typology chosen and the mix of unit types and sizes. By using the example of small single-storey flats, this assessment sets out to test the 'worst case scenario'.

### **Key findings and conclusions**

#### **The 30m height limit east of Cranmer Square:**

Investigation has shown that within this residential area no development has been undertaken which reaches this limit. Given the new 28m height limit for the Central City Business Zone, the 30m height limit is now at odds with the blueprint provided by the CCDU for the development of the central city. A cross section is provided below to show the potential heights in this area, although it is noted that unless several sites were amalgamated the 30m height limit would be unobtainable.



### Cranmer Square Section



East Cranmer Square

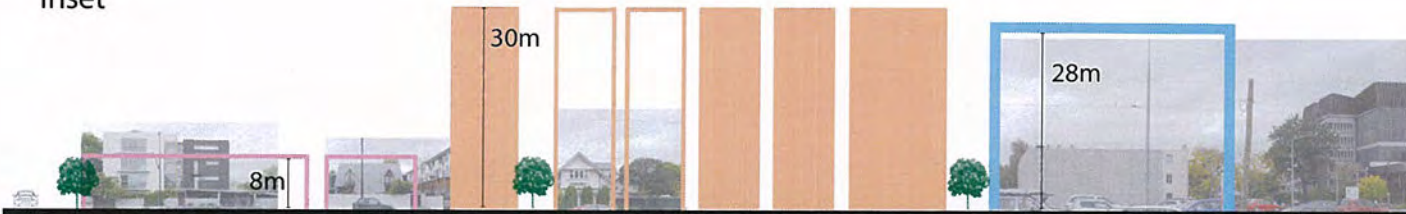
### Inset



Durham Street North West



### Inset



Durham Street North West

The area is situated between the edge of the Central City Business Zone to the north, east and south and the residential area around Cranmer Square to the west. The residential area has height limits of 8m to the east of Cranmer Square and 11m to the south of the square. The 8m height limit immediately to the east of Cranmer Square has already been breached, although this is not a major issue as the park and the large, one way, Montreal Street mitigate the effects of this. It is suggested that a 14m height limit replacing the existing 30m height limit could provide for quality four to five storey development set further back from Cranmer Square. This would provide a transition to the greater heights of the Central City Business Zone and relate well to the taller buildings on the south side of Armagh Street.

**The 11m height limits north and south of Cranmer Square:**

As with the 30m height limit to the east of the square, these two small areas of 11m are now somewhat at odds with their immediate surroundings.

The area to the north of the square, either side of Montreal Street, zoned 11m now consists of predominantly empty sites where buildings have been demolished, see photos below, with part of the Chateau Blanc Suites travellers accommodation remaining.

Height limits immediately to the north of the area are 14m – the residential zones – and 17m – Central City Business Zone. Consolidating the residential zone in this area with the same height throughout would provide for a related scale of residential development throughout the area terminating at the north side of Cranmer Square. With sites overlooking the Hagley Park, Cranmer Square and abutting the 17m high Central City Business Zone, residential development of four to five storeys would not be out of place. Adverse effects on the rest of Cranmer Square, created by the height change, are not anticipated as it is buffered by Kilmore Street, and the altered area mostly overlooks the open space, rather than other residential sites.



Chateau Blanc Apartments, west side of Montreal Street – area to the left of the line demolished



Cranmer Courts, east side of Montreal Street, demolished

To the south of Cranmer Square there is also a small area with an 11m height limit. It sits between a cultural zone area with a height limit of 14m to the west and the Central City Business Zone with a 28m height limit to the east. A height limit of 14m for the residential area could create a smoother transition to the Central City Business Zone, especially when the extra roof allowance of 3.5m is added, and give the residential area opposite the Art

Gallery some presence on Gloucester Street. It would also relate to the proposed alteration of height limits on the north side of Armagh Street slightly to the east.

**The 30m height limit on Hagley Avenue:**

In the south west corner of the central city area opposite Hagley Park there is a small area of L4B Zone with a height limit of 30m. While this height limit is logical with regard to the potential to develop to a greater height and intensity opposite Hagley Park, it has been in place for about 15 years and nothing has been developed that comes close to realizing this limit. In addition, with the alterations to the height limits within the Central City, it is no longer logical to have a residential height limit that is greater than the core of the city, or the mixed use zone immediately to the east of this area. As can be seen in the photographs below, current development in the area averages two storeys with some development potentially reaching a height limit of around 11m.



Residential development, Hagley Avenue



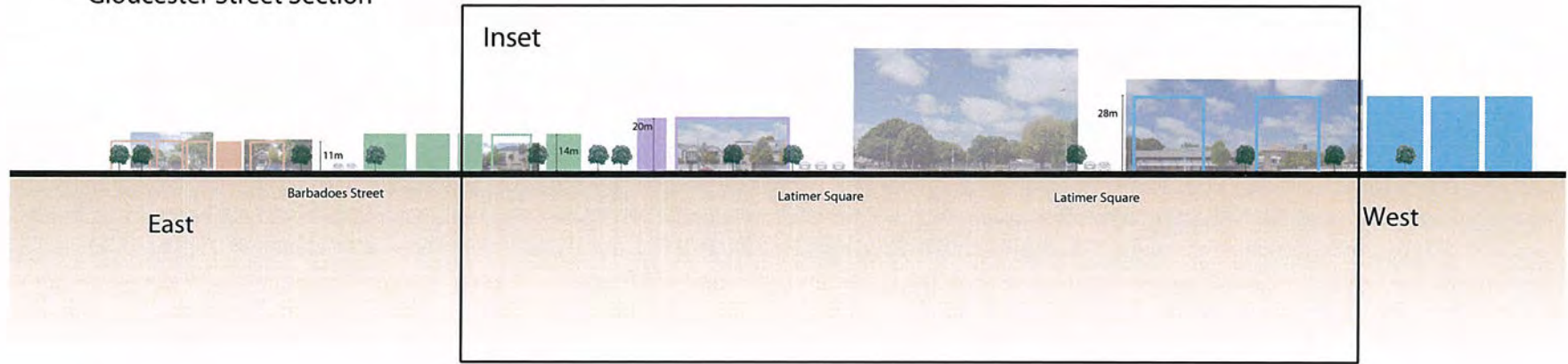
Residential development, Hagley Avenue

With this in mind, plus the potential in the area for amore intense level of development given the location on a wide road opposite a very large open space, it is suggested that the height limit in this area is reduced to 14m. This will mean that the area aligns better with other Central City residential areas, does not compete with the core or mixed use area of the Central City and still provides for a higher intensity of Central City living through a four to five storey typology of development.

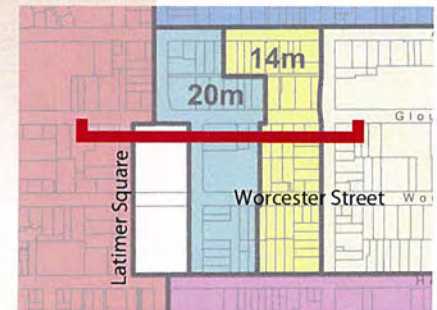
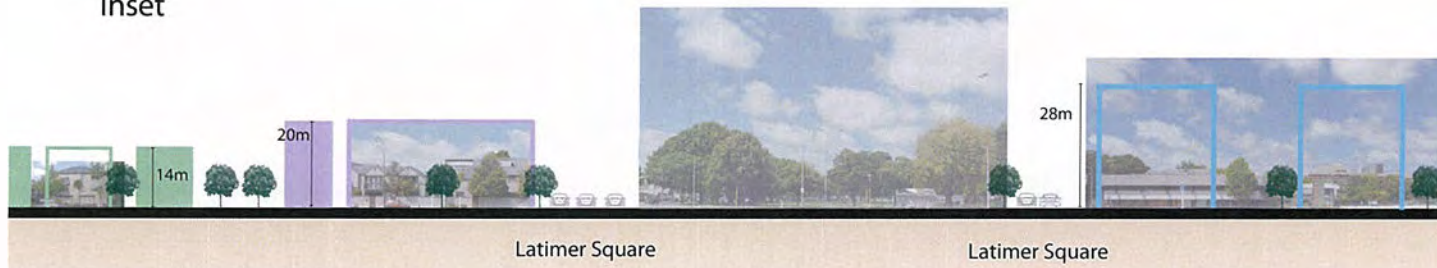
**The 20m height limit to the east of Latimer Square:**

As with the 30m height limit to the east of Cranmer Square this height limit is now somewhat at odds with the proposed blueprint for the central city. The diagram below shows these potential heights in cross section.

### Gloucester Street Section



### Inset



The area is directly opposite the area of the Central City Business Zone known as the east frame, which although it has a 28m height limit, also anticipates being the 'City-wide family playground' with 'Medium-density demonstration housing and long-term residential development' with a 'Significant opportunity through views and vistas to enhance links to geographical landmarks'<sup>3</sup> The intention of the frame is also to provide new green space and the residential areas to the east need to ensure they do not compete with the aspirations for the frame.

The residential area immediately to the north has a height limit of 8m, reflecting the smaller scale, lower density development prevalent in the area, while immediate to the east of the 30m height limit area is an area with a height limit of 14m. To the south of the area is the Central City Mixed use zone with a height limit of 17m. To reduce complexity in the Central City Living Zones, as the directive from the Recovery Plan requires, it makes sense to reduce the 20m height limit to 14m. This brings it into line with the residential area immediately to the east and also reduces the likelihood that the area could compete with the frame, reduce the potential for views and vistas out of the central city in an eastwards direction and be an anomaly between the 17m height limit of the mixed use zone to the south and the 8m of the residential area to the north. 14m provides the potential for quality four to five storey development overlooking Latimer Square, without competing with the areas immediately surrounding it.

#### **The 20m height limit to the south of Hereford Street between Rolleston Avenue and Montreal Street:**

This area runs from the south side of Hereford Street, south of the Arts Centre, down to the river. While there has been some development to this height limit, notably the YMCA site and Ranui House (see photos below) this is on corner sites and opposite the river where the developments assist with reinforcing the corner sites and providing a quality frontage to the river. The river can cope with the height of the buildings as, combined with the roads either side, it provides a wide open space in front of the buildings.

However, the rest of the area has been developed in a limited way with the highest buildings being the four storey Ronald MacDonald House on the corner of Cashel Street and Montreal Street which does not exceed 14m in height. The Arts Centre on the north side of Hereford Street, an extremely important heritage site in Christchurch, has a height limit of 16m.

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<sup>3</sup> *Christchurch Central Recovery Plan Te Mahere 'Maraka Ōtautahi'*, Canterbury Earthquake Recovery Authority, p35  
Central City Living Zones Review  
Technical Report 3 Urban Design Working Draft February 2013  
TRIM 13/14789  
Last updated: 1 February 2013



Ranui House, cnr Cashel Street & Cambridge the Terrace



YMCA corner of Hereford Street and Rolleston Ave, opposite Arts Centre

Future development in this area should ensure that the Arts Centre retains its visual impact and clearly shows its status as an important heritage site. Reducing the height limit of the area to the south of Hereford Street, west of Montreal Street, to 14m will both ensure the protection of the Arts Centre site and enable higher density development that does not completely overwhelm the existing residential. The buildings already developed to 20m will remain and provide a defined edge to the area.



Ronald MacDonald House, Cashel Street Street



South side of Hereford Street, west of Montreal Street

**The mix of heights around the Avon Loop:**

Part of the rationale for these heights – which range from 12m to 6m, including 11m, 10m, 9m and 8m in between – is the existing development pattern which includes small scale housing immediately near the river (now red zoned), the larger scale travellers accommodation (damaged in the earthquake), the site with an exception on it allowing the development of café/restaurant/bar activity with a height limit of 10m and the remaining residential, also limited in scale. The 9m height limits appear to be an anomaly that is not repeated anywhere else within the Central City and the 6m height limit relates to one site only, left over after the red zoning of the area adjacent to the river.

Given the typologies discussed earlier in this report, it would seem logical to adjust the mixed height limits in this area to 8m. 8m will give the areas that were 9m the same typology of development – two storeys plus roof – and will allow the remaining 6m site to develop to two storeys if they wish. The additional 3.5m allowed for roof means that 8m would not unduly constrain the areas that currently have 10m and 11m height limits as development of all these sites could be similar. The damaged travellers accommodation could, if necessary, be rebuilt under existing use rights, or redeveloped with residential properties with the proposed 8m height limit. The area would also relate better to the residential area immediately adjacent to the south.

### **The red zoned area of the Avon Loop**

An area of the Avon Loop containing height limits of 9m, 8m and 6m (6m being the most predominant height) has been red zoned, but its long term future has yet to be resolved. It will not be rebuilt in residential units, or used for any other purpose until all the issues around the land are decided. Given this fact, a height limit of 8m is proposed which will provide a holding pattern for the area and provide for any small scale structures that may wish to be constructed in the area during the interim period. Should the land be used for residential purposes in the future the 8m height limit will be consistent with the rest of the Avon Loop L4C area.

### **Recommendations**

With regard to height, the following alterations are suggested to height limits:

- The 30m height limit to the east of Cranmer Square – reduce to 14m
- The 11m height limits to the north and south of Cranmer Square – increase to 14m
- The 30m height limit on Hagley Avenue – reduce to 14m
- The 20m height limit to the east of Latimer Square – reduce to 14m
- The 20m height limit to the south of Hereford Street between Rolleston Avenue and Montreal Street – reduce to 14m
- The mix of heights around the Avon Loop – alter all heights to 8m
- The red zoned area of the Avon Loop – alter all heights to 8m.

### **ii) Density - Residential Floor Area Ratio**

Residential Floor Area Ratio (RFAR) is a measure of development density and is used to control the bulk and mass of a building. It is calculated by dividing the total residential floorspace within a building (measured to the outside of the structural frame or exterior walls) by the size of the site on which it is built. It excludes communal stairways, lifts, foyers, car parking, covered accessways and outside living spaces. RFAR provides an indication of the level of intensity of development on a particular site: the higher the ratio, the greater the level of floorspace relative to the site area. For example, on a site with 1000m<sup>2</sup> of buildable land area, an RFAR of 1.0 would allow a 1000m<sup>2</sup> building over one storey, or a two storey building occupying half of the site.

Maximum standards are set for RFAR across all residential zones as a means of controlling development density and thereby the character, form and population density of residential neighbourhoods within different parts of the city.

Currently, there are two different RFAR standards (expressed as maximums), across the different L4 Zones. For L4B zones, the maximum permitted Floor Area Ratio is 1.4. In L4A and L4C (excluding the Avon Loop) it is 1.4. For comparison, the maximum permitted RFAR in the L3 zones is 0.8. The higher RFAR in L4 Zones reflects the desire to promote and encourage medium to high density living within the central area. Exceptions to the L4 RFAR standards apply to SAmS 24, 25, 26 and 27, where the maximum permitted RFAR is 0.9. Site Density is currently a critical standard in the City Plan. This means that if a proposed development breaches maximum RFAR standards then it is considered to be a non-complying activity deemed to have significant actual or potential adverse effects on a wider area.

With the aspiration of simplifying the L4 development rules, a review of RFAR standards has been carried out with the aim of assessing:

- The effectiveness of RFAR standards as a mean of controlling residential density;
- Whether there is a valid case for removing the RFAR standards altogether or, alternatively, rationalising the existing RFAR standards and applying a single standard across all of the L4 Zones;
- Whether maximum permitted floor area ratios are achievable in practice, given other bulk controls including maximum permitted building heights, recession planes, car parking and open space standards etc.
- Identifying other possible advantages or disadvantages of using RFAR as a measure of development density.

In carrying out this review, we have reviewed earlier relevant studies and documents, particularly those produced in relation to PC53, including:

- i) Test Modelling of the L4 City Plan Provisions (Boffa Miskell, February 2008. included at Appendix 4). This piece of work produced a series of conceptual development models for a representative sample of L4 sites;
- ii) Exploring New Housing Choices for Changing Lifestyles (produced by Jasmax on behalf of Christchurch City Council). This study produced a range of possible housing typologies for both L3 and L4 areas designed in accordance with relevant development standards and urban design objectives.

A design exercise has also been carried out examining the relationship between RFAR and other development standards, assessing whether RFAR standards were achievable in practice and if so under what circumstances (see below).

Our key findings are summarised below.

### **Key findings and conclusions**

Our analysis has indicated that RFARs of between 1.2 and 1.4 are deliverable within the constraints exercised by other development standards. However, our analysis has shown that reaching or exceeding the standards is difficult to achieve, will often require costly design solutions and is influenced by a complex set of factors such as the housing typology,



size of the site, parking strategy and so on. In reality, breaches of maximum RFAR standards are likely to be rare and the number of developments even coming close to the upper RFAR limits is likely to be limited. This is confirmed by our review of resource consents over the last 12 months with all of the schemes assessed falling well within the RFAR thresholds. Our analysis has revealed that in most cases, height limits, recession planes, outdoor living and parking standards will often kick in long before RFAR limits take effect and therefore arguably have a greater role in controlling the bulk and density of development. Arguably, given that instances of non-compliance with RFAR standards are likely to be rare in practice, it is appropriate to question the purpose and value of retaining these controls.

The approach taken to accommodating off-street parking standards is one of the key factors influencing the RFAR achievable on a site. This conclusion is supported by the modelling carried out by Boffa Miskell in 2008 from which the key points to note are as follows:

- the only examples where a RFAR in excess of 1.4 was achieved was where no on-site parking provision was provided;
- a RFAR of 1.4 was only achieved in two examples, both of which had basement parking only.

Several examples within the study achieve a RFAR of around 1.0 with garaging or surface car parking (or a combination of both) and with street setbacks greater than the 2metre minimum required currently. With some design amendments, a RFAR of around 1.2 could be achieved with at least one of these examples through the addition of an extra floor level although the quality of design outcome would be reduced significantly. All the examples involve developments of 3 stories or more (over 8m in height) and most were for multi-unit developments of the kind discouraged under the new Urban Design, Appearance and Amenity rules i.e. long narrow 'sausage block' style developments with no separation between units. All of the examples in this study are for single plots of varying sizes, including a corner site.

A range of housing typologies were presented in the 'Exploring New Housing Choices' report, 5 of which were designed for compliance with L4 standards. The average RFAR for four of the sites was 0.76. The fifth typology, a six storey apartment development with a RFAR of 1.17, comprised two amalgamated plots on a corner site and relied on 100% basement parking. Further modelling undertaken as part of this review and included below has reinforced these findings. In the examples shown, in order to achieve a RFAR of 1.2 or more, 100% basement car parking was required in all of the examples.

Height restrictions also play a part in whether the L4 RFARs can be achieved in practice, depending on the housing typology. In the examples below, two multi-level apartment typologies were explored, each with basement parking and communal open space. In both examples, a RFAR of 1.2 was only achievable with a building height of 19m. Both examples involved amalgamated sites, enabling building height to be concentrated away from internal boundaries and recession planes. Example 3 is a townhouse style development where a high RFAR was achieved with a low building height (8m) because of the relatively low number of larger units split over 3 levels which maximises floorspace whilst at the same time minimising unit numbers and hence the requirement for outdoor living space.

Our analysis has demonstrated the influence of outdoor living standards on the density of a development. As the number of units on a site increases, providing adequate outdoor living space at ground level becomes increasingly difficult. The use of private balconies and roof

terraces can go some way towards meeting the need but these are potentially costly solutions and in most cases some additional communal outdoor living space at ground level will be needed to make up any shortfall. The minor reduction in outdoor living space standards recommended by this review will have some influence on floorspace ratios and the balance between built form and the wider site however the effect of this on the perceived density and bulk of development will not be significant.

Recession planes also have a constraining influence, but their effect is reduced on amalgamated sites as extra height can be accommodated away from internal boundaries and buildings can be 'staggered', reducing in height towards the edges of the site. On single narrow plots however, recession planes have a stronger effect, limiting both the overall height of a building and setbacks from internal boundaries.

The intended purpose of RFAR standards is to control the bulk or mass of a development so that it sits well within its context and is not perceived as being visually excessive in relation to the plot within which it sits or in relation to neighbouring properties. It does not however address a specific planning outcome in the way that other standards do. Recession planes for example protect outlook, amenity and access to sunlight. Height limits control overshadowing, outlook and the physical qualities of a streetscape such as the level of enclosure. Given that the combined effect of these other standards is to place restrictions on the physical size of a development, RFAR standards in a sense duplicate existing control mechanisms but in a more blunt and non-site specific manner.

Whilst breaches of RFAR standards are conceivably possible, it does not automatically follow that the design outcome which results would in every case be objectionable. Over-development is contextual: whether a building appears out of place or excessive in terms of its bulk depends on the character of the surroundings, the design of the building and the particular characteristics of the site.

Our analysis has not revealed a clear or compelling case for the difference in RFAR standards that exists currently across the L4 Zones. In theory, the difference between the L4B (1.4) and L4A/L4C standards (1.2) could equate to an additional 200m<sup>2</sup> of permitted floorspace on a 1000m<sup>2</sup> site (under the 1.4 standard). Potentially, this could allow for up to 5 additional units (using a minimum unit size for bedsits of 35m<sup>2</sup>) or an additional 2 units (assuming an average of around 80m<sup>2</sup> for a two bedroom unit). As demonstrated however, the 1.4 standard in particular is difficult to achieve under existing rules and would most likely require a high proportion of underground car parking to be provided.

In summary, the case for retaining RFAR revolves around the following:

- Its relative simplicity as a tool for developers to assess the potential development value of a site – if the site area and maximum RFAR is known, it is easy to calculate the maximum allowable floor area. This provides a level of certainty and enables detailed testing of viability of a scheme at an early stage;
- Although set as a maximum standard, it does provide an expression of the aspiration for higher density living within the central city;
- RFAR provides an easily measurable indicator of site density that can be used as a basis for comparison between developments as well as providing a consistent standard against which the perceived bulk of a building can be assessed.

The case for removing RFAR can be summarised as follows:

- The existing RFAR standards are difficult to achieve in practice and therefore are a poor mechanism through which to control site density;
- Other development standards are amore effective means by which to control the density and bulk of development;
- RFAR is just a ratio of floorspace and site area, but this presumes that controlling factors are equally important, and in the same proportion across every part of a city. In urban design terms this is very unlikely to be the case. For example on corner plots higher buildings may be more appropriate. Increased bulk may also be desirable at key locations like end points of vistas;
- RFAR controls mass but not necessarily the form or design of buildings and does not, directly, control a specific planning objective;
- Maximum RFAR standards can become a target to aim for and encourage a design approach where the aim is simply to maximise the amount of development rather than promoting amore considered approach which takes into account local context, character and the particular constraints and opportunities of individual sites;
- Maximum RFAR standards by themselves do not guarantee high density development. Low density development can result which may be out of context with its surroundings and may be considered sub optimal in terms efficiency in the use of limited land within the central city;
- By placing limitations on the amount of floorspace, RFAR can discourage the efficient use of internal space, for example by restricting basements or the conversion of loft space.

### Test Modelling

As part of this review, a modelling exercise has been undertaken to explore further some of the relationships between RFAR and other development standards which can affect the density of development on a site, for example outdoor living standards, car parking requirements, setbacks and recession planes. Whereas previous modelling work referred to above set out with the aim to come up with design solutions that fell within the maximum permitted RFAR standards, the purpose of this exercise has been to test whether current RFAR standards are achievable in practice, given other constraints, and to identify some of the design factors that play a role in whether RFAR becomes an effective control mechanism or not. If it were to be demonstrated that RFARs were not achievable, or could only be reached or exceeded in situations that were unlikely to occur in practice, this would seem to call into question the value of retaining these controls.

Three scenarios have been tested which are considered to represent potential situations where the likelihood of achieving or exceeding a RFAR of between 1.2 and 1.4 is most likely to occur. This includes:

- i) Amalgamated sites – larger plot sizes open up a wider range of design and site layout possibilities where building bulk can be concentrated within the centre of the site, away from internal boundaries and recession planes;
- ii) Corner plots – with only two internal boundaries, a corner site offers the potential for greater building mass without affecting the privacy or outlook of neighbouring properties. From an urban design perspective, corner sites

are also often considered appropriate locations for taller buildings as they provide the opportunity for creating local landmarks which aid way finding through a neighbourhood;

- iii) Basement car parking – locating all or part of a development’s parking requirement underground frees up a larger part of the site for development;
- iv) Multi-level developments – building higher to maximise the amount of floorspace on a site and meeting at least part of the development’s outdoor living requirement in the form of balconies or roof terraces, again releasing more land at ground level for development.

Three scenarios have been tested:

- Example 1: Seven storey apartment development on a corner site
- Example 2: mid block multi-storey development on an amalgamated site ( two sections combined)
- Example 3: Three storey town house development on an amalgamated site (two plots).

For each example, the maximum achievable RFAR was tested within the constraints of existing City Plan rules and within the limits presented by that specific building typology. Each scenario has been designed to meet existing development standards (summarised below) in relation to setbacks, recession planes, outdoor living standards and so on. Where differences in development standards exist across the L4 Sub-zones, the most stringent standard has been adopted.

The typologies chosen are intended to be indicative only and are not exhaustive of design possibilities. Whilst conceptual, they are considered to be realistic design scenarios and provide a useful guide to the potential mass or floorspace that could theoretically be accommodated on a site under different situations. The maximum RFAR achieved in the examples below was 1.3 although higher RFAR may be achievable with other design approaches. The examples serve to highlight some of the factors which place restrictions on the amount of floorspace that is ultimately deliverable on a site.

Interior layouts have not been designed but the models use realistic bulk sizes and dimensions for residential units. Whilst variation in plot size and dimensions does exist across L4 areas, for the purposes of this exercise a representative plot size of 20m x 50m (1000m<sup>2</sup>) has been selected. In each example, it has been assumed that all of the development’s parking requirement can be met at basement level.

#### **Recommendations:**

- Remove the RFAR requirement across all central city L4 Sub-zones

#### **iii) L4 development rules for modelling**

##### Minimum unit size (excluding garages, car parking and balconies)

Studio (35m<sup>2</sup>)  
1 bedroom (45m<sup>2</sup>)  
2 bedroom (70m<sup>2</sup>)  
3 bedrooms or more (90m<sup>2</sup>)

Open Space

- Minimum of 30m<sup>2</sup> per unit with 10m<sup>2</sup> private for each unit if balance is provided communally.

Street scene

- Minimum 2m setback from road boundary
- 1.8m minimum set back from internal side boundaries (4m minimum setback with first floor windows).

Sunlight and access

- Recession plane Angle D (L4C, L4A & L4B if under 8m)
  - Measured 2.3m above internal boundary
  - 55° on East and West Boundary. 60° on North boundary, 42°30' on Southern boundary.

Separation form neighbours

- 1.8m minimum setback from shared internal boundaries
- 4m minimum setback for windows and balconies at first floor level and above
- Accessory buildings up to 10.1m along shared boundary.

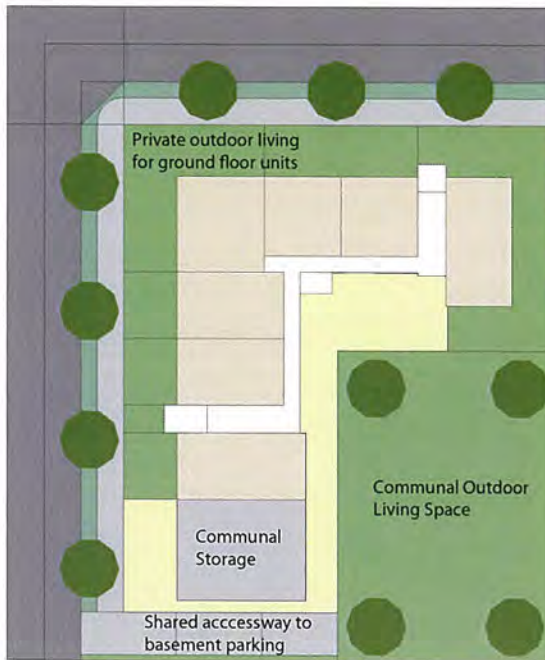
Parking and access

- 1 garagable space per unit (3.1m x 5.5m)
- 2.7m wide access road (1-3 units), 3m (4-8 units), 4m (9-15 units) (formed widths)
- Where basement parking proposed this is assumed to be fully underground i.e. it does not contribute towards the RFAR.

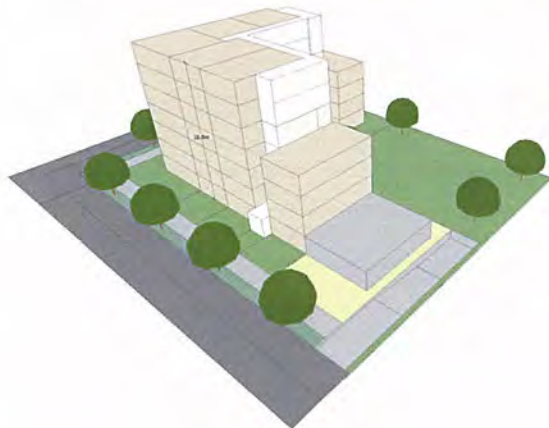
Outdoor Storage

- Communal storage provided at 3m<sup>2</sup> per unit provided.

Example 1



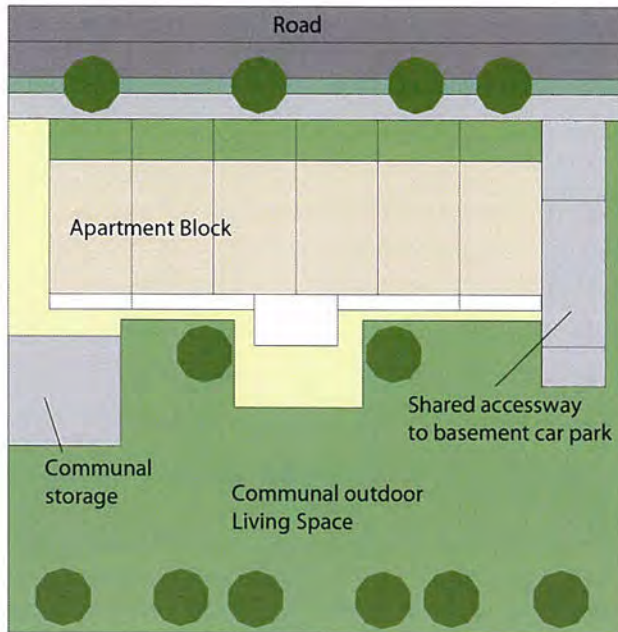
**Example 1**  
Typology: Seven storey apartments  
Site area: 2 sections @ 20m x 50m each (2000m<sup>2</sup> total)  
Site orientation: Corner site. Road boundary to north and west  
Building height: 19m @ Seven storeys  
Total number of units: 43 (mix of single and dual aspect)  
Open space: mix of communal outdoor, private balconies and private outdoor for ground level units.  
Parking: basement parking  
Total residential floorspace: 2618m<sup>2</sup>  
**Residential Floor Area Ratio: 1.3**



Notes:

- Additional height could be added without breaching recession planes. However, it would become increasingly difficult (and costly) to meet the requirement for outdoor living space as height and the number of units increases. Larger balconies and/or roof terraces would most likely be required.

Example 2



**Example 2**

Typology: Seven storey apartment block  
Site area: 3000m<sup>2</sup> (three 20x50 plots combined)

Site orientation: north/south with road boundary to north

Building height: 19m

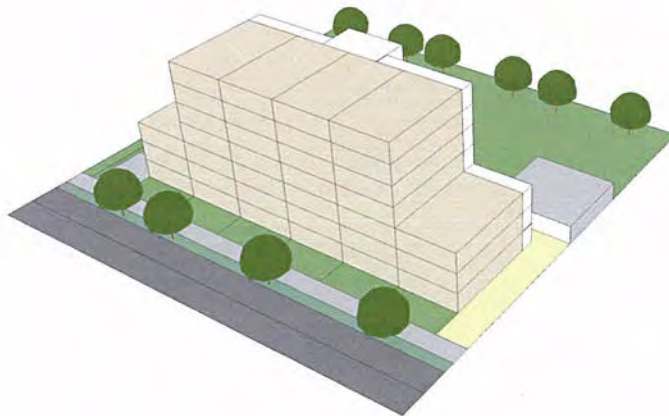
Total number of units: 34

Open space: mix of communal and private balconies

Parking: basement

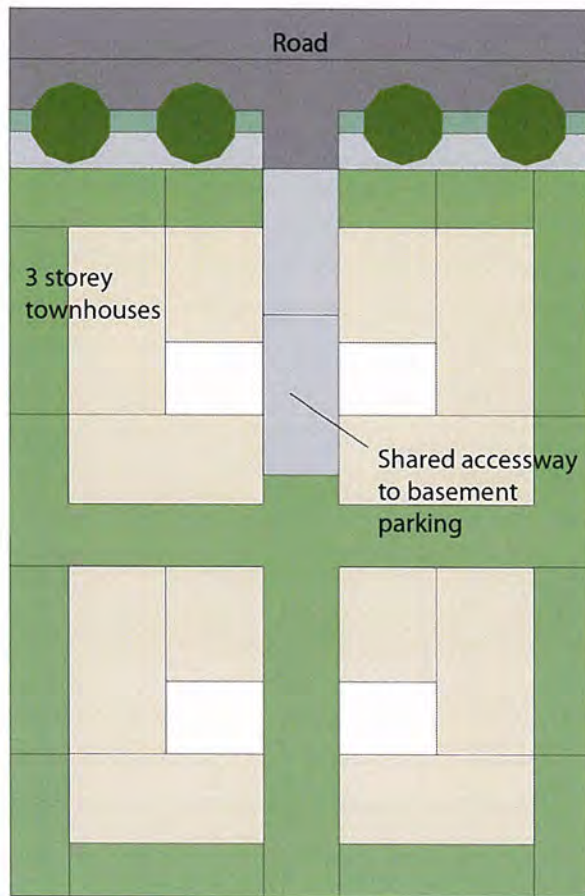
Total residential floorspace: 3536m<sup>2</sup>

**Residential Floor Area Ratio: 1.2**

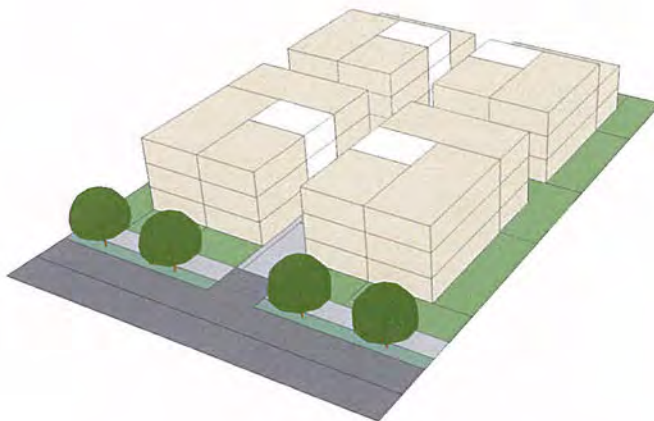




Example 3



**Example 3**  
Site area: 2000m<sup>2</sup>  
Site orientation: north/south with road boundary to north  
Building height: 8 metres  
Total number of units: 36  
Typology: Three storey town houses arranged in four blocks of three  
Open space – private outdoor living area provided at ground floor to each unit  
Parking: basement  
Total residential floorspace: 2476m<sup>2</sup>  
**Residential Floor Area ratio: 1.2**



Notes:

- In this example, a high RFAR is achieved with a relatively low building height 8m owing to the reduced number of larger units split over 3 levels which maximises floorspace without generating the same need for outdoor living space that would be associated with an apartment development of smaller units.

**iv) Density – Open space – residential activities – Living 4C Zone (Avon Loop)**

Instead of the RFAR used elsewhere within the L4 Zones, the L4C Zone (Avon Loop) utilises an open space rule for residential activities which states that the maximum percentage of the net area of the site that can be covered by buildings shall be 45% for sites with a maximum height limit of 8m and 50% for sites with a height limit of over 8m. Given the proposal to alter all the differing height limits within the Avon Loop to a maximum of 8m (see previous section of this report), the 50% area of site able to be covered is deemed irrelevant as a matter to assess as it would not be available under the proposed new height limits. This rule applies to the area of the Avon Loop that was not within SAm 24, which had a plot ratio rule to control site density.

It is noted that the open space standard is used within the Avon Loop, rather than a site density standard, to promote the retention of green spaces and provide certainty around the degree of spaciousness provided with any development. As with the RFAR rule discussed above, the rule controls only site coverage and not the form or design of buildings or any contextual issues beyond site coverage.

**Key findings and conclusions**

The character of the area of the Avon Loop that remains after the removal of the land red zoned by CERA (see diagram below) is variable, with differing site sizes, scale of buildings and coverage of land. This being the case, the retention of this site coverage rule seems somewhat arbitrary. As with the RFAR rule, there are still other constraints on the sites which also control site coverage, notably set backs, outdoor living space requirements, service areas and car parking if provided as surface car parking.

Given the requirement of this review to simplify the rules around the Central City Living Zones, the variable nature of the area that is still subject to this rule and the bulk and location rules that will still apply to this area, it seems that retaining the open space rule for the Avon Loop is not necessary.

**Recommendations**

Delete the Open space – residential activities – Living 4C Zone (Avon Loop) rule



Diagram showing Avon Loop and area red zoned post earthquakes

#### v) Outdoor Living Space

Outdoor Living Space (OLS) is required for all developments within the L4 Zones with allowance being made for the provision of some OLS as communal areas which recognise that these can be beneficial for higher density development. The plan notes that these spaces need to be usable, well designed spaces and there are additional assessment matters for them around location and functionality of their design within the urban design assessment matters within the plan.

OLS is one of the areas for review as currently there are two standards for OLS (expressed as a minimum) across the inner city residential sub-zones. Zones L4A and L4B require 20m<sup>2</sup> with a minimum of 10m<sup>2</sup> of private space and the rest able to be provided as communal space. The L4C Zone has a requirement for 30m<sup>2</sup> with a minimum of 16m<sup>2</sup> of private space and the rest able to be provided as communal space.

With the aspiration of simplifying L4 development standards, the two OLS standards have been reviewed with the aim of assessing:

- Whether there is a valid case for retaining the existing OLS standards or applying a single standard across all of the L4 Zones;
- Identifying other non-intended advantages or disadvantages of the current OLS standards.

#### Key findings and conclusions

The rules around OLS are intended to provide the opportunity for greater flexibility around providing OLS on sites with the possibility of a mix of locations, configurations and

opportunities for the provision of communal spaces as well as private areas. Prior to the plan change it was accepted that the OLS provisions were inadequate in terms of achieving usable OLS for higher density residential development.

The different provisions for L4C and L4A & B was intended to reflect the feeling that L4C exhibits more moderate development density than L4A & B and therefore a greater provision of OLS was appropriate as it lent itself to the lower scale of development seen in that Sub-zone. Although it should be noted that the Urban Design technical report, Appendix 5 to the S32 report, states that there was little substantial difference found between the provision of OLS in the different L4 Sub-zones prior to PC53.

However, the Urban Design technical report in response to submissions considered that the L4C Sub-zone should cater for larger households and longer distances to community amenity and therefore required the higher level of OLS. The other L4 Sub-zones were seen as having lower maintenance requirements of ground floor areas and better provisions for communal open spaces.

Discussions with both panellists from the Urban Design Panel, developers, builders and landlords from around the city agreed that the key factor in the provision of OLS was that it be usable. With regard to private OLS it was noted that it was especially important that it be able to provide for a table and chairs as a minimum— this was particularly noted when discussing the provision of balconies as private OLS. Otherwise such spaces simply become somewhere to hang the washing and park the bicycle. It should be noted that in other plans the need for accommodating a table and chairs is seen as a requirement for a table and two chairs for a single room apartment and a table and 4 chairs for larger apartments.<sup>4</sup> Also worth noting is that there is a separate requirement in the plan for the provision of outdoor service space for the storage of items such as bins.

Throughout the country there are different requirements for ground floor OLS with the most frequently used being 25m<sup>2</sup>. For balconies the most frequently used standard is 8m<sup>2</sup>.<sup>5</sup> Christchurch requires only a minimum dimension for a balcony of 1.5m, rather than a minimum area. Therefore the 10m<sup>2</sup> could be split across two balconies of 6m<sup>2</sup> and 4m<sup>2</sup> respectively, as long as they both have a minimum dimension of 1.5m. This provides added flexibility around the provision of OLS in all Zones.

The urban design panellists suggested that there might be some agreement for a minimum 'private' space requirement of 12m<sup>2</sup> per unit being appropriate across all L4 Sub-zones which falls between the current requirements of 10m<sup>2</sup> and 16m<sup>2</sup>. Given the directive to simplify the existing complexity within the Central City Living Zones, and given the variety of OLS provision required throughout the country in similar zones, it could be argued that such a standard could both protect amenity and provide a simplification of the plan. It is suggested that if this is adopted a minimum OLS of 24m<sup>2</sup> should be applied for all L4 Sub-zones, with the balance that is not private space still able to be provided for as communal space. This proposed minimum OLS then aligns with the most frequently used amount across the country of 25m<sup>2</sup>. This should strike a balance between the lower requirements of the current L4A and L4B Sub-zones and the higher requirements of the L4C Zone without unduly penalising any of the areas. The existing minimum dimensions in the plan should be retained to continue to ensure the provision of functional OLS.

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<sup>4</sup> *Living 3 & Living 4 Plan Change, Technical report on urban design*, Boffa Miskell Ltd.

<sup>5</sup> *ibid*

**Recommendations:**

- A minimum OLS across all L4 Sub-zones of 24m<sup>2</sup>
- Of that a minimum private space requirement across all L4 sub-zones of 12m<sup>2</sup>

**vi) Sunlight and outlook for neighbours – Recession planes**

Recession planes are used to control the height and siting of buildings (i.e. setback distance from internal boundaries) in relation to neighbouring properties. A proposed building must sit within the envelope defined by the recession plane at all points along each boundary. The effect of the rule is that the taller a proposed building is, the further away from the boundary it must be. This is to ensure that an adequate level of sunlight and daylight access is maintained and that a new building or extension to an existing building does not physically dominate a neighbouring property. The orientation of a site and its relationship with adjacent properties is important as it affects the recession plane angle used.

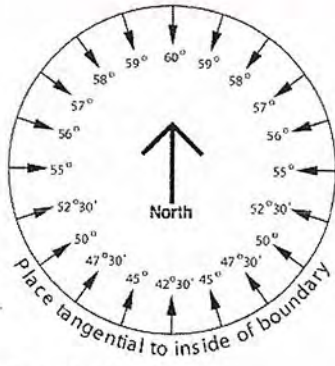
Recession plane lines proceed at an angle from the horizontal, measured from any point 2.3m vertically above ground level along site boundaries. The angle of the recession plane varies according to the compass orientation of the site and depending on the boundary that it is measured from.

In the southern hemisphere, the recession plane angle is lower (flatter) along the southern boundary of the site than it is along the northern boundary. The effect of this is to pull the building away from the southern boundary, reducing the overshadowing effect on neighbouring properties to the south. The same angle is used to define recession planes along eastern and western boundaries.

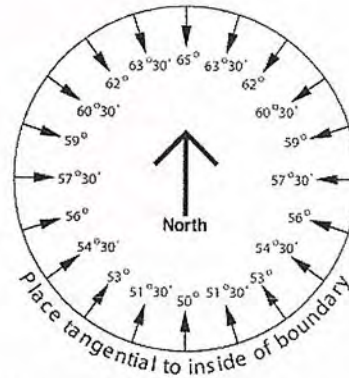
Currently, different recession plane angles are used depending on which living zone a development is located within. For some zones, the relevant angle also depends on the height of the building. The relevant containment angle diagrams are included in Appendix 1 (Volume 3, Part 2) of the operative City Plan, an extract of which is shown below. In the Living 5 (Peterborough) and Living 4C zones, Angle D is used for all residential buildings. Angle D also applies in L4A and L4B if the building is below 11m in height. However, for buildings over 11m in height in L4A and L4B, and for buildings in the L5 (Avon Loop) zone Angle E is used. The purpose behind this distinction is that Angle E, being slightly steeper, creates a wider building envelope to allow for taller buildings.

As part of this review, we have carried out an assessment of the effects of the differences between Angle D and Angle E in order to come to a view on the feasibility of having a single set of containment angles across all of the L4 Zones. Our findings are summarised below.

Recession Plane Angles E & D (Extract from City Plan Part 2 Volume 3, Appendix 1)

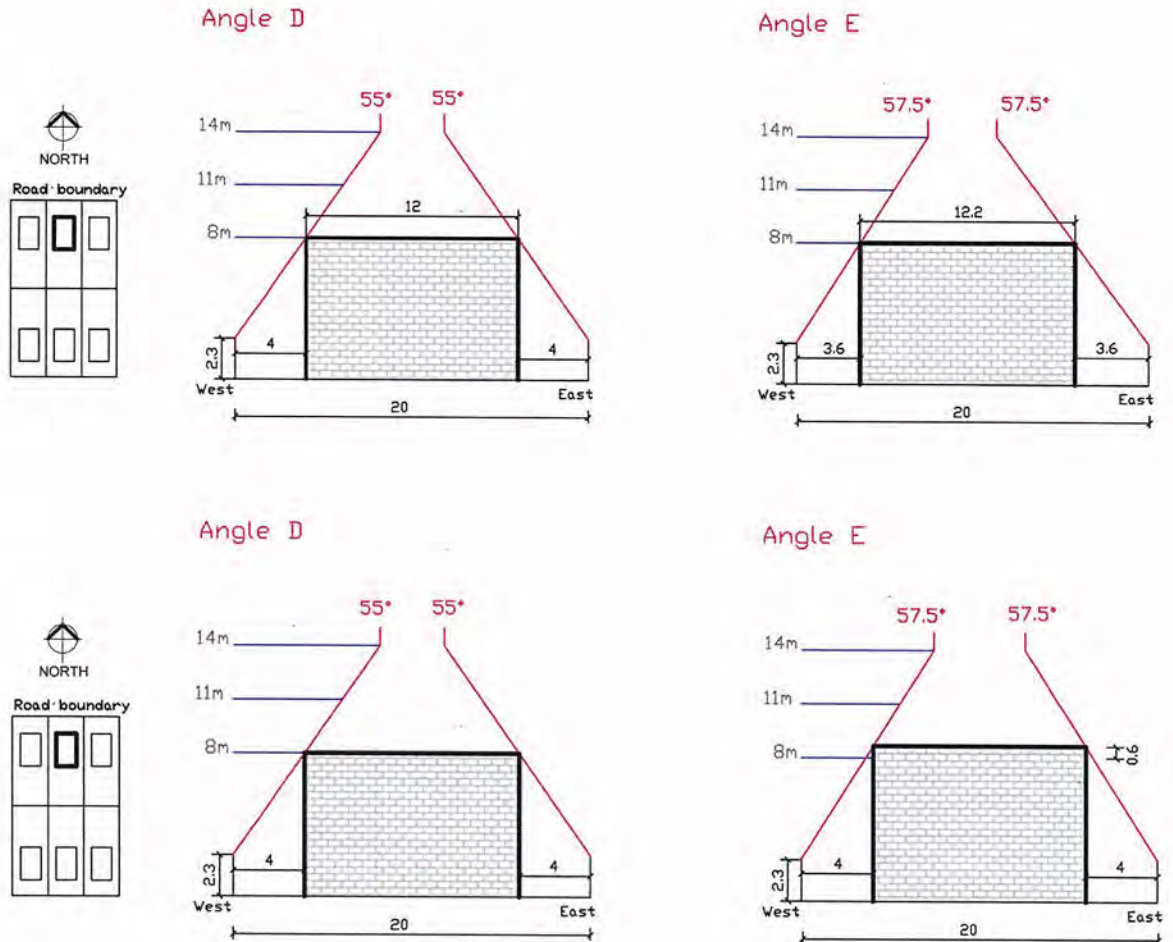


- D Applicable to all buildings:
- in the L4C zone
  - on sites in other (non-living) zones that adjoin the L4C zone
  - in the L4A and L4B zones (except those buildings over 11 metres in height)
  - on sites in other (non-living) zones that adjoin the L4A and L4B zones (except those buildings over 11 metres in height)
  - in the Living 5 Zone (Peterborough only)
  - on sites in other (non-living) zones that adjoin the Living 5 Zone (Peterborough only).



- E Applicable to all buildings:
- over 11 metres in height in the L4A and L4B zones
  - over 11 metres in height on sites in other (non-living) zones that adjoin the L4A and L4B zones.
  - in the Living 5 Zone (Avon only)
  - on sites in other (non-living) zones that adjoin the Living 5 Zone (Avon only).

The diagrams below illustrate the effect of the difference between Angle D and E on the height and setback of buildings. The analysis assumes a standard plot size of 20m x 50m, orientated north to south with a road boundary to the north.



The diagrams demonstrate that on a north-south orientated plot, Angle D (55° along the eastern and western boundaries) would permit a building of 8metres (three storeys) in height to locate within 4metres of the eastern and western internal boundaries (assuming no other setback controls). Angle E, being slightly steeper (57.5°), would enable an 8m building to locate within a maximum of 3.6m of an internal boundary, a difference of 0.4m (see top image). Alternatively, assuming a common setback of 4m from each internal boundary, an additional 0.6m in height would be permitted under Angle E as opposed to Angle D (bottom image).

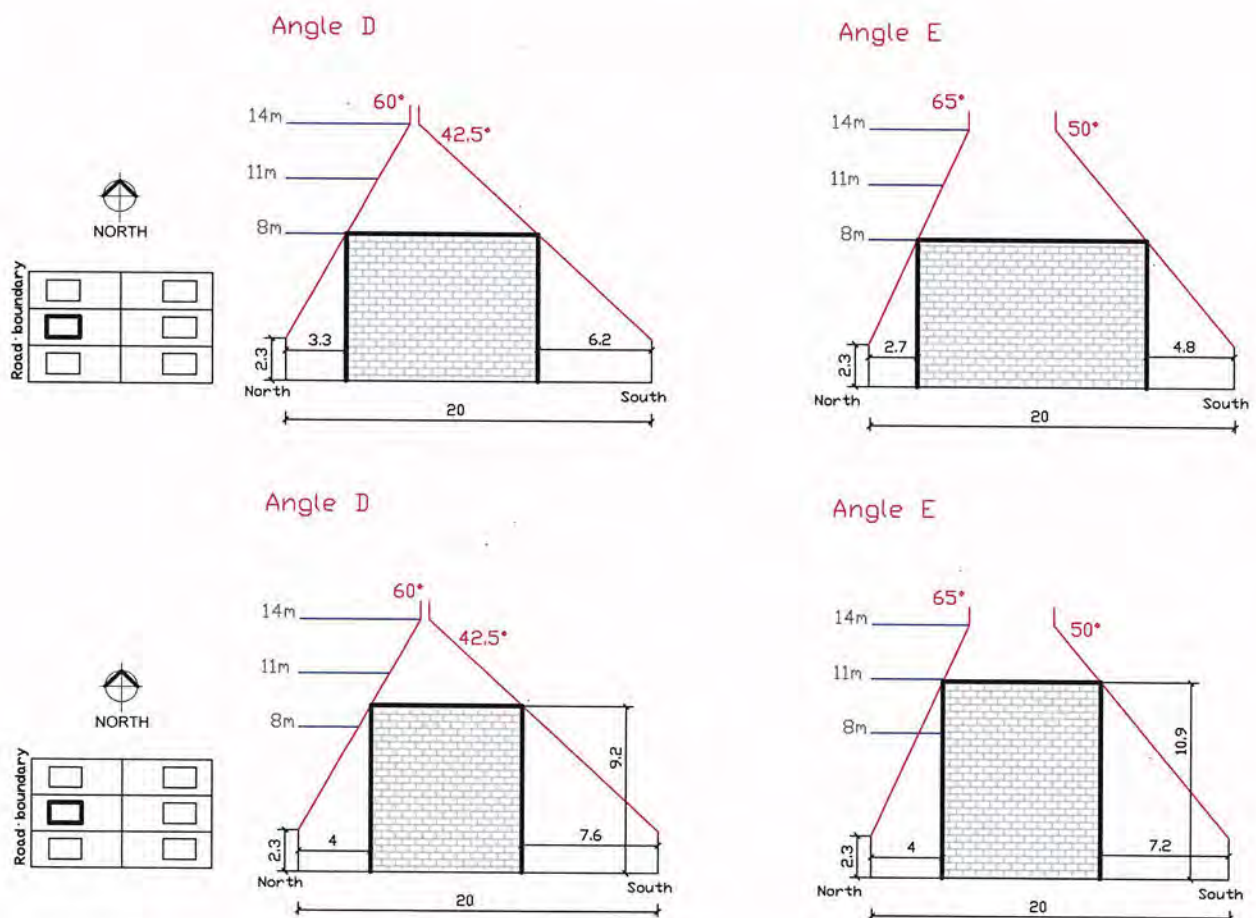
These differences become more pronounced on an east-west orientated site as shown below. In this situation, the northern boundary setback under Angle E would be 2.7m compared to 3.3m for Angle D (a difference of 0.6m). Along the southern boundary, the minimum setback for an 8m building would be 4.8m under Angle E compared to 6.2m under Angle D (a difference of 1.4).

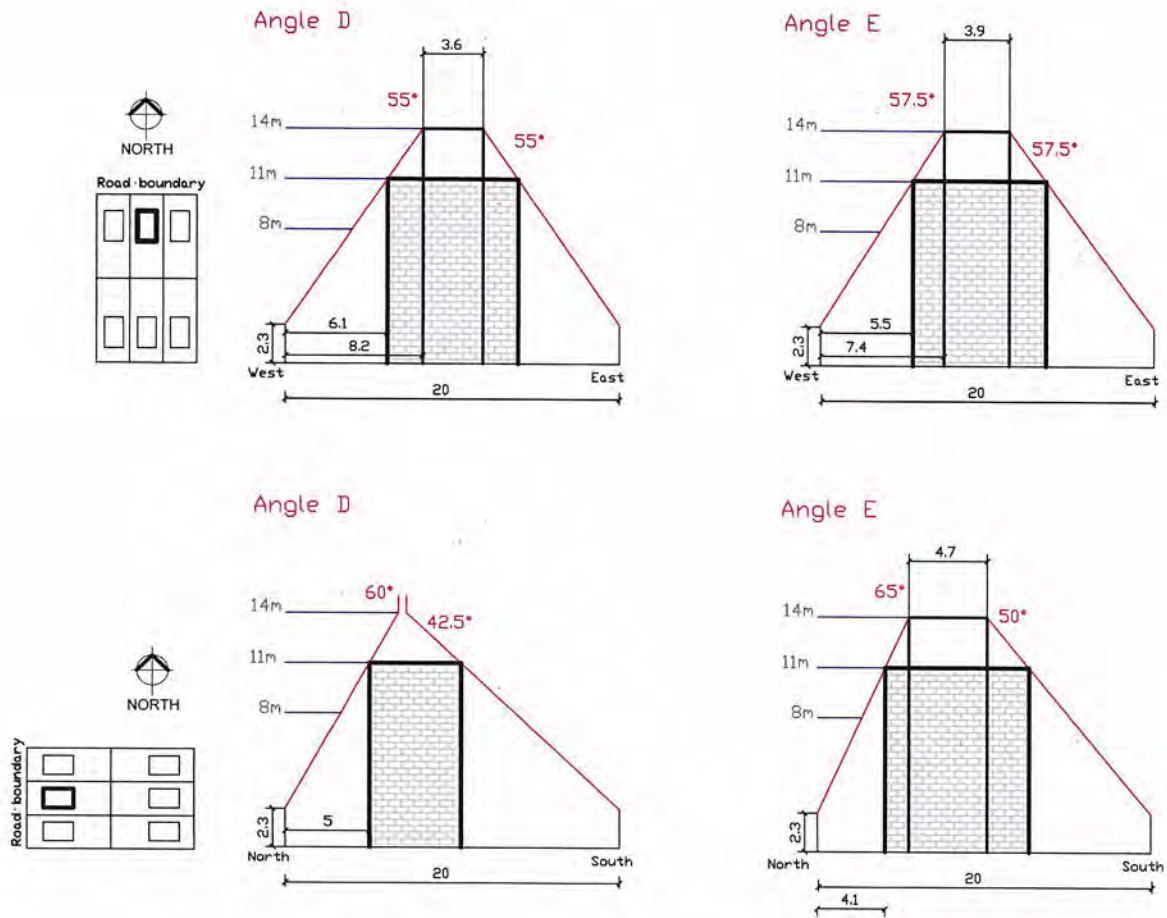


In terms of the effect on height (bottom image), with a 4m internal setback from the north boundary (and assuming a consistent building height) Angle E permits an additional 1.7metres in height. The difference is not sufficient to permit a whole additional storey but could be absorbed as greater stud heights or a raised ground floor.

The larger building envelope created by Angle E in theory means that there is potential for a building to have an increased impact on neighbouring properties to the south as a result of the increased shadowing effect resulting from the additional height and reduced setback it permits compared to Angle D. For example, an additional 1.7m height would equate to an increased shadow length of approximately 2metres on average, depending on the season and time of day. The impact of this on the amenity of neighbouring properties would be variable depending, among other factors, on the position of buildings and the location of outdoor living spaces in relation to adjoining properties.

This analysis assumes that there are no other controls in place. In practice, building height restrictions or physical site constraints are likely to play a stronger role in determining the overall bulk and form of a building than recession plane angles alone.





The above set of diagrams examine the implications of the two sets of containment angles in relation to buildings over 11m in height. The diagrams show that both angles limit the potential for buildings of 14m or more in height, especially on north-south orientated plots (top image), where the available plot width becomes restrictively narrow (3.6m for Angle D) for a building of a uniform height of 14m. This would be further reduced on a site less than 20m in width. Both angles would enable a four storey (11m) development, although the available plot depth (and consequently design options) is more restricted under Angle D.

On east-west orientated plots, it would not be possible to achieve a building height of 14m under Angle D (assuming a 20m plot width). Angle E would permit a building of 14m in height, but the maximum depth of the building would be 4.7m.

The above analysis demonstrates that Angle E is the less restrictive set of containment angles in two key respects: Firstly, it permits a greater overall height (14m plus) and secondly, assuming a fixed height, it permits the building envelope to extend closer to internal boundaries. In practice however it is the combination of controls on building height, setbacks and other site constraints that determine the bulk of a building rather than recession planes isolation.

The implication of adopting the more restrictive Angle D for all L4 Zones would be to limit the potential deliverability of buildings of 11m or more, particularly on narrow sites and individual plots. The effect of this may be to encourage the amalgamation of sites which has

positive benefits in terms of enabling comprehensive development but may have negative consequences for the fine grain of the Central City. In theory, whilst Angle E permits greater height, the extent of this, compared to Angle D, depends not only on the orientation of the site but also on the width of the plot and is subject in any case to maximum height limits for buildings.

#### **Recommendations:**

- Delete Angle D for all L4 Sub-zones
- Use Angle E for all L4 Sub-zones

#### **vii) Street scene setback**

The street scene rule around setback from the road boundary exists as the degree of setback affects the visual character of the residential areas and also affects opportunities for landscaping, parking and outlook of neighbours. The central city L4 Sub-zones require smaller setbacks than other areas of the city to provide a good urban edge in these Living Zones, with specific controls around tree planting, garaging and design and appearance to assist with well designed street facades and providing a high quality street scene.

This rule is proposed for review as currently the rules for the Central City L4 Sub-zones have a different rule for L4B from the other two Sub-zones. The set back from the road boundary is 2m for all Zones, except in L4B where there is no minimum for a maximum of 50% of the length of the road frontage. The intent of this was to provide for the possibility of an entrance lobby for taller buildings that could extend to the street edge for a short section.

With the aspiration of simplifying the L4 rules within the central city, the two street scene setback rules have been reviewed with the aim of assessing:

- Whether there is a valid case to retain the different standards for L4A and C versus L4B
- Whether advantages or disadvantages may have occurred through the current street scene setback rules

#### **Key findings and conclusions**

The rules around the setback from the street are intended to provide the higher density, central city L4 Zones with a defined urban edge to the residential area whilst still achieving a defensible space separating public and private areas at the front of the site. They are also intended to minimise the inclusion of garages and parking at the front of these sites as they provide poor urban design outcomes, particularly in terms of enclosing the public space and providing active edges and interaction.

The difference in the central city L4 Zones, as noted above, is the L4B Sub-zone having no requirement for a setback for up to 50% of the site frontage. This was suggested around the assumption that the high rise zone would have a different typology of building from the L4A and C Zones, which could be, for example, a set of high rise apartments with entrance lobbies at the ground floor.

Given the alterations in height being proposed for the Central City Living Zones and the acceptance that a 'high rise' Living Zone (the Zone description for L4B in the Central City) is no longer appropriate in amid to low rise city, it is considered that this requirement is no longer needed as this typology of building will no longer be occurring in the central city L4B Sub-zone. In addition, with some of the large vacant sites that are now available for development it is conceivable that a large site on a corner could have 20m of solid concrete wall on two street scene frontages, set right up to the boundary as of right. This would not provide a quality edge to the street or any defensible space and should be prevented. The heights now proposed in this Zone are also found in the L4A and C Zones and so a standard setback of 2m across all the Sub-zones is suggested.

#### **Recommendations:**

- Apply a standard setback of 2m across all L4 Sub-zones

#### **viii) Separation from neighbours**

The separation from neighbours rules require a minimum setback from internal boundaries. This is to reduce visual dominance of buildings on adjacent sites, provide access to daylight and provide a degree of privacy between sites.

This rule is proposed for review as currently the rules for the central city L4 Sub-zones have a different rule for L4B from the other two Sub-zones. In the L4A and C Sub-zones, there is a minimum setback requirement of 1.8m. In the L4B Sub-zone there is no minimum setback along any internal boundary, although it is noted that any buildings developed along this internal boundary would be restricted to single storey due to the recession plane requirements of the sunlight and outlook for neighbours rule. The intent of this was a recognition of L4B areas of the central city as being suitable for high density development, with high land values. The point was also made that this Sub-zone has the highest density provisions of all the plan's Living Zones and anticipates a built typology of apartment towers, rather than stand alone buildings or two to three storey terraces.

With the aspiration of simplifying the L4 rules within the central city, the difference in the separation from neighbours rule has been reviewed with the aim of assessing:

- Whether there is a valid case to retain the different standards for L4A and C versus L4B
- Whether advantages or disadvantages may have occurred through the current street scene setback rules.

#### **Key findings and conclusions**

As noted above, the rule around the setback from neighbours is intended to provide for higher density built typologies in the highest density Living Zone of L4B, particularly anticipating high rise apartment towers.

Given the alterations in height being proposed for the central city living zones and the acceptance that a 'high rise' Living Zone is no longer appropriate in amid to low rise city, it is

considered that this requirement is no longer needed as this typology of building will no longer be occurring in the central city L4B Sub-zone. In addition, given that with the recession plane requirements it would only be possible to erect single storey structures near internal boundaries the question arises as to whether there is any point to this exception for L4B. Especially when there are also already exceptions for party walls, accessory buildings less than 10.1m in length, where buildings adjoin access lots or access strips and basements, it would seem that the additional exception specifically for L4B is unnecessary. The heights now proposed in this Zone are also found in the L4A and C Zones, suggesting that similar typologies would be achieved in all the Zones and so a standard setback of 1.8m across all the Sub-zones is suggested, with the exceptions noted above retained.

#### **Recommendations:**

- Apply a standard 1.8m setback across all L4 sub-zones

#### **ix) Ground floor habitable room**

The ground floor habitable room rule requires at least 50% of all residential units to have a habitable space at ground level where the permitted height limit is 11m or less. Where the permitted height limit is over 11m a minimum of 50% of the ground floor area has to be occupied by habitable spaces and/or communal indoor living space.

The rule is proposed for review as it is seen as unnecessarily complicated. The intention of the rule is to ensure sites do not become dominated by hard surfacing and garage doors. The requirement for a habitable space at ground floor level can help to bring people activity back into the space and provide a direct connection between the indoor activity and outside sites and passive surveillance over the outdoor spaces.

The intent around the differing rules for below and above 11m was a recognition of L4B areas of the Central City as being suitable for high density development, with the possibility of a high rise apartment typology.

With the aspiration of simplifying the L4 rules within the Central City, the difference in the ground floor habitable room rule has been reviewed with the aim of assessing:

- Whether there is a valid case to retain the different habitable room standards for the different height areas within the central city
- Whether the rule needs to be rephrased in order to simplify it whilst still ensuring it achieves the desired result.

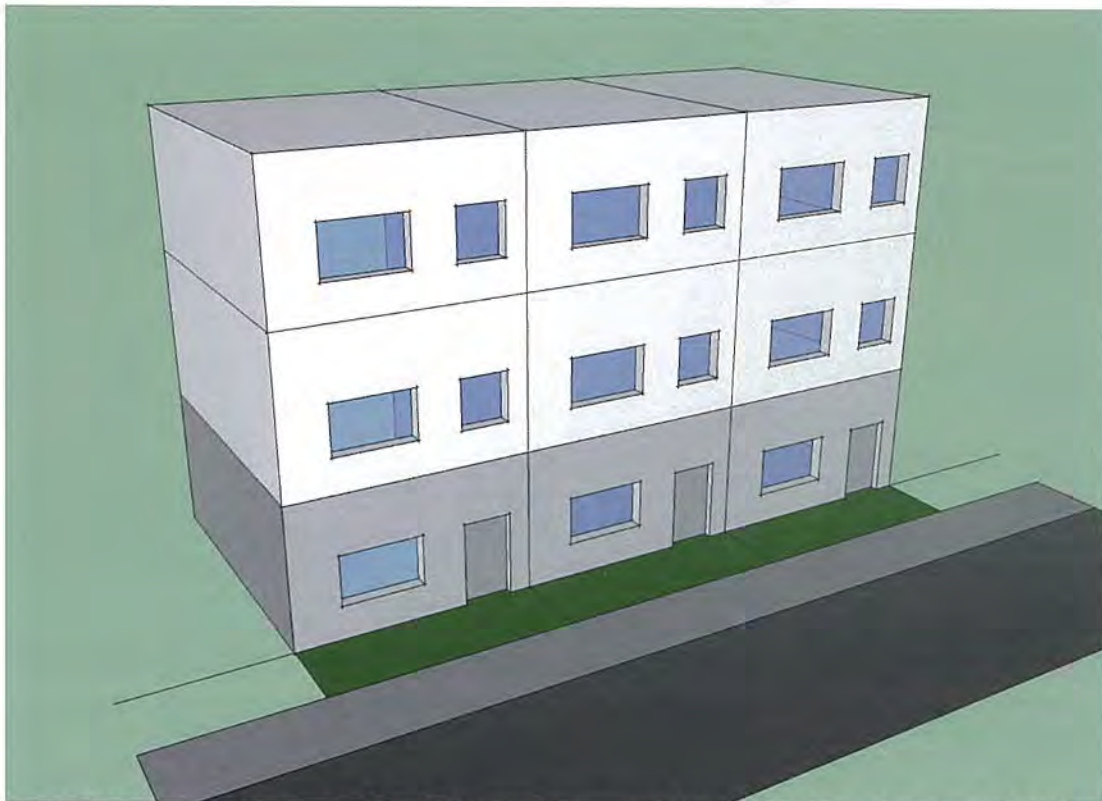
#### **Key findings and conclusions**

As noted above, the rule around the habitable room is intended to prevent domination of hard landscaping and garage doors within the higher density Living Zones. The difference in the rule anticipates a high rise apartment typology for the areas of the Central City that have a higher height.

Given the alterations in height being proposed for the Central City Living Zones and the acceptance that a 'high rise' Living Zone is no longer appropriate in amid to low rise city, it is

considered that this difference in requirement is no longer needed as this typology of building will no longer be occurring. Consideration has also been given to the potential for a stacked apartment typology in some of the Living Zones, where the current requirement for 50% would not be achievable.

Given the current situation it is suggested that amore enabling rule is created which will enable development of amalgamated sites within the Central City Living Zones, during the recovery period. It is proposed that the rule is redrafted as a single rule for the Central City Living Zones, requiring at least 30% of residential units within a development to have a habitable space at ground floor level. This would mean that a stacked apartment typology of three storeys, for example, would require habitable rooms at ground floor level – see diagram below – which would achieve the intent of the proposed rule in limiting the amount of ground floor garaging and hard landscaping that could be achieved.



Stacked apartment typology – shaded area shows apartments requiring a habitable room at ground floor level – indicative only

It is considered that this percentage would achieve a reasonable outcome in most cases, without unduly penalising any applicants, or being unachievable as the 50% requirement might be in similar circumstances to those shown above.

**Recommendations:**

- Apply a standard rule requiring at least 30% of residential units within a development have a habitable space located at ground floor

### 3. Summary and conclusions

This report has considered height, residential floor area ratio, outdoor living space, recession planes, separation from neighbours and street scene setback. The following alterations are suggested to the central city L4 Sub-zones

#### Height:

- The 30m height limit to the east of Cranmer Square – reduce to 14m
- The 11m height limits to the north and south of Cranmer Square – to the north increase to 14m, possibly increase the area to the south to 14m also
- The 30m height limit on Hagley Avenue – reduce to 14m
- The 20m height limit to the east of Latimer Square – reduce to 14m
- The 20m height limit to the south of Hereford Street between Rolleston Avenue and Montreal Street – reduce to 14m
- The mix of heights around the Avon Loop – alter all heights to 8m

In the consideration of height limits, assessment was made against the height limits immediately surrounding an area, the development that has been undertaken in each area and the height limits across the Central City. The new 28m height limit for the Central City core and 17m height limit for the Central City and mixed use zones. In addition, building typology resulting from particular height limits was also considered.

#### Density:

Delete the residential floor area ratio

Investigation of the residential floor area ration included modelling of potential outcomes and assessment of reasons for and against the retention of the rule. Overall it was deemed that the positive benefits of the rule were outweighed by the difficulties surrounding its achievement.

#### Outdoor Living Space:

Apply a minimum size of 24m<sup>2</sup> for outdoor living space across all L4 sub-zones, with a minimum of 12m<sup>2</sup> required for private space.

Previous research on this matter was reviewed which included information on such provisions around the country. In the interests of simplifying the plan in this matter it was considered that a single Outdoor Living Space requirement could meet the needs of all the L4 Sub-zones.

#### Recession planes:

Remove Angle D

Apply Angle E across all L4 Sub-zones

Modelling was undertaken around this rule and it was particularly noted that the more restrictive angle – D – prevented the ability of achieving 14m high buildings. Given that 14m is one of the 3 main heights for residential areas within the central city, this seemed to be

unduly restrictive. Angle E would allow 14m high buildings, whilst still restraining development enough to provide protection for neighbours.

**Separation from neighbours:**

Apply a 1.8m setback from neighbouring sites across all L4 Sub-zones

Upon review the main reason for a difference in rule between the Sub-zones appeared to be due to an anticipated typology of high rise apartment buildings within the L4B Sub-zone. Given the new heights for the central city and the proposed new heights for areas of the Living Zones, this did not seem to be a valid consideration. In addition, several exceptions to this rule are provided within the plan which appear to cover development opportunities when a 1.8m setback would not be appropriate.

**Street scene setback:**

Apply a 2m setback across all L4 Sub-zones

As with the separation from neighbours rule, upon review the main reason for the discrepancy between Sub-zones appeared to be as a result of the anticipated building typology within the L4B Sub-zone. Given this is no longer the case, again it made sense to make the street scene setback the same across the L4 Sub-zones.

Ground floor habitable room:

Apply a single rule across all L4 sub-zones requiring a minimum 30% of residential units within a development have a ground floor habitable space.

As with other rules reviewed, the difference in the rule for below and above 11m height limits appeared to be a result of the anticipated building typology within the L4 Sub-zones. As this typology is no longer anticipated, and in order to simplify the requirements within the Central City residential zones, the alteration to a single rule for the Central City residential is suggested.



## Technical Report 3 Urban Design Appendices

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## Appendix 1

### L4 zones - resource consents in the last 12months

RMA ref	Address	Zone	Consent requirement	Relevant rules	Comment
RMA92020330	1 Armagh Street	L4C	Erection of a fence to replace lost brick wall	Recession plane and internal boundary setback intrusion	Due to the height of the proposed fence it is classed as a building and therefore breaches the rules mentioned. The breach is mostly created with a wire fence.
RMA92019648	198 Bealey Ave	L4A	New health facility with parking	Urban Design Appearance and Amenity, plus traffic and parking rules	None of these breaches are relevant to the matters being assessed in the review.
RMA92019958	35 Beveridge Street	L4C SAm26	Two storey dwelling with family flat	Separation from neighbours, Urban Design Appearance and Amenity, family flat	No breach of recession plane, accessory building in the setback that is greater than 10.1m and balcony and windows are within the 4m setback. Would breach any L4 Zone so not relevant in terms of consistency
RMA92020067	281 Cambridge Terrace	L4C	10 residential units – amendment to existing consent	Sunlight and outlook for neighbours and height	Due to requirement to raise floor level by 460mm proposal now has slight breaches in recession plane on one side and building height of 11m. Neighbours sign off and in L4A Zone, so not relevant in terms of consistency as 4A and 4B are the same for this rule. Height in area is 11m – could be 14?
RMA92021021	327 Cambridge Terrace	L4C	Demolition of most of existing building and relocation of two other buildings to sit behind the retained facade	Setback, sunlight and outlook for neighbours, minimum unit size, Outdoor Living Space	Setback intrusions are the same as the existing building being demolished. All single storey. L4C so has greater Outdoor Living Space requirement. Would meet requirements for L4A and B
RMA92020649	13 Churchill Street	L4C	New dwelling to replace demolished	Sunlight and outlook for neighbours, separation from	Recession plane and setback intrusions signed off by neighbours. L4C, but not over 11m so same recession planes

				neighbours, building overhang	as L4A and B. Used to be town houses with party walls, rebuilding with setbacks (neighbours choice also). Building overhang not relevant to discussion.
RMA92020575	345 Manchester St	L4A	New dwelling to replace demolished	Sunlight and outlook for neighbours	Tiny recession plane intrusion – effects on neighbours negligible. L4A zone to consistency not relevant to discussion
RMA92019746	11 Melrose Street	L4C SAm27	New dwelling to replace demolished	Sunlight and outlook for neighbours, separation from neighbours, also street scene and access ways and continuous building length	Recession plane intrusion ignoring the staircase which is allowed is tiny. Mostly garage (single storey) in the set back from neighbours, also proposed is more set back than demolished previous building. Not relevant in terms of consistency as L4C.
RMA92020365	309 Montreal Street	L4C SAm22	Conversion of existing residential units	Outdoor living space. Could not find any other relevant rule breaches	L4C, so requirements are higher than other L4 Zones.
RMA92019578	141 Peterborough Street	L4A	Reinstatement of apartment building - identical	Outdoor living space. Also urban design and amenity, service and storage space, landscaping and parking	Outdoor living space considered acceptable due being west facing and the existing use also having very limited Outdoor Living Space. Not really relevant to concerns as existing use rights a large factor in the consent.
RMA92021241	1/7 Peacock Street	L4C SAm26	Three new townhouses to replace demolished apartment block	Street scene and accessways, separation from neighbours, urban design and amenity, outdoor living space, vehicle crossings	Slight encroachment into set back and recession lane at rear of site. Outdoor living space still good, in spite of not meeting the minimum. dimension. Set back involved putting in garage (Not consented yet).
RMA92019611	15 Melrose Street	L4C SAm27	Conservatory added onto residential property	Separation from neighbours	Neighbours consented.

This table shows details of all resource consent applications for residential development with the L4 Zones within the last 12 months. Applications for temporary accommodation – whether business or residential – have not been considered as they do not have to conform to the rules in the City Plan. Consents that did not breach any of the development standards being examined as part of this review have not been included. A total of 12 consents out of 41 were deemed relevant. Of these, 3 were in the L4A Zone, the rest were L4C, 5 of which were in SAs.

The key findings are as follows:

- Residential Floorspace Area Ratio was not breached in any of the applications.
- Height was only breached once and that was when there was a requirement to raise the floor level, thus altering an existing consent.
- Breaches were mainly around recession plane intrusions, set back distances and outdoor living space standards. Generally however the breaches were minimal and often had the consent of neighbouring properties.
- Breaches were often less severe than those associated with previous buildings on the site.
- One Outdoor Living Space breach would have achieved the required Outdoor Living Space for L4A or B, but was in L4C.
- Breaches often got neighbours' sign off and therefore became matters that couldn't be considered as part of the consent. Again this implies that the breaches were not serious in terms of adverse effects.

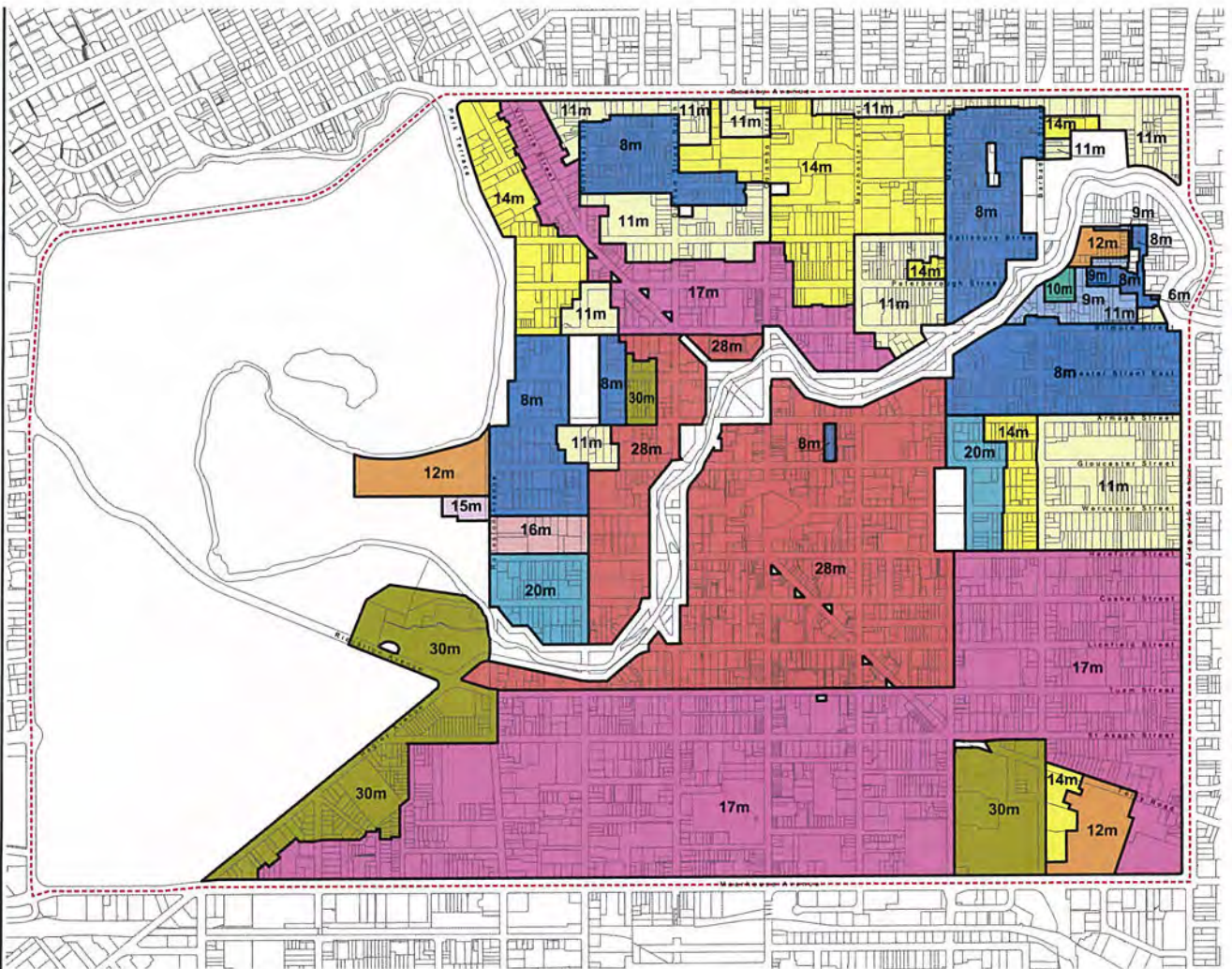
Appendix 2

Maximum permitted building heights within the Central City


  
 Christchurch City Council
   
 Central City
   
 Maximum Building Heights Amended
   
 Scale 1:10,000 Date 12/10/2012
   


**Key**
  
 Central City Plan Boundary
   
 Building Height Boundary
   
**Maximum Building Heights**
  


**NOTES:**
  
 1) Refer to Planning Map 1 for zone boundaries.
   
 2) Refer to all relevant Development, Community and Critical Standards for maximum building height in each zone.



## Appendix 3

### Consultation with Urban Design Panel members 30 November 2012

A meeting was held with some members from the Christchurch Urban Design Panel. The panel were given an overview of the reasons around the project and asked about their opinions on the main areas open to discussion. The general conclusions are outlined below:

#### Height:

Height controls typology, would make more sense to consider storeys, rather than height;

- 8m = two storeys + room within sloping roof or roof terrace.
- 11m = three storeys + room within sloping roof or roof terrace
- 14m = four to six storeys + room within sloping roof or roof terrace.

Height and number of storeys is currently used in combination - in L3 New Brighton for example, but always a precise upper limit in metres is necessary. 9-11m, up to three storeys, creates a vertical type of development, whereas 11+m, above three storeys, creates horizontal development. Noted that at four storeys and above (about 12m+) the built character is very different, and the typology of buildings also changes due to economic feasibility changing dramatically.

Interface between heights is problematic – e.g. where 11m meets 14m can be difficult to achieve a quality result.

Different heights on different sides of a street can create an awkward interface – would make sense for example for the height limit south of the Arts Centre, currently 20m, to be 16m along Hereford Street and 20m south of that.

One height limit could create a monotony of form and would also prevent variety at corners, without a resource consent. Should be looked at in terms of what height allows for what type of development in which area.

Where would the city be looking for apartment developments? What are the growth scenarios post blueprint?

The 30m height limit in the south west along Hagley Avenue makes sense as this is the best place in the central city to have eight to nine storey apartments, overlooking the park.

11m+ associated with larger public green spaces makes sense – e.g. the Avon River, the East Frame, Hagley Park. Either side of the river could possibly be five to six storeys, quality rental properties, including a floor for parking. There was seen to be demand for this due to location and cheaper land than the inner city west.

Consideration should be given to the Living Zone immediately to the north of the proposed stadium in terms of visual outlook and to the south in terms of the huge bulk of the stadium itself.

The north of Manchester and Colombo Streets are areas of greater intensity/density.

The 20m and 30m height limits around Latimer and Cranmer Squares respectively are now at odds with the blueprint released by CERA.

#### What are the economic drivers?

There can be a reluctance around a body corporate, particularly following the earthquakes  
 Apartments – often floor by floor rental rather than sale, can be a good way to develop  
 Was a strong demand for land for 3 storey, fee simple, development, the next level for five  
 or six storeys rental properties with stand alone the ultimate preference. Has this demand  
 changed post-earthquakes?

Construction costs related to heights – above three storeys there are issues with access and  
 lifts

**Density:**

At what point in terms of amalgamation of sites would the residential floor area ratio (RFAR)  
 actually come into play - i.e. when is it necessary? Don't wish to discourage comprehensive  
 development. Agreement that it is not an effective 'built form' rule. There was a suggestion  
 it could apply above a certain threshold of number of units or Floor area to catch  
 comprehensive developments, and then add additional AM's.

**Outdoor Living Space:**

Assessment of proposed Outdoor Living Space is the key – provision, type and quality  
 There was some agreement for a minimum 'private' space requirement of 12m<sup>2</sup> per unit  
 being appropriate. Currently L4C requires 16m<sup>2</sup> private while L4A requires 10m<sup>2</sup> private.

**Set back and recession planes:**

Where heights have had to be lifted due to the flood plain, they are now breaking recession  
 planes. However, the entire street breaks these, until you get to the interface between the  
 flood plain requirements and next site. Not sure how to deal with this.

The set back and recession plane requirements mean there will always be a good setback  
 between sites – where the recession planes go vertical (14m height) would be about 8m  
 setback from internal east or west boundaries and the understanding is that 16m total  
 separation between 12+m tall apartment provides a comfort zone in terms of privacy.

Agreed that a single recession plane, Angle E (50° from south boundary) or Angle D (42'30°  
 from south boundary) would be appropriate for all of L4. Angle E is slightly more generous  
 than Angle D, but would cause greater shading for southern neighbours.

**Outdoor Service Space:**

Communal Bin storage area seen as important in multi-unit developments.

**SAMs:**

Rule thresholds may need to be lower if important public open space. Support for retaining  
 some but no clear recommendations as there was not time to go through all the assessment  
 that we have completed.

**General comments:**

Opportunity for master-planning by Council to create better results around residential areas  
 of the city

Need a market mix

Links to public transport are key

Greenspace is key to higher intensity developments – need a good area of green space in the northern part of the central city residential where there are larger plots encouraging larger development footprints.