

Report on a Publicly Notified Resource Consent Application

(Section 42A)

Application number:	RMA/2024/576
Applicant:	Cambridge 137 Limited
Site address:	137 Cambridge Terrace
Legal description:	Pt Lot 1 DP6773, Pt Lot 1 DP6773
Zone:	
District Plan:	City Centre Zone
Overlays and map notations:	
District Plan:	Downstream waterway setback 30m Ngā Tūranga Tūpuna - abutting Ngā Wai - adjacent Significant Feature - adjacent Site of Ecological Significance - adjacent Flood Management Area Central City Core Overlay Central City Inner Zone Liquefaction Management Area
Road classification:	Central City Local Distributor Central City Main Distributor
Activity status:	Discretionary Activity
Description of application:	Demolition of a heritage building (Harley Chambers) and construction of a hotel.
Submissions:	27 in support 1 in support but seeks changes 2 in opposition 1 in opposition but seeks changes 1 'does not oppose' 1 'neutral' (5 submitters have indicated they seek to be heard)
Date of Hearing:	17 and 18 October 2024
Recommendation:	Grant subject to conditions

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Preamble

1. My name is Scott Blair. I am employed as a Senior Planner and based in the Hereford Street Offices of the Christchurch City Council. I have been employed by the Christchurch City Council since July 2003. I hold a MPhil Regional Planning degree (Massey University). I am a full member of the New Zealand Planning Institute and have 32 years of experience working in the planning and resource management field.
2. This report has been prepared with advice from the Council staff and organisations detailed below. A copy of their reports has been attached in the appendices.
3. The appendices to this report are:

Officer / Subject	Position / Organisation	Appendix
Submitters	N/A	A
Objectives, Policies, Chapter 15 rules, Chapter 15 matters of discretion – operative District Plan and Plan Change 14 Operative under Section 86F of the Resource Management Act 1991	Senior Planner	B
Agnes van der Erf	Environmental Health Officer	C
Liqi Chen	Transport Network Planner	D
Ekin Sakin	Principal Advisor Urban Design	E
Sheryl Keenan	Planning Engineer	F
Jan Bochow	Civil / Structural Engineer	G
Amanda Ohs	Senior Heritage Advisor	H
Recommended conditions	Senior Planner	I
Michael Green	Consultant wind engineering expert	J
Cultural consultation / advice	Mahaanui Kurataiao Limited Ngāi Tūāhuriri Rūnanga	K

3. This report reviews the application for resource consent and addresses the relevant information and issues raised. It should be emphasised that any conclusions reached or recommendations made in this report are not binding on the Commissioners. It should not be assumed that the Commissioners will reach the same conclusion or decision having considered all the evidence to be brought before them by the applicant and submitters.
4. A Commissioner has been appointed because of the high public interest in the application.

Proposed activity

5. The proposal is described at section 3 of the application document. The proposal involves:

- The demolition of Harley Chambers, a two storey building constructed in the 1920s.
- The construction of an 11 floor hotel. The hotel proposal is outlined in detail in section 3 of the application but in brief, the main features include:
 - i. 11 floors
 - ii. 200 hotel rooms, with 20 rooms per level above the ground level;
 - iii. Reception, restaurant, back of house and fitness centre located at ground level;
 - iv. No car parking, including no on site mobility parking;
 - v. A drive through loading and drop off facility which accommodates buses and cars – entrance Cambridge Terrace and exit on Worcester Boulevard;
 - vi. A maximum height of 42m; and
 - vii. Overall gross floor area of 6778m².

Description of the site and existing environment

6. The application site is located at the corner of Worcester Street and Cambridge Terrace in the Central City.



7. The application site and surrounding area is described in Section 2 of the application document.

8. I generally adopt this description but note:

- Any reference to heritage listing of the Harley Chambers in the District Plan is no longer relevant as discussed in the report to follow.

- Harley Chambers is still listed as a Historic Place Category 2 (List number 3111) under the Heritage New Zealand Pouhere Taonga Act 2014.
- Reference to a 28m height limit overlay is no longer relevant following the Council accepting recommendations of the Christchurch Independent Hearings Panel (**IHP**) considering submissions on Plan Change 14 on 18 September 2024. A 28m building base height limit does apply under new rules treated as operative under Section 86F of the Resource Management Act 1991.

District Plan and National Environmental Standards – Relevant rules and activity status

Plan Change 14 Housing and Business Choice - Section 86F of Resource Management Act 1991

- Proposed Plan Change 14 (**PC14**) was notified on 17 March 2023. A submission on PC14 sought the deletion of Harley Chambers from the District Plan heritage schedules because, in the view of the submitter, the heritage listing was inappropriate because it would be *unreasonable*¹ to retain its scheduling². The Heritage Item qualifying matter (i.e. a matter that meant the outcomes sought in Policies 3 and 4 of the NPS-UD were inappropriate) would mean that the outcomes sought in Policies 3 and 4 of the National Policy Statement on Urban Development could not be achieved. The IHP released its recommendations to the Christchurch City Council on 27 July 2024. The IHP recommended to the Council that the heritage scheduling of the Harley Chambers be deleted – both the Heritage Item and the Heritage Setting listing. On 18 September 2024 the Council resolved to accept the IHP recommendation. From the 18th of September the Heritage Item listing and the Heritage Setting heritage schedule listings as they applied to Harley Chambers no longer exist pursuant to section 986F of the Resource Management Act 1991 (**The Act**)^{3 4}.
- The 18 September resolution of the Council also adopted IHP recommendations for new or changed objectives and policies, built form standards, matters of discretion, and definitions where they apply to this site. From the 18th of September 2024 these provisions of PC14 are treated as operative.
- The rules as set out in table in the next section of this report are as amended on 18 September, and are the Central City Zone and Operative District Plan rule framework under which decisions must be made. I have set out this rule framework as it applies to this site and proposal in **Attachment B**. Applicable operative District Plan objectives and policies, relevant matters of discretion, and definitions are also set out in **Attachment B**.

Proposed Plan Change 13 Heritage

¹ District Plan Chapter 9 Policy 9.3.2.2.8.a.iii.

² Because it would be financially prohibitive to redevelop the existing building.

³ Section 86 F of the Act states (where relevant):

86F **When rules in proposed plans must be treated as operative**
 (1) A rule in a proposed plan must be treated as operative (and any previous rule as inoperative) if the time for making submissions or **lodging appeals** on the rule has expired and, in relation to the rule,—
 (a) no submissions in opposition have been made or appeals have been lodged; or
 (b) all submissions in opposition **and appeals** have been determined; or
 (c) all submissions in opposition have been withdrawn and all appeals withdrawn or dismissed.

⁴ **Appeals** on decisions by the Council on IHP recommendations cannot be appealed as per clause 107 of the First Schedule of the Act.

12. Proposed Plan Change 13 (**PC13**) was notified on 17 March 2023 and is part of the planning framework that could have applied to this proposal. It proposes amendments to the heritage rules and related provisions in various other chapters of the Plan. The submission period has now closed and there are submissions relating to all proposed provisions.
13. The objectives, policies and rules have legal effect from the date of notification pursuant to s86B(3) of the Act as the rules relate to the protection of historic heritage.
14. However, because the Harley Chambers has been removed from the heritage schedules of the District Plan by the Council resolution of 18 September 2024 it is no longer a heritage building (or within a heritage setting) and the provisions of PC 13 as they could have applied to this site have no relevance.

Christchurch Operative District Plan and provisions treated as operative under Section 86F of the Act

15. The site is zoned City Centre Zone as of 18 September 2024.
16. The applicant provided a compliance table at section 4 of the application document as publicly notified. Significant aspects of this compliance table became redundant, was caused to be no longer relevant, or rules were changed by Christchurch City Council resolutions of 18 September 2024 as discussed above.
17. The proposal requires resource consent for a Discretionary Activity under the following rules:

Activity status rule	Standard not met	Reason	Matters of control or discretion (if relevant)	Notification clause
15.11.1.4 D1	15.11.2.12.	More than 30m from the intersection of Cambridge Terrace and Worcester Street the maximum permitted road wall height is 21m. The applicant proposes a road wall height of approximately 42m in that part of building that is between 30m and 35m from the intersection. Exceeding the road wall height is a discretionary activity.	N/A	No clause
15.11.1.3 RD1	N/A	Any new building in the central city core that is visible from a public space is restricted discretionary activity and does not meet the built form standards is a restricted discretionary activity.	15.14.2.6	Shall not be publicly or limited notified.
15.11.1.3 RD5	15.11.2.11	The maximum permitted height of the building base on the subject site is 28m. The applicant proposes a building with a building base height of approximately 42m. Exceeding the height limit is a Restricted Discretionary activity.	15.14.3.1	No clause

Activity status rule	Standard not met	Reason	Matters of control or discretion (if relevant)	Notification clause
15.11.3 RD5	15.11.2.3	Any activity that does not meet one or more of the built form standards in Rule 15.10.2 (unless otherwise specified). Buildings shall not project beyond a 45 degree recession plane measured from the maximum road wall height and angling into the site. This rule does not apply to buildings that are within 30m of an intersection. The maximum road wall height on this site more than 30m from the intersection of Cambridge Terrace and Worcester Street is 21m As the proposal is for no provision for the recession plane from the 21m road wall height 30m from the intersection of Cambridge Terrace and Worcester Street the proposal will breach this rule.	15.14.3.17	Shall not be publicly or limited notified.
8.9.2.3 RD1	8.9.2.1 P1	The maximum permitted volume of earthworks (more than 1.8m from the walls of the proposed building) is 1000m³ per ha in a 12 month period. The site is 500m² so the maximum permitted volume of earthworks is 50m³. The maximum permitted height or depth of earthworks (more than 1.8m from the walls of the proposed building) is 0.6m. The volume of earthworks for the western accessway is estimated at approximately 195m³ and the height to raise the accessway to the ground level of the hotel is estimated	8.9.4	Shall not be publicly notified. May be limited notified.

Activity status rule	Standard not met	Reason	Matters of control or discretion (if relevant)	Notification clause
		at approximately 1m.		
7.4.2.3 RD1	7.4.3.3	<i>Heavy vehicle bays are required at a rate of 1 bay / 1000 bedrooms and 1 99 percentile bay per 50 bedrooms is required.</i> <i>No marked loading areas have been proposed.</i>	7.4.4.4	No clause
7.4.2.3 RD1	7.4.3.5	An access with a gradient greater than 1:16 is a Restricted Discretionary Activity. The gradient of the porte-cochere will exceed 1:16.	7.4.4.6	Shall not be publicly or limited notified
7.4.2.3 RD1	7.4.3.10	The proposed hotel is a high trip generator.	7.4.4.18	Shall not be publicly or limited notified
7.4.2.3 RD1	7.4.3.11	Vehicle access to sites fronting more than one street shall be provided in accordance with Appendix 7.5.14. Site entry is from a Main Distributor with an exit to a local street.	7.4.4.21	No clause
6.6.4.3 RD1	N/A	New buildings not provided for by Rule 6.6.4.1 P2 – P7 are a restricted discretionary activity. A 30m setback from the Avon / Ōtakoro River is required. A Small portion of the site along Cambridge Terrace is within the 30m setback.	6.6.7.1 (Where legal road exists between a down stream waterway and the subject site the Council's discretion is restricted to 6.6.7.1 natural hazards)	No clause
6.6.4.3 RD2	6.6.4.1	The proposal infringes the required 30m setback from the Otākaro by approximately up to 1m and is not listed as a permitted activity. Therefore, it is a restricted discretionary activity.	6.6.7.1 (Where legal road exists between a down stream waterway and the subject site the Council's discretion is restricted to 6.6.7.1 natural hazards)	No clause
5.4.1.5 RD2	5.4.1.1 P13	<i>A maximum height of 0.3m of filling above ground level and 0.6m depth of excavation below ground level is permitted in 5.4.1.1 - P13.</i> <i>The maximum volume of filling above ground is 10m³.</i> <i>The proposed excavation will exceed 0.6m.</i>	5.4.1.5a. and b.	No clause

Note:

- In regard to Rule 15.11.2.13 Water supply for firefighting the applicant has accepted this condition which gives effect to the rule:

Fire sprinkler system design parameters (flow and pressure) that are supported by hydraulic tests must be submitted to Christchurch City Council Three Waters Unit to enable the confirmation of the water supply network adequacy for the sprinkler system proposed, prior to the lodgement of the building consent application, via email to WaterCapacity@ccc.govt.nz. Any required changes to design flows or pressures identified by the Three Waters Unit must be incorporated into the final design of the sprinkler system and included in the building consent application.

Fire and Emergency New Zealand stated in an email to the applicant on 29 July 2024:

As the building has been designed with a type 7 system, this moves the building into a FW2 water supply classification. I am confident that this can be achieved through the existing reticulated water supply.

Fire and Emergency NZ are satisfied that SNZ PAS 4509:2008 has been met.

- Earthworks within 1.8m of the walls of the proposed building are exempt from the earthworks standards in Rule 8.9.2.1 P1 where the applicant has given an undertaking that the works will not commence until a building consent for the associated building has been issued. Refer to exemption 8.9.3.a. iv. In Chapter 8. The applicant has given this undertaking at page 12 of the application document.
- Parts of proposed building at the corner of Worcester Street and Cambridge Terrace overhang the legal road. The Council has resolved to 'stop' the road and airspace and sell it to the consent holders for this consent.

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES)

18. The NES controls soil disturbance on land where an activity on the Hazardous Activities and Industries List (HAIL) is being carried out, has been carried out, or is more likely than not to have been carried out.
19. The application site has been identified as HAIL land therefore the NES applies. The proposal requires consent as a discretionary activity under the following regulations:

Activity regulation	status	Regulation not met	Reason	Matters of control or discretion	Notification clause
As below		Regulation 8(3) Disturbing soil	The volume of soil disturbed will exceed 25m ³ per 500m ² . The volume of soil to be removed from the site will exceed 5m ³ per 500m ² .	As below	As below
Regulation 11 Discretionary activities		As above	A Detailed Site Investigation has not been carried out / has not been provided to the Council.	N/A	No clause

Overall activity status

20. Overall, the application must be assessed as a discretionary activity (being the most restrictive activity status).

Submissions

21. The application was publicly notified on Friday 24 May 2024. The period for receipt of submissions closed at 5.00pm on 24 June 2024.
22. 33 submissions were received on this application:
 - 27 in support
 - 1 in support but seeks changes
 - 2 in opposition
 - 1 In opposition but seeks changes
 - 1 'does not oppose'
 - 1 'neutral'
 - (5 submitters seek to be heard)
23. A table of submitters is in **Appendix A** to this report.
24. Copies of all submissions have been provided to the Commissioner.

Submissions in support

25. The reasons for the 27 submissions in support (names set out in **Appendix A**) are summarised as follows:
 - The Harley Chambers is in a dangerous state and should be demolished.
 - The Harley Chambers is an 'eye sore' and impediment / barrier / obstacle to development.
 - The Harley Chambers is a reminder of the earthquakes.
 - It is not 'economically viable' to retain the Harley Chambers.
 - The Harley Chambers is not 'aesthetically pleasing' or 'functional'.
 - There are no buyers or developers prepared to 'fix' the Harley Chambers.
 - The Harley Chambers no longer serves the city.
 - A new hotel can help 'showcase' the city.
 - The hotel design is 'adequate' (but could display more 'flair' and 'distinctiveness').
 - The hotel is supported because of a lack of central city accommodation for out-of-town persons seeking health treatment services.
 - The hotel will support tourism and travellers.
 - The hotel will support intensification.
 - Redevelopment of the site:
 - 'would greatly improve the visual impact of this area';
 - 'enrich and activate' the area;
 - create a 'dynamic, vibrant street front';
 - develop a 'key visual' and 'important' corner that 'links the botanical gardens/ Hagley Park and the Square/CBD/Te Pae.
 - The hotel will support the new stadium and convention centre.
 - The hotel will support the pedestrian and tram connection with the botanic gardens, museum and cathedral.

Submissions supporting but with changes

26. The reasons for the submission supporting but with some changes – Submitter 6 Jack Halliday - are:

- Pedestrian priority bus / car drive through should be ensured.
- The footpath should be kept level in favour of pedestrians.
- The developer should be encouraged to build higher.

Submission in opposition seeking changes

27. The reasons for the submission opposing the application and seeking changes – Submitter 30 Canterbury Chambers - are:

- The scale of the building is too big for the site. 7 – 8 storeys would be supported.

Submission not opposing the application

28. Submission 31 from Heritage New Zealand Pouhere Taonga seeking conditions on the demolition of Harley Chambers.

Submissions in opposition

29. The reasons for the submissions in opposition – Submitter 28 Derek Phelps and Submitter 29 Amanda Jane Nelson are summarised as follows:

- Carparking should be provided in an underground carpark.
- The hotel will block the sun from the north side of Worcester Street.
- The hotel will shade the Canterbury Club building to the south.
- The hotel will shade the Worcester Chambers from all morning sun.
- The hotel will channel east west 'wind flow'.
- The hotel is out of scale with other buildings close by in Worcester Boulevard (with the exception of the HKSB Tower).
- The hotel is 'unremarkable'.
- Demolishing the Harley Chambers would 'mean an iconic Art Deco style building, unusual in Christchurch, is lost to us forever.'
- Evidence of the 'need for a 'sizeable new hotel' in the City?
- The applicant should be New Zealand Based.
- The Council and Central Government should collaborate 'sponsor a scheme to preserve and restore the building in its entirety' and encourage parties to find a use for the building.

Submission Neutral but seeking conditions

30. The reason for the submission that is neutral but seeks changes – Submitter 33 Boffa Miskell Ltd is that the volunteered conditions do not provide sufficient protection for adjacent buildings during demolition and construction.

Resource Management Act 1991

31. When considering an application for resource consent and any submissions received, the consent authority must have regard to the matters listed in Sections 104, 104B, of the Resource Management Act 1991. Subject to Part II of the Act, which contains the Act's purpose and principles, including matters of national importance, the consent authority shall have regard to:
- Any actual and potential effects on the environment of allowing the activity.*
 - Any relevant provisions of a plan or proposed plan, and national environment standard / national / coastal / regional policy statement*
 - Any other matter the consent authority considers relevant and reasonably necessary to determine the application.*
32. It should be noted that other than giving pre-eminence to Part II, Section 104 gives no priority to other matters. They are all matters to have regard to and the consent authority must exercise its discretion as to the weight that it gives certain matters, depending on the circumstances of the case.
33. Under Section 104B, when considering an application for resource consent for a discretionary activity, a consent authority may grant or refuse the resource consent, and (if granted) may impose conditions under section 108.
34. Pursuant to Section 104(3)(a)(i) a consent authority must not have regard to trade competition when considering an application.

Section 104(3)(a)(ii) and Section 104(3)(d)

35. Section 104(3)(a)(ii) states that a consent authority must not have regard to any effect on a person who has given written approval to the application (unless that approval is withdrawn in a written notice before the date of the hearing). The applicant has provided written approvals on the form prescribed in regulations from:
- Peebles Group the owner and occupier of 69 Worcester Street – the building abutting to the West;
 - Lane Neave occupier of 141 Cambridge Terrace – the building abutting to the North; and
 - The Canterbury Club – the 'Trustee(s)' as ticked on the Form 8A – the building to the South across Worcester Street.
36. I will report at the hearing if any off these written approvals have been withdrawn by written notice.
37. Section 104(3)(d) states that a consent authority must not grant a resource consent if the application should have been notified and was not. The application was publicly notified so this section is not relevant.

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

38. As a discretionary activity the Council's assessment of this proposal is unrestricted and all actual and potential effects must be considered. Guidance as to the effects that require consideration is contained in the relevant

objectives and policies, and any associated matters of discretion or control. The relevant District Plan Objectives and Policies are set out in **Appendix B** to this report.

39. I have considered the relevant issues (including but not limited to issues raised in submissions) and it is my view that they fall broadly into the following categories:

- Soil contamination and effects on human health;
- Heritage
- Acoustic attenuation;
- Vibration and other construction effects;
- Transportation;
- Urban design and amenity;
- Flood management;
- Waterway setback related effects
- Wind effects;
- Cultural effects;
- Geotechnical and earthworks effects;
- Shadowing effects; and
- Positive effects

Section 104(2) – Permitted baseline – Including building demolition

40. In regard to this site a permitted baseline the Operative District Plan objectives, policies, rules, and standards provide for:

- The permitted building base height limit is 28m (this is effectively the height limit).
- Buildings up to 28m that meet all built form standards are permitted (otherwise an urban design assessment as a controlled or restricted discretionary activity is required).
- A maximum road wall height of 21m is required where more than 30m from an intersection⁵.
- A recession plane applies from the road wall height more than 30m from an intersection.

41. At the time of public notification of this application the former heritage listing and heritage setting notations on the Harley Chambers were 'operative' and it was appropriate and necessary to make a land use consent application to demolish the Harley Chambers. That context has now changed with the removal of the Harley Chambers from the heritage listings on the District Plan. Whilst submission points listed in the preceding paragraphs are still 'live' because they have not been withdrawn by the submitters (and noting this is a discretionary activity and all *relevant* environmental effects must be considered) they must be addressed within the current planning context as it was amended by the Council on 18 September 2024.

42. Consequently, within the rules framework of the District Plan as it stands now, and taking into account section 104(2)⁶ I consider it appropriate to disregard the adverse effects on the environment of the demolition of the Chambers because it could be removed without the need for a land use consent. Whilst I acknowledge that the Harley Chambers still has a HPT Category 2 listing, there is no District Plan rule framework that prevents the demolition of the building.

⁵ An approximately 5m section of the proposed hotel is more than 30m from the corner of Worcester Street and Cambridge Terrace.

⁶ (2) When forming an opinion for the purposes of subsection (1)(a), a consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard or the plan permits an activity with that effect

43. I consider that there is no reason to not apply the 'permitted baseline' and recommend the adverse effects created from a permitted built form is disregarded for the purposes of the assessment.

Anticipated built form outcome

44. While not a permitted baseline I consider there is an **anticipated** built form outcome. The District Plan's objective policy and rules framework for the Central City Zone effectively anticipates a building on a frontage that is not more than 30m from an intersection and between 28m to 45m to be 45m in height as a controlled activity with urban design certification. The consent cannot be declined but the urban design related effects can be addressed. This anticipated outcome is central to some of the analysis to follow.

Soil contamination and effects on human health

45. The application was forwarded to Ms Agnes van der Erf Environmental Health Officer with the Christchurch City Council for advice on the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES). Ms van der Erf's advice is in **Appendix C** to this report. I accept Ms van der Erf's advice and recommend the conditions she has specified. With the conditions I consider that the adverse contamination related effects will be acceptable.

Heritage

46. Submission 29 Amanda Jane Nelson opposes the demolition of the Harley Chambers on loss of heritage grounds.
47. There are a number of submissions that support the application, some of the reasons in the submissions are related to the Harley Chambers being unsafe, having degraded amenity or degraded heritage value, or it being an impediment to development. These submissions are listed in **Appendix A**:
48. The submission 31 from Heritage New Zealand Pouhere Taonga does not oppose the demolition but seeks conditions around recording, and where appropriate, display of parts of the heritage fabric by condition on any grant of consent.
49. As noted above the Harley Chambers is no longer a heritage building, at least in terms of the District Plan objective and policy recognition of its heritage.
50. The IHP's recommendation and Council acceptance of the delisting of the Harley Chambers in the District Plan was on the basis that it was uneconomically viable to retain the building – not on the basis that it has no heritage value. There was no evidence before the IHP that stated there was no heritage value (although there was evidence the heritage value had degraded).
51. The fact remains however that Harley Chambers is no longer recognised in the District Plan as being subject to District Plan Chapter 9 Heritage Objectives and Policies. The Harley Chambers has no heritage status under the District Plan.
52. I note that I would have recommended heritage feature retention and recording conditions in accordance with the advice that I received from Council heritage expert Amanda Ohs, as set out in **Appendix H**, had the Harley

Chambers not been deleted from the heritage schedules and the Commissioner was of a mind to grant consent to demolish the building⁷.

53. On this basis I recommend an advice note recommending that the consent holder record, retain and re-use heritage features from the building. The values and features that are of interest are in the advice of Amanda Ohs as set out in **Appendix H**.
54. In the alternative I strongly encourage the applicant to recognise the community benefit from recording and retaining heritage features – and offer conditions to this effect. I would remind the applicant that the Heritage Impact Assessment submitted with the application recommended very similar mitigation measures.

Acoustic attenuation

55. There is the potential for normal operational road noise to adversely affect guests, and staff. The applicant has offered as a condition to provide an acoustic design report with the building consent application.
56. Ms van der Erf has indicated in her **Appendix C** advice that this is an acceptable approach. I accept Ms van der Erf's advice and recommend the condition as set out in **Appendix I** to this report. With the conditions I conclude that direct and reverse sensitivity effects associated with road noise will be acceptable.

Construction and demolition effects including vibration and noise

57. Ms van der Erf has indicated in her advice in **Appendix C** that there is the potential for vibration effects and has recommended a condition to address this. The application was also forwarded to Jan Bochow, Civil / Structural Engineer with the Christchurch City Council. Mr Bochow's advice is set out in **Appendix G** in this report.
58. Submission 33 Boffa Miskell Ltd, 'while supportive of the application' seeks a number of conditions / changes of conditions regarding protection of adjacent sites while works are undertaken. I forwarded this submission to Mr Bochow and Ms van der Erf with a set of amended conditions who provided more comments suggesting / requesting conditions⁸. In summary the responses of these experts were:

Mr Bochow:

The amended conditions were appropriate and he had no further comments to make;

Ms van der Erf:

Provided the additional comments as set out in **Appendix C** are included in conditions Ms van der Erf accepts they are appropriate.

59. I accept Ms van der Erf's and Mr Bochow's advice and recommend the conditions as set out in **Appendix I**.

Construction Effects

60. It is common for a development of this size to be subject to provision of a construction management plan for certification. The management plan generally addresses the following matters:

⁷ Because it is now irrelevant I make no comment on whether I would have recommended consent be granted to demolish the building.

⁸ These had been forwarded to the applicant for their consideration prior to public notification and had been included in the offered conditions as they were publicly notified.

- a. Site description, topography, vegetation, soils and other reference information;
- b. Details of proposed works;
- c. Roles and responsibilities, including contact details for the site manager appointed by the Consent Holder;
- d. Site establishment;
- e. Timing of works (including any staging required);
- f. Construction noise management measures;
- g. Site access and Traffic Management measures;
- h. Storage of fuel and/or lubricants and any handling procedures;
- i. Contingency plans (including use of spill kits);
- j. Construction traffic management measures, including measures to be adopted in accordance with the NZTA Code of Practice for Temporary Traffic Management;
- k. On-site parking areas for construction staff;
- l. Measures for identification and remediation of contaminated soil; and
- m. Environmental compliance monitoring and reporting.

61. Given the location of the site and the scale of the development I conclude it is appropriate for any grant of consent to be subject to a condition requiring a construction management plan.

Vibration/noise

62. Submission 33 from Boffa Miskell Ltd requests specifically:

Insertion of new conditions 13 and 14 requiring that noise and vibration from demolition and construction comply where practicable with the commonly accepted limits in New Zealand Standard NZS6803:1999 Acoustics Construction Noise, and German Standard DIN 4150-3: 2016 Vibration in Buildings – Part 3: Effects on Structures.

63. Post public notification and the receipt of the Submission 33 by Boffa Miskell I have discussed a set of vibration conditions with the applicant.
64. A potential approach would be to leave the vibration matter to be dealt with at the building consent stage. I note that vibration management is addressed in the Building Code at B1 – Structure. Specifically, it states:

Objective

B1.1 The objective of this provision is to:

- (a) safeguard people from injury caused by structural failure.*
- (b) safeguard people from loss of amenity caused by structural behaviour*
- (c) protect other property from physical damage caused by structural failure.*

Performance

B1.3.2 Buildings, building elements and sitework shall have a low probability of causing loss of amenity through undue deformation, vibratory response, degradation, or other physical characteristics throughout their lives, or during construction or alteration when the building is in use.

B1.3.6 Sitework, where necessary, shall be carried out to:

- (a) provide stability for construction on the site, and*

(b) avoid the likelihood of damage to other property.

(Emphasis added)

65. However, neither the Building Code and the Ministry of Business Innovation and Employment (**MBIE**) has specified an acceptable solution for meeting this performance standard.

66. I understand that at the building consent stage the Council does not specifically specify how the potential for vibration effects are to be addressed. The Council does however make sure that the proposed works will meet the requirements of the Building Code performance standard B1 specifically B1.3.2:

*“Buildings, building elements and sitework shall have a low probability of causing loss of amenity through undue deformation, **vibratory response**, degradation, or other physical characteristics throughout their lives, or during construction or alteration when the building is in use.”*

67. When taking into account the scope of the works, the ground improvement method specified, or proximity to buildings, the Council may require the applicant’s engineer to clarify how this provision of B1 will be met. Ultimately it is up to the applicant to make sure that they comply with the various performance standards of the Code. The project’s geotechnical engineer needs to demonstrate that consideration has been given to constructability potential adverse effects when selecting the appropriate foundation method.

68. Further during Building Consent reviews the Council makes sure that the correct specialists are involved in design and to conduct construction monitoring. It is left to the applicant’s project team to determine if additional measures such as “pre-work” surveys are required and the Council does not check these as part of the consent review process. This monitoring is not the responsibility of the Council’s building inspectors.

69. I understand that where the Council’s building consents arm has exercised the above process damage to buildings from vibration is considered by that unit to be a civil liability matter between the applicant and the adjoining building owner.

70. However, I have also reviewed the Ministry for the Environment’s National Planning Standard 15 Noise and Vibration metrics⁹. Which states specifically:

3. Any plan rule to manage damage to structures from construction vibration must be consistent with the metrics for peak particle velocity (ppv) in ISO-4866:2010- Mechanical Vibration and shock, incorporated by reference into the planning standards.

71. The national planning standard is not directing the Council to include a vibration rule in the District Plan, it is directing that *if* a rule is included it must be consistent with the ISO standard.

72. The ISO standard itself¹⁰ states:

This International Standard establishes principles for carrying out vibration measurement and processing data with regard to evaluating vibration effects on structures.

And

⁹ Published in November 2019 by the Ministry for the Environment Manatū Mō Te Taiao Publication Number 1482

¹⁰ At section 1 Scope.

This International Standard applies to all structures built above or below ground. Such structures are used or maintained and include buildings, structures of archaeological and historical value (cultural heritage), bridges and tunnels, gas and liquid installations including pipelines, earth structures (e.g. dykes and embankments), and fixed marine installations (e.g. quays and wharfs).

And

The response of structures depends upon the excitation. This International Standard examines the methods of measurement as affected by the source of excitation, i.e. frequency, duration, and amplitude as induced by any source (e.g. earthquake, hurricane, explosion, wind loading, airborne noise, sonic boom, internal machinery, traffic, and construction activities).

73. I note this commentary from section 1.4.3 of the MFE report and recommendation on submissions on the national planning standards¹¹:

As discussed in section 1.3, The NZDF [New Zealand Defence Force] Hauraki District Council and NZTA [New Zealand Transport Agency] questioned the appropriateness of using the German Standard DIN4150-3 to manage construction vibration, because it does not include amenity effects, effects on people or the effects of vibration on the structure of buildings. The NZDF was particularly concerned because its “activities can result in vibration felt by people typically from airborne sound from explosions, artillery and detonations” and “this ‘blast over-pressure’ can be perceived as vibration and is felt by people rather than resulting in a structural vibration effect”. The NZDF suggested using the most recent version of the German standard, DIN 4150-3. The NZTA suggested that “an international ISO standard is preferable as New Zealand experts (through MBIE/Standards New Zealand) can provide input to and vote on ISO standards”. The ASNZ advised that it would be possible to include ISO4866:2010 for survey methodology. It is recommended that this standard is adopted because of the opportunity it provides for New Zealand input.

74. The Council’s District Plan Unit is investigating a plan change to align with national planning standard.
75. I also note that the pending demolition of the Harley Chambers will not be subject to the building consent process. As this consent is for a discretionary activity vibration during demolition is potentially relevant adverse effect– in particular, but not limited to, the potential effects on the Digby’s Commercial School / Worcester Chambers¹² abutting to the west. However, taking into account that the demolition of the Harley Chambers is now permitted extending the vibration condition to take in the demolition phase as requested by Submitter 33 Boffa Miskell could be beyond the scope of sections 108 and 108AA of the Act. Any vibration effects on the adjoining properties from demolition are likely a civil matter -although I expect this would not extend to nuisance effects from vibration. I also note that the owner of the Digby’s Commercial School / Worcester Chambers have provided their written approval for the proposal and at the time it was provided the demolition formed a part of the application.
76. On the whole, I agree with the Boffa Miskell submission #33 that any grant of consent should be subject to vibration management. However, I conclude that it should only extend to the construction phase of the hotel. This recommended condition is set out in **Appendix I**.

Transport

77. Prior to formal lodgement of the application draft plans were forwarded to Mr Liqi Chen, Transport Planner with Christchurch City Council, for initial comments in relation to the design and potential transportation

¹¹ Report 2J Noise and Vibration Metrics Standard Published in April 2019 by the Ministry for the Environment Manatū Mō Te Taiao Publication Number 1405

¹² Scheduled in the District Plan Chapter 9 Appendix 9.3.7.2 Item 69 Highly Significant Category 2

effects. Mr Chen noted some concerns in relation to adequate bus access into the site and tracking through the site, the need to limit bus exit from the site to a right hand turn, access for mobility impaired visitors and staff to access the hotel safely, adequate mobility parking space provision, location and adequacy of cycle parking, removal of street trees, potential obscuring of street signage and traffic signals, provision of a transport management plan.

78. After formal lodgement of the application Mr Chen was again asked to comment on the transport matters – including on whether initial comments had been addressed. Mr Chen provided me with questions that were added to the formal request for information. The matters raised are set out in **Appendix D** to this report. A subsequent meeting was held with the applicants to discuss the requests on 12 April 2024. This meeting included Mr Chen. The requests and solutions to matters raised were discussed.
79. Following the meeting plans were received 1 May 2024 and were forwarded to Mr Chen who provided comments including notes for conditions and matters that were agreed but not noted in the amended plans. Mr Chen’s comments are again set out in **Appendix D** to this report.
80. For ease of reference Mr Chen requested conditions or advice notes in relation to the following:
- *The applicant agree to provide clear signage at Cambridge Terrace access, indicating the vehicle size limit.*
 - *The hotel operator will have internal operational procedures and practical experience to handle various special requests, such as mobility parking demands and the arrival of large coach loads of customers. These can be managed through parking management, valet services, and efficient service vehicle arrangements.*
 - *The construction strategy and accompanying Traffic Management Plan (TMP) will be provided to demonstrate procedures and operations for managing adverse effects resulting from construction impact on the safety of other road users.*
81. I recommend conditions in relation to the first and third bullet points. I recommend an advice note in relation to the second bullet point.
82. However, I also note that I have received an email from the applicant’s agent that the condition 15(k), as offered the publicly notified document, is impracticable. Specifically this email said:
- As discussed can I formally request that the following condition be removed from the volunteered list. It appears to have been a carry over from the pro-forma Conditions for Construction works, but the site scale and specifics of this project will preclude on-site construction parking. Matters around construction traffic parking will come under the ambit of Condition 18 ‘Traffic Management’ and the TMP and is a specific matter included within that Condition.*
83. I agree, given the size of the site and the nature of the works, that it would be impracticable to give effect to the 15(k) condition. It need not be imposed.
84. I have also received advice from Mr Chen that the location of a light pole at the corner of Worcester Street and Cambridge Terrace in relation to the area of the proposed building is problematic in that it may lead to the light pole swaying in wind and being damaged and causing a safety issue for pedestrians adjacent. On this basis I agreed a condition with the applicant as follows:

- x. *Prior to commencement of work on the site the consent holder must agree with Council:*

- i. the location of a replacement light pole for the light pole located in the legal road at the north western corner of the intersection with Worcester Street and Cambridge Terrace; and
- ii. All fair and reasonable costs associated with the relocation of the light pole shall be met by the consent holder.

85. Submitter 06 Jack Halliday questioned whether:

- Pedestrian priority would be removed at the Worcester and Cambridge Terrace exit and entrance; and
- Footpath level at the entrance and exit were appropriate.

I asked Mr Chen to comment on these matters. He provided the following advice:

I understand [the submitter's] concerns, given the predominance of a 10-story hotel in proximity to a pedestrian cluster area within the city core. The effects on pedestrian safety are usually associated with vehicle access design. I have reviewed our RFI and the final plans, and summarised the following matters as responses:

Cambridge Terrace Access:

The Cambridge Terrace access is widened slightly to approximately 6.2 meters to provide a wider clearance space and smoother manoeuvring for the 12.6-meter coach, that comply with district plan rules. This access is for vehicle ingress only.

Worcester Boulevard Access:

The Worcester Boulevard access is approximately 7.3 meters, complying with district plan rules. This access is for vehicle egress only. With a wider access width, vehicles can achieve greater visibility of pedestrians at the crossing. Vehicles will approach from higher ground with a gentle slope to the access, ensuring a wide and clear sightline.

Dedicated Pedestrian Footpaths

The final plan highlights dedicated pedestrian footpaths and access within the Porte Cochere, ensuring safe and convenient movement for pedestrians. During the pre-application meeting, the applicant agreed to provide clear signages at the Cambridge Terrace access. It was also confirmed that the existing footpath width will not be obstructed by the hotel building.

Surrounding transport network

The ITA estimated the peak hour trip generation is 50 vehicle movements. The site is located within the 30km/h city core, where a high pedestrian presence is dominate. With a slower speed environment and tidal vehicle trips, the potential conflicts between vehicles and pedestrians at the crossing would not be significant.

Construction Phase

The construction strategy and accompanying Traffic Management Plan (TMP) will be provided to demonstrate procedures and operations for managing adverse effects resulting from construction impact on the safety of other road users.

Therefore, I consider that the proposed vehicle crossings are in the same function and design as other existing vehicle accesses along Cambridge Terrace and Worcester Boulevard, and will not generate adverse effects on pedestrian and footpath safety.

86. I accept Mr Chen's comments in regard to submission 06 and conclude that the recommended conditions will address the concerns of the submitter.

87. Submitter 28 Derek Phelps opposes the application because it does not provide car parking, noting that in the submitter's opinion there will be adverse effects relating to:

- Finding parking during peak demand hours for parking;
- Creating opportunities of theft off and from cars at night;

88. The submitter proposes the applicant provide an underground carpark.

89. Chapter 17 7.2.1.4 Policy – Requirements for car parking and loading reads, as relevant to the central city:

b. Within the Central City:

*i. **Enable** activities to provide car parking spaces and loading spaces, whilst minimising any adverse effects on the efficiency and safety of the transportation networks, including public transport, to the extent practicable*

The policy is therefore enabling and not directive in its language.

90. Provision of car parking is not required or directed by standards in the District Plan. Further, provision of car parking has, strategically, been made entirely the prerogative of the landowner / developer in an effort to discourage the provision of parking for private motor vehicles¹³ in favour of transport mode swapping to public / bus transport, taxi / uber, cycling, and pedestrian movement. Public / bus transport, taxi / uber, and pedestrian movement being the most likely mode of transport to and from the site. Walking is favoured for visiting inner City attractions. For short duration private vehicle visitors, e.g. to the restaurant, nearby on street and commercial parking will be available.

91. Part b.ii. of the policy 7.2.1.4 also reads:

ii. Manage the development of commercial car parking buildings and parking lots within the Central City so that they:

A. support the recovery of the Central City;

B. are easily accessible for businesses within the Central City;

C. minimise any adverse effects on the efficiency and safety of the transportation networks of all users, to the extent practicable;

D. protect the amenity values of the Central City;

E. reduce the need for activities to provide their own on-site parking;

F. do not significantly adversely affect the demand for public transport to, from or within the Central City.

92. Commercial carparking is provided by way of resource consenting where land is available and where it is demonstrated it is needed, bearing in mind the strategy to shift to alternative modes of transport.

93. I consider that there is no need to either encourage or require the construction of an underground car park to service the needs of the proposed hotel.

94. Submission 33 Boffa Miskell seeks that safe pedestrian routes during demolition and construction be required, for example by temporary footpath closure, or providing a covered pedestrian route. This matter was sent to Mr Chen for comment. Mr Chens response was:

I also agree with Boffa Miskell's comments regarding the provision of safe pedestrian access during the construction phase, but I believe this provision should be included in the TMP application.

95. I have added the matter of safe pedestrian access to the condition related to the TMP in **Appendix I** to this report.

¹³ i.e. privately owned or rented.

96. With the conditions that I recommend in **Appendix I**, I conclude that the environmental effects relating to transportation will be acceptable.

Urban design and amenity

97. Submission 30 Canterbury Chambers seeks the hotel be reduced in height.
98. Expert urban design comments on the application were provided by Ms Ekin Sakin, Principal Urban Designer with the Christchurch City Council. Ms Sakin's advice is in **Appendix E** to this report.
99. There are differences of opinion between Ms Sakin and Mr Clease, the urban designer providing evidence on behalf of the applicant, as to the urban design and amenity related effects. At the heart of these differences is the scope of the context and the observed consistency and coherence of existing development nearby the site. These differences in turn lead to differences of opinion on whether a maximum road wall height below that proposed by the applicant should be included in the design.
100. Ms Sakin has identified the key areas of disagreement between the applicant's urban design expert, Mr Clease, and herself:
- Street-scene context;
 - Over dominance of Cambridge Terrace with an impact on pedestrians, human scale and activation of street.
101. I understand that there is no real disagreement between Ms Sakin and Mr Clease in regard to the 'wider' context beyond the areas of the immediate context and that the proposed building fits within that context.
102. It is Ms Sakin's opinion that the proposed building will dominate Cambridge Terrace. She points to how other development on Cambridge Terrace mitigates this dominance through design. Ms Sakin notes that her comments are from a perspective of close range.
103. Ms Sakin's conclusion is that:
- There should be a setback from third floor where there is a difference in cladding design so that there is a better fit with the context of the site that she has identified. Provided this road wall height is achieved the overall height of the proposed building is not an issue.
 - There should be a setback from around the 32m – 35m height from the northern boundary of 5m (I understand this to be about the 9th level).
 - There should be a pedestrian entrance on Cambridge Terrace in the vicinity of the long table shown on this floor plan:

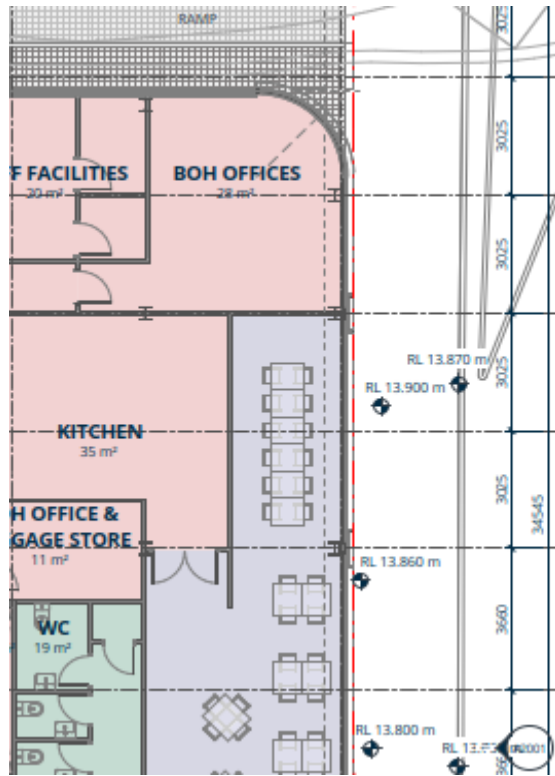


Figure 1: Ground floor plan

104. On the other hand, Mr Clease describes 6 ‘edges’¹⁴ surrounding the site. Some of the edges identified by Mr Clease along Cambridge Terrace are significantly different to the edges that Ms Sakin has identified as being relevant. Mr Clease concludes in relation to the context afforded by the edges he has identified:

Overall, the surrounding streetscape displays remarkably little coherency in terms of a consistent streetscape or road wall height.

105. I have walked around Ms Sakin’s identified context in her presence, had several meetings, and discussed the differences in the identified immediate context identified by Mr Clease and Ms Sakin. I agree that Ms Sakin has identified the relevant context along Cambridge Terrace. Whilst there is a vacant site at the corner of Hereford Street and Cambridge Terrace a land use consent for a commercial building of 28m plus roof plant (RMA/2023/3192) has been granted and the building is under construction. I have also concluded that being adjacent to the Ōtākaro / Avon River corridor it is a particularly sensitive context. I have concluded that the Worcester Street context already includes two significant buildings being the Anthony Harper Building and the Council’s Civic Offices in combination with a range of buildings of different heights and setbacks. I agree with Mr Clease that there is not a consistent context on Worcester Street. I have concluded that there does not need to be a maximum road wall height facing Worcester Street.
106. In regard to Cambridge Terrace I have identified varying distances from the existing façade where the potential dominance effects will be different and considered the proposal against Matter of Discretion 15.14.2.6 a.iii. in terms of human scale:

- a. *The extent to which the building or use:*

¹⁴ Pages 7. – 8. of his assessment.

iii.in respect of that part of the building or use visible from a publicly owned and accessible space, promotes active engagement with the street, community safety, human scale and visual interest;; including consideration of the visual impact of car parking and blank facades;

107. Taking into account the permitted building base height of 28m and that there is no road wall applicable to the 30m from the corner of Worcester Street and Cambridge Terrace I have reached the conclusion that:
- a. On the footpath immediately adjacent there will not be a dominance effect because the immediate view is the lower portion of the proposed building and the proposed glazing and the view into the building will not present a dominant atmosphere;
 - b. Across the formed carriageway of Cambridge Terrace and on the true left bank of the Ōtākaro /Avon River the height of the proposed façade of the building will not have a ‘human scale’;
 - c. Across the Ōtākaro /Avon River, adjacent to the true right bank, the proposed façade will not have a ‘human scale’; and
 - d. Further from the application site than the distances identified in a. – c. the dominance effects will be minor.
108. I conclude that a setback in the façade is necessary at some point. I note that Ms Sakin’s conclusion in her option 1 would conflict with the bus circulation that has been carefully considered so that, with conditions, it is safe and efficient, and necessary to provide for client’s of the hotel who I understand, from discussions with the applicant, a large number of which will be brought to the site by bus.
109. In regard to the places / spaces referred to in b. and c., which are in my view very important and sensitive public spaces, I consider that *human scale*¹⁵ can be achieved by the inclusion of a balcony abutting hotel rooms above the 28th metre in height¹⁶. The rest of the façade above the balcony level should meet the balcony setback. I have asked Ms Sakin for her view on what a ‘useable’ width of balcony would be. Ms Sakin has suggested that the minimum useable width of a balcony for a hotel is 1.2m. This enables a chair or chairs for guests to sit and take in the view. Ms Sakin has confirmed in discussions with me, drawing on her expertise as an architect, that this is achievable.
110. I also note that Ms Sakin has recommended that as an alternative there be a building setback of 5m from the northern boundary of the site to enable a reflection of the heights adjacent on Cambridge Terrace. I agree that this is possible and desirable. I note that there is a skylight on the Lane Neave building that I understand is a communal area. This may enable more light into that area. But I also note that if the setback area were used as a balcony this could have privacy effects for the users of the communal area. This could have implications for the written approval that Lane Neave provided as they may have considered the privacy effects on themselves when they provided their written approval for the proposal. I have concluded therefore that this setback area should not be used as a balcony and that the north facing wall above the 9th floor be the same materials as that shown on the northern façade on the publicly notified plans.
111. I consider that no other persons could be adversely affected by these proposals in way that would have caused them to lodge a submission or withdraw a written approval.
112. In regard to practicality of the changes and Policy 2.4.2.4.b:
- b. *Recognise the scale, form and design of the anticipated built form within a site and the immediately surrounding area and the functional and operational requirements of activities.*

¹⁵ Refer to the definition of human scale in **Appendix B** to this report.

¹⁶ The 28th metre being the required building base height on most of the site. The 21m road wall height also does not apply to most of the site.

I am the reporting planner for a large hotel at 48 Peterborough Street (RMA/2024/1819) where the built form at upper levels contain setbacks that have been used as balconies. The width of the hotel facing the street is approximately the same as that facing Worcester Street in this proposal. The designer arranged suites and other internal spaces that are not for circulation in a linear format across the internal face of the building:

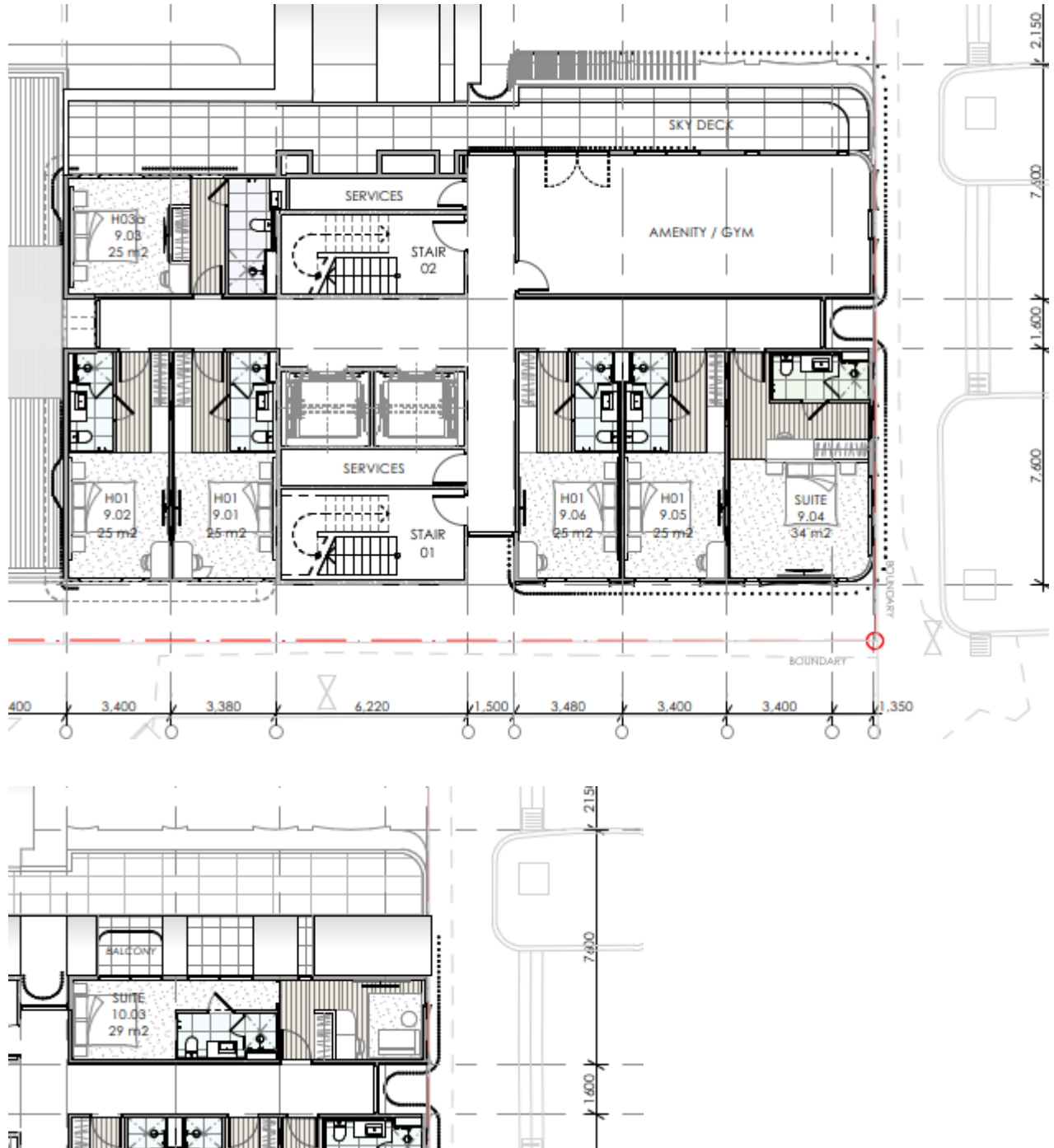


Figure 2: Peterborough Hotel floor layout (Source RMA/2024/1819 Approved Plans)

113. With careful thought the changes sought can be achieved.
114. In regard to the door that Ms Sakin recommends be added to the Cambridge Terrace ground level façade I consider providing it or not providing it a very finely balanced issue. Ms Sakin's reasoning in regard to

improving the façade is sound and on the whole I agree with it¹⁷. But I also note that a door may not suit a restaurant arrangement on this site given its size. Guests of the restaurant, by necessity, will need to enter through the main reception to be seated.

115. It is my opinion that a door in this position would not meet the function and operational requirements of a restaurant. The door would not open out onto a space that could be used for outdoor seating.

116. On the basis of the above discussion I recommend a certifier condition as follows:

Prior to application for a building consent the consent holder must submit plans for the hotel for certification by a Team Leader Planning (or their nominee) to rcmon@ccc.govt.nz that shows:

a. *a balcony set back into the site a minimum of 1.2m from the eastern (Cambridge Terrace) façade, at 28 metres above ground level; and the eastern façade above the balcony setback is at least matching the minimum setback of the balcony;*

and

b. *a 5m setback from the northern boundary starting from the 9th level of the building. This area:*
i. *must not be used as a balcony; and*
ii. *must maintain a solid wall above the 9th level of the same design as shown on the northern elevations of the plans submitted with the application for public notification.*

The Team Leader (or their nominee) will either certify, or refuse to certify, the amended plans within 10 working days of receipt. Should the Team Leader (or their nominee) refuse to certify the CMP, then they will provide a letter outlining why certification is refused based on the parameters contained in this condition x

Should the Team Leader (or their nominee) refuse to certify the plan, the consent holder must submit revised plans to The Team Leader (or their nominee) for certification. The certification process must follow the same procedure and requirements as outlined in condition 28.

117. With the conditions as set out in **Appendix I**, I conclude that the adverse urban design related effects will be minor and acceptable.

118. I also conclude in relation to Submission 30 Canterbury Chambers, taking into account the above analysis and the anticipated built form that the hotel does not need to be reduced in height.

Wind effects

119. Submitter 29 Amanda Jane Nelson raises 'wind tunnel' issues and states:

'It will also channel east-west wind flow. We have reduced the 'wind tunnel' effect from several of Christchurch's inner city streets post-earthquake. Why are we allowing the potential for it to return?'

120. The Council engaged Mr Michael Green, an engineering expert on wind effects generated by buildings, to provide expert advice on the potential wind effects of the proposed building on the public realm. Mr Green employed a computer model utilising computational fluid dynamics to identify wind currents resulting from

¹⁷ Also noting that there is an existing door on Harley Chambers in general area of the 'long table'.

the building and provide an opinion on the degree of effect on persons and the environment. Mr Green's report is in **Appendix J** to this report.

121. For ease of reference Mr Green's conclusions are:

- *With the new building at 137 Cambridge Terrace there are increased wind effects on the east and south sides of the building on Cambridge Terrace and Worcester Boulevard. This is caused by the taller building and larger façade area intercepting stronger winds at higher levels and deflecting them towards ground level. Most of the deterioration in wind comfort comes from the prevailing east-northeast winds and in some places comfort levels have decreased from level B to level D based on the Lawson LDDC criteria.*
- *There is public seating on Worcester Boulevard where wind conditions have decreased from Level B to Level C which based on the Lawson LDDC would be uncomfortable for pedestrian seating with wind speeds 6+ m/s for about 5% of the time.*
- *It would be difficult to reduce wind effects at the park benches due to the new taller building deflecting winds into this area. The addition of a canopy etc. would most likely not make any significant difference to wind comfort levels. In our opinion the most practicable mitigation would be to add shelters on the north side of the seats.*
- *The wind assessment has shown that there is no significant deterioration of wind conditions further away from 137 Cambridge Terrace, and there are no unacceptable pedestrian safety adverse effects with new building.*

122. In relation to wind speeds and percentage of time I note the advice note on new Matter of Discretion 15.14.2.6 in **Appendix B**.

123. Mr. Green's assessment has shown that there are generally no unacceptable adverse effects – except on the two park benches on the footpath on Worcester Boulevard across the road from the rebuild proposal. This is unresolved and the applicant is encouraged to contact the Council's Programme Manager Transport Capital Programme to discuss the resolution of the location of the benches. The Programme Manager is aware of the issue. I have recommended an advice note in this regard in **Appendix I**.

124. I have considered the effect of the conditions I have recommended under the preceding section on whether the wind assessment would change and concluded that changes to give effect to the conditions will not change the general wind effect conclusions. The amended design would further impede the flow of wind down the faces of the building.

125. I accept Mr. Green's advice and conclude that any adverse wind related effects will be minor and acceptable.

Flood management

126. The application was forwarded to Ms Sheryl Keenan, Planning Engineer, for expert comments. Ms Keenan provided the advice in attached in **Appendix F**. I note Ms Keenan's comments in relation to the Finished Floor Level Certificate but I note that as a certificate has issued there is no basis under which to seek a higher floor level under the District Plan. I accept Ms Keenan's advice and conclude that the adverse flood management related effects will be minor and acceptable.

Cultural effects

127. The application was forwarded to Mahaanui Kurataiao Limited (Mahaanui) with a request for expert cultural advice from Ngāi Tūāhuriri Rūnanga. Ngāi Tūāhuriri Rūnanga's advice (via Mahaanui) is attached in **Appendix K** to this report.
128. The advice summary is that if the following conditions and advice notes are included in any grant of consent then Ngāi Tūāhuriri Rūnanga will not consider themselves to be affected:

If a resource consent is granted, the following conditions are recommended to moderate effects of this proposed activity on mana whenua values:

- 1. An accidental discovery protocol (ADP) must be in place during all earthworks to deal with archaeological finds and protect the interests of mana whenua. This condition does not constitute a response under the Heritage New Zealand Pouhere Taonga Act (HNZPT 2014).*
- 2. Stringent erosion and sediment controls measures must be in place during all earthworks and until such time as all exposed soils have been stabilised.*
- 3. If any contaminated material is found during demolition of the current building the site must be remediated. This must include provisions to protect the environment from contaminated runoff and disposal of contaminated soils at a suitable facility.*

The following advice note must be included in final decision:

- 1. Te Ngāi Tūāhuriri Rūnanga do not support discharge of contaminants, such as flocculants to water or land where contaminants may enter water. This should be considered in the stormwater system design (operational and construction phase) and for dewatering activity.*

129. I have set out conditions and advice notes to this effect in the **Appendix I** to this report.
130. With the conditions I accept Ngāi Tūāhuriri Rūnanga's advice that they do not consider themselves to be affected and conclude that any adverse cultural effects will be minor and acceptable.

Waterway Setback

131. Given that:

- the proposed building is only approximately 1m into the 30m setback;
- that there are footpaths, and road between the building and the banks of the Ōtākaro / Avon River ; and
- there is already a building (Harley Chambers) in the setback

any setback related effects will be mitigated by the conditions recommended elsewhere in this report.

Any adverse effects will be minor and acceptable.

Geotechnical and earthworks effects

132. Mr Bochow provided expert advice in relation to geotechnical and earthworks matters. This is set out at **Appendix G** to this report. In summary Mr Bochow recommends a number of conditions. I have agreed a set of conditions with the applicant's agent and these are set out in **Appendix I** of this report.
133. I accept the advice of Mr Bochow and I conclude that with the conditions the environmental effects of the proposal relating to geotechnical and earthworks effects will be acceptable.

Shading

134. The relevant matters of discretion as they relate to shading are:

15.14.3.1 Maximum building height

- a. *The extent to which an increase in height of the building: ...*
- xii. *Detracts from the **anticipated** urban form of the centre and city;*
 - xiv. *Causes adverse effects on the **anticipated** amenity of adjoining sites and activities, particularly where they are subject to lower maximum height controls.*
- c. *In addition to the above, in the **City Centre**, and Central City Mixed Use Zones, the effects on/of: ...*
- v. *The individual or cumulative effects of shading, visual bulk and dominance, and reflected heat from glass on sites in adjoining residential zones or on the character, quality and use of public open space and in particular the **Ōtākaro Avon River** corridor, Earthquake Memorial, Victoria Square and Cathedral Square;*

15.14.3.17 City Centre Zone - Sunlight and outlook for the street

- a. *Any effect on the sense of openness and/or the admission of sunlight to the street.*
135. In terms of **anticipated urban form** the anticipated built form outcome is shown in the right hand diagram in rule 15.11.2.3 in **Appendix B**.
136. The applicant has provided shading diagrams to illustrate the proposed shading from the development. The diagrams provide comparisons with the existing Harley Chambers, and the shading **anticipated** by the rules in the District Plan as they were publicly notified in the PC 14 process. These diagrams are now out of date as of 18 September. However, I note:
- The diagrams showing 'Current District Plan' -the operative plan as it was before 18 September (yellow building) – are still relatively accurate in terms of the permitted baseline.
 - The diagrams showing 'Massing Plan Change 14' (red building) reflect in my view, to a large degree, the **anticipated** built form outcome for buildings – being to 45m.
137. These diagrams are of course just snap shots in time and it is recognised that the shadows are dynamic and lengthen or shorten and change where they fall as seasons change. Nevertheless, they provide a fair indication of the degree of adverse effect associated with the proposed development.

138. Submitter 29 raises shadowing effects issues. The submitter says the shading will *‘entirely block sun from the pedestrian-friendly Worcester Boulevard throughout the warmest part of the day shade the historic Canterbury Club building to the site’s south.’*

Worcester Street

139. Taking into account the shadowing that would be created by the ‘baseline’ and ‘anticipated built form outcome’ I conclude that the adverse shading effects on Worcester Street will be minor and acceptable.

Worcester Chambers

140. The owner of Worcester Chambers has provided written approval for the proposal in the prescribed form 8A and has not withdrawn that written approval at the time of finalisation of this report. Pursuant to section 104(3)(a)ii of the Act must not take into account any adverse effect on this owner / occupier.
141. Nevertheless, I would comment that the existing Harley Chambers itself shadows the Worcester Chambers. The proposed hotel will make no difference to shading effects on the Chambers.

Canterbury Club

142. The Canterbury Club has provided a letter dated March 25 2024, indicating that the club has no concerns about adverse effects upon them (and prefer that the Harley Chambers were demolished as they are, in their view, unsafe). The documents do not constitute either a form 8A written approval or a submission – but they are an indication that the Club is not concerned.
143. The shadow diagrams supplied with the application of public notification clearly indicate that the shadowing effects on the Canterbury Club are not greater than those **anticipated** in the District Plan under the built form standards.
144. I consider that the adverse effects on the Canterbury Club are minor and acceptable.

Ōtākaro / Avon River Corridor

145. The shading diagrams show shading on the Ōtākaro / Avon River corridor (including the public space) above that anticipated by the current District Plan.
- After 2pm of the summer solstice. The shadow from the Plinth and Tower anticipated arrangement extends beyond this shadow and to fall on the heritage building known as ‘Our City’.
 - After 12pm on winter solstice - the proposed shadow will move onto the corridor to the south-east and lengthen. The shadow from the Plinth and Tower anticipated arrangement extends beyond this shadow.
 - After 2pm on the autumn equinox the as shadow moves onto the corridor to the south-east. The shadow from the Plinth and Tower anticipated arrangement extends beyond this shadow.
 - After 2pm on the autumn equinox the as shadow moves onto the corridor to the south-east. The shadow from the Plinth and Tower anticipated arrangement extends beyond this shadow.
146. I consider that the adverse effects of the height infringement are minor and acceptable.

Conclusion on adverse effects

147. Overall, I conclude that with the recommended conditions in **Appendix I** the adverse effects of the proposed hotel are minor and acceptable.

Positive effects

148. Positive effects, as they relate to the potential new hotel, are discussed at page 25 of the application:

The proposal represents the replacement of unoccupied premises with a much more intensive site development, and hence represents 'recovery' and future enhancement of the Christchurch Central City. The development provides high quality hotel accommodation including dining facilities which will increase foot traffic and vitality in the area, as well as the night-time economy. The proposal will also reinforce and consolidate the commercial viability of this part of Central Christchurch's commercial area with regeneration projects associated with Cathedral Square and the Avon River corridor. The project will also provide economic stimulus and employment through both construction and developed phases and provide an alternative travellers accommodation option at the top end of the market. It is noted, that the Christchurch Central City Recovery Plan identified that Te Papa Ōtākaro (the Avon River Precinct) as a suitable location for hotel development given, amenity, outlook and proximity to the Central City:

"Land facing north and west onto the river has high amenity value and is close to the Core. Cafes and bars will re-emerge, inviting connection with the river. New buildings, including hotels, will be able to take advantage of river views"⁷. (emphasis added).

149. I agree with this assessment.
150. In regard to the discussion of the positive effects of the demolition of the Harley Chambers I conclude that these are relevant because the hotel cannot be constructed without the demolition of the building.

Summary of Environmental Effects

151. It is my opinion that with the recommended conditions:

- The degree of effect associated with adverse effects will minor and acceptable.
- There will be positive environmental effects as detailed above.

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

152. Regard must be had to the relevant objectives and policies in the Operative Christchurch District Plan as they were amended by Council decision on 18 September 2024 which are attached in **Appendix B**. I have not included an assessment of the heritage related objectives and policies as they are no longer relevant.
153. As detailed in **Appendix B** there is only one operative policy that is subject to change in the remaining PC14 changes still to be determined – 7.2.1.2 High Trip Generation.

Chapter 4 Contaminated land

- 154. The relevant Objectives and Policies are in **Attachment B** to this report.
- 155. With the recommended conditions in **Appendix I**, I conclude that the application gives effect to this objective and the policies.

Chapter 5 Hazards

- 156. The relevant Chapter 5 Objectives and Policies are set out in **Appendix B** to this report.
- 157. The applicant discusses these objective and policies at Section 7.2 Page 27 of the AEE. I agree with that assessment and conclude that the proposal is consistent with the objectives and policies.

Chapter 6.6 Waterbody setbacks

- 158. The relevant Chapter 6 Objectives and Policies are set out in **Appendix B** to this report.
- 159. The applicant discusses these objectives and policies at Section 7.3 Page 27 of the AEE. I agree with that assessment and conclude that the proposal is consistent with the objectives and policies.

Chapter 7 Transport

- 160. The relevant Chapter 7 Objectives and Policies are set out in **Appendix B** to this report.
- 161. The applicant discusses these objectives and policies at Section 7.3 Page 27 of the AEE.
- 162. In regard to Policy 7.2.1.2 High Trip Generation the proposed change PC14 to the policy is:
 - ix. Incorporate measures to reduce greenhouse gas emissions from vehicular trips associated with the activity.**
- 163. Whilst I consider that the application, by not providing carparking and providing some cycle parking, gives effect to this policy in marginal way, I place little weight on the policy because a determination by the Council has not been made and the IHP recommended it be deleted in its Chapter 7 Transport recommendations.
- 164. Taking into account the transportation comments in the environmental effects section and the recommended conditions in **Appendix I**, I conclude that application is consistent with objectives and policies.

Chapter 8 Earthworks

- 165. The relevant Chapter 8 Earthworks Objectives and Policies are set out in **Appendix B** to this report.
- 166. Taking into account the preceding effects assessment and the recommended conditions in **Appendix I**, I conclude that the application is consistent with these objectives and policies.

Chapter 15 Commercial

167. In regard to Objective 15.2.1 Recovery of commercial centres I consider that the proposed hotel will support the long-term growth of the city and the Central City by enabling the accommodation of visitors to the city in facilities close to central city attractions.
168. In regard to objective 15.2.4 – Urban form, scale and design outcomes and its supporting policies 15.2.4.1 – Scale form of development and 15.2.4.2 Design of new development, acknowledging that there are differences of opinion between urban design experts, I have concluded that, with the recommended conditions that the application is consistent with this objective and the policies. In particular, I note these matters from 15.2.4.2 as being of particular relevance to the design matters discussed in this report:
- a. *Require new development to be well-designed and laid out by:*
- i. *encouraging pedestrian activity and amenity along streets and in adjoining public spaces, to a degree that is appropriate to the location and function of the street;*
 - ii. *providing a principal street facing façade, or facades (where located on a corner site), of visual interest that contributes to the character and coherence of a centre;*
 - iii. *facilitating movement within a site and with the surrounding area for people of all mobilities and ages, by a range of modes of transport through well-defined, convenient and safe routes;*
 - iv. *enabling visitors to a centre to orientate themselves and find their way with strong visual and physical connections with the surrounding area;*
 - v. *promoting a safe environment for people and reflecting principles of Crime Prevention through Environmental Design (CPTED);*
 - vi. *enabling the re-use of buildings and sites while recognising the use for which the building is designed;*
 - vii. *incorporating principles of low impact design including energy efficiency, water conservation, the reuse of stormwater, on-site treatment of stormwater and/or integration with the wider catchment based approach to stormwater management, where practicable;*
 - viii. *achieving a visually attractive setting when viewed from the street and other public spaces, that embodies a human scale and fine grain, while managing effects on adjoining environments;*
 - ix. *providing adequate and convenient space for storage while ensuring it is screened to not detract from the site's visual amenity values;*
 - x. *increasing the prominence of buildings on street corners;*
 - xi. *ensuring that the design of development mitigates the potential for adverse wind-related effects;*
 - xii. *ensuring that the upper floors (including roof form and associated mechanical plant) are well-modulated and articulated to provide visual interest to the building when viewed from beyond the Central City or from adjacent buildings above; and*
 - xiii. *recognising the importance of significant public open space by maintaining sunlight access to, and managing visual dominance effects on, these spaces;*

- b. *Recognise the scale, form and design of the anticipated built form within a site and the immediately surrounding area and the functional and operational requirements of activities.*

169. In regard to:

- *encouraging pedestrian activity and amenity along streets and in adjoining public spaces, to a degree that is appropriate to the location and function of the street, and*
- *achieving a visually attractive setting when viewed from the street and other public spaces, that embodies a human scale and fine grain, while managing effects on adjoining environments;*

whilst they may be better achieved by Ms Sakin's recommended changes in regard to an entrance on Cambridge Terrace it is in my view, that the change would not meet the functional requirements of the consent holder.

170. The other matters raised in the policy are either met, with the recommended built form conditions or of limited relevance in the context of the site.

171. In relation to Objective 15.2.6 I consider that the role of the Central City Zone will be reinforced by the proposed hotel activity.

172. In relation to Policy 15.2.6.3 and these matters raised in the policy:

- a. *Promote a high standard of amenity and discourage activities from establishing where they will have an adverse effect on the amenity values of the Central City by:*
- i. *requiring an urban design assessment for development within the City Centre Zone;*
 - ii. *setting design standards to manage access to sunlight, reduce adverse effects from wind, ensure a high quality street interface and avoid the impact of overly dominant buildings on the street and other public spaces;*
 - iii. *prescribing setback requirements at the boundary with any adjoining residential zone;*
 - iv. *ensuring protection of sunlight and outlook for adjoining residential activity and zones;*
 - v. *setting fencing and screening requirements;*
 - vi. *identifying entertainment and hospitality precincts and associated noise controls for these and adjacent areas, and encouraging entertainment and hospitality activities to locate in these precincts;*
 - vii. *protecting the efficiency and safety of the adjacent transport networks;*
 - viii. *recognising the values of Ngāi Tūāhuriri/ Ngāi Tahu in the built form, and the expression of their narrative; and*
 - ix. *recognising that amenity values develop and change over time to meet the changing needs of people and communities, including increased and varied housing densities and types, which may detract from the amenity of some, but enhance the amenity of others. Those changes are not of themselves an adverse effect.*

173. I note or it is my opinion that:

- An urban design assessment has been undertaken;

- That the overall height of the proposed building is appropriate (also taking account other design outcomes relating to emphasising corner sites);
- With the recommended condition in **Appendix I** relating to providing a balcony setback or a step on the northern side of the building, the building will not overly dominate the street (this conclusion also applies to Policy 15.2.6.5 Pedestrian focus);
- The wind effects of the proposal have been assessed and found to be acceptable (noting the matter of the public seating on Worcester Street should be resolved);
- In relation to the transport assessment the efficiency and safety of the adjacent transport network will be protected by the conditions in **Appendix I**.

I consider that the outcomes sought in this policy have on the whole been achieved.

Conclusion: District Plan Objectives and Policies

174. It is my conclusion that in an overall sense, the application, subject to the conditions I have recommended in **Appendix I**, is consistent with the objectives and policies of the District Plan

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

175. Statutory documents of relevance to this application include the Regional Policy Statement and the National Policy Statement – Urban Development.
- I consider that the District Plan has been, relatively recently, prepared and confirmed in accordance with the RPS.
 - Regard must be had to the NPS Urban Development which came into effect on 20 August 2020. The provisions in Plan Changes 13 and 14, where relevant to this consent and discussed in this report have been prepared in accordance with the NPS.

Part 2 of the Act

176. The matters outlined previously are subject to Part 2 of the Act which outlines its purpose and principles.
177. The use, development and protection of resources is to be sustainably managed in a way that enables people and communities to provide for their social, economic and cultural wellbeing and their health and safety, while avoiding, remedying or mitigating any adverse effects of activities on the environment.
178. The Christchurch District Plan has relatively recently been reviewed – noting that the Central City Zone related objectives and policies were confirmed on 18 September 2024. Its provisions were prepared under the higher order planning documents and, through its preparation and the process of becoming operative, have been assessed against the matters contained within Part 2.
179. Taking guidance from recent case law¹⁸, the District Plan is considered to be the mechanism by which the purpose and principles of the Act are given effect to in the Christchurch District. It was competently prepared via an independent hearing and decision-making process in a manner that appropriately reflects the provisions of Part 2. Accordingly, no further assessment against Part 2 is considered necessary.

¹⁸ R J Davidson Family Trust v Marlborough District Council [2018] NZCA 316

Conclusion

180. After considering the actual and potential effects on the environment of allowing the application, it is my conclusion that, subject the conditions I have recommended the adverse effects on people and the environment will be acceptable.
181. In my opinion that, subject to the conditions I have recommended, this proposal is consistent with the objectives and policies of the District Plan as discussed in the preceding sections.
182. I consider that the proposal is consistent with Part 2 of the Resource Management Act 1991.
183. Having considered all of the relevant matters under Sections 104, and 104B, it is my opinion that consent should be granted subject to the conditions in **Appendix I**.

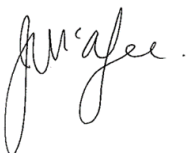
Recommendation

184. I have assessed this application to construct a hotel at 137 Cambridge Terrace. Having considered all the matters relevant to this application, I recommend that this application be **granted** pursuant to Sections 104, 104B, and 108 of the Resource Management Act 1991 subject to the conditions in **Appendix I** of this report.



Scott Blair
Senior Planner
24/09/2024

Reviewed by:



Jo McAfee
Team Leader Planning
24/09/2024 09:25 am

Appendix A Submitters

	Forename	Surname	Company	Oppose/Support	Wish to be heard
1	Peter	Dwan	Lane Neave	Support	No
2	Annabel	Black		Support	No
3	Pip	Andrews		Support	No
4	Tom	Rose		Support	No
5			Elmbias Health	Support	No
6	Jack	Halliday		Support with changes	No
7	Sarah	Harrison		Support	Yes
8	Adam	Nicewonger		Support	No
9	Tracy	Olson		Support	No
10	Philippa	Curtis		Support	No
11	Caroline	Easting		Support	No
12	Krista	Fletcher		Support	No
13	Penny	Siegrist		Support	No
14	Maxine	Thomas		Support	No
15	Teresa	Lawry		Support	No
16	Danielle			Support	No
17	Jacqui	Craw		Support	No
18	Nicola	Clark		Support	No
19	Alice	Talbot		Support	No
20	Henry	Risk		Support	No
21	Penny	Hoogerwerf		Support	No
22	Geoff	Walker		Support	No
23	Leigh	Smith		Support	No
24	Lindsay	Smith		Support	No
25	Nicholas	Martin		Support	No
26	Nicholas	O'Connor		Support	No
27	Andrew	Nicol		Support	Yes
28	Derek	Phelps		Oppose	No
29	Amanda Jane	Nelson		Oppose	Yes
30			Canterbury Chambers	Oppose in part	Yes
31			Heritage New Zealand Pouhere Taonga	Does not oppose	No
32	Mark	Duff		Support	No
33			Boffa Miskell Limited	Neutral	Yes

Submissions raising points relating to heritage matters:

- Submission 1 Peter Dawn;
- Submission 2 Annabel Black;
- Submission 3 Pip Andrews;

- Submission 4 Tom Rose;
- Submission 7 Sarah Harrison;
- Submission 9 Tracey Olson;
- Submission 10 Philippa Curtis;
- Submission 11 Caroline Easting;
- Submission 12 Krista Fletcher;
- Submission 13 Penny Seigrist;
- Submission 15 Teresa Lawry;
- Submission 16 Danielle McCallum;
- Submission 17 Jacqui Craw;
- Submission 18 Nicola Clark;
- Submission 19 Alice Talbot;
- Submission 20 Henry Risk;
- Submission 21 Penny Hoogerwerf;
- Submission 22 Geoff Walker;
- Submission 23 Leigh Smith;
- Submission 24 Lindsay Smith;
- Submission 25 Nicholas Martin;
- Submission 26 John O'Connor; and
- Submitter 29 Amanda Jane Nelson **opposes** the demolition of the Harley Chambers on adverse heritage effects grounds.
- Submitter 31 Heritage New Zealand Pouhere Taonga
- Submission 32 Marc Duff.

Appendix B Objectives, Policies, Chapter 15 Rules, Chapter 15 Matters of Discretion. New Chapter 3 Definitions Operative District Plan

District Plan Chapter 4.2 Contaminated Land

4.2.2.1 Objective - Contaminated land - managing effects

- a. Land containing elevated levels of contaminants is managed to protect human health and the environment, which includes significant natural and Ngāi Tahu cultural values from the adverse effects of subdivision, development and use of contaminated land and natural hazards, including from site investigations, earthworks and soil disturbance, and to enable the land to be used in the future.

4.2.2.1.1 Policy - Best practice approach

- a. Require any proposal to subdivide, use or develop contaminated land or potentially contaminated land to apply a best practice approach to investigate the risks, and either remediate the contamination or manage activities on contaminated land to protect people and the environment.

Advice note

1. The status of some activities will be determined by the requirements of the [Resource Management \(National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health\) Regulations 2011](#). Reference should be made to the Ministry for the Environment website for a copy of these regulations, a user's guide, and documents incorporated by reference in these regulations.

4.2.2.1.2 Policy – Remediation

- a. Remediation of contaminated land should not pose a more significant risk to human health or the environment than if remediation had not occurred.

4.2.2.1.3 Policy - Future use

- a. Use or development of contaminated land that has been remediated or has an existing management plan in place, must not damage or destroy any containment works, unless comparable or better containment is provided.

4.2.3 Other methods

1. The Ministry for the Environment's [Hazardous Activities and Industries List](#) (HAIL), the list of properties on Canterbury Regional Council's [Listed Land Use Register](#), Council records, and site investigations shall provide the basis for identifying whether land is contaminated land or potentially contaminated land. It is the duty of the person undertaking any activity to ascertain whether the land is identified as having a current or past use that is identified in the HAIL. The [Resource Management \(NES for Assessing and Managing Contaminants in Soil to Protect Human Health\) Regulations 2011](#) specifies two methods for determining whether a piece of land is, was or more than likely had a HAIL activity on it. Use of the Ministry for the Environment's [Contaminated Land Management Guidelines](#) will form the approach to achieving best practice. Where contamination is confirmed and this data becomes known to Council it will be included on Land Information Memorandums (LIM).
2. Maintain factsheets, templates and guidance to assist with consent applications under the [Resource Management \(National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health\) Regulations 2011](#).

District Plan Chapter 5 Natural Hazards

3.3.6 Objective - Natural hazards

- a. New subdivision, use and development (other than new critical infrastructure or strategic infrastructure to which paragraph b. applies):
 - i. is to be avoided in areas where the risks from natural hazards to people, property and infrastructure are assessed as being unacceptable; and
 - ii. in all other areas, is undertaken in a manner that ensures the risks of natural hazards to people, property and infrastructure are appropriately mitigated.
- b. New critical infrastructure or strategic infrastructure may be located in areas where the risks of natural hazards to people, property and infrastructure are otherwise assessed as being unacceptable, but only where:
 - i. there is no reasonable alternative; and
 - ii. the strategic infrastructure or critical infrastructure has been designed to maintain, as far as practicable, its integrity and form during natural hazard events; and
 - iii. the natural hazard risks to people, property and infrastructure are appropriately mitigated.
- c. There is increased public awareness of the range and scale of natural hazard events that can affect Christchurch District.
- d. The repair of earthquake damaged land is facilitated as part of the recovery.

5.2.2.1.1 Policy - Avoid new development where there is unacceptable risk

- a. Avoid new subdivision, use and development, including new urban zonings, where the risk from a natural hazard is assessed as being unacceptable.

5.2.2.1.2 Policy - Manage activities to address natural hazard risks

- a. Manage activities in all areas subject to natural hazards in a manner that is commensurate with the likelihood and consequences of a natural hazard event on life and property.

5.2.2.1.4 Policy - No transferring of natural hazard risk

- a. Ensure that subdivision, use and development (including proposals for hazard mitigation works or hazard removal) do not transfer or create unacceptable natural hazard risk to other people, property, infrastructure or the natural environment.

5.2.2.2.1 Policy – Flooding

- a. Map hazard risk for the Flood Management Area based on:
 - i. a modelled 0.5% AEP (1 in 200-year) rainfall event plus a 5% AEP (1 in 20-year) tide event plus 250mm freeboard; OR a modelled 5% AEP (1 in 20-year flood event) plus a 0.5% AEP (1 in 200-year) tide event plus 250mm freeboard; OR 11.9m above Christchurch City Council Datum (the maximum 200-year tidal contour) plus 250mm freeboard; whichever is the greater; and
 - ii. allowance for 1 metre of sea level rise and an increase in rainfall intensity by 16% through to 2115 as a result of climate change; and
 - iii. a maximum buffer extension of the modelled rainfall event areas by 60 metres in a north/south and east/west direction.

District Plan Chapter 6.6 Water bodies

6.6.2.1 Objective - Protection of water bodies and their margins from inappropriate use and development

- a. Activities and development in water body margins are managed in a way that protects and/or enhances the following values and functions of the water body and its margins: flood management; water quality; riparian or aquatic ecosystems; the natural character and amenity values of the water body; historic heritage or cultural values; and access where appropriate for recreation activities, customary practices including mahinga kai, or maintenance.

6.6.2.1.2 Policy - Setbacks from water bodies

- a. Manage adverse effects of activities on water bodies and their margins within water body setbacks in a manner that is consistent with the classification of the water body.

<u>Water body classification</u> (The characteristics of each water body classification are described in Appendix 6.11.5.1)	Functions of the <u>water body setback</u>
All	a. Providing a buffer zone for natural erosion, sedimentation and land movement in the weak saturated soils that border <u>water bodies</u>; and minimising the risk that these processes pose to <u>buildings</u> or other structures. b. Minimising flood risk and damage by providing flood storage capacity, dispersal and effective land drainage; and managing risk and damage from structures that transfer flood hazard. c. Improving water quality and catchment-wide ecosystem health by filtering potential contaminants. d. Allowing space for riparian planting where possible in a continuous corridor to improve ecological values, and bank and slope stability. e. Providing access for the maintenance of <u>water bodies</u> and any associated hazard protection works.
Downstream waterway	a. Maintaining or enhancing habitat for terrestrial and aquatic animals and plants. b. Encouraging the establishment, retention and maintenance of significant appropriate riparian vegetation. c. Contributing to the open space character and <u>amenity values</u> of the surrounding area. d. Supporting customary uses, including mahinga kai, within the <u>water body</u>, its margins and catchment. e. Providing recreational opportunities for the public where this is consistent with the other functions of the <u>water body setback</u>

Chapter 7 Transport

7.2.1 Objective - Integrated transport system for Christchurch District

- a. An integrated transport system for Christchurch District:
 - i. that is safe and efficient for all transport modes;
 - ii. that is responsive to the current recovery needs, future needs, and enables economic development, in particular an accessible Central City able to accommodate projected population growth;
 - iii. that supports safe, healthy and liveable communities by maximising integration with land use;
 - iv. that reduces dependency on private motor vehicles and promotes the use of public and active transport;
 - v. that is managed using the one network approach.

Advice

note:

1. The "One Network Approach" is an approach where the transport network is considered as a whole. The aim of this approach is to ensure that the management and provision of all transport infrastructure (including all transport modes) is well connected and undertaken in an efficient and integrated manner. For more guidance on how the "one network approach" is applied, please refer to the Greater Christchurch Transport Statement 2012 and Christchurch Transport Strategic Plan 2012.

Operative District Plan wording:

7.2.1.2 Policy - High trip generating activities

- a. Manage the adverse effects of high trip generating activities, except for permitted activities within the Central City, on the transport system by assessing their location and design with regard to the extent that they:
 - i. are permitted¹ by the zone in which they are located;
 - ii. are located in urban areas and generate additional vehicle trips beyond what is already established or consented, unless the already established or consented vehicle trips are specifically included in rule thresholds;
 - iii. are accessible by a range of transport modes and encourage public and active transport use;
 - iv. do not compromise the safe, efficient and effective use of the transport system;
 - v. provide patterns of development that optimise use of the existing transport system;
 - vi. maximise positive transport effects;
 - vii. avoid significant adverse transport effects of activities where they are not permitted by the zone in which they are located;
 - viii. mitigate other adverse transport effects, such as effects on communities, and the amenity values of the surrounding environment, including through travel demand management measures;
 - ix. provide for the transport needs of people whose mobility is restricted; and
 - x. integrate and coordinate with the transport system, including proposed transport infrastructure and service improvements.

¹ Refers to the activity being listed as a permitted activity in the activity status table for the zone in which it is located.

Advice note:

1. Policy 7.2.1.2 also achieves Objective 7.2.2.

Proposed Plan Change 14 wording:

7.2.1.2 Policy – High trip generating activities

- a. Manage the adverse effects of high trip generating activities, except for permitted activities within the Central City, on the transport system by assessing their location and design with regard to the extent that they:
- i. are permitted ¹ by the zone in which they are located;
 - ii. are located in urban areas and generate additional vehicle trips beyond what is already established or consented, unless the already established or consented vehicle trips are specifically included in rule thresholds;
 - iii. are accessible by a range of transport modes and encourage public and active transport use;
 - iv. do not compromise the safe, efficient and effective use of the transport system;
 - v. provide patterns of development that optimise use of the existing transport system;
 - vi. maximise positive transport effects;
 - vii. avoid significant adverse transport effects of activities where they are not permitted by the zone in which they are located;
 - viii. mitigate other adverse transport effects, such as effects on communities, and the amenity values of the surrounding environment, including through travel demand management measures;
 - ix. provide for the transport needs of people whose mobility is restricted;~~and~~
 - x. integrate and coordinate with the transport system, including proposed transport infrastructure and service improvements;and
 - xi. **Incorporate measures to reduce greenhouse gas emissions from vehicular trips associated with the activity.**

¹ Refers to the activity being listed as a permitted activity in the activity status table for the zone in which it is located.

Advice note:

1. Policy 7.2.1.2 also achieves Objective 7.2.2.

7.2.1.3 Policy - Vehicle access and maneuvering

- a. Provide vehicle access and manoeuvring, including for emergency service vehicles, compatible with the road classification, which ensures safety, and the efficiency of the transport system.

7.2.1.4 Policy - Requirements for car parking and loading

- a. Outside the Central City:
- i. Require mobility parking spaces and loading spaces which provide for the expected needs of an activity in a way that manages adverse effects.
- b. Within the Central City:
- i. Enable activities to provide car parking spaces and loading spaces, whilst minimising any adverse effects on the efficiency and safety of the transportation networks, including public transport, to the extent practicable.

- ii. Manage the development of commercial car parking buildings and parking lots within the Central City so that they:
 - A. support the recovery of the Central City;
 - B. are easily accessible for businesses within the Central City;
 - C. minimise any adverse effects on the efficiency and safety of the transportation networks of all users, to the extent practicable;
 - D. protect the amenity values of the Central City;
 - E. reduce the need for activities to provide their own on-site parking;
 - F. do not significantly adversely affect the demand for public transport to, from or within the Central City.
- iii. Allow for temporarily vacant sites to be used for car parking areas within the Central City until 30 April 2018.

7.2.1.5 Policy - Design of car parking areas and loading areas

- a. Require that car parking areas and loading areas are designed to:
 - i. operate safely and efficiently for all transport modes and users;
 - ii. function and be formed in a way that is compatible with the character and amenity values of the surrounding environment; and
 - iii. be accessible for people whose mobility is restricted.

Advice note:

- 1. Policy 7.2.1.5 also achieves Objective 7.2.2.

Chapter 8 Earthworks

8.2.4 Objective – Earthworks

- a. Earthworks facilitate subdivision, use and development, the provision of utilities, hazard mitigation and the recovery of the district.

8.2.4.1 Policy - Water quality

- a. Ensure earthworks do not result in erosion, inundation or siltation, and do not have an adverse effect on surface water or groundwater quality.

8.2.4.2 Policy - Repair of earthquake damaged land

- a. Facilitate recovery by enabling property owners to make repairs to earthquake damaged land for residential purposes, where the repairs will have acceptable adverse effects on people, property and the natural environment.
- b. Recognise the need for the repair of other earthquake damaged land as part of recovery.

8.2.4.3 Policy - Benefits of earthworks

- a. Recognise that earthworks are necessary for subdivision, use and development, the provision of utilities, hazard mitigation and the recovery of the district.

8.2.4.4 Policy - Amenity

- a. Ensure, once completed, earthworks do not result in any significant shading, visual impact, loss of privacy or other significant detracting from the amenity values enjoyed by those living or working in the locality.

8.2.5 Objective - Earthworks health and safety

- a. People and property are protected during, and subsequent to, earthworks.

8.2.5.1 Policy - Land stability

- a. Avoid earthworks that will create a significant risk to people and property through subsidence, rockfall, cliff collapse, erosion, inundation, siltation or overland flows.

8.2.5.2 Policy – Nuisance

- a. Subject to [Policy 8.2.4.3](#), ensure that earthworks avoid more than minor adverse effects on the health and safety of people and their property, and do not generate continuous or persistent noise, vibration, dust or odour nuisance.

8.2.5.3 Policy - Vehicle movement

- a. Subject to [Policy 8.2.4.3](#), ensure that the transportation to and from a site of earth, construction or filling material is safe and minimises adverse transport network and local amenity value effects.

8.2.5.4 Policy - Earthworks design

- a. Ensure that earthworks over identified thresholds are designed to enable the anticipated land use.

8.2.5.5 Policy - Management of contaminated land

- a. Enable earthworks where necessary to appropriately manage land contamination.

8.2.5 Objective - Earthworks health and safety

- a. People and property are protected during, and subsequent to, earthworks.

8.2.5.1 Policy - Land stability

- a. Avoid earthworks that will create a significant risk to people and property through subsidence, rockfall, cliff collapse, erosion, inundation, siltation or overland flows.

8.2.5.2 Policy – Nuisance

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- a. Ensure that earthworks over identified thresholds are designed to enable the anticipated land use.

8.2.5.5 Policy - Management of contaminated land

- a. Enable earthworks where necessary to appropriately manage land contamination.

Chapter 15 Commercial

KEY

NOTE THAT NOT ALL HYPER LINK COLOURS ARE NOT SHOWN – JUST THOSE LINKED TO NEW DEFINITIONS.

BLUE HEADING OPERATIVE DISTRICT PLAN OBJECTIVES AND POLICIES

PURPLE HEADING RELEVANT PLAN CHANGE 14 DECISION OBJECTIVES AND POLICIES (Non Qualifying Area matters only)

15.2.1 Objective - Recovery of commercial centres

- a. The importance of commercial and community activity to the recovery and long term growth of the City is recognised and facilitated in a framework that supports commercial centres.

15.2.2 Objective - Centres-based framework for commercial activities

- a. Commercial activity is focussed within a network of centres (comprising the City Centre, District Centres, Neighbourhood Centres, Local Centres and Large Format centres) to meet the wider community's and businesses' needs in a way and at a rate that:
 - i. supports intensification within centres;
 - ii. enables the efficient use and continued viability of the physical resources of commercial centres and promotes their success and vitality, reflecting their critical importance to the local economy;
 - iii. supports the function of District Centres as major focal points for commercial activities, entertainment activities, guest accommodation, employment, transport and community activities, and Neighbourhood Centres as a focal point for primarily small-scale commercial activities with a focus on convenience shopping, community activities and guest accommodation;
 - iv. gives primacy to the City Centre, followed by District Centres and Neighbourhood Centres identified as Key Activity Centres;
 - v. is consistent with the role of each centre as defined in 15.2.2.1 Policy – Role of centres Table 15.1;
 - vi. supports a compact and sustainable urban form that provides for the integration of commercial activity with guest accommodation, community activity, residential activity and recreation activity in locations accessible by a range of modes of transport;
 - vii. supports the recovery of centres that sustained significant damage or significant population loss from their catchment, including the City Centre, Linwood, and Neighbourhood Centres subject to 15.2.4.3 Policy Suburban centre master plans;
 - viii. enhances their vitality and amenity and provides for a range of activities and community facilities;
 - ix. manages adverse effects on the transport network and public and private infrastructure;
 - x. is efficiently serviced by infrastructure and is integrated with the delivery of infrastructure; and
 - xi. recognises the values of, and manages adverse effects on, sites of Ngāi Tahu cultural significance identified in Appendix 9.5.6 and natural waterways (including waipuna).

15.2.2.1 Policy - Role of centres

- a. Recognise and manage commercial centres as the focal points for the community and business through intensification within centres that reflects their functions and catchment sizes, and in accordance with a framework that:
 - i. gives primacy to, and supports, the recovery of the City Centre, followed by Key Activity Centres, by managing the size of all centres and the range and scale of activities that locate within them;

- ii. supports and enhances the role of District Centres ; and
 - iii. maintains the role of Local Centres , Neighbourhood Centres and Large Format Centres .
- as set out in Policy 15.2.2.1, Table 15.1 - Centre's role.

Table 15.1 - Centre's role

	Role	Centre and size (where relevant)
A.	Central Business District Principal employment and business centre for the City and wider region, providing for the widest range and greatest scale of activities available in centres, including comparison shopping, dining and night life, entertainment activities, visitor accommodation, events, cultural activities and tourism activities. The City Centre is ideally positioned to accommodate retail and other commercial activities of a type and scale intended to serve its city and region-wide catchment and visitors to it. Provides for high density residential activity, recreation activities and community activities and community facilities (including health and social services) as well as civic and cultural venues/ facilities (including museums, art galleries). The focus for the district, sub-regional and wider transport services with a central public transport interchange, providing access to large areas of the district and the surrounding districts of Selwyn and Waimakariri. The extent of the centre is the City Centre Zone.	Centre: City Centre

15.2.2.4 Policy - Accommodating growth

- a. Growth in commercial activity is focussed within existing commercial centres.
- b. Any outward expansion of a commercial centre beyond commercial zone boundaries and/or establishment of large format activities within 400 metres of a commercial centre, or any upward expansion of commercial activity above height limits must:
 - i. ensure the expanded centre remains commensurate with the centre's role within a strategic network of centres, while not having significant adverse effects on the function of other centres;
 - ii. be integrated with the provision of infrastructure, including the transport network;
 - iii. be undertaken in such a manner that manages adverse effects at the interface with the adjoining zone;
 - iv. be:
 - A. responsive to the anticipated increase in population in the surrounding catchment while continuing to support intensification targets in and around centres, and
 - B. consistent with revitalising the City Centre as the primary community focal point; and
 - v. ensure the centre is coherent in form; and
 - vi. ensure the large format activities proposed within 400 metres does not have a significant adverse effect on the function and viability of the centre.

15.2.4 Objective - Urban form, scale and design outcomes

- a. A scale, form and design of development that is consistent with the role of a centre, and which:

- i. recognises the Central City and District Centres as strategically important focal points for community and commercial investment;
- ii. contributes to an urban environment that is visually attractive, safe, easy to orientate, conveniently accessible, and responds positively to local character and context;
- iii. recognises the functional and operational requirements of activities and the existing built form;
- iv. manages adverse effects on the surrounding environment; and
- v. recognises Ngāi Tahu/ mana whenua values through landscaping and the use of low impact urban design, where appropriate.

15.2.4.1 Policy - Scale and form of development

- a. Provide for development of a significant scale and form in the core of District Centres and Neighbourhood Centres, and of a lesser scale and form on the fringe of these centres.
- b. The scale and form of development in centres shall:
 - i. reflect the context, character and the anticipated scale of the zone and centre's function;
 - ii. increase the prominence of buildings on street corners;
 - iii. for Local Centres, maintain a low rise built form to respect and integrate with their suburban residential context;
 - iv. for Key Activity Centres and Large Format Centres, enable larger floor plates while maintaining a high level of amenity in the centre; and
 - v. manage adverse effects on the surrounding environment, particularly at the interface with residential areas, sites of Ngāi Tahu cultural significance identified in Appendix 9.5.6 and natural waterways.

15.2.4.2 Policy – Design of new development

- a. Require new development to be well-designed and laid out by:
 - i. encouraging pedestrian activity and amenity along streets and in adjoining public spaces, to a degree that is appropriate to the location and function of the street;
 - ii. providing a principal **street facing façade**, or facades (where located on a corner site), of visual interest that contributes to the character and coherence of a centre;
 - iii. facilitating movement within a site and with the surrounding area for people of all mobilities and ages, by a range of modes of transport through well-defined, convenient and safe routes;
 - iv. enabling visitors to a centre to orientate themselves and find their way with strong visual and physical connections with the surrounding area;
 - v. promoting a safe environment for people and reflecting principles of Crime Prevention through Environmental Design (CPTED);
 - vi. enabling the re-use of buildings and sites while recognising the use for which the building is designed;
 - vii. incorporating principles of low impact design including energy efficiency, water conservation, the reuse of stormwater, on-site treatment of stormwater and/or integration with the wider catchment based approach to stormwater management, where practicable;
 - viii. achieving a visually attractive setting when viewed from the street and other public spaces, that embodies a **human scale** and **fine grain**, while managing effects on adjoining environments;
 - ix. providing adequate and convenient space for storage while ensuring it is screened to not detract from the site's visual amenity values;
 - x. increasing the prominence of buildings on street corners;

- xi. ensuring that the design of development mitigates the potential for adverse wind-related effects;
 - xii. ensuring that the upper floors (including roof form and associated mechanical plant) are well-modulated and articulated to provide visual interest to the building when viewed from beyond the Central City or from adjacent buildings above; and
 - xiii. recognising the importance of significant public open space by maintaining sunlight access to, and managing visual dominance effects on, these spaces;
- b. Recognise the scale, form and design of the anticipated built form within a site and the immediately surrounding area and the functional and operational requirements of activities.
 - c. Require residential development to be well-designed and laid out to ensure a high quality healthy living environment including through:
 - i. the provision of sufficient and conveniently located internal and outdoor living spaces;
 - ii. good accessibility within a development and with adjoining areas; and
 - iii. minimising disturbance from noise and activity in a centre (and the potential for reverse sensitivity issues to arise).
 - d. Enable high quality **small buildings** on mid-block sites in the City Centre and Central City Mixed Use (South Frame) Zones, because they have minimal adverse effects on people and the environment.

15.2.4.4 Policy – Recognition of Ngāi Tahu/ mana whenua values

- a. To encourage the use of indigenous species, appropriate to the local environment, in landscaping and tree planting to recognise sites of Ngāi Tahu cultural significance identified in Appendix 9.5.6 and the cultural values of Ngāi Tahu/ mana whenua.

15.2.5 Objective - Diversity and distribution of activities in the Central City

A range of commercial activities, community activities, cultural activities, residential activities and visitor accommodation are supported in the Central City to enhance its viability, vitality and the efficiency of resources, while encouraging activities in specific areas by:

- i. Defining the City Centre Zone as the focus of retail activities and offices and limiting the height of buildings to support an intensity of commercial activity across the zone;
- ii. Limiting the extent to which retail activity and offices occur outside the City Centre Zone;
- iii. Providing for key anchor projects within and around the City Centre Zone;
- iv. Encouraging entertainment and hospitality activity (including late-night trading) in defined precincts and managing the extent to which these activities (except for visitor accommodation) occur outside the precincts.

15.2.6 Objective - Role of the City Centre Zone

- a. A City Centre Zone that re-develops as the principal commercial centre for Christchurch District and is attractive for businesses, residents, workers and visitors, consistent with the Strategic Direction outcomes for the built environment.

15.2.6.1 Policy - Diversity of activities and concentration of built development

- a. Ensure the City Centre Zone provides for the widest range of commercial activities, community activities, cultural activities, residential activities and visitor accommodation and the greatest concentration and overall scale of built development in Christchurch.

15.2.6.2 Policy - Usability and adaptability

- a. Encourage a built form where the usability and adaptability of buildings are enhanced by:
 - i. enabling taller buildings than in other areas of the Central City;
 - ii. setting minimum ground floor heights;
 - iii. setting a minimum number of floors; and
 - iv. prescribing minimum residential unit sizes.

15.2.6.3 Policy - Amenity

- a. Promote a high standard of amenity and discourage activities from establishing where they will have an adverse effect on the amenity values of the Central City by:
 - i. requiring an urban design assessment for development within the City Centre Zone;
 - ii. setting design standards to manage access to sunlight, reduce adverse effects from wind, ensure a high quality street interface and avoid the impact of overly dominant buildings on the street and other public spaces;
 - iii. prescribing setback requirements at the boundary with any adjoining residential zone;
 - iv. ensuring protection of sunlight and outlook for adjoining residential activity and zones;
 - v. setting fencing and screening requirements;
 - vi. identifying entertainment and hospitality precincts and associated noise controls for these and adjacent areas, and encouraging entertainment and hospitality activities to locate in these precincts;
 - vii. protecting the efficiency and safety of the adjacent transport networks; and
 - viii. recognising the values of Ngāi Tūāhuriri/ Ngāi Tahu in the built form, and the expression of their narrative.
 - viii. recognising that amenity values develop and change over time to meet the changing needs of people and communities, including increased and varied housing densities and types, which may detract from the amenity of some, but enhance the amenity of others. Those changes are not of themselves an adverse effect.

15.2.6.5 Policy - Pedestrian focus

- a. Ensure compactness, convenience and an enhanced pedestrian environment that is accessible, pleasant, safe and attractive to the public, by:
 - i. identifying a primary area within which pedestrian orientated activity must front the street;
 - ii. requiring development to support a pedestrian focus through controls over building location and continuity, weather protection, height, wind generation, sunlight admission, and the location of parking areas;
 - iii. establishing a slow street traffic environment; and
 - iv. ensuring high quality public space design and amenity.

15.2.6.6 Policy - Comprehensive development

- a. Ensure comprehensive block development in the Central City Retail Precinct to catalyse early recovery and encourage integrated development, reduced development costs, improved amenity, pedestrian connection and economies of scale.

Rules —City Centre Zone

KEY

NOTE THAT THE HYPER LINK COLOURS ARE NOT SHOWN.

BLUE HEADING OPERATIVE DISTRICT PLAN RULES

PURPLE HEADING PLAN CHANGE 14 SECTION 86F OPERATIVE RULES, (Non Qualifying Area matters only)

15.11.1 Activity status tables —City Centre Zone

15.11.1.1 Permitted activities

- a. The activities listed below are permitted activities in the City Centre Zone if they meet the activity specific standards set out in this table and the built form standards in Rule 15.11.2. Note that the built form standards do not apply to an activity that does not involve any development.
- b. Activities may also be controlled, restricted discretionary, discretionary, non-complying or prohibited, as specified in Rules 15.11.1.2, 15.11.1.3, 15.11.1.4, 15.11.1.5 and 15.11.1.6.
- c. The activities listed below include any associated landscaping, access, parking areas, loading, waste management areas and other hardstanding areas.

	Activity	Activity specific standards
P1	Retail activity	Nil
P2	Commercial services	Nil
P3	Entertainment activity	Nil
P4	Recreation activity	a. For sites shown on the planning maps as being within active frontage areas, these activities shall not be located at ground floor level within 10 metres of the boundary of a road (excluding access ways and service lanes), except for pedestrian entranceways, which may be located at ground floor level. b. Activity specific standard a. shall not apply to any spiritual facility at 100 Cathedral Square.
P5	Gymnasium	
P6	Community facility	
P7	Education activity	
P8	Day care facility	
P9	Preschool	
P10	Health care facility	
P11	Spiritual activity	
P12	Office	
P13	Residential activity	a. For sites shown on the planning maps as being within active frontage areas, the activity shall not be located at ground floor level within 10 metres of the

	Activity	Activity specific standards
		boundary of a road (excluding access ways and service lanes), except for pedestrian entranceways or reception areas, which may be located at ground floor level. b. Activity specific standard a. shall not apply to the former Christchurch Teachers College building at 25 Peterborough Street. c. Each residential unit shall be provided with an outdoor service space contained within the net site area with a minimum area of 5m² and each dimension being a minimum of 1.5 metres, except that: i. an indoor area or areas with a minimum volume of 3m³ may be provided in lieu of any outdoor service space; or ii. if a communal outdoor service space with a minimum area of 10m² is provided within the site, the outdoor service space may reduce to 3m² for each residential unit. d. The minimum net floor area for any residential unit (including toilets and bathrooms but excluding car parking area, garages, or balconies allocated to each unit) shall be: i. studio 35m²; ii. 1 bedroom 45m²; iii. 2 bedrooms 60m²; and iv. 3 or more bedrooms 90m². e. Each residential unit without a habitable space on the ground floor shall have 10m² of outdoor living space provided that: i. a minimum of 5m² of the area, with each dimension being a minimum of 1.5 metres, shall be provided as a private balcony located immediately outside, and accessible from an internal living area of the residential unit; and ii. the balance of the required 10m² not provided by private balconies can be provided in a communal area, with each dimension being a minimum of 4 metres, that is available for the use of all site residents. Advice note: 1. Balconies can be recessed, cantilevered or semi-recessed. f. Each residential unit with a habitable space on the

	Activity	Activity specific standards
		ground floor shall have 10m² of outdoor living space immediately outside and accessible from an internal living area of the residential unit. g. Any outdoor service space or outdoor living space shall not be used as a car parking area or access.
	Visitor accommodation	a. The activity shall not be located at ground floor level within 10 metres of the boundary of a road (excluding access ways and service lanes), except for pedestrian entranceways or reception areas, which may be located at ground floor level. b. Activity specific standard a. shall not apply to the Former Christchurch Teachers College building at 25 Peterborough Street.
P15	Art studios and workshops	Nil
P16	Retirement village outside the Core (as identified on the Central City Core, Frame, Large Format Retail, and Health, Innovation, Retail and South Frame Pedestrian Precincts planning map).	Nil
P17	Small buildings for an activity listed in Rule 15.11.1.1 P1 to P16	a. All small buildings shall be built up to the road boundary for the full width of the site; b. The maximum height shall be 21 metres, unless otherwise specified in Rule 15.11.2.11(a)(ii) or (iii) in which case the height specified in that rule shall apply; c. There shall be no vehicle access to the site; d. There shall be no onsite vehicle parking; e. Where residential activities are included, a separate residential access to the building must be provided from the street or public laneway; and f. Glazing of the street fronting façade shall be as follows: - ground floor between 0.5m and 3m in height – 75% minimum; - first floor level and above – 30% minimum per floor.

15.11.1.2 Controlled activities

- a. The activities listed below are controlled activities.

- b. Discretion to impose conditions is restricted to the matters over which control is reserved, as set out in the following table.

	Activity	The matters over which Council reserves its control:
C1 A	a. Any new building, external alteration to any existing building, or the use of any part of a site not occupied by a building, for an activity listed in Rule 15.11.1.1 P1 to P16, which is: 28m to 45m in height; and - visible from a publicly owned and accessible space; and - meets the following built form standards: - Rule 15.11.2.3 Sunlight and outlook for the street; and/or - Rule 15.11.2.12 Maximum road wall height; and - is certified by a qualified expert on a Council approved list as meeting each of the urban design provisions/ outcomes in Rule 15.14.2.6 City Centre Zone Urban Design. b. Certification shall include sufficient detail to demonstrate how the relevant urban design provisions/ outcomes in Rule 15.14.2.6 have been met. c. This rule does not apply to any activity requiring consent under C2 below. d. Any application arising from this rule shall not be publicly or limited notified.	a. That the activity is undertaken in accordance with the urban design certification.
C1 B	a. Any new building, external alteration to any existing building, or the use of any part of a site not occupied by a building, for an activity listed in Rule 15.11.1.1 P1 to P16, which: - is less than 28m in height; and - does not meet one or more of the built form standards; and - is not a small building permitted by Rule 15.11.1.1 P17; and - is visible from a publicly owned and accessible space; and - is certified by a qualified expert on a Council approved list as meeting each of the urban design provisions / outcomes in Rule 15.14.2.6 City Centre Zone Urban Design b. Certification shall include sufficient detail to	a. That the activity is undertaken in accordance with the urban design certification.

	demonstrate how the relevant urban design provisions/ outcomes in Rule 15.14.2.6 have been met. c. This rule does not apply to any activity requiring consent under C2 below. d. Any application arising from this rule shall not be publicly or limited notified.	
C2	a. Any new building, or external alteration to any existing building, for a spiritual facility, which is: - located at 100 Cathedral Square; and - certified by a qualified expert on a Council approved list as meeting each of the urban design provisions/ outcomes in Rule 15.14.5.1 - Buildings at 100 Cathedral Square. b. Certification shall include sufficient detail to demonstrate how the relevant urban design provisions/ outcomes in Rule 15.14.5.1 have been met. c. The built form standards in Rule 15.11.2 shall not apply to this activity.	a. That the activity is undertaken in accordance with the urban design certification.

d. Rules C1A, C1B, and C2 shall not apply to:

- demolition, repairs, maintenance, and seismic, fire and access building code upgrades; and
- any **building** which is a listed **heritage item** in which case the applicable rules in Chapter 9 Natural and Cultural Heritage shall apply; and
- any **signage**.

15.11.1.3 Restricted discretionary activities

- The activities listed below are restricted discretionary activities.
- Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in Rule 15.14, as set out in the following table.

	Activity	Council's discretion shall be limited to the following matters:
RD1	a. Any new building, external alteration to any existing building, or the use of any part of a site not undertaken in a building, for an activity listed in Rule 15.11.1.1 P1 to P16, which:	a. City Centre Zone urban design – Rule 15.14.2.6

	Activity	Council's discretion shall be limited to the following matters:
	i. is visible from a publicly owned and accessible space; and ii. is not: A. a controlled activity under Rule 15.11.1.2 C1A or C1B; or B. a building up to 28 metres in height that complies with all built form standards in rule 15.11.2. b. This rule does not apply to activities requiring consent under Rule 15.11.1.2 C2, or Rule 15.11.1.3 RD9, or RD10. c. Any application arising from this rule shall not be publicly or limited notified.	
RD2	a. The erection of any new buildings within the Central City Retail Precinct (as identified on the Central City Core, Frame, Large Format Retail, and Health, Innovation, Retail and South Frame Pedestrian Precincts planning map). b. This rule does not apply to buildings permitted by Rule 15.11.1.1 P17. c. This rule does not apply to buildings requiring consent under Rule 15.11.1.2 C1A or C1B. d. Any application arising from this rule shall not be limited or publicly notified.	a. City Centre Zone urban design – Rule 15.14.2.6 b. City Centre Zone Retail Precinct – Rule 15.14.2.7
RD3	a. Any activity listed in Rule 15.11.1.1 P1 to P16 that does not meet the activity specific standard relating to ground floor activity (active frontage). b. Any application arising from this	a. City Centre Zone - Activity at ground floor level – Rule 15.14.2.8

	Activity	Council's discretion shall be limited to the following matters:
	rule shall not be limited or publicly notified.	
RD4	a. Any residential activity listed in Rule 15.11.1.1 P13 that does not meet one or more of the activity specific standards. b. Any application arising from this rule shall not be limited or publicly notified.	a. Residential activity in the-City Centre and Central City Mixed Use Zones – Rule 15.14.2.9
RD5	a. Any activity listed in Rule 15.11.1.1 P1 to-P17-and Rules 15.11.1.3 RD1 to RD4, RD6 and RD8 that does not meet one or more of the built form standards in Rule 15.11.2, unless otherwise specified. b. This rule does not apply to activities requiring consent under Rule 15.11.1.2 C1B. Advice note: 1. Refer to relevant built form standard for provisions regarding notification.	As relevant to the standard that is not met: a. City Centre Zone - Building setbacks and continuity – Rule 15.14.3.15 b. City Centre Zone and Central City Mixed Use Zones (South Frame) - Verandas – Rule 15.14.3.16 c. City Centre Zone - Sunlight and outlook for the street – Rule 15.14.3.17 d. City Centre Zone and Central City Mixed Use Zone (South Frame) - Minimum number of floors – Rule 15.14.3.18 e. City Centre Zone --Flexibility in building design for future uses – Rule 15.14.3.19 f. City Centre Zone - Location of on-site car parking – Rule 15.14.3.20 g. Fencing and screening structures in the City Centre and Mixed Use Zones – Rule 15.14.3.21 h. Screening of outdoor storage and service area / spaces – Rule 15.4.3.22 i. Sunlight and outlook at boundary with a residential zone – Rule 15.14.3.23 j. Minimum separation from the boundary with a residential zone – Rule 15.14.3.24 k. Water supply and access for fire fighting – Rule 15.14.3.8 l. Maximum building height – Rule 15.14.3.1 m. Gross floor area, upper floor setbacks, tower dimension and site coverage – Rule 15.14.3.35
RD6	Retirement village in the Core (as	a. Retirement villages - Rule 15.14.2.14

	Activity	Council's discretion shall be limited to the following matters:
	identified on the Central City Core, Frame, Large Format Retail, and Health, Innovation, Retail and South Frame Pedestrian Precincts planning map).	City Centre Zone urban design – Rule 15.14.2.6
RD7	Retirement village that does not meet any one or more of the built form standards in Rule 15.11.2 unless otherwise specified.	As relevant to the standard that is not met: a. Central City Mixed Use Zone - Landscaping and trees – Rule 15.14.3.25 b. Maximum building height - 15.14.3.1(a) (xiv) and (b)(vi). c. City Centre - Flexibility in building design for future uses – Rule 15.14.3.27 d. Fences and screening structures in the City Centre and Mixed Use Zones – Rule 15.14.3.21 e. Screening of outdoor storage and service areas / spaces - Rule 15.14.3.22 f. Sunlight and outlook at boundary with a residential zone, and in the Central City Mixed Use Zone, the boundary with the Open Space Community Parks Zone, Open Space Water and Margins Zone and Avon River Precinct/Te Papa Ōtākaro Zone - Rule 15.14.3.23 g. Minimum setback from the boundary with a residential zone, or from an internal boundary – Rule 15.14.3.24 h. Water supply and access for fire fighting – Rule 15.14.3.8
RD8	Parking lot/ Parking building	a. City Centre Zone urban design – Rule 15.14.2.6 Advice notes: 1. Refer to Rule 7.4.3.1(b) for parking in the Central City, Rule 7.4.2.3 RD1 for non-compliance with this rule, and activity Rule 7.4.2.5 NC3 for non-compliance with this rule in the Core of the City Centre Zone. 2. Also refer to Rule 7.4.2 for the activity status and matters of discretion for parking lots/ parking buildings in the context of the transport provisions for the Central City.

	Activity	Council's discretion shall be limited to the following matters:
RD9	a. Any new building, external alteration to any existing building, or the use of any part of a site not occupied by a building, for an activity listed in Rule 15.11.1.1 P1 to P16, which: i. is located at 100 Cathedral Square; and ii. is not a controlled activity under Rule 15.11.1.2 C2. a. The built form standards in Rule 15.11.2 shall not apply on this site to the activity listed in Rule 15.11.1.1 P11.	a. Buildings at 100 Cathedral Square – Rule 15.14.5.1
RD10	a. Any activity listed in Rule 15.11.1.1 P17 that does not meet one or more of the activity specific standards. b. Any application arising from this rule shall not be limited or publicly notified.	a. City Centre Zone urban design – Rule 15.14.2.6
RD11	Any building that does not meet Rule 15.11.2.11(a)(ii), and (iii), in respect to all new buildings on New Regent Street and, the Arts Centre heritage sites and settings.	a. The impact on the heritage values of the Arts Centre or New Regent Street heritage items and heritage setting, and the extent to which the increase in building height would be mitigated by the building's form, design, or location on the site. b. Whether the proposed building would visually dominate the Arts Centre or New Regent Street heritage items and heritage setting. c. Maximum Building Height – Rule 15.14.3.1

c. Rules RD1, RD9 and RD10 shall not apply to:

- i. demolition, repairs, maintenance, and seismic, fire and access building code works; and
- ii. any building within the Core which is a listed heritage item in which case the applicable rules in Chapter 9 Natural and Cultural Heritage shall apply; and
- iii. any signage.

Advice note:

1. The Central City Core is identified on the planning map titled “Central City Core, Frame, Large Format Retail, and Health, Innovation, Retail and South Frame Pedestrian Precincts planning map”.

15.11.1.4 Discretionary activities

- a. The activities listed below are discretionary activities.

Activity	
D1	Any activity that does not meet built form standards: • Rule 15.11.2.11 Building Height (a)(ii) (Heritage setting – New Regent Street); • Rule 15.11.2.11 Building Height(a)(iii) (Arts Centre); Rule 15.10.2.12 (Maximum Road Wall Height) unless otherwise specified.
D2	Any activity not provided for as a permitted, controlled, restricted discretionary, non-complying or prohibited activity.

15.11.1.5 Non-complying activities

There are no non-complying activities.

15.11.1.6 Prohibited activities.

There are no prohibited activities.

15.11.2 Built form standards - City Centre Zone

Advice note: There is no spare, or limited, wastewater, storm water, or water supply infrastructure capacity in some areas of Christchurch City which may create difficulties in granting a building consent for some developments. Alternative means of providing for those services may be limited or not available. Compliance with the District Plan does not guarantee that connection to the Council’s reticulated infrastructure is available or will be approved. Connection to the Council’s reticulated infrastructure requires separate formal approval from the Council. There is a possibility that approval to connect will be declined, or development may trigger the need for infrastructure upgrades or alternative servicing at the developer’s cost. Anyone considering development should, at an early stage, seek information on infrastructure capacity from Council’s Three Waters Unit. Please contact the Council’s Three Waters Unit at WastewaterCapacity@ccc.govt.nz, WaterCapacity@ccc.govt.nz and Stormwater.Approvals@ccc.govt.nz.

- a. The following built form standards shall be met by all permitted, controlled and restricted discretionary activities unless otherwise stated.

15.11.2.1 Building setback and continuity

	Standard
a.	On sites in the area identified as the Core on the Planning Map titled 'Central City Core, Frame, Large Format Retail, and Health, Innovation, Retail and South Frame Pedestrian Precincts planning map', buildings (excluding fences for the purposes of this standard) shall be built: i. up to road boundary, except that where the allotment fronts more than one road boundary, buildings shall be built up to all boundaries of the allotment; and ii. across 100% of the width of an allotment where it abuts all road boundaries (excluding access ways and service lanes), except that one vehicle crossing may be located on each road frontage of the site.
b.	On sites outside the area identified as the Core on the planning map titled 'Central City Core, Frame, Large Format Retail, and Health, Innovation, Retail and South Frame Pedestrian Precincts planning map', buildings (excluding fences for the purposes of this standard) shall be built: i. up to a road boundary, except that where the allotment fronts more than one road boundary, buildings shall be built up to all road boundaries of the allotment; and ii. across a minimum of 65% of the width of an allotment where it abuts all road boundaries (excluding access ways and service lanes).
c.	Any application arising from this rule shall not be limited or publicly notified.
d.	This rule does not apply to new buildings and alterations permitted by Rule 15.11.1.1 P187.

Advice note:

1. This rule applies to the ground and first floor of buildings only.

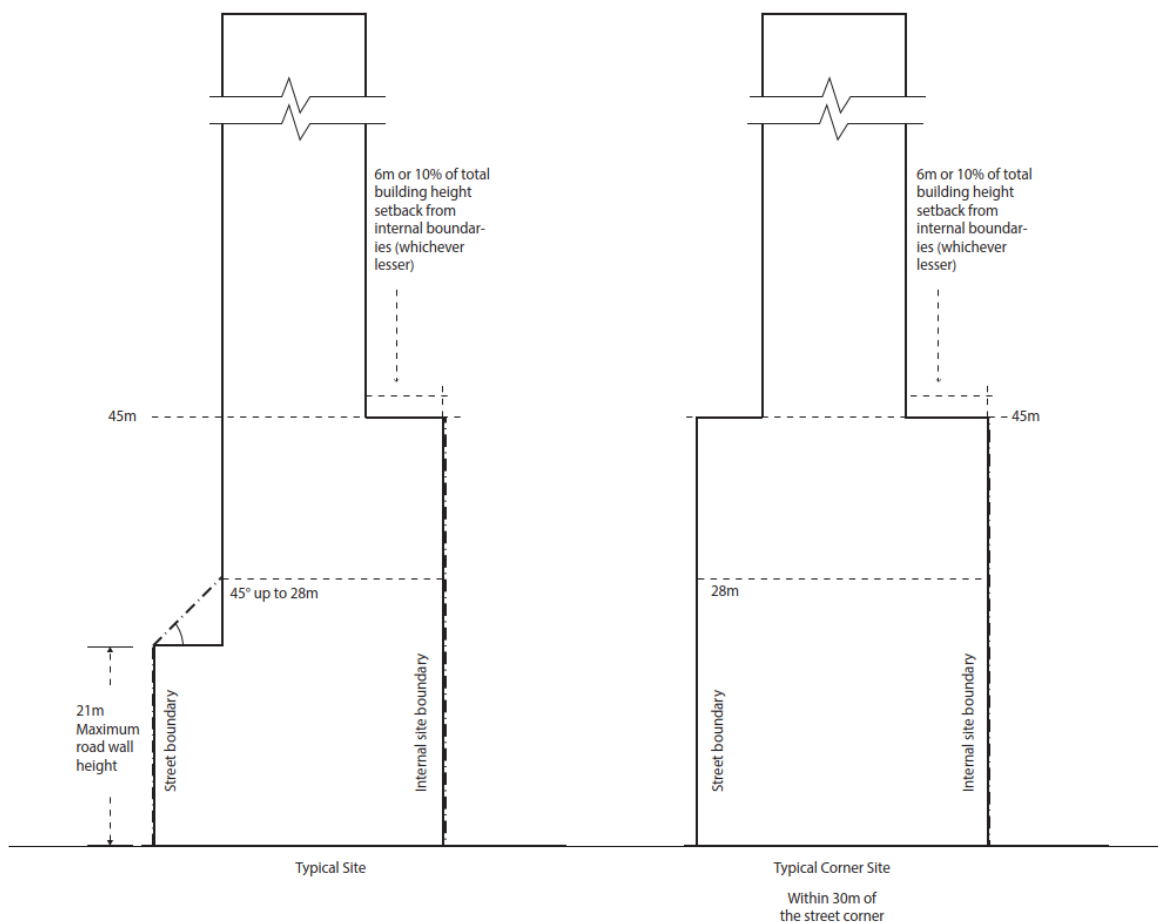
15.11.2.2 Verandas

- a. In the areas shown on the 'Central City Active Frontages and Verandas and Building Setback planning map' as Central City Active Frontage and Veranda, every building shall provide a veranda or other means of weather protection with continuous cover for pedestrians.
- b. Any application arising from this rule shall not be limited or publicly notified.

15.11.2.3 Sunlight and outlook for the street

- a. Buildings shall not project beyond a 45 degree recession plane measured from the maximum road wall height and angling into the site:
 - i. up to a maximum height of 28m; or
 - ii. sites located on a street intersection, this rule shall not apply within 30m of the street corner.

- iii. Except that this rule shall not apply to access ways, service lanes, or to New Regent Street.



- b. Any application arising from this rule shall not be limited or publicly notified.
- c. This rule does not apply to new buildings and alterations permitted by Rule 15.11.1.1 P17

15.11.2.4 Minimum numbers of floors

- a. The minimum number of floors above ground level for any building within the Core identified on the 'Central City Core, Frame, Large Format Retail, and Health, Innovation, Retail and South Frame Pedestrian Precincts planning map' shall be two.
- b. Any application arising from this rule shall not be limited or publicly notified.

15.11.2.5 Flexibility in building design for future uses

- a. The minimum distance between the top of the ground floor surface and the bottom of the first floor slab shall be 3.5 metres. The measurement shall be made from the ground floor surface to the bottom of the floor slab above.
- b. This rule shall not apply to buildings for residential activity or a retirement village except where they are within 10 metres of a road boundary.

- c. Any application arising from this rule shall not be limited or publicly notified.

15.11.2.6 Location of onsite parking areas

- a. Parking areas within the Core identified on the Central City Core, Frame, Large Format Retail, and Health, Innovation, Retail and South Frame Pedestrian Precincts planning map shall be located to the rear of, on top of, within or under buildings; or when located on the ground floor of any building, not located within 10 metres of the road boundary.
- b. Any application arising from this rule shall not be limited or publicly notified.
- c. This rule does not apply to new buildings and alterations permitted by Rule 15.11.1.1 P17.

15.11.2.7 Fences and screening structures

- a. The maximum height of any fence or screening structure located within 4.5 metres of a road boundary, or between a building and the Central City Avon River Precinct Zone, shall be:
 - i. 2 metres, where at least 50% of the fence structure is visually transparent; or
 - ii. metres, where less than 50% of the fence structure is visually transparent.
- b. This rule shall not apply to fences or other screening structures located on an internal boundary between two properties zoned residential and City Centre Zone.
- c. Any application arising from this rule shall not be limited or publicly notified.
- d. This rule does not apply to new buildings and alterations permitted by Rule 15.11.1.1 P17.

Advice note:

- 1. For the purposes of this rule, a fence or other screening structure is not the exterior wall of a building or accessory building.

15.11.2.8 Screening of outdoor storage and service areas or spaces

- a. Any outdoor storage area or outdoor service spaces shall be:
 - i. located to the rear of the principal building on the site; and
 - ii. screened from any adjoining site by landscaping, fence, wall or a combination of these of not less than 1.8 metres high.
- b. Any application arising from this rule shall not be limited or publicly notified.

15.11.2.9 Sunlight and outlook at boundary with a residential zone

- a. Where an internal boundary adjoins a residential zone, no part of any building shall project beyond a building envelope constructed by recession planes shown in Appendix 14.16.2 diagram D from points

4.0m above ground level along all boundaries where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the **height in relation to boundary** applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.

- b. For any part of a building above 12m in height, the recession plane under a. shall apply, unless that part of the building above 12m in height is set back from the relevant boundary as set out below:
 - i. northern boundary: 6 metres;
 - ii. southern boundary: 8 metres; and
 - iii. eastern and western boundaries: 7 metres

where the boundary orientation is as identified in Appendix 14.15.2 Diagram D, in which case there shall be no recession plane requirement for that part of the building above 12m in height.

- c. The level of site boundaries shall be measured from filled ground level, except where the site on the other side of the internal boundary is at a lower level, then that lower level shall be adopted.
- d. Any application arising from this rule shall not be limited or publicly notified.

Advice note:

- 1. There is no recession plane requirement for sites located in the City Centre Zone that adjoin sites also zoned City Centre Zone.

15.11.2.10 Minimum setback from the boundary with a residential zone or from an internal boundary

- a. The minimum setback from the boundary with a residential zone, or in the case of residential activities from an internal boundary, shall be as follows:

	Standard
i.	Buildings shall be setback from the boundary of any residential zone by a minimum of 3 metres, except that where there is a shared wall with a building within a residential zone no setback is required.
ii.	For residential activities there shall be no minimum building setback from internal boundaries other than from the boundary of any residential zone, except where a balcony or the window of any habitable space faces an internal boundary and there is no other direct daylight available to that habitable space, then the balcony or window shall not be located within 3 metres of any internal boundary.
iii.	Any required building setback under a. shall contain landscaping for its full width and length and this area planted in a combination of shrubs, trees and grasses including a minimum of 1 tree for every 10 metres of boundary length capable of reaching a minimum height at maturity of 8 metres and shall not be less than 1.5 metres at the time of planting.
iv.	All landscaping within the setback shall be maintained, and if dead, diseased or damaged, shall be replaced.

- b. Any application arising from this rule shall not be limited or publicly notified.

15.11.2.11 Building height

- a. The maximum and minimum height of any building shall be as follows:

	Applicable to	Standard
i.	All buildings, except as provided for below.	The maximum height of the building base shall be 28 metres.
ii.	All buildings in the heritage setting of New Regent Street as identified in Appendix 9.3.7.2.	The minimum and maximum height shall be 8 metres.
iii.	All buildings at the Arts Centre, being land bordered by Montreal Street, Worcester Street, Rolleston Avenue and Hereford Street.	The maximum height shall be 16 metres.
iv.	All buildings at 25 Peterborough Street	The maximum height shall be 32 metres.

- b. Rule 15.11.2.11.a.i does not apply to new buildings and alterations permitted by Rule 15.11.1.1 P17

15.11.2.12 Maximum road wall height

- a. The maximum height of the road wall of any building shall be:

- i. 21 metres unless specified below.
- ii. 17 metres where the wall fronts the northern side of Cashel Street, between Oxford Terrace and High Street;
- iii. For sites located on a street intersection, this rule shall not apply within 30m from the street corner.

- b. This rule does not apply to new buildings and alterations permitted by Rule 15.11.1.1 P17.

15.11.2.13 Water supply for fire fighting

- a. Provision for sufficient water supply and access to water supplies for firefighting shall be made available to all buildings (excluding accessory buildings that are not habitable buildings) via Council's urban reticulated system in accordance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice (SNZ PAS: 4509:2008).
- b. Where a reticulated water supply compliant with SNZ PAS:4509:2008 is not available, water supply and access to water supplies for fire fighting that is in compliance with the alternative firefighting water sources provisions of SNZ PAS 4509:2008 must be provided.
- c. Any application arising from this rule shall not be publicly notified. Limited notification, if required, shall only be to the Fire and Emergency New Zealand (absent its written approval).

15.11.2.14 Building tower internal boundary setbacks

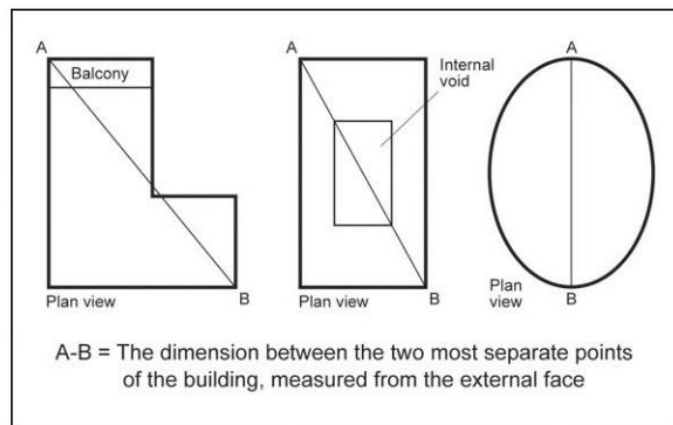
- a. All parts of a building above 45m shall be set back from side ~~and~~ rear boundaries by a at least 6m or the distance equal to 10% of the total height of the building, whichever is the lesser.
- b. This rule does not apply to new buildings and alterations permitted by Rule 15.11.1.1 P17.

15.11.2.15 Maximum building tower dimension and building tower coverage

- a. The maximum plan dimension of any part of the building above 45m in height shall be 40m.

(The maximum plan dimension is the horizontal dimension between the exterior faces of the two most separate points of the building – see diagram below)

- b. This rule does not apply to new buildings and alterations permitted by Rule 15.11.1.1 P17.



15.11.2.16 Maximum gross floor area

- a. Each floor located above 28m in height shall not exceed a gross floor area of 1,200m².

Rules - Matters of control and discretion

KEY

PURPLE HEADING PLAN CHANGE 14 SECTION 86F OPERATIVE MATTERS OF DISCRETION, (Non Qualifying Area matters only)

15.14.2.6 City Centre and Central City Mixed Use Zones urban design

- a. The extent to which the building or use:
 - i. recognises and reinforces the context of a site, having regard to the identified urban form for the City Centre Zone, the grid and diagonal street pattern, natural, heritage or cultural assets, and public open spaces;
 - ii. in having regard to the relationship of Ngāi Tūāhuriri/ Ngāi Tahu with Ōtautahi as a cultural element, consideration should be given to landscaping, the use of Te Reo Maori, design features, the use of locally sourced materials, and low impact design principles as is appropriate to the context;
 - iii. in respect of that part of the building or use visible from a publicly owned and accessible space, promotes active engagement with the street, community safety, human scale and visual interest, including consideration of the visual impact of car parking and blank facades;

- iv. takes account of nearby buildings in respect of the exterior design, materials, architectural form, scale and detailing of the building;
- v. is designed to emphasise the street corner (if on a corner site);
- vi. is designed to incorporate Crime Prevention Through Environmental Design (CPTED) principles, including encouraging surveillance, effective lighting, management of public areas and boundary demarcation; and
- vii. incorporates landscaping or other means to provide for increased amenity, shade and weather protection.
- viii. is built to and along the full length of the street(s) and public space boundaries in a manner that the design of the building:
 - A. provides for visual and physical integration, connection and relationship of the building with other buildings on the site, along the street frontage and in the vicinity;
 - B. provides visual interest to reflect the context and character of the site and surrounds;
 - C. incorporates architectural variation into the façade and building form to provide interest and to break up the bulk of a building;
 - D. provides for main entrances, openings and display windows onto the street, and maintains clear and visible visual and physical connections between the interior of a building and the street; and
 - E. provides for functional and quality space for public amenity and accessibility, such as for outdoor dining, and contributes to the functional width of a public footpath, without compromising the overall character of the street frontage and its
- b. For buildings or parts of buildings over 28m in height as the context requires, and particularly for buildings above 45m, the proposal will need to demonstrate (in addition to the above matters):
 - i. How the top of the building contributes positively to the enhancement of the skyline, including the use of recessed and well-screened accommodation of rooftop plant, and service apparatus and telecommunication masts. Note that large blank walls / facades should be avoided in the tower elements of the building.
 - ii. A clear and coherent design for the building that avoids dominant built form, and provides visual interest when viewed from short, medium and long ranges, particularly from public open spaces and other areas where there are high levels of pedestrian activity.
 - iii. The relationship between the building base and tower elements and the use of the building.
 - iv. How the building manages the individual or cumulative effects of shading, glare and reflections and reflected heat from glass for sensitive sites including adjoining residential zones or on the character, quality and use of public open space and in particular the Ōtākaro Avon River corridor, Earthquake Memorial, Victoria Square, Latimer Square and Cathedral Square.
- c. For buildings located to the east of New Regent Street and to the east of the Arts Centre heritage items and settings in Appendix 9.3.7.2, how the building manages the individual or cumulative effects of shading and visual dominance on those heritage items and settings.
- d. The mitigation of the adverse impacts of wind caused by tall buildings on the safety and comfort of people, whether stationary or moving, at street level and in public spaces including Cathedral Square, Victoria Square, the Ōtākaro Avon River Corridor, the Margaret Mahy Family Playground, any public open space zoned Open Space Community Park Zone, Central City Heritage Triangles and other parks, and any mitigation measures proposed, demonstrated through the use of wind modelling and analysis.

Note: The Council intends to publish a design guide for large scale central city buildings which will elaborate on the above specified matters.

Advice Note:

- For the purpose of this assessment under viii), safety and comfort will be demonstrated where the building does not result in wind conditions that exceed the following cumulative wind condition standards (Gust Equivalent Mean) more than 5% annually at ground level, within 100m of the site based on modelling:
 - i. 4 m/s at the boundary of the site street frontage for the width of the footpath;
 - ii. 6 m/s within any carriageway adjacent to the site;
 - iii. 4 m/s at the following listed public open spaces:
 - A. The Avon River Precinct Zone;
 - B. Cathedral Square;
 - C. Victoria Square;
 - D. Any public open space zoned Open Space Community Park Zone;
 - E. The Margaret Mahy Family Playground.
- New buildings, structures or additions greater than 28 metres in height shall not result in wind speeds exceeding 15m/s more than 0.3% annually at ground level.

15.14.3.1 Maximum building height

- a. The extent to which an increase in height of the building:
 - i. Is visually mitigated through the design and appearance of the building, and the quality and scale of any landscaping and tree planting proposed;
 - ii. Allows more efficient use of sites with limited street frontage or small sites which are an irregular shape;
 - iii. Enables the long term protection of sites of Ngāi Tahu cultural significance identified in Schedule 9.5.6.1, significant trees listed in Appendix 9.4.7.1, or natural features on the balance of the site through more intensive development;
 - iv. Improves the legibility of a centre within the wider context of the anticipated urban form for the city;
 - v. Contributes to variety in the scale of buildings in a centre, and creates landmarks on corner sites;
 - vi. Reflects functional requirements of the activity;
 - vii. Results in adverse effects on adjoining residential zones or on the character, quality and use of public open space;
 - viii. Is visually dominant within the streetscape and public realm, and in the context of the anticipated built form;
 - ix. If in New Brighton, provides for residential activity above ground floor, promoting a mix of uses and greater levels of activity in the centre.
 - x. Would maintain a scale of development consistent with the anticipated role of the commercial centre, as set out in Policy 15.2.2.1, Table 15.1; and
 - xi. Would cause adverse effects on the function and recovery of the **City Centre** or the role and function of Town and Local Centres as a result of enabling any additional gross leasable floor area;
 - xii. Is demonstrated to support the financial feasibility of the development;
 - xiii. Detracts from the **anticipated** urban form of the centre and city;
 - xiv. Causes adverse effects on the anticipated amenity of adjoining sites and activities, particularly where they are subject to lower maximum height controls.
- b. For buildings located to the east of New Regent Street and to the east of the Arts Centre heritage items and settings in Appendix 9.3.7.2, how the building manages the individual or cumulative effects of shading and visual dominance on those heritage items and settings.

- c. In addition to the above, in the City Centre, and Central City Mixed Use Zones, the effects on/of:
 - i. The retention of, or contribution to, the anticipated continuity and visual coherence of the street wall;
 - ii. The extent to which the building provides for visual interest and engagement with:
 - A. The street and adjacent environment, through design elements such as articulation, materials, glazing and architectural detailing; and
 - B. The wider area, through the form and materials of the roof structure and, modulation and articulation of the building facades.
 - iii. The visual impacts of rooftop plant, servicing and lighting, through their containment such that they are integrated within the roof or building form;
 - iv. The impacts of wind on the safety and comfort of people, whether sedentary or moving, at street level and in other public open spaces including Cathedral Square, Ōtākaro Avon River Corridor, Central City Heritage Triangles and parks, demonstrated through the use of wind modelling;
 - v. The individual or cumulative effects of shading, visual bulk and dominance, and reflected heat from glass on sites in adjoining residential zones or on the character, quality and use of public open space and in particular the Ōtākaro Avon River corridor, Earthquake Memorial, Victoria Square and Cathedral Square;
 - vi. Supporting a legible urban form that provides for an increase in building height closer to the core of the Central City and generally a reduction in height out to the edges of the Central City; and
 - vii. Reflecting the height of an adjacent significant community asset including Te Kaha and Parakiore, while ensuring that key view shafts to, or from, and the legibility of, the community facility is retained.

15.14.3.17 City Centre Zone - Sunlight and outlook for the street

- a. Any effect on the sense of openness and/or the admission of sunlight to the street.
- b. The dominance of buildings on the street environment and the incidence of adverse effects from wind at street level.

15.14.3.18 City Centre and Central City Mixed Use Zones (South Frame) - Minimum number of floors

- a. The effect of a reduced number of floors on defining the street edge, and providing a sense of enclosure for the street taking into account the scale of surrounding **buildings** or anticipated future **buildings** on surrounding **sites**.
- b. Maintaining continuity of built form, including in relation to **adjoining** properties.

Definitions Chapter 2

PURPLE HEADING PLAN CHANGE 14 SECTION 86F OPERATIVE DEFINITIONS (Non Qualifying Area matters only)

Building Base

means all those parts of the building above ground level, that form a structural element of a building, but excluding the building tower, and any street level veranda, signage, or covered ground level walkways.

Building Tower

means any part of the building that is set back from the boundary and extends above the building base. It includes any structural components, as well as any protrusions above the roof

CCZ and City centre

means the City Centre Zone

Fine grain

means a pattern and arrangement of sites and / or building within street blocks that are predominantly comprised of smaller and narrower sites and / or buildings, rather than wider and larger sites and / or buildings, resulting in more variety in the built form of a streetscape.

Gust Equivalent Mean (GEM)

means a wind speed formulation used to account for sudden wind accelerations that occur in urban environments. GEM wind speeds are derived by applying statistical methods to variations of wind speeds from the wind simulation model. GEM wind speeds represent the gust speed divided by 1.85, where 1.85 is the gust factor.

Height in relation to boundary

means the vertical distance between a specified reference point and the highest part of any feature, structure or building above that point.

Human scale

means incorporating dimensions that result in smaller built components and lower building heights, with attention to the human experience from eye level, relative to the physical size of a person

Small building

For the purposes of Chapter 15, means a building, structure or addition to a building, on sites with a street boundary of 21 metres or less in width and a pre-development legal boundary maximum internal width of 21 metres.

Street facing façade

means the exterior wall or walls of a building oriented at an angle of 45 degrees or less to any part of the road boundary or boundaries of the site; and includes any projections from that/those wall(s) regardless of their orientation to the boundary.

Appendix C Environmental Health Advice

Advice of Ms Agnes van der Erf on soil contamination, acoustic attenuation, and vibration.

Soil contamination:

Across these sites HAIL activities that include fuel tanks and electrical transformers have been present. 137 Cambridge Tce is also known to contain asbestos containing building products, some of which are in a deteriorated state. Enviser completed a PSI in 2017 which recommended a SMP and confirmed soils will be investigated following the demolition of existing buildings. For this application Enviser have provided an updated contamination advice letter which now recommends the whole of 137 Cambridge Tce should be consider HAIL due to asbestos, rather than an isolated area around a fuel tank which is a better proposal. Without a DSI earthworks will be discretionary under the NES and with a good SMP any risks can be managed so adverse effects will be less than minor.

- a. A Site Management Plan (SMP) shall be prepared by a Suitably Qualified and Experienced Practitioner and provided to Council by email to rcmon@ccc.govt.nz no later than 10 working days prior to the commencement of the development works (including demolition of the existing buildings).
- b. Prior to earthworks commencing, a Detailed Site Investigation shall be prepared by a Suitably Qualified and Experienced Practitioner (SQEP) in accordance with the MfE Contaminated Land Management Guidelines and the NZ Guidelines for Assessing and Managing Asbestos in Soil (BRANZ, 2017). This shall be provided to Christchurch City Council for approval to rcmon@ccc.govt.nz no later than 10 working days prior to the commencement of the development works.
- c. All areas identified in the detailed site investigation (DSI) report as exceeding the NES standards for commercial/industrial land use, shall be remediated or managed in accordance with the MfE Contaminated Land Management Guidelines and the NZ Guidelines for Assessing and Managing Asbestos in Soil (GAMAS, 2017).
- d. The Council shall be notified at least ten working days prior to the commencement of earthworks. The notification shall be emailed to rcmon@ccc.govt.nz
- e. All contaminated soils removed from the site will not be suitable to be disposed of at a cleanfill facility and must be disposed of at a facility whose waste acceptance criteria permit the disposal.
- f. In the event that soils are unexpectedly found to have visible staining, odours and/or other conditions that indicate soil contamination then work must cease until a SQEP on land contamination has assessed the matter and advised of the appropriate remediation and/or disposal options for these soils.
- g. The consent holder shall submit evidence (i.e. weighbridge receipts or waste manifest) of the disposal of surplus soils from the site to an authorised facility to the Council, by email to rcmon@ccc.govt.nz, no later than 20 working days following this disposal.
- h. Should the DSI identify contaminants above the NES standards for commercial/industrial land use, a Site Validation Report (SVR) shall be prepared and submitted to Council within three (3) months of the completion of the earthworks. Delivery of the SVR may be by way of email to rcmon@ccc.govt.nz. The SVR shall be written in accordance with the Ministry for the Environment Guidelines for Reporting on Contaminated Sites in New Zealand (revised 2021). The SVR shall include as a minimum
 - i. Details of any variations to the proposed work plan;
 - j. Details of any discharges or contingency measures employed during the earthworks;
 - k. Photographic evidence of the site works;
 - l. Evidence the objectives of the final site remediation have been met with regard to commercial land use.

- m. Evidence of the disposal of any soils off site to an authorised facility.

Acoustic attenuation

I see this site is located on a central city distributor road and the applicant has proposed a condition to provide an acoustic design report with the building consent application. I am happy with this way forward.

Vibration

The only other thought would be around vibrations given the proximity of other buildings. They [the applicants] have mentioned working to the DIN Standard in the application but as a precaution we could add the standard condition below. There any information on foundations, piling etc and it might be worth asking for some more details to see if they'll need a vibration management plan as well.

Additional comments of Ms van der Erf in relation to Submission 33 Boffa Miskell

Looking at Boffa Miskell submission [33] they have concerns around noise and vibrations. We still don't know what the applicant is proposing in the way of foundation/pile installations so I'm happy to tighten up the conditions to cover this aspect but don't think we need all that they have suggested.

An altered condition 9 to include all construction works (not just soil compaction):

- Demolition and construction works which create vibration must comply with the German Standard DIN 4150 1999-02 (Structural Vibration – Effects of Vibration on Structures) and compliance must be monitored by the applicant.
- We can adopt the suggested condition 16 regarding the requirement of a Construction Noise and Vibration Management Plan. I haven't seen any reports where they have consulted neighbours but more kept them informed of the proposal which is sufficient so I have tweaked condition 16 to:
- All demolition and construction works must occur in accordance with an accepted Construction Noise and Vibration Management Plan (CNVMP) prepared by a suitably qualified practitioner which addresses the requirements of NZS6803:1999 Acoustics - Construction Noise and DIN 4150-3:2016 Vibration in Buildings – Part 3: Effects on Structures. The purpose of the CNVMP is to ensure noise and vibration are effectively managed in accordance with the best practicable options. The CNVMP shall be submitted to rcmon@ccc.govt.nz at least 10 days prior to commencing works on site and include at a minimum:
 - Assessment of proposed machinery and equipment to be used;
 - Days and hours of work;
 - Management measures for noise and vibration, including specific triggers or thresholds for implementing them;
 - Procedures for noise and vibration monitoring and reporting;
 - Communication strategy for neighbouring sites
 - Procedures for managing and responding to any complaints received.

Conditions relating to contamination are still acceptable and the design report/appendix condition you proposed for noise will work fine too.

Appendix D Network Transport Planner Advice

Mr Chen raised initial questions that formed the basis for a request for information:

Vehicle Crossing:

- *Given the high and significant pedestrian and cyclist presence in the vicinity of the site, please provide an indicative plan that highlight the pedestrian crossings and footpaths and accesses within the Porte Cochere and at vehicle accesses.*
- *Please illustrate the visibility splay at Worcester Boulevard access.*
- *A right turn only sign is recommended on the access to Worcester Boulevard.*

Mobility Parking and Access:

- *The proposed gradient of crossings potentially causing difficulties for wheelchair users.*
- *The proposed wheelchair access from Cambridge Terrace through the corridor and entre from the lobby to main reception is not practical, which can't be supported.*
- *While the proposed ramp gradient 1 in 20 comply with the rules, but please note that the wheelchair provision should be provided at the main entrance rather than from the service area. Please provide alternative plan to accommodate the wheelchair users' need.*
- *Three mobility parking spaces are required given proposed 6800 GFA m2. The existing mobility parking spaces available along Worcester Boulevard are public spaces and often occupied given the proximity to surrounding attractions and activities. Please clarify how the required mobility parking are arranged.*

Vehicle Manoeuvring:

- *The vehicle swept paths provided indicate that coach manoeuvres from the right-hand traffic lane of Cambridge Terrace turning into the Porte Cochere. However, the tracking curves suggest that the coach would need to move close to the road's central line, followed by a slight swing, which could potentially encroach on the left-hand traffic lane.*
- *Within the Porte Cochere area, the swept paths demonstrate a coach is able to make a 90 degree turn, but the diagrams also indicates a minimal margin for error, that may raise concern about potential blockage and queuing effects. Please provide the operation plan in managing heavy vehicle schedule and demands.*

Parking and Loading:

- *The waste facility is located at the corner of Porte Cochere, the plan does not highlight the required loading zone. Please clarify the process and arrangement for rubbish collection and service vehicle, and strategy to avoid situation of several vehicles including coaches being on site at the same time and potentially blocking vehicle entry to the site and compromising safety of Cambridge Terrace.*
- *Visitor cycle parking spaces located at the far site corner are not ideal in terms of location and accessibility, and such cycle parking should comply with district plan cycle parking design requirements – the use of wall hung cycle stands should be minimised.*

Amenity and Street Furniture:

- *Any removal of trees from Cambridge Terrace and Worcester Boulevard will require to be replaced . Please identify the intended locations for planting new trees, in accordance with CCC Tree Policy.*

- *Removal of existing car park and kerb and island will require separate approval from both CCC the community board. Please be aware of associated costs involved in the application and reporting process for changes to the road and parking resolutions to be borne by the applicant.*
- *Proposed new commercial vehicle crossings should be designed in alignment with the existing amenity and character of Cambridge Terrace and Worcester Boulevard.*
- *Ensure that any overhanging structures and signs do not obstruct existing traffic signals at the intersection, with a minimum clearance required and subject to CCC approval. There should be no loss of existing footway width as a consequence of the proposals.*

Construction Transport Management:

- *Given the importance of Worcester Boulevard as a key pedestrian thoroughfare and tourist route and the strategic importance of Cambridge Terrace as a key central city main distributor road, please provide details on the construction strategy and accompanying TMP to demonstrate procedures and operations for managing adverse effects resulting from construction impact on the safety of other road users.*

After a meeting on 12 April 2024 the applicant addressed matters in plans submitted on 1 May 2024. These were forwarded to Mr Chen who provided the following comments in response:

I have cross-checked the updated plan with the original plan and RFI comments, I acknowledged the following updates:

Vehicle Access from Cambridge Terrace:

The widened access around the southern corner of Cambridge Terrace access provides a wider clearance space and smoother manoeuvring for the 12.6m coach, addressing previous concerns about accessibility.

Special Lift for Disabled Users:

The provision of a special lift for disabled users at the main entrance from Worcester Boulevard ensures effective access for mobility users.

Dedicated Pedestrian Footpaths and Access:

The plan clearly highlight the dedicated pedestrian footpaths and access within the Porte Cochere ensures safe and convenient movement for pedestrians.

During the pre-application meeting, it was discussed and agreed on followings:

- *The applicant agrees to provide a clear signage at Cambridge Terrace access, indicating the vehicle size limit.*
- *The hotel operator will have internal operational procedures and practical experience to handle various special requests, such as mobility parking demands and the arrival of large coach loads of customers. These can be managed through parking management, valet services, and efficient service vehicle arrangements.*
- *The construction strategy and accompanying Traffic Management Plan (TMP) will be provided to demonstrate procedures and operations for managing adverse effects resulting from construction impact on the safety of other road users.*

Therefore, I believe that the key concerns regarding mobility user access and coach manoeuvring have been effectively addressed and can be mitigated.

Please note that the following matters highlighted in the original RFI have been omitted and can be addressed in the advice note:

- Recommendation for a right-turn-only sign on the access to Worcester Boulevard.*
- Visitor cycle parking spaces located at the far site corner are not ideal in terms of location and accessibility.*

Location of light pole

The submitted drawings show that the proposed overhanging structure at 137 Cambridge Terrace will clash with the existing lighting pole located on the corner of Worcester Street/Cambridge Terrace intersection.

Cambridge Terrace is classified as a main distributor road within the central city, carrying over 11,000 average daily traffic. The significance of Worcester Boulevard and the strategic importance of Cambridge Terrace create a key pedestrian thoroughfare for visitors, entertainment, business, and various attractions. The affected lighting pole serves as a key light source for the intersection providing illumination to the intersection and its road markings as well as illuminating the un-signalised right slip lane that pedestrians are guided to use.

As well as physically clashing with the lighting feature, the proposed building extension protrudes towards the lighting pole to the extent that movement of the pole will clash with the building overhang resulting in damage and failure of this light supply. Failure of this light imposing significant adverse and safety impacts on pedestrians and other road users in regard to the lamp feature breaking or falling on pedestrians below as well as resulting in unsafe levels of illumination for all users of the intersection. Therefore, this proposal does not align with:

Transport Policy 7.2.1.6 – Promote Public and Active Transport:

Promote public and active transport by:

- 1. ensuring new, and upgrades to existing, road corridors provide sufficient space and facilities to promote safe walking, cycling and public transport, in accordance with the road classification where they contribute to the delivery of an integrated transport system;*

To ensure alignment of transport policy and mitigate the adverse effects of the proposal I suggest the following condition to be included in resource consent RMA/2024/576:

x. Prior to commencement of work on the site the consent holder must agree with Council:

- i. the location of a replacement light pole for the light pole located in the legal road at the north western corner of the intersection with Worcester Street and Cambridge Terrace; and*
- ii. All costs associated with the relocation of the light pole shall be met by the consent holder.*

Appendix E Urban Design Advice – Refer to PDF

Appendix F Planning Engineer comments

The applicant's assessment of the FFL appears to have a number of typos in it (highlighted below), however, there is a Minimum Floor Level Certificate in place (RMA/2023/2573) at 14.68m and the proposed building FFL is complying with this. I personally would have set the FFL requirement higher based on the modelling, as this has been set based on the flood level in the river channel downstream of the bridge, but the flooding upstream of the bridge is modelled as passing both under the bridge and around the road corridors around this (including this Cambridge and Worcester St intersection) at a higher level. Any blockage in the river channel or wave action could also significantly increase this flood level. Let me know if you want any further commentary on this matter, but I assume the certification pretty much covers this off.

The proposal as shown will result in flood displacement compared to a cleared site, however when considered against the existing site development, this would be expected to have negligible, if any, effects for the portion of the site in the waterway setback. I can't see an existing site level survey, so I'm unable to quantify any loss of flood storage from filling outside the waterway setback, however as the zoning is very permissive for site coverage, I wouldn't expect the effects on flooding patterns from filling beyond the building footprint to result in unacceptable effects on flooding patterns. As always, care should be taken when modifying areas of the site to ensure that this does not adversely impact on any existing legal drainage patterns between sites and that runoff from modified areas of this site is appropriately managed.

Chapter 5 Natural Hazards		
5.4 Flood Hazards		
5.4.1.1 – P3	Minimum floor levels shall be the level specified in the Minimum Floor Level Certificate-14.68m RL. The proposed floor levels are 14.88m RL.	Permitted
5.4.1.2 – Minimum floor level certificate	New buildings within the Flood Management Area, but outside of the Fixed Minimum Floor Level Overlay shall have a floor level that is greater than or equal to that specified in a Minimum Floor Level Certificate. The Council will issue a Minimum Floor Level Certificate (which will be valid for 2 years from the date of issue) which specifies the design floor level for a building. A Minimum Floor Level Certificate was issued on 9th October 2023 and states that the minimum floor level is 14.88m RL.	Complies

Sheryl Keenan

Appendix G Civil / Structural Engineer assessment

Jan Bochow

*Please see Geotechnical input for – 137 Cambridge Terrace, Central City - RMA/2024/576
(Demolition of heritage building and construction of hotel).*

*The site has **no** listings for **HAIL** activities.*

Summary

The Listed Land Use Register does not currently have any information about a Hazardous Activities and Industries List site on your selected land parcel.

If you would like a property statement, please click or tap the *Request a Property Statement* button below.

The MBIE Technical Category (TC) is N/A.

Existing structure is sitting on concrete piles. New steel screw piles to be used, 168mm diameter x 3m deep and new 800w x 1000d foundation beam tied into existing foundations.

Reconstruct columns between foundation and underside of first floor beam.

Any loose fill to be replaced with compacted hardfill.

Any site contamination, e.g. old tanks to be removed.

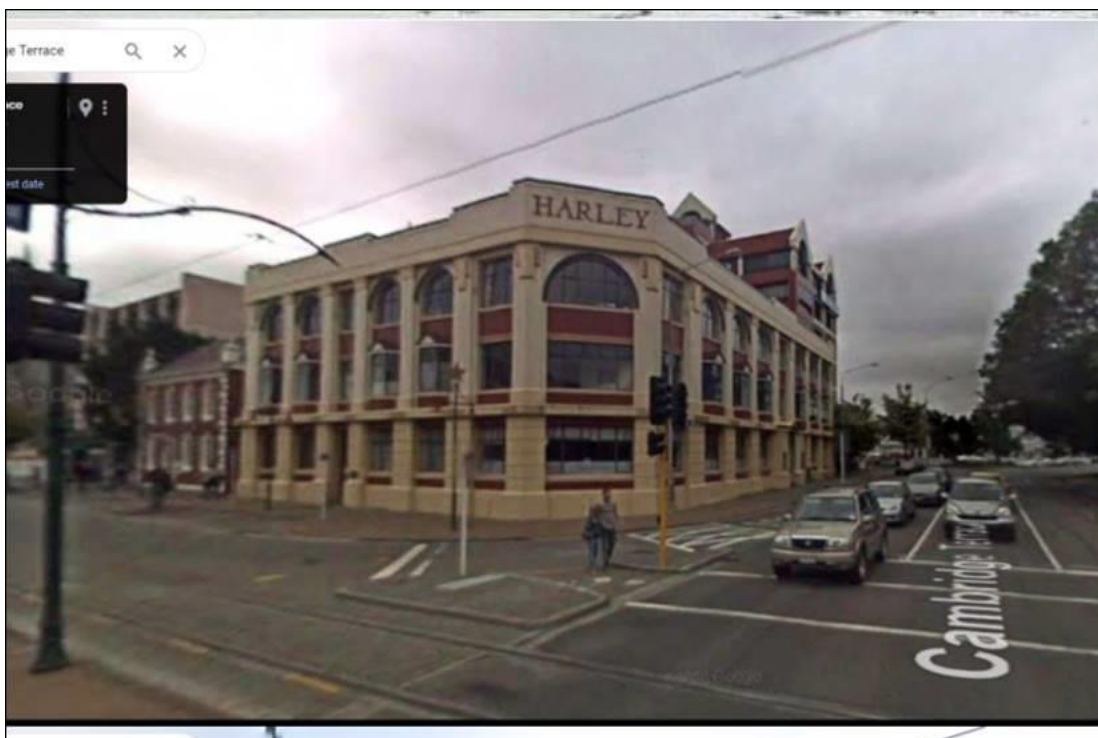
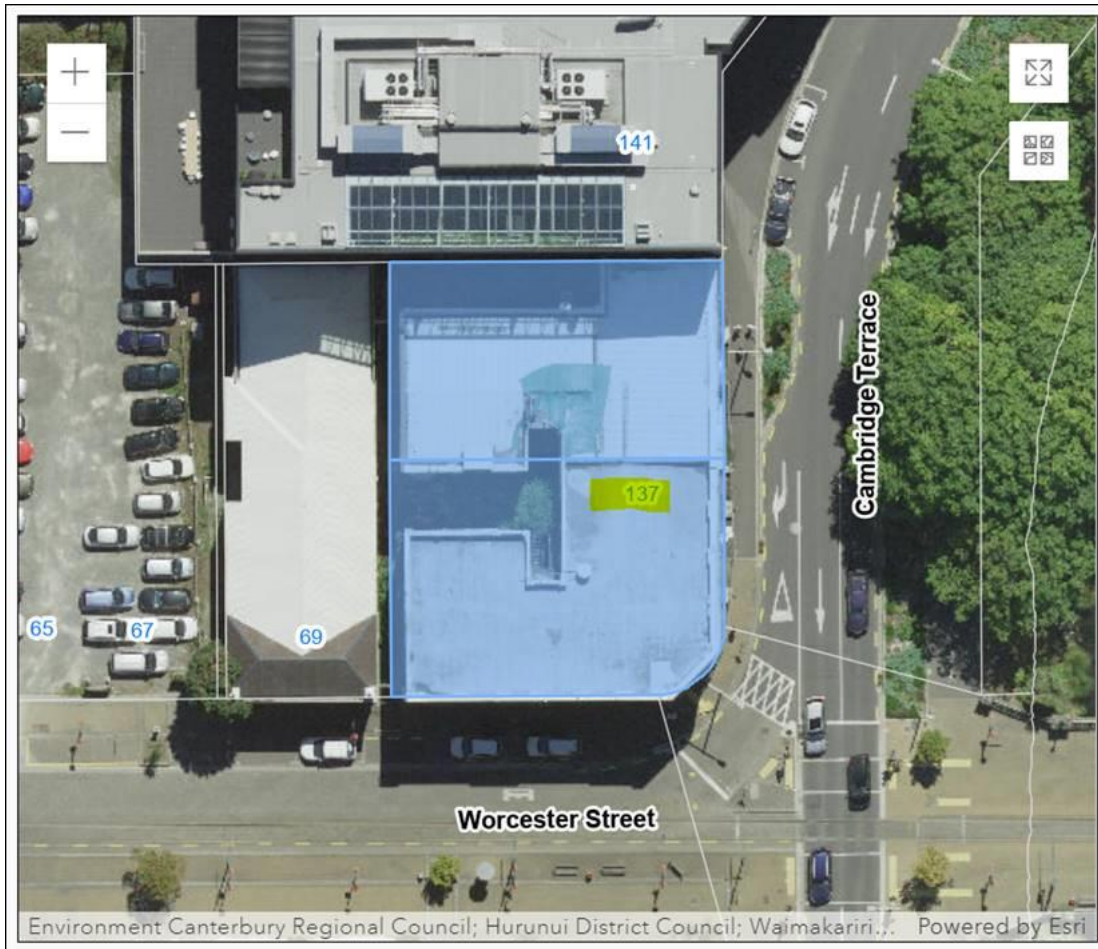
Total site Area: 938m²

New hotel construction.

*A specific **ESCP** to be provided*

Full Geotechnical Investigation Report to be provided at building consenting stage.

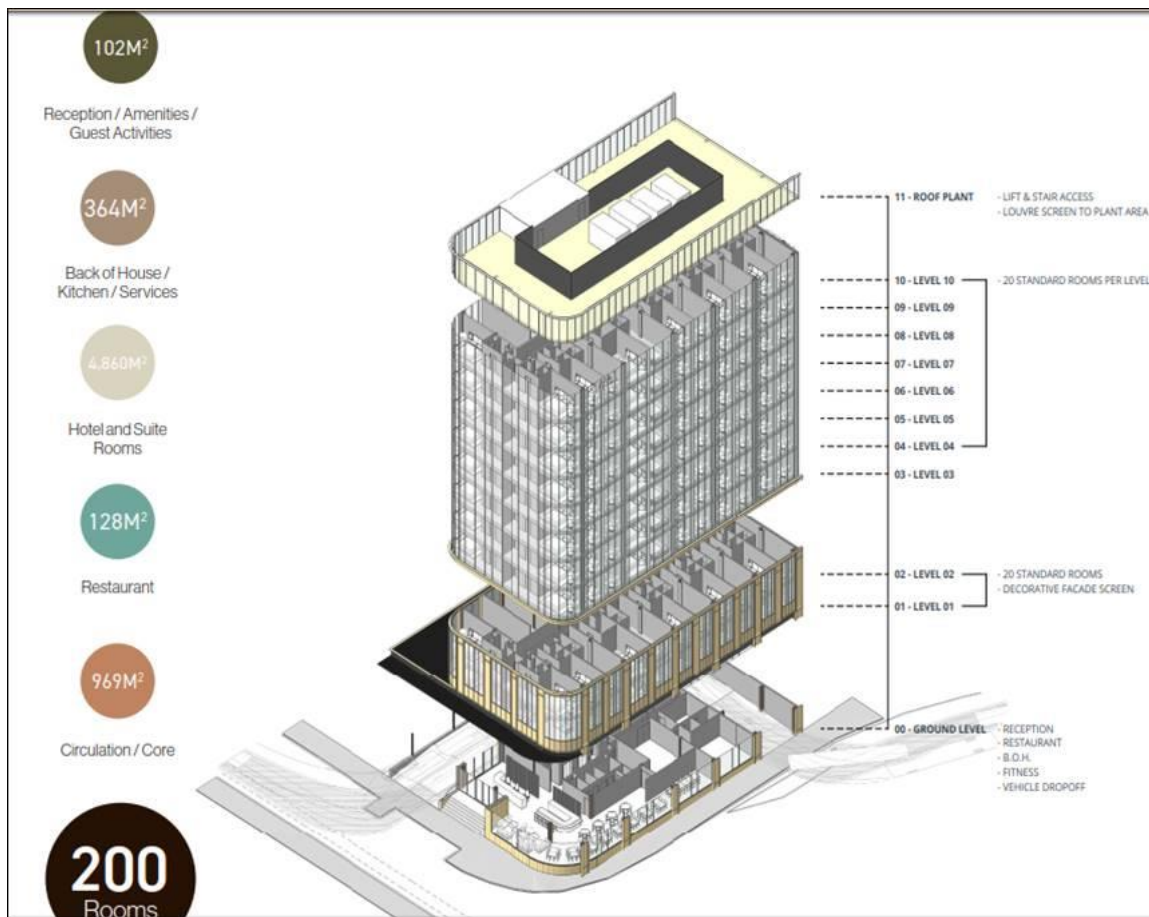
- Central City Building Height 28m overlay
- Category 3: Lower Noise Level Area
- Central City Core overlay
- Downstream Waterway (Setback Avon / Ōtakaro River)
- Central City Inner Zone
- Flood Management Area (FMA)
- Liquefaction Management Area (LMA).



Summary:

- The site has no **HAIL** activities listed
- ESCP to be provided
- Full Geotechnical report with foundation recommendations to be provided at building consenting stage
- Weather conditions (e.g. heavy rain) to be monitored during earthworks

- All earthworks to be carried out in accordance with NZS 4431
- Run-off must be controlled/ monitored
- Dust control
- Noise control
- Archaeological specialists to be incorporated
- Heavy machinery to be selected carefully
- Traffic management plan to be applied for as provided
- Ground shaking to be monitored
- Watercart as required
- ECAN guidance's for stock piles and building material storage to be followed.



Recommended site conditions, 1-8.

2. All earthworks shall be carried out in accordance with a site specific Erosion and Sediment Control Plan (ESCP to be provided), prepared by a suitably qualified and experienced professional, which follows the best practice principles, techniques, inspections and monitoring for erosion and sediment control contained in Environment Canterbury's Erosion and Sediment Control Toolbox for Canterbury <http://esccanterbury.co.nz/>. The ESCP must be held on site at all times and made available to the Council on request.
3. The consent holder must notify Christchurch City Council no less than three working days prior to works commencing, (via email to rcmon@ccc.govt.nz) of the earthworks start date and the name and contact details of the site supervisor. The consent holder shall at this time also provide confirmation of the installation of ESCP measures as per the plan referred to in Condition + above.

4. *Run-off must be controlled to prevent muddy water flowing, or earth slipping, onto neighbouring properties, legal road (including kerb and channel), or into a river, stream, drain or wetland. Sediment, earth or debris must not fall or collect on land beyond the site or enter the Council's stormwater system. All muddy water must be treated, using at a*
5. *minimum the erosion and sediment control measures detailed in the site specific Erosion and Sediment Control Plan, prior to discharge to the Council's stormwater system.*

Note: For the purpose of this condition muddy water is defined as water with a total suspended solid (TSS) content greater than 50mg/L.

6. *No earthworks shall commence until the ESCP has been implemented on site. The ESCP measures shall be maintained over the period of the construction phase, until the site is stabilised (i.e. no longer producing dust or water-borne sediment). The ESCP shall be improved if initial and/or standard measures are found to be inadequate. All disturbed surfaces shall be adequately topsoiled **and** vegetated or otherwise stabilised as soon as possible to limit sediment mobilisation.*
7. *Dust emissions shall be appropriately managed within the boundary of the property in compliance with the Regional Air Plan. Dust mitigation measures such as water carts, sprinklers or polymers shall be used on any exposed areas. The roads to and from the site, and the site entrance and exit, must remain tidy and free of dust and dirt at all times.*
8. *All loading and unloading of trucks with excavation or fill material shall be carried out within the subject site.*
9. *Any surplus or unsuitable material from the project works shall be removed from site and disposed at a facility authorised to receive such material.*

Appendix H Heritage advice on heritage features

Amanda Ohs – recording of heritage.

Harley Chambers – recording and salvaging requirements

Photographic record

Council does not have and therefore requires digital photographic files of the marble lined entrance foyer from Cambridge Terrace,¹⁹ the Worcester Boulevard entrance foyer²⁰ and the ground floor bathroom.²¹ Photographs should include details of the walls, terrazzo flooring, doors and ceiling, skylights, fixtures and fittings and a record of the spaces as a whole.

In addition, we request electronic copies of John Brown's photographic record from 2023 to be provided to Council in high resolution photo file format (eg jpg). This would supplement Council's record taken in 2023 and would require no additional access to the building. Limited additional resources would be required of the applicant to provide this.

Interpretation in new building

An information panel outlining the history of the demolished building is to be provided somewhere on site with the new development, displayed permanently and able to be viewed by the users of the building. This could be an information panel in the foyer, or a sign fixed to the outside of the building. There is an opportunity to incorporate salvaged fabric into the display. For example, the sign could be fixed to a section of iron stair balustrade or to one of the marble panels from the Cambridge Terrace foyer, or one or more bronze vent grilles could be displayed to illustrate the technology advances for the period that the building is recognised for.

Salvage

Salvage of suitable fabric from the list below to be incorporated into interpretation on site (see also photographs below) -

- Bronze vent cover grille/s.²² A number remain throughout and appear to be easily accessible and removable.
- Apricot/yellow sheet marble panel from Cambridge Terrace entrance foyer.²³ It appears from the photographic record that some of these panels have been graffitied with spray paint (2017/2023) and one

¹⁹ This space is rated B/b Considerable significance (This value denotes spaces or elements which are of considerable importance to the overall cultural heritage significance of the place) - in the Smart Alliances Report, p.40 as appended to John Brown's evidence [Cambridge-137-Ltd-1092-2042-Evidence-John-Brown.pdf \(ihp.govt.nz\)](#).

²⁰ This space is rated C/c Some Significance (This value denotes spaces or elements which are of some or minor importance to the overall cultural heritage significance of the place) in the Smart Alliances Report, p.46 as appended to John Brown's evidence [Cambridge-137-Ltd-1092-2042-Evidence-John-Brown.pdf \(ihp.govt.nz\)](#).

²¹ p.54/55 rated c

²² CCC Statement of significance - Technological and craftsmanship significance, [HID 78.pdf \(ccc.govt.nz\)](#) p.2 *The building is of technological significance for its electrical fit out, air conditioning, soundproofing and internal construction using Innes – Bell blocks all of which were innovative for the time. The heating system was noted as washing and humidifying the air and driving it into the rooms at a regulated temperature. It was also said that the air could be changed every 20 minutes with this system.* John Brown evidence [Cambridge-137-Ltd-1092-2042-Evidence-John-Brown.pdf \(ihp.govt.nz\)](#) Appendix C – 2017 Heritage Impact Assessment, Smart Alliances LTD. The bronze wall grills throughout are rated C/c Some Significance (This value denotes spaces or elements which are of some or minor importance to the overall cultural heritage significance of the place).

²³ John Brown evidence [Cambridge-137-Ltd-1092-2042-Evidence-John-Brown.pdf \(ihp.govt.nz\)](#) Appendix C – 2017 Heritage Impact Assessment, Smart Alliances LTD, p.40. Rated b. B/b Considerable Significance (This value denotes spaces or elements which are of considerable importance to the overall cultural heritage significance of the place). 8.0

panel had been removed from the wall in 2017. The fact that a sheet has been removed shows that it may be feasible to move another panel.

- Section of stair landing (i.e. horizontal) metal balustrade.²⁴ Suggest one of the single bay sections from a lower landing. Noting some sections are more soiled than others, and also being metal it should be able to be cleaned.

Notes

References are provided in footnotes to evidence the significance of the fabric suggested for salvage.

There is additional fabric of heritage value within the building (refer Smart Alliances report) that could also be salvaged and reused, ideally in the new building on the site, or alternatively for sustainable use elsewhere or recycling.

Amanda Ohs, Senior Heritage Advisor, CCC, 11 July 2024.

Supporting images



MITIGATION MEASURES WITH METHODS OF IMPLEMENTATION, Representative items of high heritage value should be carefully removed from the existing building, restored and built into the new hotel development, together with appropriate interpretive and descriptive material, to tell the items story. Representative items should include: The marble wall panelling from the main entrance foyer, p.103

²⁴ John Brown evidence [Cambridge-137-Ltd-1092-2042-Evidence-John-Brown.pdf \(ihp.govt.nz\)](#) Appendix C – 2017 Heritage Impact Assessment, Smart Alliances LTD, p.40. Rated b. B/b Considerable Significance (*This value denotes spaces or elements which are of considerable importance to the overall cultural heritage significance of the place*). 8.0 MITIGATION MEASURES WITH METHODS OF IMPLEMENTATION, Representative items of high heritage value should be carefully removed from the existing building, restored and built into the new hotel development, together with appropriate interpretive and descriptive material, to tell the items story. Representative items should include: The ornate steel stair balustrade and timber handrail from the main stair; and those horizontal panels on the main floor landings, p.103.

Long run of balustrade – may need to be cut down to length – unclear whether this is in sections or continuous.



Short sections of balustrade on lower landings



Marble lining – showing narrow section without graffiti (2017 photo)



Marble lining – showing large section closest to external doors is clear of graffiti



Eg of bronze vent grille cover

Appendix I Conditions and advice notes

1. Except where varied by the conditions of this consent (if the conditions go beyond what is proposed in the application) the development shall proceed in accordance with the information and plans submitted with the application, including the further information/amended plans submitted on + ... The approved plans include:

- i. **Determined at decision**

Traffic Management Plan

2. All works on site must be subject to a Traffic Management Plan (TMP) which must be prepared by a suitably qualified person and submitted for acceptance prior to the commencement of demolition on the site. No works are to commence until the TMP has been accepted and installed.

The TMP must be submitted to the relevant Road Controlling Authority via the web portal www.myworksites.co.nz. To submit a TMP a Corridor Access Request (CAR) must also be submitted. A copy of the accepted TMP and CAR must be supplied to the Council's resource consent monitoring team (via email to rcmon@ccc.govt.nz) at least 3 working days prior to the commencement of works under this consent.

Note: Please refer to <https://ccc.govt.nz/transport/legal-road/traffic-management-news-and-information> for more information.

3. The TMP the subject of condition 2 must include, but is not limited to, provision of safe pedestrian routes.
4. Should building consent for the hotel not be lodged with the Christchurch City Council within nine months of demolition being completed, the site must be contoured and grassed.

Access signage

5. Prior to operation of the hotel the consent holder must install and permanently maintain a sign on site clearly visible to, and readable, by heavy vehicle drivers (including bus drivers) attempting to turn into the site from Cambridge Terrace the limit on the length of vehicle than can navigate into the access in one right turn manoeuvre from Cambridge Terrace. The sign must prohibit access by larger vehicles.

Light pole

6. Prior to commencement of work on the site the consent holder must agree with Council:
 - i. the location of a replacement light pole for the light pole located in the legal road at the north western corner of the intersection with Worcester Street and Cambridge Terrace; and
 - ii. All fair and reasonable costs associated with the relocation of the light pole shall be met by the consent holder.

Earthworks / Construction

7. All proposed works must be carried out in accordance with an accepted Construction Management Plan (CMP). The purpose of the CMP is to ensure that any potential effects arising from construction activities on the site are effectively managed. The CMP must be prepared by a suitably qualified and experienced practitioner.

The CMP must include, but not be limited to the following:

- a. Site description, topography, vegetation, soils and other reference information;
- b. Details of proposed works;
- c. Roles and responsibilities, including contact details for the site manager appointed by the Consent Holder;
- d. Site establishment;
- e. Timing of works (including any staging required);
- f. Storage of fuel and/or lubricants and any handling procedures;
- g. Contingency plans (including use of spill kits);
- h. Environmental compliance monitoring and reporting.
- i. All works being under the control of a nominated and suitably qualified engineer.

The consent holder must submit this CMP to the Council, Attn: Team Leader Compliance and Investigations for certification via email to rcmon@ccc.govt.nz at least 20 working days prior to the commencement of construction work associated with this consent. This CMP is to be certified by the Team Leader or their nominee as meeting the requirements of Condition 5. prior to the commencement of any construction work and, once certified, the CMP will thereafter form part of the Approved Consent Document.

NOTE: The Team Leader (or their nominee) will either certify, or refuse to certify, the CMP within 10 working days of receipt. Should the Team Leader (or their nominee) refuse to certify the CMP, then they will provide a letter outlining why certification is refused based on the parameters contained in this condition.

Should the Team Leader (or their nominee) refuse to certify the CMP, the consent holder must submit a revised CMP to the Resource Consents Manager for certification. The certification process must follow the same procedure and requirements as outlined in condition 5.

The CMP may be amended at any time by the Consent Holder. Any amendments to the CMP must be submitted by the Consent Holder to the Council for certification. Any amendments to the CMP must be:

- a. for the purposes of improving the measures outlined in the CMP for achieving the CMP purpose (see condition; and
- b. consistent with the conditions of this resource consent.

If the amended CMP is certified, then it becomes the certified CMP for the purposes of condition 4 and will thereafter form part of the Approved Consent Document.

8. All earthworks shall be carried out in accordance with a site specific Erosion and Sediment Control Plan (ESCP) prepared by a suitably qualified and experienced professional, which follows the best practice principles, techniques, inspections and monitoring for erosion and sediment control contained in Environment Canterbury's Erosion and Sediment Control Toolbox for Canterbury <http://esccanterbury.co.nz/>. The ESCP must be held on site at all times and made available to the Council on request.
9. The consent holder must notify Christchurch City Council no less than three working days prior to works commencing, (via email to rcmon@ccc.govt.nz) of the earthworks start date and the name and contact details of the site supervisor. The consent holder shall at this time also provide confirmation of the installation of ESCP measures as per the plan referred to in Condition 5. above.
10. Run-off must be controlled to prevent muddy water flowing, or earth slipping, onto neighbouring properties, legal road (including kerb and channel), or into a river, stream, drain or wetland. Sediment, earth or debris

must not fall or collect on land beyond the site or enter the Council's stormwater system. All muddy water must be treated, using at a minimum the erosion and sediment control measures detailed in the site specific Erosion and Sediment Control Plan, prior to discharge to the Council's stormwater system.

Note: For the purpose of this condition muddy water is defined as water with a total suspended solid (TSS) content greater than 50mg/L.

11. No earthworks shall commence until the ESCP has been implemented on site. The ESCP measures shall be maintained over the period of the construction phase, until the site is stabilised (i.e. no longer producing dust or water-borne sediment). The ESCP shall be improved if initial and/or standard measures are found to be inadequate. All disturbed surfaces shall be adequately topsoiled **and** vegetated or otherwise stabilised as soon as possible to limit sediment mobilisation.
12. Dust emissions shall be appropriately managed within the boundary of the property in compliance with the Regional Air Plan. Dust mitigation measures such as water carts, sprinklers or polymers shall be used on any exposed areas. The roads to and from the site, and the site entrance and exit, must remain tidy and free of dust and dirt at all times.
13. All loading and unloading of trucks with excavation or fill material shall be carried out within the subject site.
14. Any surplus or unsuitable material from the project works shall be removed from site and disposed at a facility authorised to receive such material.
15. Any public road, shared access, footpath, landscaped area or service structure that has been damaged, by the persons involved with the development or vehicles and machinery used in relation to the works under this consent, must be reinstated as specified in the Construction Standard Specifications (CSS) at the expense of the consent holder and to the satisfaction of the Council.
16. The earthworks must be under the control of a nominated and suitably qualified engineer.

Vibration and construction noise

17. Construction works which create vibration must comply with ISO4866:2010 and compliance must be monitored by the applicant.
18. All construction works must occur in accordance with an accepted Construction Noise and Vibration Management Plan (CNVMP) prepared by a suitably qualified practitioner which addresses the requirements of NZS6803:1999 Acoustics - Construction Noise and: Effects on Structures. ISO4866:2010. The purpose of the CNVMP is to ensure noise and vibration are effectively managed in accordance with the best practicable options. The CNVMP shall be submitted to rcmon@ccc.govt.nz at least 10 days prior to commencing works on site and include at a minimum:
 - a. Assessment of proposed machinery and equipment to be used;
 - b. Days and hours of work;
 - c. Management measures for noise and vibration, including specific triggers or thresholds for implementing them;
 - d. Procedures for noise and vibration monitoring and reporting;
 - e. Communication strategy for neighbouring sites; and
 - f. Procedures for managing and responding to any complaints received.

The consent holder must submit this CVMP to the Council, Attn: Team Leader Compliance and Investigations for certification via email to rcmon@ccc.govt.nz at least 20 working days prior to the commencement of construction work associated with this consent. This CMP is to be certified by the Team Leader or their nominee as meeting the requirements of Condition 4. prior to the commencement of any construction work and, once certified, the CMP will thereafter form part of the Approved Consent Document.

NOTE: The Team Leader (or their nominee) will either certify, or refuse to certify, the CNVMP within 10 working days of receipt. Should the Team Leader (or their nominee) refuse to certify the CMP, then they will provide a letter outlining why certification is refused based on the parameters contained in this condition.

Should the Team Leader (or their nominee) refuse to certify the CNVMP, the consent holder must submit a revised CMP to the Resource Consents Manager for certification. The certification process must follow the same procedure and requirements as outlined in condition 16.

The CNVMP may be amended at any time by the Consent Holder. Any amendments to the CMP must be submitted by the Consent Holder to the Council for certification. Any amendments to the CMP must be:

- a. for the purposes of improving the measures outlined in the CMP for achieving the CMP purpose (see condition; and
- b. consistent with the conditions of this resource consent.

If the amended CNVMP is certified, then it becomes the certified CMP for the purposes of condition 16 and will thereafter form part of the Approved Consent Document.

Contamination

19. A Site Management Plan (SMP) must be prepared by a Suitably Qualified and Experienced Practitioner and provided to Council by email to rcmon@ccc.govt.nz no later than 10 working days prior to the commencement of the development works (including demolition of the existing buildings).
20. All areas identified in the detailed site investigation (DSI) report as exceeding the NES standards for commercial/industrial land use, must be remediated or managed in accordance with the MfE Contaminated Land Management Guidelines and the NZ Guidelines for Assessing and Managing Asbestos in Soil (GAMAS, 2017).
21. The Council must be notified at least ten working days prior to the commencement of earthworks. The notification must be emailed to rcmon@ccc.govt.nz.
22. All contaminated soils removed from the site will not be suitable to be disposed of at a cleanfill facility and must be disposed of at a facility whose waste acceptance criteria permit the disposal.
23. In the event that soils are unexpectedly found to have visible staining, odours and/or other conditions that indicate soil contamination then work must cease until a SQEP on land contamination has assessed the matter and advised of the appropriate remediation and/or disposal options for these soils.
24. The consent holder must submit evidence (i.e. weighbridge receipts or waste manifest) of the disposal of surplus soils from the site to an authorised facility to the Council, by email to rcmon@ccc.govt.nz, no later than 20 working days following this disposal.

25. Should the DSI identify contaminants above the NES standards for commercial/industrial land use, a Site Validation Report (SVR) must be prepared and submitted to Council within three (3) months of the completion of the earthworks. Delivery of the SVR may be by way of email to rcmon@ccc.govt.nz. The SVR must be written in accordance with the Ministry for the Environment Guidelines for Reporting on Contaminated Sites in New Zealand (revised 2021). The SVR must include as a minimum:
- a. Details of any variations to the proposed work plan;
 - b. Details of any discharges or contingency measures employed during the earthworks;
 - c. Photographic evidence of the site works;
 - d. Evidence the objectives of the final site remediation have been met with regard to commercial land use; and
 - e. Evidence of the disposal of any soils off site to an authorised facility.

Acoustic insulation

26. At the time of the lodgement of building consent, the consent holder must demonstrate **compliance with an acceptable solution** listed in Appendix 6.11.4 Noise Attenuation Construction Requirements or provide a **design report prepared by a suitably qualified acoustics specialist** stating that the design is capable of achieving compliance with District Plan Rule 6.1.7.2.3 Sensitive activities near roads in the Central City. The development must be constructed in accordance with this information.

If design changes are required to meet the requirements of rule 6.1.7.2.3, and are outside the scope of this consent, an application under s127 for a change of conditions will need to be lodged and processed at the consent holder's expense.

Fire fighting

27. Fire sprinkler system design parameters (flow and pressure) that are supported by hydraulic tests must be submitted to Christchurch City Council Three Waters Unit to enable the confirmation of the water supply network adequacy for the sprinkler system proposed, prior to the lodgement of the building consent application, via email to WaterCapacity@ccc.govt.nz. Any required changes to design flows or pressures identified by the Three Waters Unit must be incorporated into the final design of the sprinkler system and included in the building consent application.

Built form

28. Prior to application for a building consent the consent holder must submit plans for the hotel for certification by a Team Leader Planning (or their nominee) to rcmon@ccc.govt.nz that shows:
- a. a balcony set back into the site a minimum of 1.2m from the eastern (Cambridge Terrace) façade, at 28 metres above ground level; and the eastern façade above the balcony setback is at least matching the minimum setback of the balcony
- and
- b. a 5m setback from the northern boundary starting from the 9th level of the building. This area:
 - i. must not be used as a balcony; and
 - ii. must maintain a solid wall above the 9th level of the same design as shown on the northern elevations of the plans submitted with the application for public notification.

The Team Leader (or their nominee) will either certify, or refuse to certify, the amended plans within 10 working days of receipt. Should the Team Leader (or their nominee) refuse to certify the CMP, then they will provide a letter outlining why certification is refused based on the parameters contained in this condition.

Should the Team Leader (or their nominee) refuse to certify the plan, the consent holder must submit revised plans to The Team Leader (or their nominee) for certification. The certification process must follow the same procedure and requirements as outlined in condition 28.

Advice Notes:

Lapse of consent

This resource consent will **lapse five years from the date it is issued** unless it is given effect to (i.e. the activity is established) before then. Application may be made under Section 125 of the Resource Management Act 1991 to extend the period for giving effect to the resource consent, and this must be submitted prior to the consent lapsing.

Monitoring

Monitoring will be carried out to ensure the **conditions are complied with** and that the development proceeds in accordance with the plans and details which were submitted with the application.

The Council will require payment of its **administrative charges** in relation to monitoring, under section 36 of the Resource Management Act 1991. The monitoring programme administration fee and initial inspection fee will be charged to the applicant with the consent processing costs. If more than one inspection, or additional monitoring activities (including those relating to non-compliance with conditions), are required, the additional time will be invoiced to the consent holder when the monitoring is carried out, at the applicable hourly rate. The current monitoring charges are outlined on the [Resource Management Fee Schedule](#).

Other consents

This resource consent has been processed under the Resource Management Act 1991 and relates to **district planning matters only**. You will also need to comply with the requirements of the Building Act 2004 and any other legislative requirements (including but not limited to Environment Canterbury Regional Plans, health licence, liquor licence, archaeological authority, certificate of title restrictions such as covenants, consent notices, encumbrances, right of way or easement restrictions, landowner approval where required).

Vehicle crossing

As the proposal involves the construction or alteration of a **vehicle crossing**, a Vehicle Crossing Application to the Council's Transport Unit is required. Please refer to our webpage for more information: <https://ccc.govt.nz/transport/legal-road/vehiclecrossing>

Public Seating on Worcester Street

The consent holder should contact the Council's Programme Manager Transport Capital Programme to discuss the resolution of the location of the benches.

Heritage recording

Should the consent holder wish to record the heritage values of the Harley Chambers before it is demolished is recommended:

- a. Compile a list identifying those features and materials from the building which are proposed for salvage and how these may be reused in the future redevelopment of the site. This should include at least the matters set out in the Amanda Ohhs advice held on Council file TRIM 24/1328595, and
- b. Identify and carry out methodology for removal and storage, and proposed storage location of these materials/features.

The consent holder should submit to the Heritage Team Leader or nominee by email to rcmon@ccc.govt.nz, the following records:.

Photographic record:

- Photographs should be submitted of each external elevation showing as much of the elevation in each image as possible, at the closest distance possible which also allows for general identification of architectural features. Short range photographs showing details of building features should also be submitted.
- The same camera positions should be used for all photo sets before, during and after the works to enable comparison.
- Photos should be labelled with a brief description of what is being photographed, position on site or in relation to the site, date and photographer's name, and submitted as individual image files, with a plan showing photograph locations.
- Photos should be submitted to the Council's nominated Heritage team contact electronically, either by email (noting that Council's email data transfer limit is 20MB per email), or via a file transfer website such as wettransfer.com or dropbox.com to rcmon@ccc.govt.nz.

Archaeology

There may be archaeology on this site as protected under the Heritage New Zealand Pouhere Taonga Act 2014. Archaeological sites are defined in the Act as any place where there is physical evidence of pre-1900 occupation, regardless of whether the site is known or recorded or not. Authority from Heritage New Zealand Pouhere Taonga (HNZPT) is required for any work that affects or may affect an archaeological site. Please contact the regional archaeologist at Heritage New Zealand Pouhere Taonga (HNZPT): archaeologistcw@heritage.org.nz or 03 363 1880 before commencing any work on the land. For more information visit <http://archaeology.nz>.

Cultural

Te Ngāi Tūāhuriri Rūnanga do not support discharge of contaminants, such as flocculants to water or land where contaminants may enter water. This should be considered in the stormwater system design (operational and construction phase) and for dewatering activity.

Operational procedures for special needs guests

The hotel operator should have internal operational procedures and practical experience to handle various special requests, such as mobility parking demands and the arrival of large coach loads of customers. These can be managed through parking management, valet services, and efficient service vehicle arrangements.

Transport

The consent holder is advised to install and maintain a right-turn-only sign on the access to Worcester Boulevard.

The consent holder is advised the visitor cycle parking spaces located at the far site corner are not ideal in terms of location and accessibility and should re-consider their location.

Development Contributions

This proposal has been assessed for development contributions under the provisions of the Christchurch City Council's Development Contributions Policy. The proposal has been found to create additional demand on network and community infrastructure or reserves.

The Local Government Act 2002 enables a council to charge development contributions if the effect of a development requires the Council to provide new or upgraded infrastructure. This ensures developers pay a fair share of the cost of providing infrastructure to service growth development. The Council's approach to development contributions is included in the Council's Development Contributions Policy, available on the Council website ccc.govt.nz.

This Notice informs you of the development contributions required for the development but it is not a request for payment.

Development Contributions Assessment Summary

Development Contributions Summary					Application Ref:		RMA/2024/576	
							Assessment	
Customer Name		Cambridge 137 Limited						
Project Address		137 Cambridge Terrace						
Assessment Date		19/03/2024						

		Existing HUE	Proposed HUE	Net Increase to HUE Demand	Discount	Chargeable HUE	HUE Rate (incl GST)	DC Charge (incl GST)
Activity	Catchment	A	B	C	D	E	F	G
Network Infrastructure								
Water Supply	Central North	2.00	54.98	52.98	0.00%	52.98	\$1,340.85	\$71,041.99
Wastewater Collection	City	2.00	61.77	59.77	0.00%	59.77	\$300.85	\$17,982.05
Wastewater Treatment & Disposal	Christchurch	2.00	61.77	59.77	0.00%	59.77	\$1,075.65	\$64,292.46
Stormwater & Flood Protection	Avon	3.56	3.56	0.00	0.00%	0.00	\$954.01	\$0.00
Road Network	Central City	2.00	72.63	70.63	0.00%	70.63	\$1,131.61	\$79,927.42
Active Travel	Metro Zone	2.00	72.63	70.63	0.00%	70.63	\$979.46	\$69,180.83
Public Transport	Metro Zone	2.00	72.63	70.63	0.00%	70.63	\$553.63	\$39,103.77
Community Infrastructure	District Wide	2.00	1.00	0.00	0.00%	0.00	\$988.43	\$0.00
Total Network & Community Infrastructure								\$341,528.52
Reserves								
Regional Parks	District Wide	2.00	1.00	0.00	0.00%	0.00		\$0.00
Garden & Heritage Parks	District Wide	2.00	1.00	0.00	0.00%	0.00		\$0.00
Sports Parks	District Wide	2.00	1.00	0.00	0.00%	0.00		\$0.00
Neighbourhood Parks	Central	2.00	1.00	0.00	0.00%	0.00		\$0.00
Total Reserves								\$0.00
					GST 15%		\$44,547.20	
					Total Development Contribution		\$341,528.52	

Inputs*	
Existing	
Gross Floor Area	0.00 m²
Impervious Surface Area	938.00 m²
Proposed	
Gross Floor Area	6,788.00 m²
Impervious Surface Area	938.00 m²

*Refer to Table 3, A.4.2 & A.4.4 of the Development Contributions Policy 2021 for non-residential HUE equivalences

If you require both a resource consent and building consent for your development, a development contribution assessment will be undertaken for each consent. The Council will only invoice for whichever is the lower of the two assessments (after any corrections or reassessments undertaken in accordance with its Development Contributions Policy).

Invoicing and Payment

An invoice will be sent to you when payment of the development contributions is required shortly before issue of a code compliance certificate for a building consent, commencement of the resource consent activity, issue of a section 224(c) certificate for a subdivision consent or authorisation of a service connection, whichever is first.

You can request that the invoice is issued early if you wish.

The Council may issue an invoice earlier, at its discretion, if it considers your development is already utilising Council infrastructure for which development contributions are required.

Once an invoice is issued, payment is required within 30 days.

x. Prior to commencement of work on the site the consent holder must agree with Council:

- i. the location of a replacement light pole for the light pole located in the legal road at the north western corner of the intersection with Worcester Street and Cambridge Terrace; and*
- ii. All costs associated with the relocation of the light pole shall be met by the consent holder.*

Reconsiderations and Objections

Under section 199A of the Local Government Act 2002 you can request that the Council reconsider the required development contributions on the following grounds:

- the development contributions were incorrectly calculated or assessed under the Council's Development Contributions Policy; or
- the Council incorrectly applied its Development Contributions Policy; or
- the information used to assess your development against the Development Contributions Policy, or the way the Council has recorded or used it when requiring development contributions, was incomplete or contained errors.

A completed Request for Reconsideration form must be lodged with the Council within 10 working days of you receiving this Notice.

Under section 199C of the Local Government Act 2002 you can object to the assessed development contributions required on the following grounds:

- the development contributions were incorrectly calculated or assessed under the Development Contributions Policy; or
- the Council incorrectly applied its Development Contributions Policy; or
- the information used to assess your development against the Development Contributions Policy, or the way the Council has recorded or used it when requiring a development contributions, was incomplete or contained errors.

A completed Objection to Development Contributions form must be lodged with the Council within 15 working days of you receiving this Notice or a reconsidered assessment.

You will need to pay a deposit of \$1,000 at the time you lodge an objection.

A form to request a reconsideration or lodge an objection can be found on the Council website ccc.govt.nz.

Contact

For further information or to request an invoice please contact our Development Contributions team.

Phone: 03 941-8999

Email: developmentcontributions@ccc.govt.nz

Please quote your project number with all correspondence.

Appendix J Wind Assessment – Refer to PDF

Appendix K Cultural Assessment – Refer to PDF