

## Report on a Publicly Notified Resource Consent Application

(Section 42A)

<b>Application Reference:</b>	RMA/2019/1330
<b>Applicant:</b>	Collett's Corner Limited
<b>Site address:</b>	25 Oxford Street and 3, 5, 7 and 9 London Street
<b>Legal Description:</b>	Lot 1 DP 13544 and Pt Sec 31 Lyttelton Town
<b>Proposal:</b>	New three-storey building containing a health spa, restaurant, gymnasium, offices, retail activity and 26 residential units or guest accommodation (revised to 20 units after notification)
<b>Zoning:</b>	Commercial Banks Peninsula Zone
<b>Overlays and map notations:</b>	Liquefaction Management Area (LMA); Banks Peninsula District Plan Coastal Hazards; Coastal Environment; Ngā Tūranga Tūpuna (65, Ōhinehou (Lyttelton) settlement and port, listed in Appendix 9.5.6.3 Table 3: Ngā Tūranga Tūpuna); and Hill Waterway – Oxford Street Drain
<b>Activity status:</b>	<b>Discretionary</b>
<b>Submissions:</b>	135 in support 32 in opposition 2 that do not state a position (34 of these submitters seek to be heard) A list of submitters is at <b>Attachment 1</b> to this report.
<b>Date of Hearing:</b>	5-6 March 2020 (with 9 March as a day in reserve)
<b>Recommendation:</b>	Grant subject to conditions

### Preamble

My full name is Shona MacMillan Jowett. I have been employed as a Planner for Christchurch City Council for approximately four years, which is the extent of my experience working in the planning and resource management field. I hold a Master of Environmental Policy from Lincoln University, and am an intermediate member of the New Zealand Planning Institute.

This report has been prepared with advice from Mr David Hattam, Council's Senior Urban Designer, and Mr Andy Carr, and independent Traffic Engineer. A copy of their reports has been attached to this report as **Attachments 2** and **3**.

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

### Introduction

A Commissioner, Mr David McMahan, made a notification decision under Sections 95A and 95B of the Resource Management Act on 20 November 2019 that the application should be publicly notified. A number of persons were specifically served notice of the proposal.

This application for resource consent was received on 17/06/2019 and was publicly notified on 27/11/2019. The submission period closed on 16/01/2020. A total of 169 submissions were received during this period – 135 in support, 32 in opposition, and 2 neutral.

The purpose of this report is to determine whether the application should be granted or declined pursuant to Sections 104 and 104B of the Resource Management Act.

Section 18A - *Procedural principles* requires that *every person exercising powers and performing functions under this Act must take all practicable steps to —*

*(a) use timely, efficient, consistent, and cost-effective processes that are proportionate to the functions or powers being performed or exercised;*

Cognisant of my duties in this respect this report avoids repeating material unnecessarily where covered within the section 95 recommendation report, which should be read in conjunction with this report (TRIM reference 20/144587).

### Activity status

The proposal, application site and surrounding environment, activity status, zoning, and relevant rules requiring resource consent are described in the section 95 report. Consent is required for a **discretionary** activity pursuant to Rule 15.6.1.4 D1 (as well as 6.6.4.3 RD1, 6.6.4.3 RD2, and 7.4.2.3 RD1).

### Proposed activity, and changes to the application and Christchurch District Plan since notification

Changes have been made to the proposal after the section 95 decision was made and the application was publicly notified. These changes have been made public (via the Christchurch City Council website) and circulated to all those who made a submission on the application. The applicant provided a memo setting out the changes (at **Attachment 4** to this report), but in summary these are:

- Adjusted roof pitch and reduced building height;
- Cladding changed to metal, which differs on each of the four building sections;
- Texture introduced to sections of concrete wall at ground and first floor levels;
- Building moved closer to western internal boundary;
- Lift rotated so that the door faces south;
- Changes to basement and parking layout, including vehicle ramp gradient;
- Area and position of glazing changed and detail of windows and doors provided;
- Tree at north ground floor entrance replaced with sculpture/artwork;
- Concertina mesh gates at ground floor to be closed at night for security of upper floors and to remove entrapment spaces;
- Reduced apartment numbers from 26 to 20 (now including six studio, six two-bedroom, and eight one-bedroom apartments);
- Internal walkways widened at first and second floor level, with addition of planters and seating; and
- Increased rooftop deck area and altered layout of spaces.

The applicant has also engaged with some of the submitters and volunteered conditions of consent to address matters raised relating to acoustic insulation and an archaeological assessment. These matters and conditions are referred to in the assessment of effects later in this report.

Through section 71 of the Greater Christchurch Regeneration Act 2016, there has been a change to the Christchurch District Plan parking requirements under chapter 7 which is now fully operative, exempting all activities in the Commercial Banks Peninsula zone in Lyttelton from the parking space requirements in rule 7.4.3.1 *Minimum and maximum number and dimensions of car parking spaces required* and Appendix 7.5.1 *Parking space requirements*, apart from residential activities and only to the third and subsequent residential units on the same site (parking requirements still apply to the first two residential units on the same site). Pursuant to section 88A of the RMA the parking requirement rules at the time of the application's lodgement still set the activity status for the application (requiring parking for all activities as set out in Appendix 7.5.1), however the operative rule must be had regard to in accordance with s104(1)(b) and I afford it significant weight in the assessment that follows.

### Submissions

169 submissions were received on this application (135 in support, 32 in opposition and 2 which did not state a position/were neutral, refer to **Attachment 1**). One late submission in support was received and accepted by the applicant.

Copies of all submissions have been provided to the Commissioner and submitters, and the contact information of submitters has been circulated to enable submitters to coordinate.

The reasons for submissions made in support of the proposal are summarised as follows:

- Contribute to Lyttelton
  - Bring vitality, rejuvenation and people to the main street
  - Earthquake recovery, filling in a significant site, and completing the commercial area
  - Attract investment and commercial development, and bring opportunities to existing businesses
  - Bring tourism benefits
- Provide accommodation and housing
  - Housing choice and provide for a specific housing need (small housing), enabling retirees and the elderly to remain in Lyttelton
  - Provide for housing innovations (co-housing / collective living)
- Community based
  - Building community
  - Involved the community in design
  - Allowed community to invest
  - Provide community spaces and assets
  - Wellness-focused hub
- Innovative approach to property development, showing how things can be done differently
- Design
  - An innovative, mixed-use, interesting building, that is exciting progressive (characteristic of Lyttelton)
  - Different rather than bland or mimicking others
  - There is no consistent design in Lyttelton, this is suitable for Lyttelton
  - Adds to diversity of architecture
  - Fits well with existing buildings
  - Design guidelines for Lyttelton should evolve
  - Cladding and window design changes are supported
  - Building scale is suitable for a corner site
  - Similar scale to the previous building on the site (a large pub/hotel) and similar use (historical links) and there are other large buildings in Lyttelton
  - Makes a positive statement when entering Lyttelton from Sumner Road
  - Disappointment expressed at design changes made (in response to Council feedback) which have added to costs for the applicant and watered down the design, and concern that the design will have a blank façade like the Lyttelton Arts Factory building
  - Design changes have addressed Council's concerns raised in feedback
  - Public lanes at ground floor level are a good use of space
  - Outdoor living space – private balconies are not needed with shared space provided and a co-housing approach being taken
  - Over height pergola will let light through, and height will not impede residential views
- Criticism of Council taking a compliance led approach which is constraining the development, and not thinking broadly enough
- General support for the proposal, confidence in the applicant
- Car parking
  - Parking requirements are archaic and promote private vehicle ownership rather than encouraging car sharing and public transport, which this proposal is encouraging. Applicant is including a car share programme in the building
  - Geography of Lyttelton makes parking difficult
  - People are seeking a different lifestyle
  - Lack of car parking is not just an issue for this development but a Lyttelton wide issue
  - People still cope with the increased demand during the regular Saturday market
- Security gates on community spaces is unnecessary and goes against principles of the building. The proposal will strengthen community which will provide for safety.

The reasons for the submissions made in opposition to the proposal are summarised as follows:

- Height

- Not in keeping with the small town aesthetic and ambience
- Dominate the street scape
- Blocking views, sunlight to street and to neighbouring sites
- Built form scale is out of proportion and too big for the main street
- Design
  - Preference for a frontage made of small shops
  - Design guidelines are not being met
  - Will not suit Lyttelton and will undermine village character, which is unique and should be protected
  - Appearance of one large overbearing building
  - The design is different to the winning design (from a design competition held prior to lodgement of the resource consent application), and more community facilities were originally proposed with some accommodation, but now the proposal is mostly residential in use, with no public access to the roof top terrace
  - Missed opportunity in not being able to see the harbour through the openings within the building, little openness/relief provided in internal areas
- Public laneways, dead ends and lift shafts at ground floor level need to be designed for safety
- Accidental discovery protocol is insufficient
- Car parking
  - Causing congestion
  - Inadequate provision of parking on site
  - Local businesses concerned at loss of parking on the streets
  - Less parking on street lowers property values
  - Non-ownership of cars should be written into ownership/lease agreements otherwise people will be likely to own cars
  - Parking is already an issue and it is frequently difficult to park on streets
  - Time limited parking is not well enough enforced
  - Concern at accuracy of on-street car parking data collected and provided with the application
  - Under provision of parking on the application site is transferring a cost onto the community as the parking demand will use up public parking spaces

The reasons for the neutral submissions are summarised as follows:

- Inadequate detail on acoustic insulation
- Route safety and efficiency

Of the matters summarised above I consider some are not relevant resource management matters:

- Community based development that involved the community in processes and investment, as this relates to the way the application was put together rather than effects or matters in the relevant objectives and policies;
- Disappointment expressed at design changes made in response to Council feedback or during the design competition ran prior to the resource consent process, as this relates to the applicant's decision to make changes to the proposal but not the proposal which is now to be considered;
- Criticism of Council taking a compliance led approach which is constraining the development and not thinking broadly enough or taking the innovative or positive aspects into account sufficiently, as compliance (or non-compliance) with the District Plan forms the statutory framework for the resource consent process and positive effects will be had regard to where appropriate in the context of the District Plan;
- Confidence in the applicant, as this does not relate to effects or matters in the relevant objectives and policies;
- Car parking requirements considered to be archaic, as these are set out in the District Plan with objectives and policies seeking outcomes which must be had regard to;
- Property values being affected by changes to on-street parking availability, as this does not relate to matters in the relevant objectives and policies; and
- Time limited parking not being well enough enforced, as I cannot take into account unlawful activity.

Some of the matters raised I consider to be positive effects of the proposal, and have had regard to those matters where appropriate in the following assessment.

<b>Actual and potential effects on the environment of allowing the activity (S.104 (1)(a))</b>
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The effects assessment in the section 95 report, both in respect of the wider environment and persons, is equally applicable to s104 matters and should be read in conjunction with this report, but in summary I considered:

- Effects of the proposal and its resultant parking demand on the environment (the transport network, people in Lyttelton, vibrancy and amenity of Lyttelton as a commercial centre) would be no more than minor;
- The overall height would have a minor adverse effect on the wider environment, due to the height of the south west corner as viewed from Oxford Street, but the lack of veranda and glazing within the overall design would have a less than minor adverse visual impact on the environment;
- The proposed response to matters of scale, variety and detail for a building which will be prominent, large, on a corner and on London Street (described in the specific design guide for Lyttelton within the District Plan as having an enclosed and intimate scale) would generate a more than minor adverse effect on the character of Lyttelton which would be perceived by persons in the wider environment of Lyttelton;
- On the presumption that the ground floor area could be secured at night, the safety effects of the proposal would be less than minor, but if not, the effects are considered to be minor; and
- The effects of outdoor living space and indoor storage space shortfalls are less than minor.

The commissioner found that the proposal would generate more than a minor adverse effect on the environment by its impact on the special character of Lyttelton as described in the Lyttelton design guide. Other design matters (visual impact and CPTED) are considered to have no more than a minor adverse effect. Parking and transport effects are also considered to be no more than minor for the environment.

Effects on persons were also assessed in case the Commissioner did not agree with the conclusion that effects on character were more than minor. In summary:

- A number of persons would be affected to at least a minor degree by the potential increase in on-street parking demand as a result of the proposed activity;
- The proposed vehicle access, an increase in traffic volumes, and noise associated with cars parked on streets would be absorbed within existing traffic and is a reasonable noise associated with a legitimate use of the road, so traffic and noise effects are less than minor for persons;
- There are no identifiable persons whose amenity would be affected to a minor or more than minor degree by the height of the proposed building, but those persons owning or occupying properties close to the application site and for whom the proposed building will form a significant component of their visual catchment, could have their appreciation of local character undermined and affected to a greater degree than the general public, so those persons should be served notice of the application.

In coming to a view on the acceptability of the actual and potential effects on the environment of allowing the activity, I have considered these effects in the context of the transport and commercial objectives and policies (summarised in the assessment below) and the changes made to the application since notification, while having regard to the submissions made on the proposal. The matters requiring detailed consideration fall broadly into the following categories:

- Positive effects
- Parking, traffic generation, noise and access
- Visual impact – shading and visual dominance
- CPTED (principles of Crime Prevention through Environmental Design)
- Local character
- On-site amenity
- Cultural and heritage effects
- Building over a water way / drain
- Noise and reverse sensitivity

### **Positive effects**

There have been a significant number of submissions in support of the proposal, which have helpfully identified a range of positive effects of allowing the proposal. Most prominent in my view (in terms of the RMA's definition of effect) include the redevelopment of a prominent corner site in the centre of Lyttelton, adding to the supply of small housing in Lyttelton (which some submitters consider to be in short supply), and accommodating more commercial activities to London/Oxford streets. These are elaborated on in the submissions summary above. For clarity as noted in the summary above a number of submissions identified positive features of the proposal that fall outside the RMA's definition of effect, and consequently I have not considered these as positive effects.

### **Parking, traffic generation, noise and access**

Objectives and policies for transport seek an integrated transport system, that is safe and efficient, responsive to needs, reduces dependency on private motor vehicles and promotes the use of public and active transport (7.2.1), and to manage the adverse effects of high trip generating activities by assessing their location and design for how they are accessible by a range of transport modes and encourage public and active transport use, do not compromise the safe, efficient and effective use of the transport system, provide patterns of development that optimise use of the existing transport system, mitigate other adverse transport effects, such as effects on communities, and the amenity values of the surrounding environment, including through travel demand management measures, and provide for the transport needs of people whose mobility is restricted (7.2.1.2). Vehicle access and manoeuvring should be compatible with the road classification to ensure safety and efficiency (7.2.1.3), car parking spaces should provide for the expected needs of an activity to manage adverse effects but also enable a reduction in some cases (7.2.1.4):

#### 7.2.1.4 Policy - Requirements for car parking and loading

- a. Outside the Central City:
  - i. Require car parking spaces and loading spaces which provide for the expected needs of an activity in a way that manages adverse effects.
  - ii. Enable a reduction in the number of car parking spaces required in circumstances where it can be demonstrated that:
    - A. the function of the surrounding transport network and amenity of the surrounding environment will not be adversely affected; and/or
    - B. there is good accessibility by active and public transport and the activity is designed to encourage public and active transport use; and/or
    - C. the extent of the reduction is appropriate to the characteristics of the activity and its location; and/or
    - D. the extent of the reduction will maintain on-site parking to meet anticipated demand.

Parking areas should be designed to operate safely (7.2.1.5), and public and active transport are to be promoted (7.2.1.6).

Submissions made in support of the application were supportive of the parking provision shortfall because they saw parking requirements as promoting private vehicle ownership rather than encouraging car sharing and public transport, and that the people with demand for this development are seeking a different lifestyle without individual parking spaces provided. They also remarked on the geography of Lyttelton for making providing parking difficult, and that lack of parking is a Lyttelton wide issue, not just an issue for this development, but that parking demand was high on Saturdays and the centre still functions and copes, people just walk further.

Submissions in opposition were not supportive of the parking provision shortfall due to concerns for the proposal causing congestion and creating demand for on-street parking, reducing its availability for other businesses. They were doubtful of the occupants of the proposed units not owning their own cars, referred to an existing difficulty in parking, concern at accuracy of parking data collected by the applicant and that the cost of parking is being transferred onto the community (the proposal is generating parking demand but not providing for it, demand will go onto the streets/public spaces).

Submitters raised more specific points, which I address as follows:

##### *Commercial activities*

- G A Horan (19 Oxford Street, adjoining neighbour to the south, guest accommodation) – effects on business from reduction in available on-street parking. I considered effects on this person were less than minor in the section 95 report as there are two car parking spaces on this site;
- C Quinn ( 15a London Street, three sites away to the west, The Lyttelton Arms bar) – Often difficult to park in Lyttelton, their busiest times are on the weekends and after 5pm so will be affected by residents parking on London Street, public transport is not reliable enough for residents not to have any cars. Also concern for how locals will park within Lyttelton. There are now no parking requirements apart from for residential activities<sup>1</sup>, so I consider the District Plan accepts a level of effect on activities from on-street parking demand, and that activities will not need to provide for their own generated demand;
- G Loader (16 Canterbury Street, accommodation) – Concern that tenants will use the same carparks that their guests rely on. As for C Quinn's submission, the Plan accepts activities such as this will not need to provide for their generated parking demand; and
- The Lyttelton Port Company sought a traffic study providing further detail on the impact the proposal would have on route safety and efficiency, to enable any treatment of management measures to be incorporated as part of the proposal. The submitter did not provide any further assessment of this matter,

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<sup>1</sup> Due to a plan change under section 71 of the Greater Christchurch Regeneration Act 2016 as explained in the previous section of this report titled Proposed activity, and changes to the application and Christchurch District Plan since notification.

and I have relied on the evidence of Mr Andy Carr (at **Attachment 3** and referred to in more detail below) and his view that vehicles generated by the proposal are unlikely to be perceptible on the road network.

#### *Residential activities*

- C Crump (10 Dublin Street, residential unit, 350m west of the application site) – concern that they will not be able to park outside her house. I did not consider this person to be affected in the section 95 report, and they were located outside of the parking survey area;
- B R Russell (37 Oxford Street, residential unit within the block of Oxford Street directly north of the application site) – Parking is already an issue, and there are a number of large, trip-generating activities within one block of the site. Mr Russell is a resident who observes on-street parking in the area, and is of the view that the proposal will have a severe negative effect on every other property-owner and business in the neighbourhood. I considered Mr Russell to be an affected person in the section 95 recommendation because while he had sufficient parking provision (albeit from an allocated residents permit for a parking space on London Street) he may notice reduced availability of on-street parking for other purposes (visitors etc) and he is located close to the application site and within the inner survey area where demand is expected to go. I consider the effect of increased demand for on-street parking on this person is acceptable because he has a residents permit space on the street.
- N Clay (12A London Street, rear lot residential unit, north of application site) – guests/residents will try to park on the already congested London Street, harming businesses and residents (addressed in point below);
- M Cooper (18 London Street, residential use on the site) – Parking is already sparse. I considered Mr Cooper to be an affected person, with no on-site parking on their site and likely looking in the same areas as future residents of the proposal (addressed in point below).
- S H Fitzgerald (18 London Street, residential use on the site) – parking in an already limited parking area (addressed in point below).
- 12A and 18 London Street are in a location where there would be already be competition for parking, 10 Dublin Street is distanced 350m from the application site, and 37 Oxford Street has a parking space on the street. I consider those without parking spaces on their sites could not rely on on-street parking in any case, and that the effects for them would be noticeable but are occurring in the context of a Neighbourhood Centre where the increase in demand for parking spaces could be reasonably expected as commercial uses change and the centre develops and recovers, and that the effect of the proposal (increasing demand for on-street parking spaces) should be seen in this context.

I have relied on the evidence of Mr Andy Carr, Traffic Engineer (included at **Attachment 3**). With regard to submissions, Mr Carr considers the concerns expressed are valid for scenarios where on-street parking is limited, however the parking surveys undertaken by the applicant's independent consultants, and the Council's own surveys, show that there is ample parking available for the expected demand. Mr Carr addresses two specific points from submissions: (1) that occupiers of the units should be required to not own vehicles, to which he responds that the assessment of parking did not make any allowance for reduced ownership, and (2) that the data is outdated, to which he responds that the survey data collected in November – December 2018 and May – June 2019 is relevant and valid. I note that no alternative parking surveys or data have been provided with submissions.

Mr Carr recommends three conditions of consent, in the case that consent be granted:

- *Parking spaces within the basement should be allocated to specific units, to avoid drivers speculatively entering the basement and then having to exit again;*
- *The access within the building is marked with signage to ensure that drivers are reminded of the possible presence of cyclists. This is because cyclists may, in fact, be the dominant user of the access rather than cars; and*
- *The roller door at the access is of a high-speed type, in order to ensure that drivers do not wait for longer periods across the footpath or partially within the traffic lanes.*

Mr Carr did not comment on amenity effects on those whose immediate capacity to park outside their property would be reduced, which I consider a planning matter and have assessed below.

I consider that in light of the new and operative District Plan parking requirements (which I give significant weight to) the effect of the parking demand created by the commercial elements of the proposal are acceptable.

With regard to parking demand falling outside properties with residential uses but are without on-site parking, the owners/occupiers of those sites have never had the assurance of parking spaces nearby their properties apart from those with resident's permits for specific spaces. The function of the surrounding transport network will not be adversely affected, but there will be amenity effects. Parking demand could be generated from other activities in the commercial centre (accommodation and commercial activities that operate in the evening), and in this context I consider that the increase in demand for on-street parking is an adverse effect for the persons without on-site parking, but that the contribution this makes to their amenity has never been assured. I therefore consider the increase in parking demand from the proposal to be an acceptable adverse effect on their amenity.

### Visual impact – shading and visual dominance

Some objectives and policies for the commercial zone relate to scale and form of development. The scale, form and design of development should be consistent with the role of the centre and contributes to a visually attractive, safe, easy to orientate, conveniently accessible urban environment and responds positively to local character and context, and manages adverse effects on the surrounding environment (15.2.4). Scale and form of development should be provided for of a significant scale and form in the core of Neighbourhood Centres, and of a lesser scale and form on the fringe of these centres reflecting the context, character and the anticipated scale of the zone and centre's function and increasing the prominence of buildings on street corners (15.2.4.1). New development should achieve the outcomes set out in policy 15.2.4.2:

#### 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 road;
  - ii. providing a principal street facing façade 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, while managing effects on adjoining environments; and
  - ix. providing adequate and convenient space for storage while ensuring it is screened to not detract from the site's visual amenity values.
- b. Recognise the scale, form and design of the existing 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 by ensuring a high quality healthy living environment 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).

Submissions made in support related to the building scale being suitable for a corner site and similar to previous and other buildings, while submissions in opposition related to the height not being in keeping with the small town aesthetic and ambience, dominant of the street scape, blocking views and sunlight. There were two submissions made that raised shading as a concern:

- G A Horan (19 Oxford Street, adjoining neighbour to the south, guest accommodation) – concern for the building blocking sunlight to their property (19 Oxford St) and affecting the viability of their accommodation business; and
- G Loader (16 Canterbury Street, accommodation) – Concern for more shade on their accommodation, less natural light, and increased power costs.

Having regard to the objectives and policies summarised above and the built form outcomes sought for this commercial centre, I consider the visual dominance and shading from the size and height of the building are acceptable for the following reasons:

- Building height has been reduced so that the main roof form is approximately 0.7m above the 12m height limit (excluding the roof top pergola structure which is towards the centre of the building, but which would let light through and not appear visually dominant);



- The building would cast a shadow over the adjoining site to the south, but I consider it is reasonable to expect the application site to be redeveloped to at least two storeys and to be built up to road frontages of both London and Oxford Streets. The amenity of adjoining sites is relevant (matters of discretion 15.13.3.7 and 15.13.3.1), though the redevelopment of 19 Oxford Street with a single storey building to the south of the application site leaves little reasonable potential for the application site to be developed in a way that would not shade the building on 19 Oxford Street to some extent; and
- Regarding 16 Canterbury Street this property is located approximately 84m away to the west of the subject site. Owing to its location slightly further north of the application site, as a matter of fact the only time there could physically be any shading of this site from the proposed building is in the early morning in summer when the sun is south of east. While no shading information has been provided by this submitter, it is difficult to see how it would be possible for the proposed building to shade the property given the distance and intervening buildings, and potentially the topography beyond. Notwithstanding the relevance of power costs it is very unlikely in my view given the time of year that this would be an issue even if there were shading. I consider any such effect will be negligible on this person and the amenity derived from their property.

### **CPTED (principles of Crime Prevention through Environmental Design)**

New development should promote a safe environment for people and reflect principles of CPTED (policy 15.2.4.2). Mr Hattam, whose evidence is included at **Attachment 2**, had some concerns relating to the management of the space rather than the design of the building. I summarise these as follows:

- The L-shape area formed by the north and east courtyard areas is well observed from the street and is a reasonably safe and appropriate environment at all hours, and should be lit to discourage illicit loitering. The remainder of the ground floor is not readily visible and a mesh gate across part of the ground-floor courtyard would manage public entry after-hours.
- The area around the entrance to the lift is a potential entrapment space, but the risk is reduced by the size of the adjoining courtyard and an appropriate response would be to ensure that it is well lit at all hours.
- Upper floors should be for residents only and access restricted.
- There is a potential jump risk (suicide risk) from the roof garden due to the height, but the risk is likely to be in terms of non-residents and effective access management would appropriately address this risk. Some further resolution is required in relation to access management. Mr Hattam has recommended conditions of consent relating to safety through design:
  - *Prior to occupation of any of the units, the consent holder shall provide a lighting strategy to the Head of Resource Consents of the Council for certification. The lighting strategy shall detail measures in the location and type of outdoor lighting on site to provide for pedestrian safety during hours of darkness.*
  - *The ground floor concertina mesh gates shown on the approved plans shall be kept closed and locked between the hours of 9pm and 6am except at times outside these hours that one or more of the adjacent tenancies (marked tenancy 2 and tenancy 3 on the approved plans) are open for business.*

I recommend that the first of the above two conditions of consent should require submission of the lighting strategy to Mr Hattam or an urban design specialist, so have amended that condition at the end of this report.

Submissions raised safety matters both in support and opposition to the proposal, concerned that security gates on public spaces are unnecessary and against the principles of the development, and that safety needed to be designed into the lift shaft location, dead ends and the public laneways. None of those submissions provided specialist comments or evidence to contradict that of Mr Hattam, nor do the espoused principles of the development align with any specific district plan matters that reinforce the appropriateness of such and elevate them over CPTED matters. Hence I have relied on and preferred Mr Hattam's advice on this matter. In my opinion the effects of the proposal on safety would be acceptable subject to these conditions, noting that I consider the certification would more appropriately be by an urban designer who has a greater level of expertise on such matters than the Head of Resource Consents.

### **Local character**

I considered the effects on character to be more than minor and this was found to be the case by the commissioner, based on an earlier set of plans for the proposal and relying on the specialist input or Mr Hattam.

The design has since been changed as outlined above. Mr Hattam has taken the design changes into account in his final evidence. Mr Hattam (in **Attachment 2**) considers the proposal is a generally well designed building that provides active engagement with its surroundings. His assessment of the matters under rule 15.13.1 *Urban Design* indicates that the built form outcomes sought by those matters will be achieved (subject to conditions of consent relating to lighting and access, referred to above). With regard to Appendix 15.15.6 Design guidelines – Lyttelton Commercial Banks Peninsula Zone in relation to the original design, Mr Hattam considered matters of significance were: an insufficient level of detailed design elements (fine grain detailing); insufficient variation of materials and not enough separation of the different modules in to smaller forms; and repetition of two similar forms. Mr Hattam considers the first two matters have been addressed by the amended plans. Principle 2 of the design guidelines (scale and form) is now considered to be met strongly in his view, whilst principle 5 (concerned with detailed resolution) he considers is now met in part, which I elaborate on below

Mr Hattam's detailed assessment of principle 5 considers the proposal would be distinct from neighbours but is a repetitive design of two very similar modules. In his view patterning in the cladding and the window layout and features provides some variety but the modules are of similar scale and form and are not treated as separate buildings, and would not achieve the outcomes sought by this principle in full.

Some objectives and policies for the commercial zone relate to recognising the critical importance of commercial activity to recovery and growth of the city (15.2.1), focussing activity in a network of centres to support their intensification, promoting their success and vitality (15.2.2) and maintaining and strengthening those centres to maintain the role of the centre (the CBP zone in Lyttelton is a Neighbourhood Centre) (15.2.2.1). The special character of this centre is also to be protected (15.2.2.5):

#### 15.2.2.5 Policy - Banks Peninsula commercial centres

- a. Recognise and protect the special character and role of the commercial centres in Banks Peninsula, including Lyttelton and Akaroa, which provide a range of activities and services meeting the needs of their respective communities as well as visitors to the townships and the wider area of Banks Peninsula.

Submissions in support related to the design being exciting and progressive, fitting with the range of existing buildings, and providing a positive statement when entering Lyttelton. Submissions in opposition related to a preference for smaller shop fronts, for the Lyttelton design guidelines to be adhered to, and that the design will not suit Lyttelton. I note there has been no other urban design assessment or detailed assessment of the proposal against the Lyttelton design guidelines provided with submissions.

Having regard to Mr Hattam's revised evidence, the objectives and policies, and the submissions made I have preferred and relied upon Mr Hattam's evidence and conclusions that the outcomes sought in the guidelines will be achieved to an acceptable extent. The special character of Lyttelton would be protected as a result, and I consider the impact of the proposal on the special character would be acceptable.

#### On site amenity

Policy 15.2.4.2 seeks to ensure a high quality healthy living environment through provision of sufficient and conveniently located internal and outdoor living spaces, good accessibility within a development and minimising disturbance from noise. Mr Hattam also provided comment on the provision of outdoor living space in his evidence, and that the proposal would meet the needs of residents for outdoor space through the variety of spaces provided and that the outcomes sought by the Plan will be met. In summary:

- Provision of publicly available space nearby does not sufficiently provide for the needs of occupants and the adequacy of the proposal hinges on the provision of communal on-site space and alternative access to outdoor amenity;
- There is no private outdoor living space, but bi-fold doors and Juliet balconies create ability for flexible use of interior space as an alternative, in conjunction with the roof-space; and
- With regard to the size and the usability of the space for typical residential activities the roof terrace would provide a large usable space but would not fulfil the typical range of uses for outdoor space because it is not directly accessible or private. That space is supplemented by the indoor / outdoor space for each apartment which would allow for access to sunlight in most cases with some privacy, and by the additional space on each floor (in the hallways) that could meet other outdoor living space uses enabled by being directly accessible (e.g. a cup of tea in the sun, growing of plants).

There were some submissions that referred to outdoor living space being adequate and private spaces being compensated for by the public rooftop space and that this is consistent with the co-housing ethos of the proposal, but some in opposition saying that there was not enough outdoor living space provided for each unit.

In the context of the site's location, relying on Mr Hattam's assessment, and having regard to the submissions, I consider the on-site amenity provided to the residents and/or guests of the proposed building would be reasonable and acceptable. The lack of private space is balanced by the communal spaces throughout level 1, 2 and the rooftop terrace, and Juliet balconies have been added to maximise the sense of openness and bring the outdoors into the units.

### **Cultural and heritage effects – brick barrel drain**

Input was sought from Mahaanui Kurataiao Limited (MKT) as cultural values is a relevant matter for works near a waterway (which the brick barrel drain running through the site is considered to be under the District Plan). With regard to matters raised by MKT (erosion and sediment control, an accidental discovery protocol and inclusion of indigenous planting) I considered that erosion and sediment would be controlled during construction and the nature of the waterbody (a piped drain) would mean that adverse cultural effects would be less than minor, which the commissioner also found in the section 95 decision. Heritage New Zealand made a submission in which they urged an archaeological assessment be obtained. In response to this submission the applicant volunteers a condition of consent requiring this prior to works beginning on site. In light of this I consider effects on culture and heritage would be appropriately managed and acceptable.

### **Building over a water way / drain**

A relevant matter to consider is any adverse effects of the proposal on access to a water body for maintenance; specifically the policy seeks that where buildings are built within a water body setback that the activity is managed so that access for maintenance is enabled. The applicant has not yet provided detail of how they would manage the activity to enable maintenance access and manage the effect of building over the drain. In this regard the applicant has advised that they are seeking dispensation from the Council bylaw which concerns building over drains, but this is separate from the resource consent process. As there is not enough detailed information to confirm that access can be maintained to the drain I am unable to come to a conclusion on the acceptability of effects on the drain or whether the proposal would be consistent with policy 6.6.2.1.3 – *Management of activities in water body setbacks*. The decision maker will need to consider effects on maintenance, so I invite the applicant to address how maintenance access will be maintained in their evidence.

### **Noise and reverse sensitivity**

The Lyttelton Port Company made a submission not stating a view either in support or opposition, but seeking that further detail be provided on acoustic insulation of the building. The applicant has advised that they are in discussions with the Lyttelton Port Company and volunteer a condition of consent requiring that prior to the construction of the building a detailed design assessment including materials to be used to ensure compliance with the internal noise levels required by the District Plan (under rule 6.1.7.2.1 *Sensitive activities near roads and railways*, and rule 15.6.1.1 *P17 Residential activities*). On the basis of being able to achieve those standards for noise reduction in habitable spaces I consider that noise effects on residents and guests of the proposal would be acceptable, and that the risk of reverse sensitivity effects arising from those residents and guests would be reduced and acceptable.

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

Regard must be had to the relevant objectives and policies in the Christchurch District Plan, which are included in full at **Attachment 5** to this report. In my opinion the proposal would be consistent with those objectives and policies for the following reasons:

- With regard to mitigating adverse transport effects, such as effects on communities and the amenity values of the surrounding environment, I consider the parking demand generated by the proposal can be accommodated across the Lyttelton area, and that the effects of this demand on specific persons is acceptable in the context of those persons living on sites without on-site parking, and relying on an unreliable and variable source of parking to date (in terms of availability and location of on-street parking). The District Plan also no longer requires parking to be provided on site for non-residential activities (or for the first two residential units on a site), indicating that the Plan accepts there will be some level of effect on people's amenity from commercial activities establishing and generating parking demand but not necessarily providing for that demand within the same site. As there are residential activities in the same area (which exist without parking) I consider the Plan also accepts a level of effect on the amenity of owner/occupiers of those sites due to a variability in, and potential increase in demand for, on-street parking in the Lyttelton Neighbourhood Centre (7.2.1.2);

- The car parking spaces provided on-site will not provide for the expected needs of the residential activity. In some cases a reduction in parking should be enabled where the function of the surrounding transport network and amenity of the surrounding environment will not be adversely affected. The transport evidence I have relied on indicates an acceptable level of effect on the transport network. I have considered there is some effect on specific persons but not on the amenity of the surrounding environment as parking can be accommodated. The Plan change to the parking requirements also indicates that letting parking sort itself out in this commercial centre is acceptable, from which I gather that the assured ability to park on site is not seen as being adversely affected by parking availability. There is access to public transport in Lyttelton, and the applicant has mentioned a car share system being an option (though this is not being relied on as it does form part of the application). The site could accommodate more parking in the basement but would then forego the wellness centre or reduce/lose one of the other commercial activities. Points a.ii.A-D are 'and/or' statements, so I consider the proposal is consistent with this policy as it meets point a.ii.A (7.2.1.4);
- Parking areas will operate safely (7.2.1.5) and public transport will be encouraged by under-provision of car parking spaces (7.2.1.6);
- The scale, form and design is consistent with the role of the centre (offering a range of activities, with medium density housing anticipated), and relying on urban design evidence, I consider it will contribute to a visually attractive, safe (subject to conditions), accessible urban environment. I also consider it will respond positively to local character and context, as a result of changes made to the design since notification (15.2.4);
- The development is of a significant scale and located in the core of this Neighbourhood Centre, and is a prominent building on a street corner (15.2.4.1);
- The development would achieve the outcomes set out under policy 15.2.4.2, including encouraging pedestrian activity with an open courtyard area and thoroughfare at ground level, a visually interesting and attractive street façade and a visible development helping to orientate visitors in the centre, reflecting principles of CPTED (subject to conditions). The building is taller than those nearby but not significantly taller or incompatible with the existing surrounding built form, and the residential units are provided with sufficient indoor and outdoor living spaces and will be suitably insulated from noise (subject to a condition of consent volunteered by the applicant) (15.2.4.2);
- The proposal contributes to the recovery of the city by rebuilding on an empty site and providing for commercial activity within a commercial centre, which will promote its success and vitality and maintain its role as a centre for a range of commercial activities with medium density housing (15.2.1, 15.2.2, 15.2.2.1);
- The special character of this Banks Peninsula commercial centre would be protected, with the design of the proposal mostly responding positively to the principles in the Lyttelton design guidelines (with the exception of only partly responding to principle 5) as considered by Mr Hattam in his urban design evidence;
- With regard to the cultural values and sites of Ngāi Tahu cultural significance, the proposal would be consistent with objectives and policies seeking to maintain and enhance Ngāi Tahu cultural values as far as they are applicable to a piped drain (9.5.2.1.1 and 9.5.2.1.2), and an archaeological assessment is being volunteered as a condition of consent (9.5.2.2.2). Rūnanga were engaged with during the resource consent process (9.5.2.2.5).

Some questions remain regarding the brick barrel drain and how the proposed building will be designed to accommodate the drain and enable access for maintenance. I am unable to come to a conclusion on the consistency of the proposal with policy 6.6.2.1.3 as a result. I do however consider the proposal would be consistent with the objective and policy relating to protecting the function of the water body as far as that is relevant to the actual state of it (piped) (6.6.2.1, 6.6.2.1.2).

After considering the relevant objectives and policies it is my conclusion that in an overall sense, the application is consistent with those objectives and policies.

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

The District Plan has been recently reviewed and gives effect to the higher order planning documents. As such, there is no need to address them specifically in this report.

#### **Section 108 and 108AA - Conditions**

I have recommended that a number of conditions, recommended by specialists, be imposed on the consent. I consider these are necessary to appropriately manage adverse effects and that they are lawful under s108 and 108AA.

Where the applicant has advised they are volunteering conditions of consent but have not yet provided wording for those conditions (regarding acoustic insulation and archaeological assessment) I would invite them to provide wording as part of their evidence.

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

#### **Recovery Plans and Regeneration Plans**

Section 60(2) of the Greater Christchurch Regeneration Act 2016 requires that decisions and recommendations on resource consent applications are not inconsistent with Recovery Plans and Regeneration Plans.

Granting consent to the proposal will not be inconsistent with any Recovery Plans or Regeneration Plans.

### **Part 2 of the Act**

The matters outlined previously are subject to Part 2 of the Act which outlines its purpose and principles.

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.

The Christchurch District Plan has recently been reviewed. 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.

Taking guidance from recent case law<sup>2</sup>, 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.

### **Conclusion**

After considering the actual and potential effects on the environment of allowing the application, it is my conclusion that the effects of allowing the activity would be acceptable.

In my opinion this proposal is consistent with the objectives and policies of the District Plan.

I consider that the proposal is consistent with Part 2 of the Resource Management Act 1991.

Having considered all of the relevant matters under Sections 104 and 104B, it is my opinion that consent should be granted subject to conditions.

All of the above conclusions are made with the exception of uncertainty regarding effects on the drain under the application site, which the applicant is invited to address in their evidence.

### **Recommendation**

I have assessed this application for a new three-storey building containing a health spa, restaurant, gymnasium, offices, retail activity and 26 residential units or guest accommodation (revised to 20 units after notification) at 25 Oxford Street and 3, 5, 7 and 9 London Street. Having considered all the matters relevant to this application,

<sup>2</sup> R J Davidson Family Trust v Marlborough District Council [2018] NZCA 316  
P-406, 24.09.2019

I recommend that this application be **granted** pursuant to Sections 104, 104B and 108 of the Resource Management Act 1991 subject to the following conditions, and subject to the applicant providing an appropriate solution to enable maintenance access to the drain under the application site:

1. Except where varied by the conditions of this consent the development shall proceed in accordance with the information and plans submitted with the application, including the amended plans submitted on 01/02/2020. The approved plans include:
  - Concept site plan SK 01, dated 31/01/2020
  - Basement / site concept plan SK10, dated 31/01/2020
  - Ground floor / site concept plan SK11, dated 31/01/2020
  - First floor concept plan SK12, dated 31/01/2020
  - Second floor concept plan SK13, dated 31/01/2020
  - Roof deck concept plan SK14, dated 31/01/2020
  - Elevations SK20, dated 31/01/2020
  - Balcony and window details SK21, dated 31/01/2020
2. Prior to occupation of any of the units, the consent holder shall provide a lighting strategy to Council for certification (by email to [rcmon@ccc.govt.nz](mailto:rcmon@ccc.govt.nz) attn. David Hattam and Shona Jowett). The lighting strategy shall detail measures in the location and type of outdoor lighting on site to provide for pedestrian safety during hours of darkness. The certified lighting strategy shall be implemented in full prior to the ground floor access way being open to the public.
3. The ground floor concertina mesh gates shown on the approved plans shall be kept closed and locked between the hours of 9pm and 6am except at times outside these hours that one or more of the adjacent tenancies (marked tenancy 2 and tenancy 3 on the approved plans) are open for business.
4. Parking spaces within the basement shall be allocated to specific units, to avoid drivers speculatively entering the basement and then having to exit again.
5. The access within the building shall be marked with signage to ensure that drivers are reminded of the possible presence of cyclists.
6. The roller door at the access shall be of a high-speed type, in order to ensure that drivers do not wait for long periods across the footpath or partially within the traffic lanes.

**Advice notes:**

i) *Monitoring*

The Council will require payment of its administrative charges in relation to monitoring of conditions, as authorised by the provisions of section 36 of the Resource Management Act 1991. The current monitoring charges are:

- (a) A monitoring programme administration fee of \$102.00 to cover the cost of setting up the monitoring programme; and
- (b) A monitoring fee of \$175.50 for the first monitoring inspection to ensure compliance with the conditions of this consent; and
- (c) Time charged at an hourly rate if more than one inspection, or additional monitoring activities (including those relating to non-compliance with conditions), are required.

The monitoring programme administration fee and inspection fees will be charged to the applicant with the consent processing costs. Any additional monitoring time will be invoiced to the consent holder when the monitoring is carried out, at the hourly rate specified in the applicable Annual Plan Schedule of Fees and Charges.

ii) *Development Contributions*

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

To help fund community facilities, the Local Government Act 2002 (LGA) allows a council to require development contributions if the effect of a development requires the council to provide new or upgraded infrastructure.

This Notice informs you of the DCs required by the Council for the development but is not a request for payment. An invoice will be issued by the Council when it requires payment of the DC's. Payment will be required 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. An invoice can be issued earlier at your request. Council may also issue an invoice, at its discretion, if it considers the development is already utilising Council infrastructure for which DCs are being required.

**Development contribution assessment summary**

**THIS NOTICE IS SUBJECT TO CHANGE. A REVISED SECTION 36 WILL BE PROVIDED WHEN A RESPONSE TO THE RFI SENT ON 26/06/2019 IS RECEIVED.**

Where both a resource consent and building consent is required as part of the same development, a development contribution assessment will be undertaken for both consents. However the applicant need only pay for one assessment. As a result, Council will only invoice the lowest development contribution requirement assessed (or lowest reassessment if necessary).

The DC assessment is valid for 24 months from the date the assessment is issued (usually with the consent). If the original assessment expires before payment is made, reassessment of the DCs required will be carried out at the same time the invoice is generated.

Reassessments will incorporate any increases to the development contribution requirement in line with the Producers Price Index (PPI) as described in Parts 2.9 and A.7.3 of the DCP. PPI adjustments will incorporate all years between the original application and the time the reassessment is carried out.

**Reconsiderations and objections**

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

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

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

Under section 199C of the Local Government Act 2002 you can object to the assessed DC requirement on the following grounds:

- the development contribution was incorrectly calculated or assessed under the DCP; or
- the territorial authority incorrectly applied its DCP; or
- the information used to assess your development against the DCP, or the way the territorial authority has recorded or used it when requiring a development contribution, was incomplete or contained errors.

An Objection to DCs form must be lodged with the Council within 15 working days of receiving this DC Notice or a reconsidered assessment. A deposit of \$1,000.00 will be required to lodge an objection

A form to request a reconsideration or lodge an objection can be found on our website.

To request an invoice please contact a Development Contributions Assessor by phone on (03) 941-8999 or email [developmentcontributions@ccc.govt.nz](mailto:developmentcontributions@ccc.govt.nz). Once an invoice has been issued payment is required within 30 days. Please quote the project number with all correspondence.

Further information regarding development contributions can be found on our website [www.ccc.govt.nz](http://www.ccc.govt.nz) or by contacting a Development Contributions Assessor on (03) 941-8999.

**Reviewed by:**

Andy Christofferson  
Team Leader



Attachment 1 – Table of submitters

Name	Postal Address	Town	Title	Oppose/ Support	Wish to be heard	Joint Submission	Internal no.
<b><u>SUPPORT</u></b>							
A M Stanaway	25 Hawkhurst Road	Lyttelton 8082	Ann	Support	No		001
B M Stanaway	25 Hawkhurst Road	Lyttelton 8082	Brent	Support	Yes		002
E Foate	7A Brittan Terrace	Lyttelton 8082	Edward	Support	No		018
M T Burnett & H B Jordan	1105-1825 Rue Sainte-Rose Montreal H2K 4M1 QC	Canada	Myren/Hester	Support	No		020
B Grehan	137 Meadowstone Drive	Wanaka 9305	Barry	Support	Yes	Yes	022
P Coldicott	2 Merlincote Crescent RD 1	Lyttelton 8971	Peter	Support	No	Yes	023
S van der Burch	18 Foster Terrace	Lyttelton 8082	Sarah	Support	No	Yes	025
N Randall	3 Dublin Street	Lyttelton 8082	Nicole	Support	No		026
Seed the Change – A Goodall	PO Box 12180 Beckenham	Christchurch 8242	Anake	Support	No		027
J L Diaz	146 Rocking Horse Road Southshore	Christchurch 8062	Josephine	Support	No		034
J Manthorpe	Suite 5642, 24B Moorefield Road Johnsonville	Wellington 6037	Jane	Support	No		035
D Shaw	1/26 Avonleigh Road Green Bay	Auckland 0604	Dale	Support	No		037
T Walton	63 Asher Road		Tim	Support	No		038
H Fulton	5 Coromandel Street	Wellington 6021	Hugh	Support	No	Yes	039

	Newtown						
M Arnold	71 London Street	Lyttelton 8082	Matthew	Support	No		040
M Jackson	19A Braemar Road Rothsay Bay	Auckland 0630	Matthew	Support	Yes	Yes	041
B De Rose	28 Crohane Place Addington	Christchurch 8024	Brandon	Support	Yes	Yes	042
M Bayliss	52 Pine Tree Road Kaniere	Hokitika 7811	Merryn	Support	No		043
A M Cotton	208 Hunt Road RD 1	Lawrence 9591	Andrea	Support	No	Yes	044
P Dietsche	PO Box 55	Lyttelton 8841	Paul	Support	No	Yes	045
D Pringle	32 Dublin Street	Lyttelton 8082	Donna	Support	No		046
D Nelson	87 Carlton Street Hillsborough	Auckland 1042	Daniel	Support	Yes		047
L J McLeod	80 Waipapa Ave RD 2	Diamond Harbour 8972	Lynette	Support	No		048
Y Gilmore	PO Box 44	Little River 7546	Yvonne	Support	No		049
S J Masters	72 The Parade	Paekakariki 5034	Susan	Support	No		050
N Woodfield	90 Eglinton Road Mornington	Dunedin 9011	Nathan	Support	No		051
Dr S McLean	25B Bayview Place Cass Bay	Lyttelton 8082	Sylvia	Support	Yes	Yes	052
A Price	89 Trafalgar Street St Albans	Christchurch 8014	Adrian	Support	No		053
P Carnaby	PO Box 27	Christchurch 8140	Penny	Support	No		055
A Brooke	33A Dominion Ave Spreydon	Christchurch 8024	Anna	Support	No		056
G Stanley	48 Voelas Road	Lyttelton 8082	Gaynor	Support	No		057
B Atkins	PO Box 223	Kaiapoi 7640	Brent	Support	No		058
H Cunningham	10 Puari Road RD 2	Diamond Harbour 8972	Holly	Support	No		059

J Pemberton	62 Stapletons Road Richmond	Christchurch 8013	Jason	Support	No		060
H Griffin	3 Whisby Road Cashmere	Christchurch 8022	Holly	Support	No		061
D Sligo-Green	44 Crawford Road Kilbirnie	Wellington 6022	Damian	Support	No	Yes	062
T McMenamin	201 Clyde Road Burnside	Christchurch 8053	Thom	Support	No		063
P McMenamin	201 Clyde Road Burnside	Christchurch 8053	Peter	Support	No		064
S van der Burch	18 Foster Terrace	Lyttelton 8082	Sarah	Support	No		065
D J Gregory	886 Governors Bay Road RD 1	Lyttelton 8971	David	Support	No	Yes	066
D M Coyle	39 Landing Road Titirangi	Auckland 0604	David	Support	No		067
Seed the Change – C Newman	PO Box 12180 Beckenham	Christchurch 8242	Clair	Support	No		068
G Allen	14 Vinegar Lane Grey Lynn	Auckland 1021	Graham	Support	Yes		069
L McEvedy	51 Quinns Road Shirley	Christchurch 8013	Lucinda	Support	Yes		070
P Singfield	26B Koromiko Street St Martins	Christchurch 8022	Persephone	Support	No		071
R King	104 Dalry Road		Regan	Support	No	Yes	072
J Villard	7A Brittan Terrace	Lyttelton 8082	Julie	Support	No	Yes	073
M Kuchar	41 Edward Street	Lincoln 7608	Michal	Support	No	Yes	074
M Halliday/M J Bell	4 Kawarau Place Frankton	Queenstown 9300	Melanie	Support	No		075
S Moe	38 Marlowe Place	Rolleston 7614	Steven	Support	No		077

R Dyson	PO Box 19661 Woolston	Christchurch 8241	Ruth	Support	No		078
Pitcaithly Body Corp Services Ltd – J H Pitcaithly	PO Box 41076 Ferrymead	Christchurch 8247	John	Support	Yes		079
M Weis	1/41 Canterbury Street	Lyttelton 8082	Michael	Support	No		080
F Gibson	34 St Davids Street	Lyttelton 8082	Felicity	Support	No	Yes	081
J Villard	7A Brittan Terrace	Lyttelton 8082	Julie	Support	No	Yes	082
B Cook	PO Box 18764 New Brighton	Christchurch 8641	Briar	Support	No	Yes	083
V O'Brien	11 Upper Bourke Street Kilbirnie	Wellington 6022	Vaughan	Support	No	Yes	084
W L Matheson	6C Rockview Place Mt Pleasant	Christchurch 8081	William	Support	No		085
G Swinard	34 St Davids Street	Lyttelton 8082	Greer	Support	No	Yes	086
G Robinson	13 Elmwood Road Strowan	Christchurch 8052	Genevieve	Support	No		087
K P Kumar	31 Brockhall Lane Avonhead	Christchurch 8042	Kaushik	Support	No		088
A Thorpe	14 Reserve Terrace	Lyttelton 8082	Anna	Support	No		089
E Baritomba	94 Governors Bay Road Cass Bay RD 1	Lyttelton 8971	Elizabeth	Support	No		090
J Luxton	65 Waipapa Ave RD 2	Diamond Harbour 8972	Janet	Support	No		091
J Harrington	15 Walkers Road	Lyttelton 8082	Jonathan	Support	No	Yes	092
M Tutko	6 Leading Light Lane RD 1	Lyttelton 8971	Michal	Support	No		093

J Bull	25 Oxford Street	Lyttelton 8082	Jonathan	Support	No		094
G McKinlay	55 Albert Road Devonport	Auckland 0624	Glenn	Support	No		096
S Symes	34 Links Ave	Mt Maunganui 3116	Shanan	Support	No		097
G Weavers	244 Wilsons Road Waltham	Christchurch 8023	Gillian	Support	No		098
H Pearson	107 Dyers Pass Road Cashmere	Christchurch 8022	Heather	Support	No	Yes	099
Lyttelton Harbour Information Centre- Ruth Targus	20 Oxford Street	Lyttelton 8082	Ruth	Support	No	Yes	100
V T Paton	2/20 Bridle Path	Lyttelton 8082	Vicki	Support	No		102
C A Mahoney	7 Otamuhua Lane RD 1	Lyttelton 8971	Cushla	Support	No		103
F Sumardjo	27 Flaxdale Street Birkdale	Auckland 0626	Frida	Support	No	Yes	104
A Parra	Unit 1/30 Kimberly Road Epsom	Auckland 1023	Antonietta	Support	No	Yes	105
Y W Rackham	20A Bedford Street Te Atatu South	Auckland 0610	Yeon	Support	No		106
N Todd	34 Celia Street Redcliffs	Christchurch 8081	Nic	Support	No		107
D J Matheson	12 Selwyn Road	Lyttelton 8082	Donald	Support	No		108
T Gray	17A Aotea Terrace Huntsbury	Christchurch 8022	Tristan	Support	No		109
J J Jiang	18 Beach Road Auckland Central	Auckland 1010	Jack	Support	No		110
L W Ferrie	7 Otamuhua Lane	Lyttelton 8971	Lawrence	Support	No		111

	RD 1						
M A Prain	PO Box 578	Christchurch 8140	Mark	Support	No	Yes	112
S McDonald	25 Shearwater Drive Woolston	Christchurch 8023	Sheralee	Support	No	Yes	113
S Stone – Five and Dime	35A Happy Valley Road Owhiro	Wellington 6023	Shadoe	Support	No	Yes	115
R W Payne	10 Tommy Street	Pegasus 7612	Robert	Support	No		116
R Manji	11/48 Chester Street West Christchurch central	Christchurch 8013	Raf	Support	Yes		117
S Darlington	1/17 Coleridge Street		Stephanie	Support	No		118
A Walker	10 Pennine Way Huntsbury	Christchurch 8022	Adam	Support	No	Yes	119
G & L Allen	175A Ilam Road Ilam	Christchurch 8041	Graeme/Linda	Support	No	Yes	120
B Osteen	34 Arnold Street Sumner	Christchurch 8081	Billy	Support	No		121
P Scott	145 Meeanee Road Jervoistown	Napier 4112	Perri	Support	No		122
J Lane	29 West Fairway Golflands	Auckland 2013	Jo	Support	No		123
G Campbell	13A Oxford Street	Lyttelton 8082	Greg	Support	No	Yes	124
Arbour Wood Fired Pizza (Arbour Bar Ltd) - R Hammer	17 Oxford Street	Lyttelton 8082	Ra	Support	Yes	Yes	125
T Tutko	6 Leading Light Lane RD 1	Lyttelton 8971	Tereza	Support	No		126

R Harris	35 Merlincote Crescent RD 1	Lyttelton 8971	Russell	Support	No	Yes	127
J Robertson	35 Merlincote Crescent RD 1	Lyttelton 8971	Jane	Support	No		128
T K Mitcalfe	46B Moana Road		Tanya	Support	No		129
R J Sweeney	2 Makora Street Fendalton	Christchurch 8041	Robert	Support	No		130
P Coldicott	2 Merlincote Crescent RD 1	Lyttelton 8971	Peter	Support	No	Yes	131
G Warren	2 Somes Road	Lyttelton 8082	Gillian	Support	No		132
N Alpe	10 Muriwai Drive	Diamond Harbour 8971	Nicholas	Support	No		133
G Brown	34 Simeon Quay	Lyttelton 8082	Grant	Support	No		134
M T Rakena	32 Courtenay Street St Albans	Christchurch 8014	Maggy	Support	No		135
L Graydon	95 Miners Road RD 2	Christchurch	Leith	Support	Yes	Yes	136
Dr P McIntosh	35B Beachville Road Redcliffs	Christchurch 8081	Patricia	Support	No		137
J W Honger	58 Hackthorne Road Cashmere	Christchurch 8022	Jurg	Support	Yes	Yes	138
A Awad	119 Somerfield Street Somerfield	Christchurch 8024	Angela	Support	No		139
J Jack	28 Foster Terrace	Lyttelton 8082	Jean	Support	No		140
N Nicholls	28 Daventry Street Waterview	Auckland 1026	Naeri	Support	Yes		141

A F Campbell	80 Saddleback Grove Karori	Wellington 6012	Fiona	Support	No		142
T Joseph	308 Bridle Path Road Ferrymead	Christchurch 8022	Tony	Support	No	Yes	143
P Galbraith	38 Gracefield Avenue Christchurch Central	Christchurch 8013	Peter	Support	No		144
G Saunders	PO Box 45	Diamond Harbour 8941	Glen	Support	No		145
K Vermeir	18 Bellbird Lane Mt Creighton	Queenstown 9371	Kris	Support	No		146
J Cross	1 Scott Street Sydenham	Christchurch 8023	Jessie	Support	No		147
G Fitzsimmons	90 Avoca Valley Road Heathcote Valley	Christchurch 8022	Genevieve	Support	No		148
K Beaton	28 Dublin Street	Lyttelton 8082	Kerryn	Support	No		149
J Stewart	112 Watford Street Strowan	Christchurch 8052	James	Support	No		150
E Austin	123 Packe Street Edgeware	Christchurch 8013	Erica	Support	Yes	Yes	151
J S Lee	20A Exeter Street	Lyttelton 8082	Julie	Support	No		152
R Reynolds	18 Ticehurst Road	Lyttelton 8082	Ryan	Support	No		153
D McMenamin	201 Clyde Road Burnside	Christchurch 8053	Dorothy	Support	No		154
L White	54 Canterbury Street	Lyttelton 8082	Leon	Support	No		155
I McComb	26 Blick Terrace The Brook	Nelson 7010	Ian	Support	No		156
J Frater	19 Buxtons Road	Lyttelton 8082	Jillian	Support	Yes	Yes	157



T Nash	18B Porritt Avenue Mt Victoria	Wellington 6011	Thomas	Support	Yes		158
B M Shepherd	177A Rocking Horse Road Southshore	Christchurch 8062	Beverley	Support	No		161
T Woods	154A Avondale Road Greenmeadows	Napier 4112	Terry	Support	No		162
A Hunt	74 Marine Drive RD 1	Diamond Harbour 8971	Andrea	Support	No	Yes	163
A Wilke ChCh NZ Anton Wilke Destination Development Manager	101 Cashel Street Christchurch Central	Christchurch 8011	Anton	Support	No		167
S Stollman	78A Reserve Terrace	Lyttelton 8082	Sasha	Support	Yes	Yes	168
P A Chamberlain	PO Box 66 Oneroa	Waiheke Island 1840	Tony	Support	No		169
<b>Late Submission J Walter</b>	<b>27A Ticehurst Terrace</b>	<b>Lyttelton 8082</b>	<b>John</b>	<b>Support</b>			<b>172</b>
<b><u>NEUTRAL</u></b>							
A Bosch	3/37 Simkin Avenue St Johns	Auckland 1072	Adriaan	Neutral	No		036
Lyttelton Port Company Ltd C/- Gareth Taylor Collaborations	16 Augusta Street Redcliffs	Christchurch 8081	Gareth	Neutral	Yes		165
<b><u>OPPOSE</u></b>							
W Day	21 Clive Street Phillipstown	Christchurch 8011	Wendy	Oppose	No		003

C Crump	10 Dublin Street	Lyttelton 8082	Courtney	Oppose	No	Yes	004
The Lyttelton Arms	C/- C Quinn 9 Hylton Heights	Lyttelton 8082	Caroline	Oppose	Yes	Yes	005
C Quinn	9 Hylton Heights	Lyttelton 8082	Caroline	Oppose	Yes	Yes	006
R Oldham	11 Heywood Terrace Richmond	Christchurch 8013	Richard	Oppose	No	Yes	007
L B J Neilson	PO Box 116	Lyttelton 8841	Liam	Oppose	Yes	Yes	008
S Bennett	2 Shackleton Terrace	Lyttelton 8082	Sahni	Oppose	No		009
J Bennett	8 Cunningham Terrace	Lyttelton 8082	James	Oppose	Yes	Yes	010
C Benfield	370 Greers Road Bishopdale	Christchurch 8053	Charlotte	Oppose	No		011
I Wilson	1 Hylton Heights	Lyttelton 8082	Isaac	Oppose	No		012
I Janus	1B Walkers Road	Lyttelton 8082	Imke	Oppose	Yes	Yes	013
B Gabites	24 Ticehurst Road	Lyttelton 8082	Bridget	Oppose	Yes	Yes	014
G Amos	35 Hawkhurst Road	Lyttelton 8082	Grant	Oppose	Yes		015
J Quinn	9 Hylton Heights	Lyttelton 8082	John	Oppose	Yes	Yes	017
M Chen	132 Southampton Street Sydenham	Christchurch 8023	Maria	Oppose	No		019
E McClay	12 Kaikomako Place Cass Bay	Lyttelton 8082	Ellen	Oppose	No		021
N Clay	12A London Street	Lyttelton 8082	Nicki	Oppose	Yes	Yes	024
S H Fitzgerald	PO Box 46	Lyttelton 8841	Sue	Oppose	No		028
Kea Point Ltd	PO Box 1838	Christchurch 8140	Alberto	Oppose			029
G A Horan	PO Box 29	Lyttelton 8841	Gary	Oppose	Yes		030
G J Loader	16 Canterbury Street	Lyttelton 8082	Gerard	Oppose	Yes		031

J M Forrester	211 Major Hornbrook Road Mt Pleasant	Christchurch 8081	John	Oppose		Yes	032
Heritage NZ Pouhere Taonga – J Trewin	64 Gloucester Street	Christchurch 8140	Jon	Oppose	No		033
H Chrystall	37A Waipapa Ave RD 2	Diamond Harbour 8972	Helen	Oppose	No		054
H J McBride	2 Brittan Terrace	Lyttelton 8082	Hilda	Oppose	No		075
D Blezard	72 Toorak Ave Avonhead	Christchurch 8042	Dan	Oppose	No		095
M Cooper	18 London Street	Lyttelton 8082	Marten	Oppose	Yes	Yes	101
S Comino	11, 11A London Street 15 Oxford Street	Lyttelton 8082	Shayne	Oppose	Yes	Yes	114
Lyttelton Community Association – K Maynard	83 Canterbury Street	Lyttelton 8082	Ken	Oppose	Yes	Yes	159
G R Allison	11A London Street	Lyttelton 8082	Greg	Oppose	Yes	Yes	160
E J Graham	72 Butterfield Ave Linwood	Christchurch 8062	Elizabeth	Oppose	Yes	Yes	170
B R Russell	37 Oxford Street	Lyttelton 8082	Bruce	Oppose	Yes		171

IN THE MATTER OF The Resource  
Management Act 1991

AND

IN THE MATTER OF a Land Use Resource Consent Application  
RMA/2019/1330, for a new mixed-use building  
25 Oxford St and 3-9 London Street Lyttelton

## Statement of David Hattam

### Urban Design Assessment

## 1 Introduction

My name is David Anthony Hattam. I am employed in the position of Senior Urban Designer at the Christchurch City Council, a position I have held since March 2017. Previously, I was employed by the Moreton Bay Regional Council in Queensland as a Senior Planner and Urban Designer, for five years. Prior to this, I worked for the Selwyn District Council as a Strategic Policy Planner, running the urban design program for that Council. I have worked in the field of urban design for 11 years. I hold the qualification of Master of Urban and Regional Planning from Heriot Watt University, Edinburgh and I am a full member of the Royal Town Planning Institute.

I have been asked to provide urban design comments on the above application, on behalf of the Council. I have been involved with the consent process including pre-application negotiations. During this time, I attended meetings with the Applicant and provided design advice in relation to the matters noted below.

## 2 Summary

The proposal is for a new mixed use development in the centre of Lyttelton, at the intersection of London Street and Oxford Street. It includes two levels of residential with a communal roof garden as well as ground floor retail and a basement area focussed on health activities.

Under the district plan, the proposal would be fully discretionary because it breaches the maximum height rule 15.6.1.3. It would otherwise be a restricted discretionary application under rule 15.6.1.3 RD3.

The proposal was publically notified, based on an earlier set of proposal. At this time, some issues were identified in relation to the urban design matters listed under 15.15.6 (Lyttelton Design Guide) and it was considered that the proposal exhibited a generally good standard of design but that it did not wholly reflect the identified character of its setting.

The main issues identified were:

- The level of variety in materials and detailing in the facades, being a repetitive design of two similar forms.
- Height, especially at the south east corner where the proposal will be prominent when seen from the south.

- Safety concerns related to the interior courtyard and communal areas for residents
- Private outdoor living space has not been provided for individual units. The communal outdoor living space is not by itself sufficient to meet all outdoor space needs for residents.

It was identified that these issues could be addressed by amendments to the design. Some amendments have now been made addressing each of these matters and I consider that revised the proposal is appropriate in its context and meets the matters in the design guide, as well as the general urban design matters in the plan.

### 3 Conditions

I recommend that the following conditions are included in any approval:

- Prior to commencement of site works, the consent holder shall provide details of the decorative surface pattern to be used for the external concrete walls on the south, east and west facades to the Head of Resource Consents of the Council for certification.
- Prior to occupation of any of the units, the consent holder shall provide a lighting strategy to the Head of Resource Consents of the Council for certification. The lighting strategy shall detail measures in the location and type of outdoor lighting on site to provide for pedestrian safety during hours of darkness.
- The ground floor concertina mesh gates shown on the approved plans shall be kept closed and locked between the hours of 9pm and 6am except at times outside these hours that one or more of the adjacent tenancies (marked tenancy 2 and tenancy 3 on the approved plans) are open for business.

### 4 Urban Design Assessment

Although the application is fully discretionary due to its height non-compliance, I have used the restricted discretionary matters as a framework for my assessment. These are comprehensive and cover the relevant urban design issues.

The relevant matters are:

- 15.13.1 – Urban Design
- Appendix 15.15.6 Design guidelines – Lyttelton Commercial Banks Peninsula Zone
- 15.13.2.3 (d) Residential Activity – Outdoor Living Space
- 15.13.3.1 Maximum building height

#### 4.1 15.13.1 Urban Design

The proposal is a generally well designed building that provides active engagement with its surroundings.

I do have some concerns about safety (CPTED matters) which require further consideration, but I expect that these can be addressed with conditions related to access management. The detailed assessment is as follows:

The extent to which the development:

1. Recognises and reinforces the centre's role, context, and character, including any natural, heritage or cultural assets;

The proposal includes a variety of activities in a variety of spaces. It would increase the number and scale of activities within the Lyttelton Town centre. It is also a distinctive building of some scale in a prominent site.

The proposal is for a large building broken into separate forms. Although these are relatively large, they include a reasonable amount of detailing through the window forms, depth and framing. The vertical pattern of glazing on London Street divides each form into two visually separate elements and the pattern of cladding will help to separate the forms. In my view, this matter is addressed satisfactorily.

2. Promotes active engagement with, and contributes to the vibrancy and attractiveness of, any adjacent streets, lanes or public spaces;

The proposal has a high proportion of glazing onto London Street and includes a verandah. It will provide a strong visual interface with this street, and around the corner with both Oxford Street and the laneway to the west.

The downslope frontage to Oxford Street does not interact with the street as well. Along this side the main part of the building sits on top of a half-storey basement podium, which contains parking and health facilities. There is some transparency proposed although it is not to an active use.

There is, however, a good level of glazing around the corner and next to the accessway and I consider the visual impact of the building as a whole is acceptable.

I also note the wall is to have a fine grain pattern treatment on the surface. The detail of this will be significant and if it is not available at present then a condition to ensure it is of a fine-grain pattern (as generally indicated on the drawings) would be appropriate.

On the west side, there is to be a laneway formed providing public access. The building has a high proportion of glazing at the front of this laneway and some interaction further back.

There is also to be a new public space within the building, an interior courtyard. The upper floor walkways and roof garden will enclose the space so it is mostly a covered space. There is a reasonable proportion of glazing overseeing this space overall, from retail, restaurant and wellness tenancies.

Overall I consider this matter met.

3. Takes account of nearby buildings in respect of the exterior design, architectural form, scale and detailing of the building;

The proposal is larger than others in the area. It is strongly divided into two separate sections, and although these are larger than typical, they are both subdivided into bays at the ground floor level and include fenestration and other detailing at the upper levels which is sufficient to meet this matter. I also note that the previous building on the site was a similar scale to the west module.



Although the building is significantly taller than the neighbouring properties it does provide a good corner definition and a high level of interest on all facades. Street-facing facades are well detailed, as are side-facing facades visible from public areas (principally the south façade). The top two floors, which will be widely visible, have a high level of visual interest. The lower floors have lesser detailing due to construction constraints, but these will not be visible in long views.

The lower (basement) floor of the south-west corner consists of a blank concrete wall. This does not have a positive impact in itself, but is typical for a side wall shared internal boundary where there are few options and glazing is not appropriate. Although it will be quite visible, this is mainly because the adjoining site is not built to the boundary. Overall, this is balanced by the generally high standard of visual interest proposed for the façade.

Overall I consider this matter is met.

4. Provides a human scale and minimises building bulk while having regard to the functional requirements of the activity;

The proposal is divided into distinct modules which contain further detailing. It also includes a high proportion of ground floor glazing, with display windows divided vertically. It meets this matter.

5. Is designed to incorporate Crime Prevention Through Environmental Design (CPTED) principles, including encouraging surveillance, effective lighting, management of public areas and boundary demarcation;

There are some concerns in relation to CPTED. These are:

- The level of oversight of the ground floor and communal areas at night after hours
- The possibility of entrapment spaces under stair wells
- Security for residents if stairs are not secured (especially at night)

These issues relate to the management of the space rather than the design of the building. Crime has not been "designed out" as such. Rather, the design should allow the risk of crime to be effectively managed through access control.

The L-shape area formed by the north and east courtyard areas is well observed from the street and is a reasonably safe and appropriate environment at all hours. It should be lit to discourage illicit loitering.

The remainder of the ground floor is not readily visible from a public area and is not as safe, and to manage this the proposal includes a mesh gate across part of the ground-floor courtyard to manage public entry after-hours.

However, the area around the entrance to the lift is a potential entrapment space. The risk is in part reduced by the size of the adjoining courtyard and the most appropriate response would be to ensure that it is well lit at all hours.

With regard to the upper floors, there is no legitimate reason for the general public to access these and open access would lead to potential crime risk especially as there is limited oversight of the space. These areas should be for residents only and access restricted.

There is a potential jump risk (suicide risk) from the roof garden due to the height. In practice it would not be possible to manage this through fencing because people may be able to climb over. The risk is likely to be in terms of non-residents being attracted to the building for the specific reason of jumping. I consider that effective access management as discussed above would appropriately address this risk.

Some further resolution is required in relation to access management.

6. Incorporates landscaping or other means to provide for increased amenity, shade, and weather protection;

The proposal includes a verandah on the ground floor and a covered area on the roof terrace. As such it would provide well for shade and weather protection.

The low provision of private outdoor living space significantly limits the ability of future occupants to provide landscaping for themselves and the proposal relies on the roof garden to provide for some planting space, which is possible in the space provided. The management of this space is intended to be undertaken by residents and incorporate their preferences with the ability to change over time. Whilst noting the shortage of planting I consider this an appropriate way to manage the space and allow residents to meet their needs and consider the matter is met on balance.

7. Provides safe, legible, and efficient access for all transport users;

There is limited parking on site but this is not an urban design concern as such. There is good access for pedestrians and bike parking is provided.

8. Where relevant, has regard to the actions of the Suburban Centre Master Plan to support their recovery, long term growth and a high level of amenity.

The proposal aligns with the Lyttelton Masterplan in that it provides for an accessway to the west of the site and an east-west link through the site. Otherwise, this is covered by the design guidelines.

#### 4.2 Appendix 15.15.6 Design guidelines – Lyttelton Commercial Banks Peninsula Zone

The original report identified that matters in this sections were not sufficiently resolved at the time of notification and that the proposal would not fit the intended character of the zone. The following matters were of significance:

- Insufficient level of detailed design elements (fine grain detailing)
- Insufficient variation of materials and not enough separation of the different modules in to smaller forms
- The repetition of two similar forms.

Design changes have addressed the first two of these and the revised plans fit the assessment criteria more successfully. In particular, principle 2 (scale and form) is now considered to be met strongly whilst principle 5 (concerned with detailed resolution) is now met in part and I consider it acceptable on balance. As a result, the guidelines are sufficiently addressed overall.

A detailed evaluation is set out below.



## Principle 1: Reflect the context

- i. Lyttelton has a special character due to its sloping topography, portside location, layout of streets and lots, and eclectic mix of buildings. The area also has a special significance to Ngāi Tahu due to their historic and contemporary occupation of the area and use of Whakaraupo / Lyttelton Harbour.
- ii. The four primary streets (London, Oxford and Canterbury Streets and Norwich Quay) have different characteristics, but are all important in defining and reinforcing the formality of the town centre layout. The land in the middle of the block without street frontage, and the area around Donald Street, lend themselves to more informal designs.
- iii. A thorough evaluation of the development site's context and the site itself prior to the design process, including an understanding of the colonial and Ngāi Tahu cultural heritage, will help identify the influences on and attributes of the site and its surroundings.
- iv. Cultural heritage is an expression of the ways of living developed by a community and passed on from generation to generation and includes built and natural environment and artefacts, including customs, practices, places, objects, artistic expressions and values.

Reflecting the context means:

- A. Considering how the development builds on and contributes to Lyttelton's cultural heritage in respect to the built and natural environment.
- B. Recognising the site topography, particularly building to suit and take advantage of sloping ground.
- C. Recognising that the streets and spaces within the town centre have differing character attributes. On Norwich Quay designs will need to take account of traffic and port noise.
- D. Taking advantage of the views to the south and sunny aspect to the north.
- E. Incorporating mid-block pedestrian lanes and outdoor spaces at the rear of sites.
- F. Taking primary design references from the town centre character attributes rather than the surrounding residential buildings or the port.

The proposal is on a prominent corner site, in a location historically used by a 2 storey hospitality business (Empire Hotel building) and a single storey retail unit on the corner. Although the previous building was of variable height, taller buildings have historically been a feature of the intersection of London Street and Oxford Street and the 2 storey+parapet Empire Hotel was of reasonably imposing height (approx. 10m). It was also 16m wide and the proposed west module is therefore of a similar scale to its predecessor.

The building design has been revised so that the slope of the roof follows the slope of the land, which manages the height of the east and south facades.

The building also uses the slope to accommodate car parking in a basement area, which is a way to take advantage of the sloping ground to minimise the impact of parking on the public realm. It does result in a blank façade for some of the east facade frontage, but this affects a minority of the frontage and the façade has enough interest overall.

The building certainly takes advantage of views to the south. It also has plenty of glazing to the north taking advantage of the sunny aspect.

The proposal provides active frontage to address a midblock connection identified in the Lyttelton Masterplan and it does provide a new outdoor space, albeit roofed.

The proposal is a contemporary building that takes cues from the pre-existing development of the site. It is clearly different to existing residential or port development whilst being a distinctive design in its own right. The design and materials are somewhat eclectic which further recognises the unique nature of the centre.

In view of the above, I consider this matter is met.

## Principle 2: Scale and Form

The scale of a building is the product of its height and size as well as the design details. While the town centre buildings vary considerably in height and size they are all compatible in terms of scale. The width of lots has played a large part in establishing the existing scale of development.

To keep in scale means:

- G. Maintaining the generally low built form up to 3 storeys, but considering options for higher feature elements.
- H. Considering the scale of neighbouring buildings and the overall scale of the street in which the building is to be located. London Street has an enclosed, intimate scale. Norwich Quay is a wider street, single sided for the majority of its length, with an open outlook to the port and beyond. As such taller buildings would be more appropriate in this streetscape than in London Street.
- I. If building next to a character building, ensuring that its visual presence is not dominated or diminished by the new building or addition.
- J. If building a single storey building, ensuring that the building height is sufficiently high to maintain a similar scale of building on the street frontage to those buildings adjacent and the streetscape as a whole.
- K. Breaking a large building into modules so that it reads as smaller joined buildings rather than one monolithic one. As a rule of thumb, modules of 4m to 12m in width on London Street and up to 20 metres elsewhere will reflect the historic subdivision pattern.
- L. Designing the building with both horizontal and vertical divisions (articulation), particularly on elevations facing the street or adjacent to high use pedestrian lanes and spaces. Identifying each storey is important.

The proposal has an appropriate bulk overall on London Street, being within the height limit and marginally higher than its predecessor. It is next to a two storey character building but I consider that the height increase will read as a “step-up” rather than be dominant of its neighbour. It is also appropriate on the corner, where tall buildings previously defined 3 of the 4 corners sites, and where height emphasises the corner.

A concern with the notified proposal was the scale of modules and the use of a single material, combined with insufficient detailing. The revised proposal includes more detailing and articulation. Each floor is clearly identifiable on all sides and the windows, which are strong vertical elements, have been arranged to provide vertical divisions. For instance, this mechanism splits each form facing London Street into two or three.

The pattern of cladding on the south east module also has a vertical emphasis which will visually divide this form further. This module will have a strong visual presence from Oxford Street and the pattern of cladding will re-inforce the verticality of the windows. Although it is over the height limit on the south east corner, the non-compliance will not create a strong visual impact in itself.

I have no concerns about the additional height for the roof garden elements which is contained within the site and will not have a substantial visual presence.

I consider that this matter has been met.

## Principle 3: Respect the street pattern and building form

The grid pattern of wide straight streets is defined by building frontages along the street, which enclose the street space. The building forms are solid, rectilinear and positioned square to the street.

Respecting the street pattern and building form means:

- A. Building right up to the street edge, particularly on London Street, Norwich Quay and the western side of Oxford Street, and across the whole of the street frontage, (except where access is required from Norwich Quay).
- B. If building on a corner site, reinforcing the corner and supporting the street form with a taller building of a minimum of two storeys in height.
- C. Restricting irregular forms and shapes to feature elements or to internal block locations away from the primary street frontages.
- D. Keeping the building façade generally up to, but not beyond, the street boundary, except for verandas and small feature elements.
- E. Using flat, symmetrically pitched, or hipped rooflines or parapets where buildings face the street.
- F. Where there is an un-built frontage on Oxford Street or Canterbury Street, consider defining the street edge with a low wall.

The proposal has a strong street edge that continues around the corner. Whilst there is a relatively wide gap in the centre of the London Street elevation it will provide access to the public space within and will be activated with glazing on both sides of the lane. There is also intended to be outdoor dining over some of the space which will contribute to the activation of London Street.

There are no irregular forms on the street edge and the façade is generally up to the street front.

The building will appear to have a flat roof when seen from London Street. It will have a shallow mono-pitch onto London Street, which is not encouraged by the design guidance above but which does integrate it into the slope as discussed in (1) and I consider this is the more important outcome.

This matter is met.

#### **Principle 4: Address the street**

Buildings in Lyttelton address the street. The building frontages are interesting and encourage activity, creating a lively atmosphere. Good visibility from buildings to the street and publicly accessible areas allows for casual surveillance. Addressing the street means:

- A. Providing windows on all street elevations or elevations adjacent to pedestrian lanes and public spaces. On Canterbury and Oxford Streets windows will also be needed at lower ground level.
- B. Providing highly legible pedestrian entrances accessed directly from the street.
- C. On corner sites, wrapping the building around the corner and providing a high level of architectural detail particularly in respect to entrances and windows, and the quality of façade materials.
- D. Incorporating generous shop windows on the ground floor along London Street.
- E. Avoiding building designs and layouts which create hidden, potentially unsafe alcoves and areas.
- F. Ensuring universal access (access for all people), with particular attention being paid to sites with sloping frontages.
- G. Where required, providing verandas that are in keeping with or complement adjacent verandas in respect to design, width and continuity.

The proposal does address both the street and the proposed laneway to the west. However, it does not provide glazing at lower ground level facing Oxford Street.

Pedestrian entrances are clear. The proposal does turn the corner strongly with glazing on all levels and a high level of detailing around the corner being a particular strength of the proposal. There is also a high level of glazing facing London Street.

Unsafe alcoves next to the street are not a concern and I have otherwise commented on CPTED under 15.13.1 (5) above. Universal access is provided to London Street and from there to upper floors via a lift.

Verandahs and a high level of ground floor glazing are provided. Although verandahs do not match the traditional style of the adjoining site, they would be unobtrusive and not of an incongruous modern style. This is an appropriate approach because to match the existing style would clash with the design of the new building.

### **Principle 5: Incorporate variety and pay attention to detail**

i. Lyttelton had a wide variety of buildings of different ages and styles which, as a collection, created an eclectic, vibrant townscape. Although diminished, this variety, and particularly the level of detail within the building facades, remains. There is the opportunity for creative design and to incorporate features and details which are characteristic of Lyttelton, or a contemporary take on them. Incorporating variety and paying attention to detail means:

- A. Distinguishing any new building from its neighbours and, if a large building, incorporating variety within the building design.
- B. Avoiding being exactly the same height as the neighbouring building.
- C. Avoiding repetition of the same design module along the street frontage, typically no more than a 12 metre run.

The proposal would be distinct from neighbours but it is a repetitive design of two very similar modules. There is some variety in the built form through the patterning in the cladding and the window layout and features. However the modules are of similar scale and form and are not treated as if they are separate buildings.

Whilst the proposal would meet some of the components of this matter and be a creative design, it would not meet this matter in full.

ii. Creating depth to the building surface through the utilisation of, for example, recessed windows and doorways, protruding window and door surrounds, textured cladding and applied decorative features.

The proposal has been revised to provide more detail in relation to this matter. It includes balconies and windows with a variety of framing, including protruding surrounds. There is also a variety in cladding proposed. The revisions have substantially improved the proposal and this matter is now met.

iii. Providing variation in building materials and colours. Avoid large expanses of the same material, colour or pattern.

The materials have been revised since the proposal was notified. The tile cladding is proposed to be replaced with a metal cladding with a variety of patterns. These would cover the upper floors, with some additional variety being provided by coloured window framing. The ground floor consists of glazing and patterned concrete.

The patterning in the cladding will include changes in depth as well as surface features and will be quite noticeable. Although the colour and material of the main cladding is intended to be the same, I consider that this matter is met on balance and is substantially improved from the original design.

- iv. Picking up on historical references and traditional features such as angled corners, high parapets with a curvilinear top, corner towers, volcanic stone walls or mural.

The proposal is a contemporary design and does not include this type of detailing. The pattern of the concrete would be reminiscent of volcanic stone walls but largely this matter is not met (and to amend the design would risk creating an unconvincing pastiche).

- v. Orientating windows vertically to reinforce the fine grain of the town centre.

This is a feature of the building and the matter is met. There is a high proportion of glazing with vertically orientated windows. The arrangement of the windows on the façade would reinforce the verticality and help visually offset the width of the modules.

- vi. Creating interest and contrast where building additions are proposed, through the choice of materials and detailing.

N/A

- vii. Integrating signage, where needed, within the design of the building to ensure that it does not visually dominate or detract from the architectural form and quality of the building.

Signage is not a part of the application although the indicative signage would be most appropriate.

Overall I consider that the revised design does provide considerable variety and interest due to the work that has been done to resolve the detail of the building, although it is clear that it does not fully meet a number of the identified matters listed above for this principle.

In particular, it does not contain historical references, however as noted it is unlikely that these can be successfully incorporated in a contemporary design.

The proposal does provide a high level of depth and verticality, meeting two matters strongly, with the remaining matters being balanced. Overall I consider this principle addressed acceptably.

## Principle 6: Promote sustainable building initiatives

These matters are not generally within my expertise as an urban designer.

### 4.3 15.13.2.3 (d) Residential Activity – Outdoor Living Space

This matter relates to commercial zones where there is a breach in the outdoor living space provision. In this case, each unit is expected to be provided with 6m<sup>2</sup> of outdoor living space with a 1.5m dimension. There is a large roof garden area of 189m<sup>2</sup> and each apartment is to be provided with bifold doors which fully open onto a small juliet balcony, to create an internal space with access to sunlight and fresh air. There is also to be an additional communal space on each floor overlooking the courtyard entrance.

I consider that the proposal would meet the needs of residents for outdoor space through the variety of spaces provided and that the matter is met.

- i. There is any alternative provision of publicly available space on, or in close proximity to the site to meet the needs of occupants now and in the future;

There is a public square in Lyttelton, some 200m from the site, and some provision of seating on London Street. I do not consider this sufficiently provides for the needs of occupants. In my view, it hinges on the provision of communal on-site space and alternative access to outdoor amenity.

- ii. The reduction in outdoor living space is proportional to the size of the residential unit and the demands of the likely number of occupants now and in the future

On an aggregate basis, the amount of outdoor living space is appropriate, but there is no private outdoor living space. The use of bifold doors and a Juliet balcony creates the ability for flexible use of interior space as an alternative, in conjunction with the roof-space.

- iii. The reduction in outdoor living space or the level of access to sunlight is compensated for by alternative space within buildings with access to ample sunlight and fresh air.

I consider that meeting this matter is a question of the size and the usability of the space for typical residential activities.

The roof terrace would provide a large usable space although it would not fulfil the typical range of uses for outdoor space, in particular because it is not directly accessible and is not a private space. I consider that it would meet some needs of residents, for instance for larger gathering, outdoor dining and some sitting functions.

It would be supplemented by the indoor / outdoor space for each apartment which would allow for access to sunlight in most cases and for some privacy, and by the additional space on each floor.

These other spaces would meet other uses of outdoor living space. These include uses that are enabled by being directly accessible (such as a quick cup of tea in the sun) or the growing of plants (albeit in a limited form such as window boxes). It would also be suitable for a person seeking solitude.

#### 4.4 15.13.3.1 Maximum building height

Breaches in the height limit occur for the roof garden and the south and east facades.

I consider that the roof garden roof and stairs will not have a significant visual impact because the structure is setback from the edges and consists mostly of a lightweight roof structure without walls.

The height of the south and east facades has been reduced in the most recent plans. The effect of the 0.6m height breach for the facades will be modest in scale and mitigated by the generally high standard of design and the amount of visual interest provided in the built form.

The analysis is as follows:

- a) The extent to which an increase in height of the development:
  - i. Is visually mitigated through the design and appearance of the building, and the quality and scale of any landscaping and tree planting proposed;

There is no landscaping proposed. Analysis against the Urban Design rule and Lyttelton Design Guide indicates that the building has a high quality of design and provides visual interest appropriate to its location and the special character of Lyttelton. This is visible in wider views of the site and also in views of the building from the south. In my opinion the high quality of design would visually mitigate the small breach in height of the facades.

The roof garden structure is set back from the boundaries of the site and unobtrusive. It would not be widely visible in the surrounding area.

- ii. May allow better use of the site and the efficient use of land in the centre;

The extent of the height breach has been reduced in the most recent design for the site such that it is the minimum required to make best use of the site (to allow a third storey).

- 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

N/A

- iv. Improves the legibility of a centre in the context of the wider area;

The breach on the south west corner would be visible in the townscape but the building would have a significant visual impact even it were built to the height limit and would contribute positively to the centre's legibility. The increase in height would not in my opinion make the centre significantly more legible, although the building would.

- v. Contributes to variety in the scale of buildings in a centre, and creates landmarks on corner sites;

This has been identified as an advantage of the application

- vi. Reflects functional requirements of the activity;

The roof terrace does require a height breach to allow for safety fencing and its roof structure. The breach in height of the facades allows for a third storey.

- vii. Results in adverse effects on adjoining residential zones or on the character, quality and use of public open space;

The non-compliance would not affect residential zones. It would have a minimal impact on the adjacent street-space.

- viii. Contributes to the visual dominance of the building when viewed from the surrounding area, having regard to the anticipated scale and form of buildings in the surrounding environment.

The breach on the south east corner would marginally increase the visual dominance of the building when viewed from Oxford Street, but this would have a low degree of visual impact compared to a permitted height.

## 5 Conclusion

The above assessment has identified that the proposal is generally appropriate for its setting in the Lyttelton Town Centre and meets the urban design assessment matters in the plan. In my opinion, amendments made to the design in the consent process have successfully addressed the issues raised prior to notification.

**Attachment 3 – Evidence of Mr Andy Carr, Traffic Engineer**



**Before Hearings Commissioners appointed by  
the Christchurch City Council**

**Under** the Resource Management Act  
1991

**And**

**In the Matter** of RMA/2019/1330, being an  
application by Colletts Corner  
Limited for a mixed-use  
development at 3, 5, 7 and 9 London  
Street in Lyttelton

**Statement of Evidence of  
Andrew David Carr  
for Christchurch City Council**

Dated: 10 February 2020

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## **INTRODUCTION**

### **Qualifications and Experience**

1. My full name is Andrew (Andy) David Carr.
2. I hold a Masters degree in Transport Engineering and Operations and a Masters degree in Business Administration. I am a Chartered Professional Engineer and a Chartered Member of Engineering New Zealand (formerly the Institution of Professional Engineers New Zealand), an International Professional Engineer (New Zealand section), and an Associate Member of the New Zealand Planning Institute.
3. I have more than 30 years' experience in traffic engineering, over which time I have been responsible for investigating and evaluating the traffic and transportation impacts of a wide range of land use developments, both in New Zealand and the United Kingdom.
4. I am presently a Director of Carriageway Consulting Limited, a specialist traffic engineering and transport planning consultancy which I founded nearly six years ago. My role primarily involves undertaking and reviewing traffic analyses for both resource consent applications and proposed plan changes for a variety of different development types, for both local authorities and private organisations.
5. Prior to forming Carriageway Consulting Limited I was employed by traffic engineering consultancies where I had senior roles undertaking technical work and supervising project teams primarily in the South Island.
6. I served on the national committee of the Resource Management Law Association between 2013-14 and 2015-17, and I am a past Chair of the Canterbury branch.
7. I am also a Hearings Commissioner and have acted in that role for Greater Wellington Regional Council, Ashburton District Council, Waimakariri District Council and Christchurch City Council.

### **Code of Conduct**

8. While this is not an Environment Court hearing, I have read and agree to comply with the Code of Conduct for Expert Witnesses in the Environment

Court Practice Note 2014. This evidence is within my area of expertise, except where I state that I am relying on material produced by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in my evidence.

## **BACKGROUND AND ROLE**

9. In this matter I have been engaged by Christchurch City Council to provide traffic and transportation advice in respect of the application to develop a mixed-use development on the corner of London Street and Oxford Street, Lyttelton.
10. I was first engaged by the Council in February 2019, when I carried out an initial overview of the Integrated Transport Assessment (**ITA**) that had been drafted by Novo Group Limited, with my review being carried out before formal lodgement of the application. I provided a number of comments on that report to identify how it could be strengthened/improved.
11. Once the application was formally lodged, I then carried out a full review of the ITA. This was also informed by additional parking surveys that had been carried out by the Council.

## **ASSESSMENT OF ITA**

### **Existing Site Usage**

12. Within the 'Site History' section of the ITA, Novo set out a description of the previous uses of the site. For clarity, I understand that there are no permitted use rights for the site since the previous buildings were demolished post-earthquake, and so my analysis does not take previous activities on the site into account.

### **Car Parking**

13. The core aspect of the proposal is the reduced extent of car parking proposed within the site (6 spaces), and to that end, a large proportion of the Novo ITA and my own work has focussed on this issue. The general approach taken by Novo in respect of car parking has been to identify the extent of parking generated by the proposed development, and to relate this to the ability of drivers to instead park on-street rather than on-site.

14. Initially, Novo has calculated the tenancy/usage scenarios that give rise to the highest and lowest parking demands. In doing this, they have applied a 15% reduction to the extent of parking required under the District Plan for a site within a Commercial Core zone. There is no such zone in Lyttelton, but Novo claims that the area around the site functions as one.
15. I have carefully considered the merits of this argument, and from a transportation perspective, consider that the primary traffic-related issues relate to people driving once into an area, parking and then walking to multiple destinations, and with this being supported by complementary activities being clustered together. Consequently, for this location and for the types of tenancy proposed, and notwithstanding the zoning, in my view there will be a reduced use of car travel, and I am able to support the suggested reduction in car parking provision.
16. In view of the limited amount of parking within the basement, I agree that it will be necessary to allocate parking spaces to particular units and I recommend that this forms a Condition of Consent. However, residential parking areas do not need to provide mobility spaces under the Building Act and so I consider that in practice this particular space should not be marked with the 'mobility' symbol so that it can be used instead as a standard parking space (albeit wider than usual). The swept paths presented in the ITA show that in practice the spaces will be appropriately accessible although for clarity there is one space where an extra movement is required.
17. Novo then discusses the maximum parking accumulation, taking into account that not all of the activities on-site will generate peak parking demands at the same time. In my experience, this is a common approach to sites containing several different land uses. Attachment 5 of the ITA is helpful for this, because it disaggregates the parking demand by the various times of day. Having reviewed this, in my view the extent of parking expected for the residential component is too low, because generally the ability of residents to use alternatives to the private car is low. Consequently I consider that car ownership and hence parking demand will be greater than calculate, although as I discuss below, this is not material to the overall conclusions.
18. Novo carried out surveys of the amount of on-street parking available and occupied/unoccupied within 280m of the application site, at several different times and on several different days of the week. A distance of 280m can be walked in about 4 minutes and so this distance is reasonable in my view. The

same area was surveyed by the Council subsequently and having reviewed this, I note that both surveys show a considerable amount of unoccupied parking spaces at most times of the day.

19. The final step carried out by Novo is to compare the expected overflow parking demand against the amount of on-street parking available. Novo identifies that the nature of the parking will be for more than one hour, and I agree (and for residents it may be considerably greater than this). Taking this into account, Novo concludes that there are sufficient available spaces to meet demand arising from the site.
20. I have increased the parking demand to allow for greater residential car ownership, and also considering the parking demands observed by the Council. I attach my summary table below.

Day		Time Period				
		10:00	12:30	15:00	17:00	19:00
Weekday	Parking Demand (increased to allow for higher residential rate)	21	34	35	35	41
	Vacant Spaces (Novo)	91	74	92	126	78
	Vacant Spaces (Council)	125	110	143	156	-
Saturday	Parking Demand (increased to allow for higher residential rate)	-	37	36	36	41
	Vacant Spaces (Novo)	-	88	107	124	120
	Vacant Spaces (Council)	-	-	-	-	-

21. It can be seen that in each case, the amount of unrestricted on-street spaces vastly exceeds the demand generated by the proposed development even when a higher amount of parking associated with the residential development is allowed for. In my experience it is common to consider that the parking stock operates at its practical maximum capacity at around 90% of the absolute maximum capacity (as drivers have difficulty in finding spaces) but even allowing for this, there is ample on-street parking available.
22. Novo sets out that in practice, the development would be likely to firstly increase parking demand in the immediate vicinity of the site, before drivers are then displaced to park their vehicle within the wider area. I agree, but note that even within this wider area, the walking distance between the application site and the parking locations would be less than four minutes. Novo also notes that the proposal would not occupy such a large amount of on-street parking that it

precludes the ability of other (future) developments to also rely on on-street parking. I concur.

23. Although not mentioned in this part of the ITA, I consider that it is important to highlight that there is no adverse road safety record currently associated with on-street parking around the site. In view of the lack of reported crashes, I do not consider that there is any reason to expect that adverse road safety effects would arise as a result of increased use of the on-street parking stock.

### **District Plan Compliance**

24. As well as the matter of the reduced extent of on-site car parking (discussed in detail above), the proposed layout has several other non-compliances with the transportation matters of the District Plan.

#### *Cycle Parking*

25. There is a shortfall in the expected amount of cycle parking in respect of visitor (5 spaces provided and up to 18 spaces required). The rationale for this set out by Novo is that fewer people cycle in Lyttelton due to the hilly nature of the settlement, and that it is not possible to cycle to Christchurch due to cycling being prohibited through the tunnel. Although no specific data is provided by Novo to support this, my informal observations suggest that this is the case. I also note that the full amount of residents and staff cycle parking is provided, and in my view, these are the groups that are more likely to have cycle parking requirements. Accordingly, I am able to support the reduced amount of cycle parking provided for visitors.

#### *Loading*

26. No on-site loading space is proposed and rather this is reliance on the existing on-street provision for service vehicles. In this regard, there are two P10 spaces adjacent to the site (one on the same side as the application site) which could be used for loading. I also note that the size of the tenancies and their nature means that loading will not be frequent and that smaller vehicles are more likely to be used. There is an inherent risk in relying on on-street loading that the space may be occupied when a delivery arrives, but in this case I consider that loading demand will currently be low. As more activities establish in Lyttelton, I expect that demand for on-street loading will increase, but the extent of available on-street parking means that more on-street loading spaces could be established without difficulty as and when needed. In a practical sense, if every site was to

provide its own loading space, this would result in a considerable over-provision of internal loading spaces and likely an inefficient use of the land use resource. Since the proposal does not include a substantial element of activities that require frequent loading by large vehicles, I am of the view that it is appropriate to rely on on-street loading spaces in this instance.

#### *Reverse Movements*

27. As I noted above, one space requires an extra reverse movement to access. This does not pose any particular concern in my view as the movement is short.

#### *Limited Width of Accessway*

28. A 4.0m width is required but 3.6m is provided. Novo highlights that the width proposed is sufficient for a single traffic lane and that pedestrians are not expected on the vehicle ramp as a separate access is provided for them. While I agree with this, cyclists will also be present on the ramp. That said, I also note that vehicle movements will be infrequent (at most, an average of one movement every 10 minutes) and the ramp will necessarily be a slow-speed environment. It is also short – even at a slow pace (noting that the gradient of 3.2m of the access is 1 in 4) a cyclist would be able to travel along this in less than five seconds. Finally, a cyclist would also be conspicuous to drivers.
29. As such, I consider that the reduced access width in this location is unlikely to lead to adverse efficiency or safety effects. I recommend however that there is signage provided to advise drivers to ‘watch for cyclists’, or PW-35 ‘cyclist’ signs or similar.

#### *Queuing Space*

30. I agree with Novo that in practice the extent of vehicles entering and exiting will be low. Allowing for each vehicle to take five seconds to negotiate the ramp, I would expect that at most the ramp would be occupied for a total of 30 seconds in the peak hours, meaning that it would be unoccupied for 99% of the time. At non-peak times, vehicle usage would be lower. I therefore do not consider that vehicles are likely to have to wait for another.
31. The greater effects arising from the lack of queuing space will, in my view, arise from the proposed roller door. Since it will be closed when an incoming driver arrives, a vehicle will need to wait while it opens, and I consider that it

is most likely to wait either straddling the footpath and creating an obstruction for pedestrians, or partially within the carriageway where it may create an obstruction for passing traffic.

32. The principle that drivers entering a vehicle crossing must give-way to pedestrians using the footpath is well-established in law, and my concerns are therefore related only to the additional time that is required for the roller door to open. There is a wide variety of roller doors available, including those that open at higher speeds than others, and so I recommend that the roller door is of a high-speed type. With such a roller door, the time that a vehicles has to wait for the door to open will differ little from a (hypothetical) scenario where no door was installed.

#### *Separation Between Driveway and Nearest Intersection*

33. In my view this matter represents a true exception with the intent of the District Plan. In particular, if the site access was to be located in the position that most nearly complies with this Standard, then it would mean that access would be onto London Street, which is closed every Saturday for the Farmers Market. This would not only give rise to access issues, but drivers attempting to enter or exit the car park through a road that is otherwise closed to traffic would present road safety issues. The outcome of this is that it is proposed to locate the site access on Oxford Street, as far from the intersection as possible (21m compared to a required 30m).
34. The requirement for a 30m separation arises because Oxford Street is a Major Arterial Road. Within Christchurch, Major Arterial Roads typically carry volumes well in excess of 10,000 vehicles per day and thus there is a frequent occurrence of vehicles passing accesses. Oxford Street however carries around 3,500 vehicles per day. Consequently, while it has a role as a strategic roading link, the actual traffic volumes are much lower than might be expected for this type of road. Reduced traffic volumes provide mitigation for the reduced separation from the intersection because there is inherently a limitation of the number of possible conflicts that could arise. Taking this into account, I consider that the reduced separation distance is appropriate in this instance.

#### *Summary*

35. Based on my review I consider that the non-compliances with the District Plan are unlikely to result in significant adverse effects, provided that:



- a. Parking spaces within the basement should be allocated to specific units, to avoid drivers speculatively entering the basement and then having to exit again.
- b. The access within the building is marked with signage to ensure that drivers are reminded of the possible presence of cyclists. This is because cyclists may, in fact, be the dominant user of the access rather than cars; and
- c. The roller door at the access is of a high-speed type, in order to ensure that drivers do not wait for longer periods across the footpath or partially within the traffic lanes.

### **Traffic Generation and Effects**

36. The traffic generation of the site has been calculated in the peak hour allowing for all activities to generate maximum traffic simultaneously, but as Novo indicates, this is not necessarily the case. I agree, but note that the approach taken will result in a robust analysis.
37. I also note that not all of these vehicle movements will be newly-generated, but rather, it is likely that some vehicles will already be within the town and the occupants will simply visit the application site as part of an existing trip. As such, not only would the traffic generation be diminished from that which is shown, but also those vehicles would be present over a wide area.
38. Consequently, although the site is shown by Novo to generate 70 to 79 vehicle movements, these will not be on the road network immediately adjacent to the site because drivers will park over a greater area.
39. As with the parking calculation, I have concerns with the use of a low traffic generation rate for the residential development because it assumes that residents are able to use alternative modes of transport to travel to work. I therefore consider that the overall peak traffic generation of the site will be in the order of 16 vehicle movements greater than shown. However this is not sufficient in my view to materially alter the comment made that the vehicles are unlikely to be perceptible on the road network.
40. Within the ITA, Novo considers the effects of these additional vehicles under the High Trip Generators rule. I have reviewed each of these matters, but in

large part there is mitigation through the absence of on-site car parking and the low traffic flows using the site access. The building also provides for separate pedestrian access, to avoid cars and pedestrians having to mingle. In view of this, I agree that the site is as accessible as could reasonably be expected, given its location.

## **SUBMISSIONS**

41. I have reviewed the submissions received and have identified those which have raised transportation matters. However I note that the matter raised relates to the proposal for the development to make use of on-street car parking. In particular there are concerns expressed that:
  - a. On-street parking in the immediate area is already heavily used.
  - b. Cars associated with the development will use spaces that would otherwise have been used by customers at nearby businesses.
  - c. Parking patterns may have changed since the surveys were carried out.
42. The concerns expressed are valid for scenarios where on-street parking is limited. However the parking surveys undertaken by the applicant's independent consultants, and the Council's own surveys, show that there is ample parking available for the expected demand. The surveys were carried out at various hours of the day and days of the week, including at 7pm when current residents can be expected to be home and any evening activities (such as visits to restaurants and/or bars) will be underway. I consider that the parking survey data presented is sufficient to meet existing demands plus the demand expected to be generated by the proposed development.
43. Some submitters set out that residents should be obliged to not own a vehicle. I can confirm that the calculations carried out all allow for residents to own vehicles – that is, no allowance has been made for any reduced car ownership.
44. With regard to the age of the data, the Novo surveys were carried out November and December 2018, with the Council's survey undertaken in May and June 2019. I consider that they are both therefore relevant and valid for use within the assessment.

## SUMMARY

45. Having reviewed the ITA, I am of the view that the non-compliances of the proposed layout with the District Plan have been identified and are mitigated, either through particular aspects of the way that the site will operate, or the characteristics of the surrounding road network.
46. In respect of the shortfall in car parking, I agree that the survey undertaken by Novo (and supported by an independent survey carried out by the Council) shows that there is sufficient long-term parking on the roading network within a short walking distance of the site to meet likely demand. Given the clustering of activities in the area, I expect that customers of the tenancies will park once and then will walk to several different locations and this is supported by the notion of using on-street parking.
47. I consider that it is reasonable to rely on on-street loading, especially in view of the limited amount of loading that will be required in practice and the very close proximity of existing on-street loading spaces.
48. The size of the development is such that even if an allowance is made for greater car travel than has been calculated (taking into account that the traffic generation rate for the residential activity may be too low), the volume of traffic is unlikely to be perceptible on the roading network. Further, because these additional vehicles will be spread over a wider area (rather than all visiting the site itself) the increase on any individual section of road will be even lower.
49. I have recommended that three Conditions of Consent are put in place:
  - a. Parking spaces within the basement should be allocated to specific units, to avoid drivers speculatively entering the basement and then having to exit again.
  - b. The access within the building is marked with signage to ensure that drivers are reminded of the possible presence of cyclists. This is because cyclists may, in fact, be the dominant user of the access rather than cars; and

- c. The roller door at the access is of a high-speed type, in order to ensure that drivers do not wait for longer periods across the footpath or partially within the traffic lanes.
  
- 50. Subject to these Conditions of Consent, and based on our review of the information provided, I consider that the road safety or roading efficiency effects arising from the proposed development will be less than minor. Accordingly in my view there are no transportation reasons why the application should not be approved.

**Andy Carr**  
**10 February 2020**

**Attachment 4** – Memo with changes made to the proposal since public notification

3 February 2020

Christchurch City Council  
Attention: Shona Jowett

By email: [shona.jowett@ccc.govt.nz](mailto:shona.jowett@ccc.govt.nz)

Dear Shona,

## **APPLICATION FOR RESOURCE CONSENT RMA/2019/1330, 25 OXFORD STREET AND 3, 5, 7 AND 9 LONDON STREET**

1. The letter below sets out the proposed changes to the plans for the above application, noting the updated plans that were sent to Council on 14 January 2020. These changes were undertaken following consultation with the Council and are contained within **Attachment 4**.
2. A summary of the design changes made since the resource consent submission on June 14<sup>th</sup>, 2019 are detailed below:
  - Adjusted the roof pitch to minimise height above the 12m height limit. The original building was proposed to have a maximum height of 15.5m above ground level, comprising of a 12m building height at London Street and a further 2m height for rooftop structures (pergola over the rooftop terrace). The updated building height will have a maximum height of approximately 13.2 above ground level, and a further 1.6m for the rooftop structures (pergola over rooftop terrace);
  - Changed the cladding to Kingspan metal, each building will have its own pattern;
  - Introduced texture to the basement and ground floor exterior concrete walls as requested by Council;
  - The building has been moved closer to the western boundary with the two building blocks along the western boundary moved. The blocks have been moved to create a more generous space between buildings;
  - The lift has been rotated to open towards the south and the harbour view;
  - Updated basement and parking layout including vehicle ramp gradients revised ;
  - The glazed area at ground floor has been updated due to fire engineer input. The updated glazing area has resulted in a decrease in glazing from 68% to 67% along the northern elevation and an increase in the amount of glazing along the eastern elevation from 22% to 37%. The development will continue to infringe Rule 15.6.2.3 as the building's eastern elevation is not provided with a minimum of 60% glazing and the building's veranda is not proposed to run along the full length of the Oxford Street road boundary;



- The tree at the entrance on the ground floor has been removed to allow for the development of sculptures and artwork with the building's commercial tenants;
  - Included two concertina mesh gates on the ground floor for security purposes at night to ensure CPTED objectives are met;
  - Reduced the number of apartments from 26 to 20 to allow for the introduction of one and two-bedroom residential units;
  - The first and second floor walkway area has been increased to provide additional outdoor living area opportunities with an area with a table, planters and seating added on each floor;
  - Updated roof top deck layout to include various outdoor activity spaces and increased area;
  - The building's window locations have been moved to line up, so they are more 'symmetrical' and in keeping with the surrounding buildings;
  - Developed window details to show a range of window types and their location and to demonstrate the proposed Juliet balcony windows;
3. The proposed changes will not result in any additional non-compliances, while the existing non-compliances that were proposed under RMA/2019/1330 are detailed above and below in the transport amendments.

### **Transport Amendments**

4. Ms. Williams, Novo Group Transport Engineer and Planner, has provided the following notes on the transport related changes.
5. The key changes from a transport perspective are:
- Reduction in the number of residential units from 26 to 20.
  - An increase in the first floor gross floor area from 248m<sup>2</sup> to 260.34m<sup>2</sup> (but no increase in public floor area).
  - The changes to the District Plan under section 71 of the Greater Christchurch Regeneration Act ('GCRA') has amended the car parking requirements in Lyttelton. Based on the amendments to the rules, the required car parking for the proposed residential option (Table 6) is 17 spaces (after permitted reduction factors are applied) and the shortfall in car parking is therefore 11 spaces (noting that 6 spaces are proposed). There is no parking requirement for the guest accommodation option (Table 7).
6. The proposed changes to the development result in a reduction in the District Plan parking requirement in Table 6 of the ITA from 64-70 spaces to 58-63 spaces and in Table 7 from 67-73 to 62-68. Accordingly, the shortfall is therefore between 52-62 spaces. Refer to Attachment 1 for the updated tables.



7. The fully operative changes to the District Plan transport rules that were approved under section 71 of the GCRA are not able to be applied to this application as the application was lodged prior to this plan change, however, now that the plan change is fully operative and beyond challenge the new rules will be given significant weight in the Councils and Applicants evidence.
8. Note that the pool area indicated on the amended plans has decreased (from 87.5m<sup>2</sup> to 40m<sup>2</sup>) however rather than re-calculate the District Plan requirement on the reduced area shown it is proposed that the application will be assessed on 87.5m<sup>2</sup> maximum pool area. This reflects that the final pool area will be subject to tenants' design and some flexibility is needed.
9. Also note that the basement plan showed an error in respect of the ramp gradients, these will be a maximum of 1:4 with a minimum of 2.0m wide grade transitions at 1:8. This complies with the District Plan requirement. An amended plan is being prepared and will be provided to Council separately.
10. In terms of the Parking Demand Assessment, the key changes are (refer to the ITA for further explanation):
  - The District Plan requirement if the additional 15% walking reduction factors are applied (on the basis that the Commercial Banks Peninsula zone in Lyttleton acts in a similar capacity to a Commercial Core zone) would then be 54-58 spaces (From para. 34 of the ITA).
  - Amended Table 3 ("Estimated Demand", refer to Attachment 3) reduces estimated parking demand from 56-65 spaces to 53-61 spaces. Six spaces are provided on site, resulting in an overflow parking demand estimate of 47-55 spaces in total. This is an increase of 11- 19 spaces overflow from the previous development on the site (prior to earthquake damage) (refer to para. 38 of the ITA).
  - After the demand estimates are adjusted for 10-15% walking factor (based on District Plan and supporting Literature): the demand is estimated to be 45-55 spaces (39-48 on-street).
  - Applying the 66% peak adjustment factor (due to different activities having differences in the time of their peak parking demand: 30-36 space (para. 40) and 24-30 on-street (para. 41).
11. Noting that all of the above District Plan and demand estimates have reduced our assessment in respect of effects remains un-altered.
12. It is emphasised that against the amended rules, the estimated demand for the residential units is 17 spaces, and as six parking spaces are provided on-site, the shortfall in demand is estimated to be 11 spaces. Noting the parking space availability in Attachment 3 of the ITA, there is ample space on-street to accommodate this shortfall at all times. Accounting for proximity to the site, the most likely locations are the un-restricted parking on Oxford Street (London – Winchester), and Norwich Quay or Sumner Road. That is this demand can be met with very little displacement of existing parking demand in the area. There are no residential properties taking access from the section of Sumner Road surveyed (due to the gradients). Norwich Quay does not adjoin a residential zone. The majority of residential





properties along this section of Oxford Street have either on-site parking or a residents parking permit space on-street.

13. In respect of traffic generation, the estimates in Table 5 of the ITA have reduced from 70-79 trips in the peak hour to 69-76 (refer to Attachment 3 for the updated table). This does not affect the assessment or conclusions reached in respect of the ITA.

#### **Volunteered consent conditions**

14. It is proposed to volunteer consent conditions regarding acoustic and archaeological assessment to address the Lyttelton Port Company and Heritage New Zealand's submissions.
15. These consent conditions will include requiring that prior to the construction of the building a detailed design assessment, detailing materials used to ensure the proposal complies with the internal noise levels required by the district plan and certification of the building prior to occupation. It is also proposed to volunteer a consent condition requiring an archaeological assessment be completed by an archaeological authority prior to works beginning within the site.
16. These consent conditions are currently being revised through further consultation with Heritage New Zealand and the Lyttelton Port Company.

#### **Summary**

17. In summary, we consider that the changes made to the plans and proposed consent conditions following consultation with the Council adequately address the concerns raised by the Council and the public during the public notification of the application, and will result in a better overall design outcome.
18. We trust that the further information above assists and satisfactorily addresses the updated changes. If you require anything further, please do not hesitate to contact the undersigned.

Yours sincerely,

#### **Novo Group Limited**

Emily McDonald

Planner

D: 03 925 9314 | M: 027 355 8984 | O: 03 365 5570

E: [emily@novogroup.co.nz](mailto:emily@novogroup.co.nz) | W: [www.novogroup.co.nz](http://www.novogroup.co.nz)



## Attachment 1: Amended District Plan Parking Requirements

Table 6: District Plan Parking Requirements Residential and Office Scenario

**Novo Group Limited**  
 Level 1, 279 Montreal Street  
 PO Box 365, Christchurch 8140  
 0 - 03 365 5570  
 @novogroup.co.nz

	CAR PARKS		CYCLE PARKS		LOADING	
	Residents / Visitors	Staff	Visitors	Staff	HGV	99% Car
Other residential activities, if not specified above 26 <u>20</u> units	1 space/ unit, where that unit has less than 150 m <sup>2</sup> GFA, 2 spaces/ unit otherwise	Nil	1/20 units	1 space per unit without a garage	Nil	Nil
	26 <u>20</u>	-	1.3 <u>1.0</u>	20 <u>14</u>	-	-
Food and beverage outlets 128m <sup>2</sup> PFA	9 spaces/ 100 m <sup>2</sup> PFA (2 spaces minimum)	1 space/ 100 m <sup>2</sup> PFA (2 spaces minimum)	1 space/ 300 m <sup>2</sup> PFA	1 space/ 100 m <sup>2</sup> PFA (2 spaces minimum)	1/1000m <sup>2</sup> PFA	Nil
	11.5	1.3 (2 min)	0.4	2	0.1	-
Health care facilities (massage rooms) 125m <sup>2</sup>	1 space/ 25 m <sup>2</sup> GFA	1 space/ 100 m <sup>2</sup> GFA	1 space/ 500 m <sup>2</sup> GFA	1 space/ 300 m <sup>2</sup> GFA	Nil	Nil
	5	1.3	0.3	0.4	-	-
Swimming pools (for public, or private club use) 87.5m <sup>2</sup> Pool area	1 spaces/ 10 m <sup>2</sup> pool area	1 space/ 200 m <sup>2</sup> pool area	1 spaces/ 10 m <sup>2</sup> pool area	1 space/ 500 m <sup>2</sup> pool area	1/2000m <sup>2</sup> Pool area	Nil
	8.8	0.4	8.8	0.2	Nil	-
Offices 90m <sup>2</sup> GFA	5% of staff requirement (1 space minimum)	2.5 spaces/ 100 m <sup>2</sup> GFA	5% staff (2 min)	1/150m <sup>2</sup> GFA	1/8000m <sup>2</sup> GFA	1/8000m <sup>2</sup> GFA
	0.1 (1 min)	2.3	2	0.6	0	0



Gym (Ground floor)	5 space/ 100m <sup>2</sup> GFA	1 space per 200m <sup>2</sup> PFA	1/50m <sup>2</sup> GFA	1/600m <sup>2</sup> GFA	1/8000m <sup>2</sup> GFA	Nil
248m <sup>2</sup> <del>260.34m<sup>2</sup></del> 237m <sup>2</sup> PFA	<del>12.4</del> <u>13</u>	1.2	<del>5.0</del> <u>5.2</u>	0.4	0	-
<b>Total</b>	<del>66</del> <u>58</u>	<b>7</b>	<b>18</b>	<del>24</del> <u>18</u>	<b>0</b>	<b>0</b>
<b>Reduced Total</b> 3%- 11%	<del>58-63</del> <u>52-56</u>	<b>6-7</b>	See following for calculation of Reduction Factors			

**64-70** 58-63

Table 7: District Plan Parking Requirement Accommodation and Retail Scenario

	CAR PARKS		CYCLE PARKS		LOADING	
	Residents / Visitors	Staff	Visitors	Staff	HGV	99% Car
Guest Accommodation 26 <del>20</del> units 26 beds	1 space/unit or 1 space/2.5 bedrooms, whichever is the greater	1 space/ 10 units or 1 space/ 10 bedrooms, whichever is the greater	1/20 beds	1/5 FTE staff	1/100 (beds or units)	1/50 (beds or units)
	<del>26</del> <u>20</u>	2.6	1.3	0.2	0.3	0.5
Food and beverage outlets 128m <sup>2</sup> PFA	9 spaces/ 100 m <sup>2</sup> PFA (2 spaces minimum)	1 space/ 100 m <sup>2</sup> PFA (2 spaces minimum)	1 space/ 300 m <sup>2</sup> PFA	1 space/ 100 m <sup>2</sup> PFA (2 spaces minimum)	1/1000m <sup>2</sup> PFA	Nil
	11.5	1.3 (2 min)	0.4	2	0.1	-



Other retail activities or commercial services, if not specified above 90m <sup>2</sup>	4 spaces/100 m <sup>2</sup> GLFA for the first 20,000 m <sup>2</sup> GLFA	0.5 spaces/ 100 m <sup>2</sup> GLFA	1 space/ 300 m <sup>2</sup> GLFA	1 space/ 750 m <sup>2</sup> GLFA	1/1600m <sup>2</sup> GFA	Nil
	3.6	0.5	0.3	0.1	0.1	-
Health care facilities (massage rooms) 125m <sup>2</sup>	1 space/ 25 m <sup>2</sup> GFA	1 space/ 100 m <sup>2</sup> GFA	1 space/ 500 m <sup>2</sup> GFA	1 space/ 300 m <sup>2</sup> GFA	Nil	Nil
	5	1.3	0.3	0.4	-	-
Swimming pools (for public, or private club use) 87.5m <sup>2</sup> Pool area	1 spaces/ 10 m <sup>2</sup> pool area	1 space/ 200 m <sup>2</sup> pool area	1 spaces/ 10 m <sup>2</sup> pool area	1 space/ 500 m <sup>2</sup> pool area	1/2000m <sup>2</sup> Pool area	Nil
	8.8	0.4	8.8	0.2	0	-
Gym (Ground floor) 248m <sup>2</sup> 260.34m <sup>2</sup> 237m <sup>2</sup> PFA	5 space/ 100m <sup>2</sup> GFA	1 space per 200m <sup>2</sup> PFA	1/50m <sup>2</sup> GFA	1/600m <sup>2</sup> GFA	1/8000m <sup>2</sup> GFA	Nil
	12.4 <u>13</u>	1.2	<del>5.0</del> <u>5.2</u>	0.4	0	-
<b>Total</b>	<b><u>67</u> <u>62</u></b>	<b>8</b>	<b>16</b>	<b>3</b>	<b>1</b>	<b>1</b>
<b>Reduced Total</b> <b>3%- 11%</b>	<b><u>55-60</u> <del>60-65</del></b>	<b>7-8</b>	See following for calculation of Reduction Factors			

67-73 62-68



## Attachment 2: Amended Parking Demand Estimates

Table 3: Estimated Parking Demand

Tenancy	Parking Rate / Survey		Estimated Demand
<i>Basement Wellness Centre</i>	DP <sup>1</sup> (in absence of any available survey data)		16
<i>Ground floor gym / recreation 260.34m<sup>2</sup></i>	RTA Guide <sup>2</sup>	4.5 spaces /100m <sup>2</sup> GFA	11- <u>7</u>
<i>Ground floor retail or office (90m<sup>2</sup> GFA)</i>	RTA Guide (office)		2-4
	RTA Guide Specialty / Secondary Retail		4.5 spaces / 100m <sup>2</sup> GFA
<i>Ground floor restaurant (138m<sup>2</sup> GFA, 128m<sup>2</sup> PFA)</i>	RTA Guide (restaurants)		10
<i>(138m<sup>2</sup> GFA, 128m<sup>2</sup> PFA)</i>	RTA Guide (office)		2
<i>Of which approx. half will be co-lab offices</i>			
<i>First and Second Floor 20 Residential / Accommodation units</i>	Christchurch City Council's Motel Traffic Generation Survey 1999"	average car parking demand of 0.7 spaces per occupied unit and applying a typical occupancy rate of 81%	<del>15-22</del> <u>11-17</u>

<sup>1</sup> District Plan requirement before reduction factors applied.

<sup>2</sup> Ranges from 3 spaces per 100m<sup>2</sup> GFA to 7.5 spaces per 100m<sup>2</sup> GFA based on location. Middle rate of 4.5 spaces / 100m<sup>2</sup> GFA adopted.



RTA Guide medium<sup>3</sup> and  
High density residential flats<sup>4</sup>

0.4-1 space per unit (0.7  
adopted<sup>5</sup>) Plus 1/5 - 1/7  
visitor parking (1/6  
adopted)

**Total**

**~~56-65~~ 53-61**

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<sup>3</sup> Usually 2-20 dwellings town houses or flats

<sup>4</sup> Where more than 20 dwellings are proposed but normally 5 + story.

<sup>5</sup> Because the units fall somewhere between the medium density and high density type developments.



## Attachment 3: Amended Traffic Generation Estimates

Table 5: Estimated Peak Hour Traffic Generation

Tenancy	Traffic Generation Rate / Survey		Estimated peak hour trips
<i>Basement Wellness Centre</i>	No survey data available – assumed all anticipated 16 car park demand turn-over once in an hour		32
<i>Ground floor gym / recreation 260.34m<sup>2</sup></i>	RTA Guide	9 trips /100m <sup>2</sup> GFA	<del>22</del> <u>23</u>
<i>Ground floor retail or office (90m<sup>2</sup> GFA)</i>	RTA Guide (office)	2 trips / 100m <sup>2</sup> GFA	2-4
	RTA Guide Specialty / Secondary Retail	4.6 trips / 100m <sup>2</sup> GFA	
<i>Ground floor restaurant (138m<sup>2</sup> GFA, 128m<sup>2</sup> PFA)</i>	RTA Guide (restaurants)	5 trips /100m <sup>2</sup> GFA	3
	RTA Guide (office)	2 trips / 100m <sup>2</sup> GFA	1
<i>Of which 10 approx. half will be co-lab offices</i>			
<i>First and Second Floor 20 Residential / Accommodation units</i>	Christchurch City Council's Motel Traffic Generation Survey 1999"	average of 0.8 Trips per occupied unit and applying a typical occupancy rate of 81%	<del>8-13</del> <u>10-17</u>
	RTA Guide Medium <sup>6</sup> and High density residential flats <sup>7</sup>	0.29-0.5 trips per unit (0.4 adopted <sup>8</sup> )	

<sup>6</sup> Usually 2-20 dwellings town houses or flats

<sup>7</sup> Where more than 20 dwellings are proposed but normally 5 + story.

<sup>8</sup> Because the units fall somewhere between the medium density and high density type developments.



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**Total**

**69-76 70-79**





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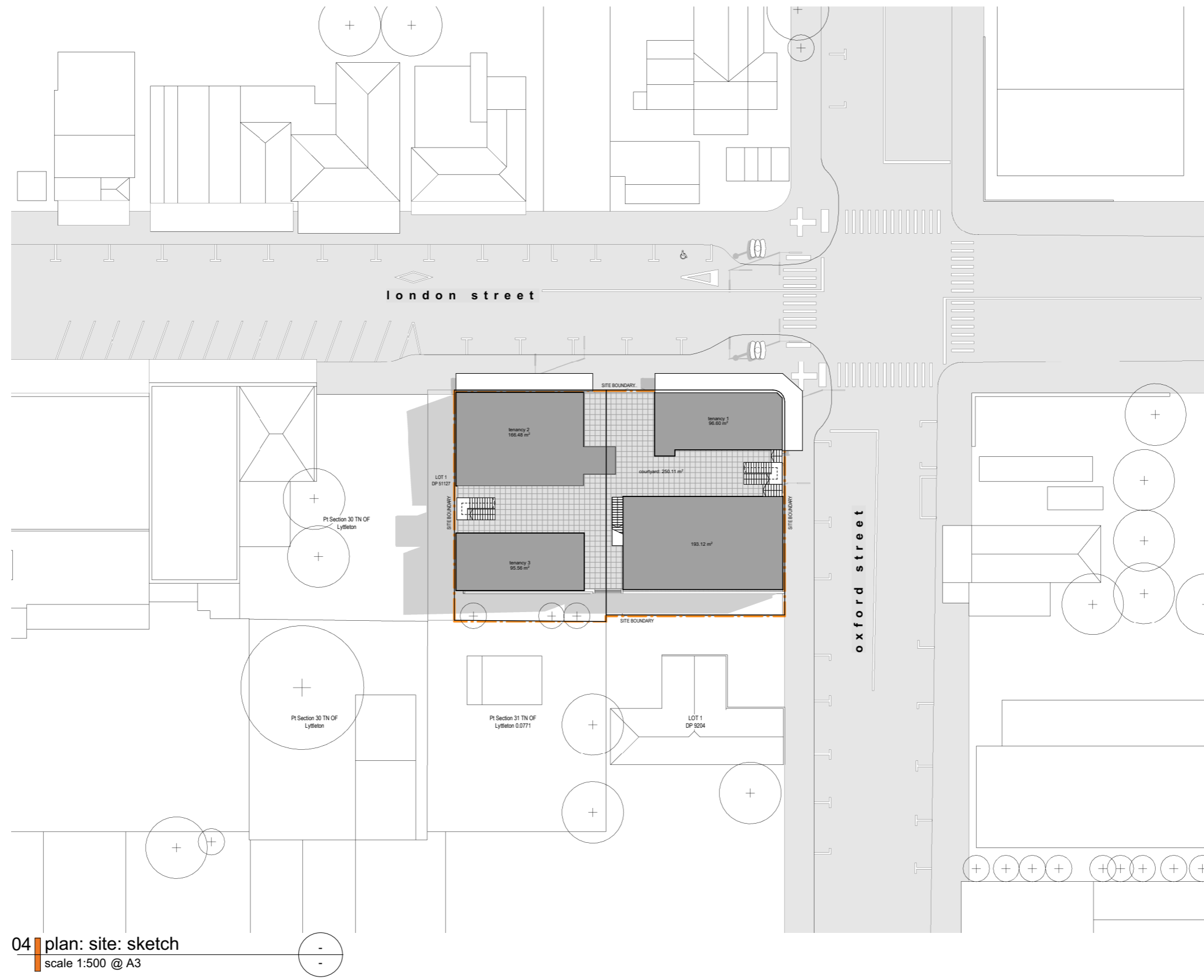
## Attachment 4: Updated Plans

**LEGAL DESCRIPTION**  
 ADDRESS: 3, 5, 7 & 9 LONDON STREET  
 LEGAL DESCRIPTION: LOT 1, DP 13544  
 AREA: 518m<sup>2</sup>  
 & PT SECTION 31 TN OF  
 LYTTLETON  
 AREA: 455m<sup>2</sup>  
 TOTAL SITE AREA: 973m<sup>2</sup>

**SITE COVERAGE**

BASEMENT FLOOR AREA:	944m <sup>2</sup>
SITE COVERAGE (922m <sup>2</sup> ):	97%
GROUND FLOOR FOOT PRINT:	551m
GROUND FLOOR PUBLIC SPACE:	250m <sup>2</sup>
SITE COVERAGE AT GROUND FLOOR (57m <sup>2</sup> ):	

NOTE: GROUND FLOOR AREA DOES NOT INCLUDE STAIRS



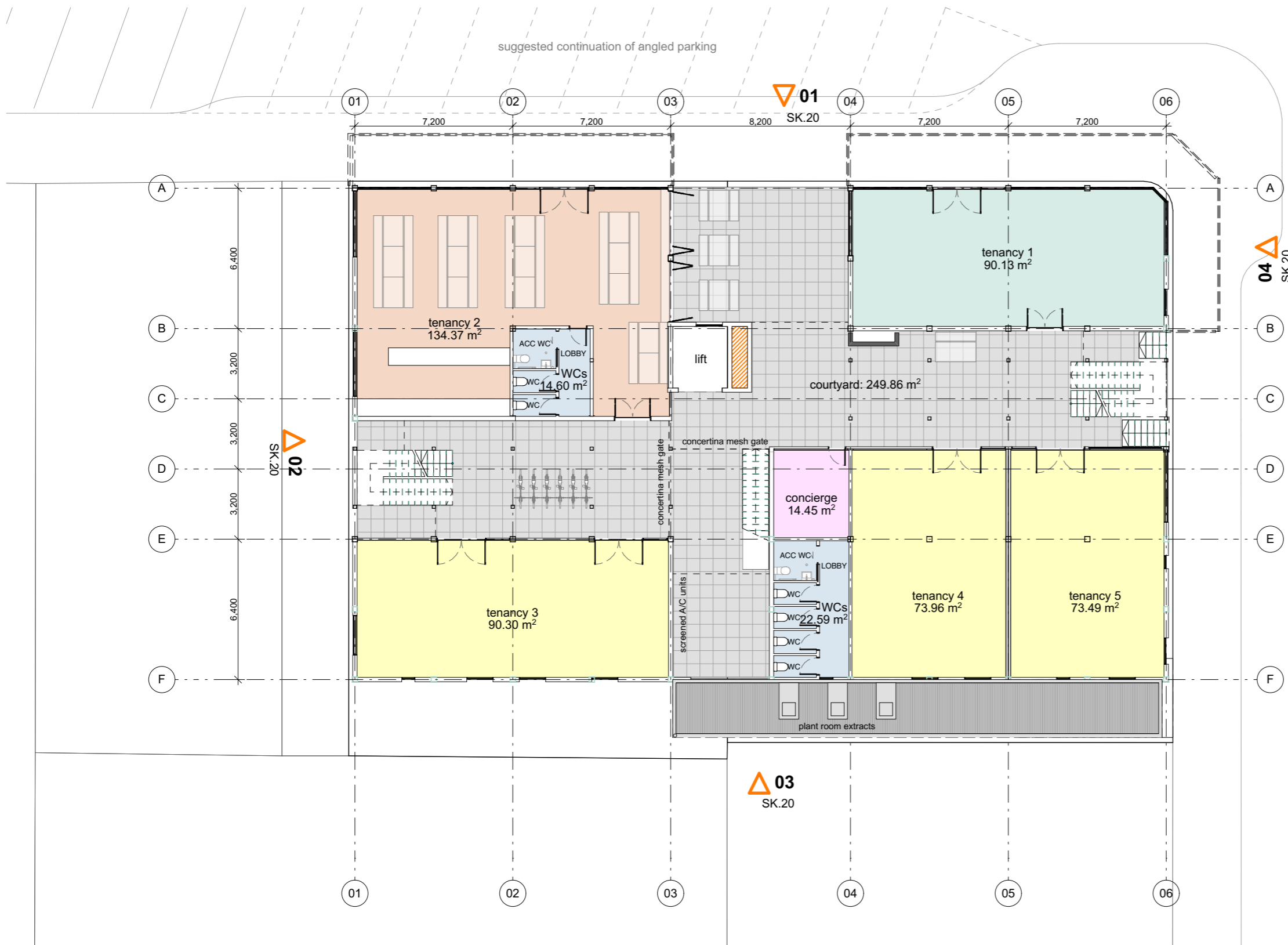
04 | plan: site: sketch  
 scale 1:500 @ A3

# l o n d o n s t r e e t



# o x f o r d s t r e e t

l o n d o n s t r e e t



o x f o r d s t r e e t









01 north elevation  
scale 1:200 @ A3

North elevation:  
Ground floor glazing = 67% of ground floor facade



02 west elevation  
scale 1:200 @ A3

Note:  
Cladding patterns on all elevations shown indicative only



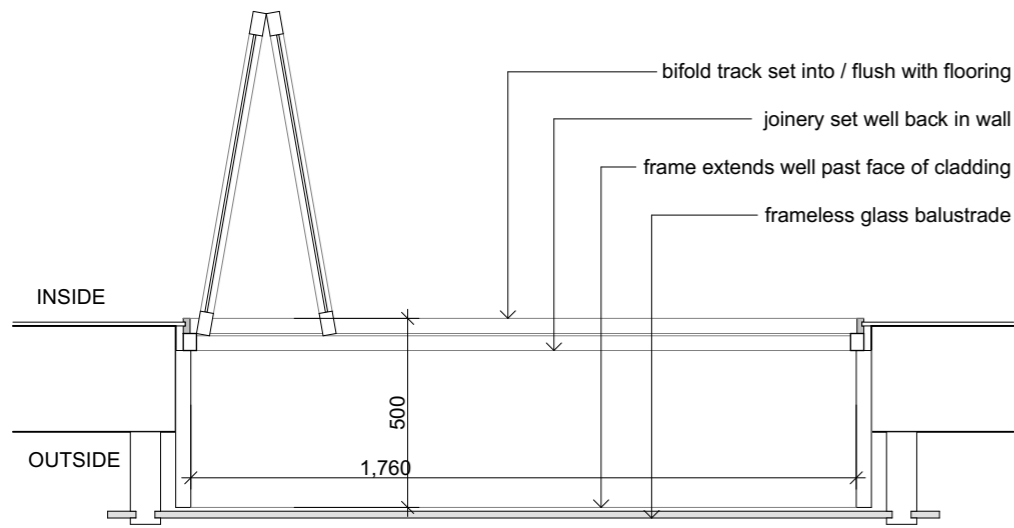
03 south elevation  
scale 1:200 @ A3



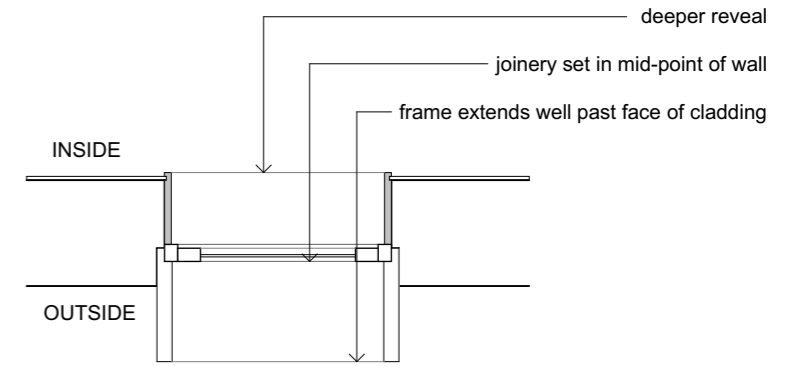
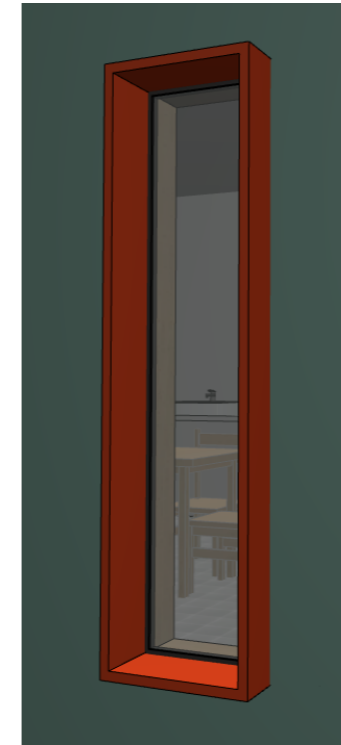
04 east elevation  
scale 1:200 @ A3

East elevation:  
Ground floor and basement glazing/openings = 37% of facade

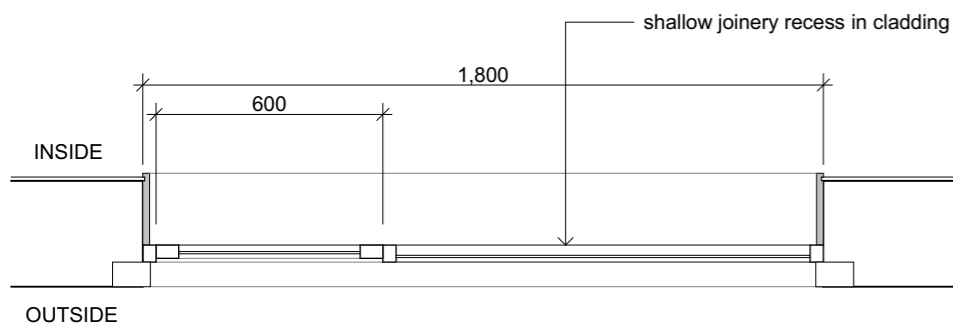




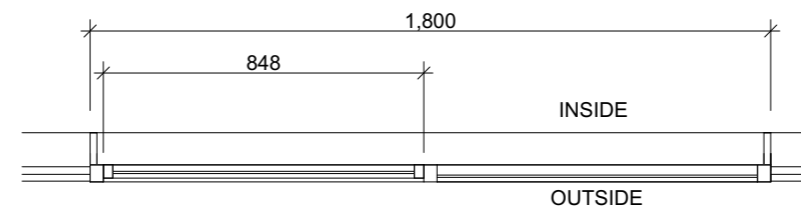
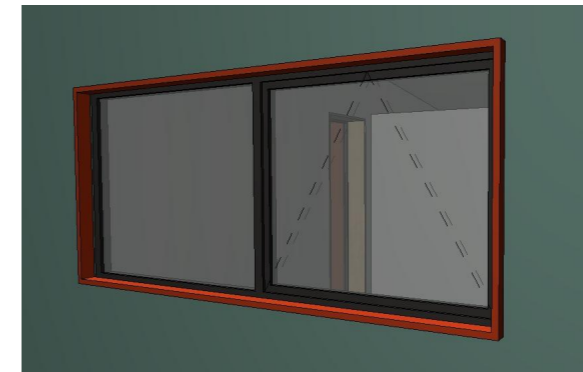
**A** juliet balcony detail  
scale 1:20 @ A3



**C** small window detail  
scale 1:20 @ A3



**B** large window detail  
scale 1:20 @ A3



**D** bedroom window detail  
scale 1:20 @ A3

## Attachment 5 – Relevant District Plan objectives and policies

### Transport objectives and policies

#### 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](#).

#### 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<sup>1</sup> 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.

<sup>1</sup> 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:

[Policy 7.2.1.2](#) also achieves [Objective 7.2.2](#).

#### 7.2.1.3 Policy - Vehicle access and manoeuvring

- 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.

Advice note:

1. Policy 7.2.1.3 also achieves [Objective 7.2.2](#).

#### 7.2.1.4 Policy - Requirements for car parking and loading

- a. Outside the Central City:
  - i. Require car parking spaces and loading spaces which provide for the expected needs of an activity in a way that manages adverse effects.
  - ii. Enable a reduction in the number of car parking spaces required in circumstances where it can be demonstrated that:
    - A. the function of the surrounding transport network and amenity of the surrounding environment will not be adversely affected; and/or
    - B. there is good accessibility by active and public transport and the activity is designed to encourage public and active transport use; and/or
    - C. the extent of the reduction is appropriate to the characteristics of the activity and its location; and/or
    - D. the extent of the reduction will maintain on-site parking to meet anticipated demand.
- 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.

Advice note:

1. Policy 7.2.1.4 also achieves [Objective 7.2.2](#).

#### 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](#).

#### 7.2.1.6 Policy - Promote public transport and active transport

- a. Promote public and active transport by:
  - i. 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;
  - ii. ensuring activities provide an adequate amount of safe, secure, and convenient cycle parking and, outside the Central City, associated end of trip facilities;
  - iii. encouraging the use of travel demand management options that help facilitate the use of public transport, cycling, walking and options to minimise the need to travel; and
  - iv. requiring new District Centres to provide opportunities for a public transport interchange.
  - v. encouraging the formation of new Central City lanes and upgrading of existing lanes in the Central City, where appropriate, to provide for walking and cycling linkages and public spaces.
  - vi. developing a core pedestrian area within the Central City which is compact, convenient and safe, with a wider comprehensive network of pedestrians and cycle linkages that are appropriately sized, direct, legible, prioritized, safe, have high amenity, ensure access for the mobility impaired and are free from encroachment.

Advice note:

1. Policy 7.2.1.6 also achieves [Objective 7.2.2](#).

### Commercial objectives and policies

#### 15.2.1 Objective - Recovery of commercial activity

- a. The critical importance of commercial 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 Central City, 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, employment, transport and community activities, and Neighbourhood Centres as a focal point for convenience shopping and community activities;
  - iv. gives primacy to the Central City, 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 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 Central City, 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. Maintain and strengthen the Central City and 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 Central City;
  - ii. supports and enhances the role of District Centres; and
  - iii. maintains the role of Neighbourhood Centres, Local 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)
<p>C. Neighbourhood Centre</p> <p>A destination for weekly and daily shopping needs as well as for community facilities.</p> <p>In some cases, Neighbourhood Centres offer a broader range of activities including comparison shopping, entertainment (cafes, restaurants and bars), residential activities, small scale offices and other commercial activities. Anchored principally by a supermarket(s) and in some cases, has a second or different anchor store.</p> <p>Serves the immediately surrounding suburbs and in some cases, residents and visitors from a wider area.</p> <p>Medium density housing is contemplated in and around the centre.</p> <p>Accessible by a range of modes of transport, including one or more bus services.</p> <p>The extent of the centre:</p> <ol style="list-style-type: none"> <li>a. is the Commercial Core Zone in the identified centres, Commercial Local Zone at Wigram and Beckenham and Commercial Banks Peninsula Zone at Lyttelton and Akaroa; and</li> <li>b. Community facilities within walking distance (400 metres) of the centre.</li> </ol>	<p>Centres: Spreydon/ Barrington (Key Activity Centre), New Brighton (Key Activity Centre), Bush Inn/Church Corner, Merivale, Bishopdale, Prestons (emerging), Ferrymead, Sydenham (Colombo Street between Brougham Street and Moorhouse Avenue);</p> <p>Addington, Avonhead, Sumner, Akaroa, Colombo/Beaumont (Colombo Street between Devon Street and Angus Street), Cranford, Edgeware, Fendalton, Beckenham, Halswell, Lyttelton, Ilam/Clyde, Parklands, Redcliffs, Richmond, St Martins, Stanmore/Worcester, Sydenham South (Colombo Street between Brougham Street and Southampton Street), Wairakei/Greers Road, Wigram (emerging), Woolston, Yaldhurst (emerging), West Spreydon (Lincoln Road), Aranui, North West Belfast.</p> <p>Size: 3,000 to 30,000m².</p>

### 15.2.2.5 Policy - Banks Peninsula commercial centres

- a. Recognise and protect the special character and role of the commercial centres in Banks Peninsula, including Lyttelton and Akaroa, which provide a range of activities and services meeting the needs of their respective communities as well as visitors to the townships and the wider area of Banks Peninsula.

## 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 road;
  - ii. providing a principal street facing façade 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, while managing effects on adjoining environments; and
  - ix. providing adequate and convenient space for storage while ensuring it is screened to not detract from the site's visual amenity values.
- b. Recognise the scale, form and design of the existing 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 by ensuring a high quality healthy living environment 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).

## Ngāi Tahu values and the natural environment objectives and policies

### 9.5.2.1.1 Objective - Areas and sites of Ngāi Tahu cultural significance

- a. The historic and contemporary relationship of Ngāi Tahu mana whenua with their ancestral lands, water, sites, wāhi tapu and other taonga is recognised and provided for in the rebuild and future development of Ōtautahi, Te Pātaka o Rākaihautū and the greater Christchurch Area.

### 9.5.2.1.2 Objective - Integrated management of land and water

- a. Ngāi Tahu cultural values, including as to natural character, associated with water bodies, repo / wetlands, waipuna / springs and the coastal environment of Ōtautahi, Te Pātaka o Rākaihautū and the greater Christchurch Area are maintained or enhanced as part of the rebuild and future development of the District - Ki Uta Ki Tai (from the mountains to the sea).

**9.5.2.2.2 Policy - Ngā Tūranga Tūpuna**

- a. Recognise the historic and contemporary relationship of Ngāi Tahu with the areas and landscapes identified as Ngā Tūranga Tūpuna and:
  - i. facilitate opportunities to provide information about the historic occupation or use of these areas by Ngāi Tahu and associated values;
  - ii. incorporate representation of the association of Ngāi Tahu with these areas into the design of public buildings and/or community facilities, and in the subdivision and development or redevelopment of residential or commercial areas;
  - iii. manage earthworks involving disturbance of soils below a depth not previously disturbed by cultivation or building foundations;
  - iv. facilitate opportunities to enhance mahinga kai and other customary use of taonga species through planting and landscaping;
  - v. enhance the natural character and cultural values of water bodies, waipuna / springs, repo / wetlands and coastal waters, including reinstating original water courses where practicable;
  - vi. maintain or restore natural features with cultural values within these areas; and
  - vii. ensure that cultural values are recognised and provided for in the design, location and installation of utilities, while enabling their safe, secure and efficient installation.

**9.5.2.2.5 Policy - Engagement with Rūnanga**

- a. Ngāi Tahu and Council to encourage and facilitate the engagement of landowners and resource consent applicants with the relevant rūnanga prior to undertaking activities and/or applying for resource consent, within or adjacent to identified sites of Ngāi Tahu cultural significance (including silent file areas). Where prior applicant engagement has not been undertaken Council will consult with the relevant rūnanga.

**Water body setbacks objectives and policies**

**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.

Water body classification (The characteristics of each water body classification are described in Appendix 6.11.5.1)	Functions of the water body setback
i. All	<ul style="list-style-type: none"> <li>a. Providing a buffer zone for natural erosion, sedimentation and land movement in the weak saturated soils that border water bodies; and minimising the risk that these processes pose to buildings or other structures.</li> <li>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.</li> <li>c. Improving water quality and catchment-wide ecosystem health by filtering potential contaminants.</li> <li>d. Allowing space for riparian planting where possible in a continuous corridor to improve ecological values, and bank and slope stability.</li> <li>e. Providing access for the maintenance of water bodies and any associated hazard protection works.</li> </ul>
vi. Hill waterway	<ul style="list-style-type: none"> <li>a. Contributing to the open space character and amenity values of the surrounding area.</li> <li>b. Maintaining or enhancing habitat for terrestrial and aquatic animals and plants.</li> </ul>

### 6.6.2.1.3 Policy - Management of activities in water body setbacks

- a. Where buildings, earthworks, other structures, impervious surfaces, or maintenance and enhancement works are undertaken within a water body setback, manage the activity so that:
- i. any identified cultural significance of the water body to tangata whenua is appropriately recognised and provided for, including provision for customary access and use where applicable;
  - ii. water quality, biodiversity, and mahinga kai values are maintained or enhanced;
  - iii. connectivity between land, natural freshwater systems and the coast are retained or enhanced;
  - iv. the stability of water body banks and adjacent land is maintained and sedimentation and erosion minimised;
  - v. access for maintenance is enabled;
  - vi. the ability of water body margins, channels or ponding areas to store and/or convey surface water safely and efficiently is not impeded;
  - vii. flood events are not exacerbated;
  - viii. adverse effects of flooding or erosion are not transferred to another site;
  - ix. amenity values and natural character values, including riparian planting, are retained or enhanced;
  - x. activities do not, to more than a minor extent, disturb or visually detract from:
    - A. Sites of Ecological Significance listed in Schedule A of Appendix 9.1.6.1;
    - B. Outstanding Natural Landscapes identified in Appendix 9.2.9.2.2;
    - C. Outstanding Natural Features identified in Appendix 9.2.9.2.1;
    - D. Significant Features identified in Appendix 9.2.9.2.3;
    - E. Rural Amenity Landscapes identified in Appendix 9.2.9.2.4;
    - F. Areas of Outstanding, or High and Very High, Natural Character in the Coastal Environment identified in Appendices 9.2.9.2.7 and 9.2.9.2.8;
    - G. Heritage items or heritage settings listed in Appendix 9.3.7.2;
    - H. Significant Trees listed in Appendix 9.4.7.1;
    - I. Wāhi Tapu/Wāhi Taonga sites of Ngāi Tahu Cultural Significance identified in Schedule 9.5.6.1 and, in the case of earthworks, Kaitōrete Spit (ID 64) identified in Schedule 9.5.6.2;
    - J. Ngā Wai sites of Ngāi Tahu Cultural Significance identified in Schedule 9.5.6.4;
  - xi. provision is made for public access appropriate to the classification and location of the water body and having regard to:
    - A. the relationship of tangata whenua with their ancestral lands, water and sites;
    - B. protection of Sites of Ecological Significance listed in Schedule A of Appendix 9.1.6.1;
    - C. residential amenity;
    - D. Outstanding Natural Landscapes identified in Appendix 9.2.9.2.2;
    - E. Outstanding Natural Features identified in Appendix 9.2.9.2.1
    - F. bank and land stability;
    - G. public safety;
    - H. the operational or security requirements of infrastructure;
    - I. property ownership and the safe and efficient operation of rural and industrial sites.