

Before Hearing Commissioners
at Christchurch

under: the Resource Management Act 1991

in the matter of: application RMA/2020/405 for land use consent in relation to new buildings to accommodate facilities to provide services including healthcare, employment, education and housing to young people between 10 – 25

by: **The Youth Hub Trust – Te Hurihanga ō Rangatahi**
Applicant

Statement of Evidence of Kim Marie Seaton

Dated: 8 September 2020

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STATEMENT OF EVIDENCE OF KIM MARIE SEATON

INTRODUCTION

- 1 My full name is Kim Marie Seaton.
- 2 I hold the qualifications of a Bachelor of Arts and a Master of Regional and Resource Planning from the University of Otago. I am a full member of the New Zealand Planning Institute. I have held accreditation as a Hearings Commissioner under the MfE Making Good Decisions programme since 2011 and have held endorsement as a Chair since 2014.
- 3 I have 25 years of experience as a resource management planner, working for central government, a university and as a consultant, in New Zealand, Canada and the United Kingdom, with the last 18 years working as a consultant in Christchurch and more recently also in Queenstown Lakes District. I have particular experience in land use development planning, as a consultant to property owners, investors, developers and community organisations, and though processing consents for district councils.
- 4 I am familiar with the application by the Youth Hub Trust – Te Hurihanga ō Rangatahi (the *Trust*) for land use consent in relation to new buildings (the *Youth Hub*, the *Proposal*) to accommodate facilities to provide services including healthcare, employment, education and housing to young people between 10 – 25 (the *Application*) at 109 Salisbury Street Christchurch (the *Site*).
- 5 I prepared the Assessment of Effects on the Environment (*AEE*) that was submitted as part of the Application.

CODE OF CONDUCT

- 6 I have read the Environment Court's Code of Conduct for Expert Witnesses, and I agree to comply with it. My qualifications as an expert are set out above. I confirm that the issues addressed in this brief of evidence are within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

SCOPE OF EVIDENCE

- 7 This evidence is divided as follows:
 - 7.1 A description of the Youth Hub;
 - 7.2 Proposal revisions;
 - 7.3 Description of the Site and existing environment;

- 7.4 A summary of resource consents required under the Christchurch District Plan;
 - 7.5 A summary of the actual or potential effects on the environment, including the permitted baseline;
 - 7.6 Assessment against the objectives and policies of the District Plan;
 - 7.7 Conclusions on Section 104D of the Resource Management Act (the *RMA*);
 - 7.8 Section 104 RMA matters;
 - 7.9 Response to issues raised by submissions;
 - 7.10 Conditions; and
 - 7.11 Conclusions.
- 8 In preparing this evidence I have reviewed:
- 8.1 The Application;
 - 8.2 Submissions lodged in relation to the Application;
 - 8.3 Evidence of other witnesses for the Youth Hub Trust;
 - 8.4 The Officer's Report; and
 - 8.5 Relevant statutory documents including the Christchurch District Plan, Canterbury Regional Policy Statement and National Policy Statement on Urban Development.

PART 1: THE PROPOSAL

Description of the Youth Hub Proposal

- 9 A full description of the proposal is provided in the Application document, and is summarised in the Officer's Report. I will not repeat those descriptions, referring the Commissioner instead to those documents. To summarise however, the proposal provides for:
- i. A community facility, inclusive of social services and health facilities, recreation, events and training facilities and a library;
 - ii. A market garden;
 - iii. A café;

- iv. Supervised sheltered housing for up to 22 youth;
 - v. Residential units inclusive of an on-site manager's residential unit; and
 - vi. Private and communal outdoor living space, including extensive landscaping at both ground and first floor level.
- 10 The Proposal collectively will provide an integrated living and support facility for youth aged between 10 and 25. All residential accommodation on the Site will be supervised (the sheltered housing to a much greater degree than the more independent residential units). No persons will be detained on site and resource consent is not sought to allow detention. Importantly, I confirm that the age of persons *residing* on the Site will be between 16 and 25 years. This age group differs from what was stated in the application document, which incorrectly noted the resident ages as being 10-25. Youth aged 10-15 are welcome to attend the Site to utilise the youth support facilities, but will not reside at the Site.
- 11 The social and welfare organisations that will operate from the site are wide ranging and will have differing levels of presence on the site. Organisations such as Youthline will be present on the site full time, while other organisations will utilise rooms as and when needed. The list of organisations contained within paragraph 23 of the applicant's AEE is indicative rather than exclusive, being the current range of organisations anticipated on the Site. That list may change over time but will always be organisations that have a direct relationship with the Youth Hub and provision of services and support for youth.
- 12 Ms Bagshaw's evidence provides further detail as to how the site will be managed, includes the draft code of conduct, and supplements the operational statement contained in the AEE.

Revisions to the Proposal

- 13 A number of changes are proposed to the development in response to issues raised in the Officer's Report, and by submitters. Changes (i) to (v) are detailed in paragraphs 23 to 34 of Mr Just's evidence. The changes are:
- i. A translucent treatment will be applied to a height of not less than 1500mm above floor level on the northern façade of the greenhouse, to reduce opportunities for overlooking of neighbours;
 - ii. A reduction in the amount of glazing on the two western stairwells of the sheltered housing unit, to reduce opportunities for overlooking 3/362 and 6/362 Durham Street North;

- iii. A reduction in the amount of glazing on the northern elevation of the sheltered housing and translucent treatment specified for the lower panels of the two northern windows;
 - iv. A reduction in the amount of glazing on the eastern (Gracefield Avenue) façade of the residential units;
 - v. Introduction of communal green/food waste bins in the eastern communal housing courtyard;
 - vi. Provision for compliant covered and secure cycle parking spaces adjoining the Salisbury Street car parking. This results in a reduction of 20 cycle parking spaces;
 - vii. The acoustic fence adjoining the Salisbury Street car park shall have a minimum surface mass of 15kg/m².
 - viii. As stated above, confirmation that only persons aged 16-25 will be resident on site, though the facilities and support on-site will otherwise be available for youth aged 10-25.
- 14 I attach a copy of the revised drawing set in **Appendix 1** of my evidence.

Description of the Site and Existing Environment

- 15 The site is described in detail in the applicant's AEE, as referenced in the Officer's Report. Ms Wilkins goes into further detail in her evidence where she discusses residential amenity and neighbourhood context.
- 16 In summary, the site is a former bowling club venue that has since fallen into disuse. While the area to the north is clearly residential in character, the area to the west, east and south is more mixed, including some non-residential activity. Ms Wilkins states in paragraph 19 of her evidence that the location is a highly dynamic and adapting environment, with residential properties present alongside infill projects and higher density developments and commercial uses. She goes on to note that the site is within a fringe area, where the commercial area merges with residential. I accept and adopt Ms Wilkin's description of the area.
- 17 In regard paragraph 5 of the Officer's Report, the first bullet point states that there will be "youth workers living on site (in the east wing)". This is incorrect. The on-site manager's unit will be located in the east wing, as the Officer's Report correctly notes, however the remaining residential units in the east wing will be for youth residents who do not require sheltered housing. The Officer's Report is correct where it notes that residents of the east wing will have access to daily youth worker support on-site.

- 18 In regard to the existing use of the site, paragraphs 89-90 of the AEE describe the previous use of the site by the bowls club in some detail, concluding that:

'...it can be confirmed that the site has historically been used for non-residential purposes, some non-residential buildings can be considered to form part of the existing environment by way of resource consents held (and still in existence), and while the site is currently unused, there is no residential use of the site currently.'

- 19 This conclusion is consistent with the commentary of the Officer's Report, where that report references the previous bowling club facilities in regard residential coherence, noting in paragraph 37 that *'there is no loss of residential neighbours, but addition of a different type of non-residential activity'*.

- 20 The existing use of the site is therefore confirmed as not residential.

Christchurch District Plan

- 21 The Officer's Report lists the applicable definitions for this Proposal. I concur with the Officer's Report that the sheltered housing located in the west wing falls within the District Plan definition of sheltered housing and is a form of 'residential activity', while the units within the east wing fall more generally to be considered as 'residential activity'. I also concur that the accommodation within the Site will not be transient such that it does not fall within the definition of 'guest accommodation'.

- 22 The Officer's Report lists the rules under which the proposal requires resource consent, in a table under Paragraph 12 of that report. I generally concur with that summary, with the following exceptions, that relate to the definition of 'community facilities' and the extent to which activities on the site may or may not fall within that definition. For ease of reference, the District Plan definition of 'community facility' is:

'means any land and/or buildings used for community activities or education activities. Community facilities include reserves, recreation facilities, libraries, community infrastructure such as community halls, health care facilities, care facilities, emergency service facilities, community corrections facilities, community welfare facilities and facilities used for entertainment activities or spiritual activities. Community facilities exclude privately (as opposed to publicly) owned recreation facilities, entertainment activities and restaurants.'

- 23 With regard to Rule 14.6.1.5 NC6 (a 'health care facility' exceeding a GFA of 200m²), this is not a rule that I identified as a non-compliance within the AEE. In my view, it is not appropriate to separate out component parts of the activity that are ancillary to

and fall collectively within the definition of a 'community facility', including the 'health care facility'. Therefore I consider NC6 is not applicable.

- 24 Additionally, I note that the architectural plans (Plan A101) list the GFA of "health care/counselling" as being 213.67m² and not 741.24m² as listed in the Officer's Report. The architectural plans list a further 419.33m² of GFA for "support services", that I understand to typically fall outside of the definition of a 'health care facility'¹, but within the definition of a 'community welfare facility'², which also falls within the wider definition of a 'community facility'.
- 25 In regard Rule 14.6.1.5 NC1, the Officer's Report includes the events spaces as non-residential activities that are caught by this rule. I do not agree. I note that the definition of 'community facilities' includes 'community activities' which includes entertainment, while 'entertainment activities' also fall within the wider definition of 'community facilities'. Further, the definition of 'community facility' specifically includes 'facilities used for entertainment activities'. The events centre therefore falls to be part of the more general community facility. I acknowledge that the 'community facility' definition specifically excludes '*privately (as opposed to publicly) owned recreation facilities, entertainment activities and restaurants*'. In my view, the exclusion of privately owned recreation facilities, entertainment facilities and restaurants is intended to catch stand alone facilities, such as a bowls club, or a rugby club, or a Court Theatre type of operation – activities that are privately owned and stand alone. The proposed recreation (basketball court) and events centre facilities on the Youth Hub site are ancillary to the wider community facility on the site and thus remain part of the community facility in the round.
- 26 By contrast, although the proposed café is intended to provide for training and employment opportunities for youth resident on the site, I consider its operation will be closer to a stand alone type of activity, and therefore to fall outside the definition of a community facility. The café will be a business that will be open to the general public who otherwise may have no relationship to the Youth Hub (e.g. they may not be attending the site to support the youth that are there), will be open to the public through all its business hours (i.e. it will not be used as a training space only) and may be operated by an independent lessee. This compares to the events

¹ A "health care facility" means land and/or buildings used for the provision of physical and mental health services, or health-related welfare services, for people by registered health practitioners (approved under the Health Practitioners Competence Assurance Act 2003).

² means the use of land and/or buildings for providing information, counselling and material welfare of a personal nature. This includes personal and family counselling, citizens advice bureaux, legal aid and the offices of charitable organisations where the facility is operated by a non-profit making organisation.

centre and basketball court that are integral to the community facility and at times will be utilised by on-site staff and residents only.

- 27 I acknowledge that the question of what is or is not within the definition of a community facility on this site is not entirely clear cut. And in the round, the question is somewhat moot in any case, as the status of the activity is non-complying under Rule 14.6.1.5 NC1. The question of what is a community facility versus non-residential activity is more pertinent when analysing the objectives and policies of the District Plan, and I will touch on this further below.
- 28 Of final note in regard Rule 14.6.1.5 NC1, I note that the Officer's Report has not determined an activity status for the community facility (in whatever form that may be). In my opinion, the community facility is a non-complying activity under Rule 14.6.1.5 NC1.
- 29 I note that Rule 14.6.1.1 P10 provides for, as a permitted activity, any community facility on Fitzgerald Avenue, or Bealey Avenue between Durham Street North and Madras Street provided certain activity standards are met. I wish to bring to the Commissioner's attention a recent decision by the City Council, which granted consent for a community facility (the Christchurch City Mission) at 269 Hereford Street (RMA/2020/435). Notably, that community facility, like the Youth Hub proposal, was located within the Residential Central City Zone and was not located on Fitzgerald Avenue, or Bealey Avenue between Durham Street North and Madras Street, yet the decision-maker for that resource consent agreed that the community facility aspects of the proposal were permitted under Rule 14.6.1.1 P10, which states as follows:

<p>Any community facility, preschool (other than as provided for in Rule 14.6.1.1 P7), or guest accommodation on Fitzgerald Avenue, or Bealey Avenue between Durham Street North and Madras Street.</p>	<p>a. The maximum total number of hours the site shall be open to visitors, clients or deliveries for the activity shall be 40 hours per week, and shall be limited to between the hours of:</p> <ul style="list-style-type: none"> i) 07:00 – 21:00 Monday to Friday, and ii) 08:00 – 19:00 Saturday, Sunday, and public holidays. iii) Except that these hours of operation in Rule 14.6.1.1 P10 a.i. and a.ii. do not apply to guest accommodation. <p>b. The maximum number of vehicle movements per site per day for any activity, other than for residential activities, shall be 200 and:</p> <ul style="list-style-type: none"> i) Vehicles, other than heavy vehicles associated with any
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	<p>residential activity on the site, shall be included in determining the number of vehicle movements to and from any site. Vehicles parking on the street or on any other site, in order that their occupants can visit the site, shall also be included in determining the number of vehicles trips to and from any site.</p>
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30 A copy of that decision is attached as **Appendix 2**. Whilst the proposed Youth Hub development would not comply with the activity standards for P10 in any case, as the events space is to be open to the public more than 40 hours per week and the maximum number of vehicle movements is likely to exceed 200 per day on some days (particularly when large events are held). The application of P10 to the Youth Hub proposal does however create a significant permitted baseline for consideration. I therefore mention it for the Commissioner's consideration.

31 However, in my view, the application of P10 to the Youth Hub site (and by extension the City Mission site) would be incorrect on the basis that this rule is intended to apply to community facilities on Fitzgerald Avenue, or Bealey Avenue between Durham Street North and Madras Street only.

32 Overall, I concur with the Officer's Report that the overall activity status of the Youth Hub proposal is **non-complying** under the District Plan.

Submissions

33 I accept and adopt the broad summary of submissions contained in the Officer's Report. I concur with the list of matters that the Officer considers are not relevant, contained in paragraph 21 of the Officer's Report, including property values and unlawful activities.

34 I will respond to submission points raised in further detail below.

PART 2: ACTUAL AND POTENTIAL EFFECTS ON THE ENVIRONMENT (S.104 (1)(A))

35 I agree with the broad categories of issues the Officer's Report lists and for ease of reference I will adopt those same category headings in my assessment below.

Permitted Baseline

36 The Officer's Report states, in paragraph 25, that *'...given the area of land within the site, it is unlikely it could be developed for a*

permitted residential development.' The Planning Officer instead restricts the relevant baseline consideration to 40m² of non-residential and community activities, and noting there is no requirement for on-site parking.

- 37 I agree with the Planning Officer that technically residential development could not be established on the site as a fully permitted activity, given the District Plan rules that require a minimum density of 50 residential units and also require resource consent for three or more residential units. There is therefore no true permitted baseline for medium to high density residential development on the site. However, I do not consider it is helpful to the assessment of this Proposal, to ignore development that the District Plan anticipates on this Site. That is:
- a minimum density of 50 residential units, translating to a minimum density of 21 residential units on the subject site;
 - a maximum building height of 14m (sufficient to achieve four storey buildings);
 - a minimum internal boundary setback of 1.8m, or 4m for first floor living area windows or balconies (provided recession plane requirements are met), including no limits on the amount of glazing possible where that 4m boundary setback is achieved;
 - 20% site landscaping, with 50% of the landscaping to be trees and shrubs, with a minimum of one native tree for every 250m² of GFA.
- 38 Other rules will also be relevant, including those relating to outdoor living space, service space and minimum unit size. What is clear however from these rules, and from the objectives and policies of the District Plan, is that the District Plan anticipates a high density scale of built development occurring on the site. In so far as the proposed development complies with the building bulk and location standards of the District Plan, the building scale anticipated by the District Plan is a relevant consideration.
- 39 In support of that opinion, I note a resource consent granted by the City Council on 21 August 2020 (RMA/2020/1222) adopted a similar approach, that was accepted by the decision maker for that consent. The Planning Officer in the Section 95 decision for that consent (p9) stated:

'In my opinion it is appropriate to use the built form standards as a guide to the outcome sought by the objectives and policies for the CC(SF)MUZ. The built form standards should not be used in a vacuum and must be viewed in the overall context of the Plan Objectives and Policies and vice versa. In other words, the rules, including the built

form standards, are the methods to achieve the policies and as such are a guide to the type of development that is consistent with those objectives and policies.

As the Plan anticipates the Central City to contain the densest level of activity, multi storey buildings and sets height rules specific to each location I consider it is both logical and reasonable to make such comparisons. The Plan clearly anticipates that the Central City contain buildings (permitted vacant sites are actually a perverse outcome). For the above reasons I am of the view that the correct approach to the assessment of shading involves a consideration of built form standards as the platform for the consideration. The Council must consider the effects of bulk on neighbours having regard to this Central City context and the objectives and policies of the applicable planning instruments.'

- 40 The zoning and proposal in that example differs from that of the Youth Hub, but both have a Central City location. I reference the Planning Officer's text here, as I agree with the logic she employs, being that built form standards are a relevant consideration, with regard to the Central City context and the objectives and policies of the District Plan, which I will discuss further below.

Residential Character and Amenity – Built form, Design and Visual Impact

- 41 The Officer's Report addresses residential character and amenity impacts relating to built form, design and visual impact in paragraphs 27-31. The Officer relies on the advice of Ms Williams, who provides a generally positive assessment of the Proposal and considers that it meets the outcomes and design criteria in the District Plan. Ms Williams has made some recommendations relating to glazing/overlooking and waste storage space that have been responded to by Mr Just in his evidence, and I have outlined the changes to the Proposal in response to Ms William's recommendations above. Those changes include reducing some areas of glazing, introducing translucent glazing in some locations and provision for a central green waste space for the eastern wing residential units.
- 42 Both Mr Just and Ms Wilkins have provided comment on the building form design and visual impact in their evidence. Mr Just concludes that the *'...bulk and character of the proposal, including the buildings, outdoor spaces and plantings, have been carefully designed to contribute positively to the character of the existing context.'* He goes on to state that he is *'...confident that the proposed revisions to the plans significantly mitigate the potential for overlooking from the higher levels of the proposal and will provide an appropriate level of privacy for both occupants and neighbours.'*
- 43 Mr Just's opinions are supported by Ms Wilkins, who concludes that she is *'...satisfied that the effects of the proposed application, regarding urban design, are acceptable. The design aesthetics,*

layouts of internal and external spaces, and clear entrances and engagement with the surrounding streets, have resulted in quality spaces that can be integrated into the surrounding landscape fabric and character’.

- 44 I rely on the evidence of Mr Just and Ms Wilkins and conclude that the proposal will provide an appropriate and high quality built form and design that is consistent with the outcomes sought by the District Plan.
- 45 I reiterate that the location and amount of glazing proposed on the upper levels of the residential wings is compliant with the District Plan rules for glazing proximate to internal boundaries and the degree of overlooking or privacy intrusion is therefore no greater than anticipated under the District Plan. Nevertheless, the glazing amendments proposed by Mr Just address privacy and overlooking concerns raised by some submitters.
- 46 I also reiterate that the height of the development is several metres lower than the 14m permitted for this zone, the market garden and residential roof top terrace uses located on the second storey are a permitted use, and the District Plan recession plane and setback standards are met. Overall then, the scale of building proposed on Site is wholly consistent with what the District Plan anticipates in the Central City Residential Zone.

Residential Character and Amenity – Scale of Non-Residential Activity

- 47 The Officer’s Report addresses the scale of non-residential activity in paragraphs 32-38. As I have discussed above, I consider that the event space, health care/counselling and support services fall within the definition of a community facility. Community facilities are in themselves non-residential in character. I agree with the Officer where she states in paragraph 35 that the facility is not only for members of the immediate community and will serve people from across the city. I note however that neither the definition of community facility/activity nor Policy 14.2.6.2 specify that community activity must be for the immediate community. I do acknowledge that Policy 14.2.6.8 pertaining to non-residential activities in the central city more generally, does refer to non-residential activities and the needs of the local community.
- 48 I concur with the Officer’s Report that traffic and pedestrian activity at the Gracefield Avenue entrance will be comparable to what could reasonably be expected in association with residential activity.
- 49 In regard to residential coherence, I agree with the Officer’s Report that there is no loss of residential activity on the Site, rather an addition of a different type of non-residential activity. On the whole, I consider the Proposal will have positive effects on residential

coherence when compared to the existing environment, as the proposal will introduce residential activity within the west and east areas of the site, where currently and previously there has been none.

50 In regard to the proposed café, there is the potential for the café to adversely affect immediately adjoining neighbours with regard to non-residential noise and activity that is not experienced there currently. Several management measures are proposed to minimise potential nuisance to neighbours, including:

- limits on the number of seats permitted in the courtyard (maximum 10);
- no seating within 4m of the eastern boundary fence;
- no music to be played in the courtyard;
- any music played within the café must be played at background levels only;
- hours of operation to be between 9:00am and 5:00pm only;
- no alcohol may be served;
- an acoustic fence 2m in height will be established on the eastern boundary of the site between the café and the adjoining properties;
- operation of the café will be subject to the Operational Travel Management Plan approved for the wider site.

51 With the application of these controls, activity from the cafe is anticipated to comply with the District Plan noise standards. I acknowledge that potential noise and activity from the café will nonetheless differ from that of a typical residential activity, and potential effects could arise from the non-residential use in this regard. In my view, provided the café operates within the parameters I have listed above, the potential adverse effects of the café on the amenity values of the immediately adjoining neighbours will be no more than minor. In my experience, the parameters I have listed are common for cafes and similar non-residential activities adjoining residential neighbours, and are enforceable.

52 In regard to the scale of non-residential activity adjacent the northern boundary, being the healthcare centre and consulting rooms, I agree with the Officer's Report that the scale of building is as anticipated by the District Plan, but the scale of the non-residential activity is not. However, I consider that there will be limited opportunity for residents on the northern boundary to

observe non-residential activity occurring on the site, notably because of the limited window openings on the northern façade of the Youth Hub healthcare centre building, and the limited staff parking available in the adjoining car park. All other non-residential activity will be located towards the centre of the site and distant from the adjoining neighbours to the north. For this reason I consider the potential adverse effects of the non-residential activity on the neighbours to the north will be less than minor. For neighbours adjoining the sheltered housing, I consider the potential adverse effects on those properties arising from the sheltered housing itself will be nil, as sheltered housing is an anticipated and permitted activity within the District Plan. Those properties will also be sufficiently distant from the health care centre and other non-residential activity that adverse effects on residents from the non-residential activity will be less than minor.

- 53 Similarly, I agree with the Officer's Report that the residents at 362 Durham Street North (variously) will be sufficiently distant from non-residential activity that potential adverse effects on those persons would be less than minor.
- 54 In regard to the residents at 103 Salisbury Street, the AEE identified those residents as potentially experiencing a greater level of adverse effects on their amenity from the proposed activities occurring in the adjacent car park and Salisbury Street entrance (paragraph 99 of the AEE). The Officer's Report similarly identifies those residents as potentially being affected by activity in the parking and Youth Hub entry space, including when events at the site are held. I consider that with behaviour and visitor management measures in place, potential adverse effects on the residents at 103 Salisbury Street can be managed such that the level of adverse effects would be acceptable. This includes implementation of both an Operational Travel Management Plan (discussed below) and an Events Management Plan. A draft Events Management Plan is attached as **Appendix 3** to my evidence, with the final version to be subject to certification as a condition of consent.
- 55 With regard to residential properties on the southern side of Salisbury Street, I consider they are sufficiently distant from the proposed non-residential activity, that potential adverse effects on those persons would be minimal.
- 56 With regard to cumulative adverse effects on the area from non-residential activity, I generally concur with the Planning Officer's assessment in paragraph 38 of the Officer's Report. I would add that the proposed residential activity sleeving the western and eastern edges of the Youth Hub site will in fact reduce the readily apparent level of non-residential activity occurring in the area, noting that the Site has historically been utilised for non-residential

activity and the proposed Youth Hub development will introduce more residential activity than has previously been the case.

- 57 Overall, I consider that while the scale of non-residential activity on the Site may in some respects be greater than has occurred historically in association with the bowls club, and in any case is different, the proposed activity controls and the provision for new residential activity on the eastern and western edges of the site, will together ensure that potential adverse effects from the non-residential activity on Site are appropriately managed and are acceptable.

Residential Amenity of Neighbours– Overlooking, Noise, Glare

- 58 As discussed above, changes have been made to the proposal to introduce translucent treatments to some peripheral façade glazing, and to reduce the extent of some glazing. In my view, the combination of these mitigation measures, the compliant first and second floor window setbacks and the small amount of glazing on the northern health care centre façade, substantially minimise the potential for overlooking of neighbours and loss of privacy. I therefore consider the potential adverse overlooking and privacy effects to be generally not greater than anticipated by the District Plan, emphasising that the site is located within a Central City Residential Zone, where high density residential development of up to 14m (four storeys) is anticipated.
- 59 With regard to noise, Mr Smith has provided evidence on potential noise effects. His conclusions are generally similar to those of Ms Stout in the Officer's Report and I rely on them for my assessment. In regard to noise from the proposed residential activity, I consider the potential noise effects of the residential activity on site will be not different than anticipated by the District Plan for this Zone.
- 60 In respect of noise from events, controls on the hours of operation for the playing of music and the numbers of visitors at events, an Events Management Plan and measures such as prevention of guests congregating in the external court yards after 7:00pm, will be employed. With these measures in place, Mr Smith concludes that day to day events will result in negligible noise effects on neighbouring properties (paragraph 27). He considers that effects can be managed to reasonable levels for larger events (paragraph 28). In regard the use of the carparks, Mr Smith acknowledges some potential noise effects may be experienced at 103 Salisbury Street during larger events up to 24 times per year, however he considers given the limited number of times per year this may occur and the limited timeframe over which effects are likely to be generated, noise effects from vehicle movements on site for large events will be reasonable (paragraph 34). In regard to the café, Mr Smith concludes that the day time noise effects from the café will be

reasonable for a Central City Residential Zone (paragraph 43), which I take to mean a zone where a high density of residential development is anticipated, with associated increased audibility of neighbouring activity due to proximity.

- 61 In conclusion, Mr Smith states that the predicted sound levels for most activities are generally between 50-55 dB $L_{Aeq(15min)}$ (paragraph 59), consistent with permitted day time noise levels in the District Plan. He further notes that the majority of activity will occur during daytime hours (0700-1700h) and that the sound from people playing and talking is compatible with a central city environment. On that basis, I consider that the potential adverse noise effects of the proposal will be acceptable.
- 62 In regard lighting and glare, the applicant undertakes to comply with the rules of the District Plan. Those require that all outdoor lighting be directed away from adjoining properties and that light spill measure no more than 4 lux (horizontal or vertical) at adjoining property boundaries. The applicant volunteers a condition of resource consent, requiring a lighting plan to be prepared prior to construction commencing, and certification following implementation of that plan, to confirm that compliance with the District Plan standards will be achieved. In my view, there are no unusual lighting features required on this Site, for example flood lighting that would suggest that the lighting standards could not be achieved. The Planning Officer has commented similarly (paragraph 42).
- 63 In regard to glare, I concur with the Officer's Report (paragraph 41) that it is not necessary to avoid the visibility of lights. The District Plan does not require avoidance of visibility of lights, only that lighting comply with the glare and light spill standards of the District Plan. Little lighting is expected to be visible from buildings on the Site through the night and generally not more than can reasonably be expected on a high density residential site where residents may be active at various times of the night (e.g. shift workers or "night owls").
- On-site Amenity**
- 64 I agree with the Officer's Report's assessment of the amenity of Youth Hub residents (paragraph 45 of the Officer's Report), being that the level of amenity on-site will be high, with both private and communal outdoor spaces available. Residents will reside in a space that has been architecturally designed specifically to meet the needs of youth, as elaborated in Mr Just's evidence. They will also have access to support services and staff that will enhance their safety and wellbeing. Overall, I consider the on-site amenity of the residents will be high.

Residential Amenity of Existing Residents with regard to proposed residential use

- 65 The Officer's Report addresses these issues in paragraph 46. I generally concur with the Officer's comments, and I re-emphasise that residential activity is a permitted activity on the site, including sheltered housing. In other words, both the proposed east and west wing residential activity is consistent with what is anticipated by the District Plan on this Site.
- 66 Nevertheless, for the benefit of the Commissioner and submitters, Ms Bagshaw has elaborated in her evidence as to who may reside at the Youth Hub, how the residential aspects of the Youth Hub will be managed and how behaviour will be managed. Persons between the ages of 16 and 25 may live on the site, provided they are in education or training, or are looking for employment.
- 67 In my opinion, there will be considerably less opportunity for unsociable behaviour arising from the Youth Hub than would be the case from more typical residential accommodation. In particular, the degree of supervision and presence of on-site staff on a 24 hour basis should be sufficient to ensure behaviour is appropriately managed. In a more typical residential situation, for example a flat full of 20-25 year olds, there would be no supervision and the only recourse neighbours would have to unsociable behaviour would be Council's noise control or the police.
- 68 Overall then, I consider the potential adverse effects arising from residential activity within the Youth Hub, and with reference to the level of residential activity anticipated by the District Plan within the Central City Residential Zone, will be nil.

Transport

- 69 The transport effects of the proposal are addressed in paragraphs 47-50 of the Officer's Report. The Planning Officer relies on Mr Milne's expert input. The transport effects of the Proposal have also been addressed by Mr Fuller in his evidence for the applicant. Both Mr Milne and Mr Fuller have generally concluded that the traffic effects of the proposal will be acceptable and that the access and parking areas will operate satisfactorily.
- 70 Specifically, Mr Fuller confirms in his evidence:
- that low provision of car parking is consistent with the District Plan, which has no car parking requirement within the Central City, and with the National Policy Statement on Urban Development 2020 (the *NPS-UD*) which is a matter that must be had regard to (discussed further below);

- that a Travel Management Plan will be provided that will assist in a managing parking and travel aspects of the proposal;
- that the level of car parking predicted to occur at the Site is in the same range as that which may occur were the Site fully developed for residential use;
- that the revised cycle parking provision (responding to Mr Milne's request for a compliant secure parking layout at the Salisbury Street access) is acceptable;
- that on-site manoeuvring and the operation of the Gracefield and Salisbury Street accesses will be acceptable and safe;
- that the Site will be accessible by a range of transport modes.

71 I accept and rely upon Mr Fuller's advice, noting that it is consistent with Mr Milne's advice, and conclude that the potential adverse traffic effects of the proposal will be minimal.

Earthworks and Construction Effects

72 I accept the recommendations of the Officer's Report, that an Erosion and Sediment Control Plan be required, and that it be required as a condition of consent. In regard the recommendation that a pre-works structural/condition assessment be undertaken for adjoining sites, I understand the applicant is willing to undertake an assessment to alleviate the submitter's expressed concern. However, I am concerned that the question of which buildings require a pre-condition assessment, needs further definition and consideration, so that the applicant is not expected to undertake assessments of buildings for which no risk is expected. In support of that concern, I note Mr Just's statement in his evidence (paragraph 20), that *'...based on initial feedback from structural engineers ... the proposed building would not require foundation design/construction that would involve a high risk of damage to neighbouring properties.'*

73 With my concern about the pre-works assessment noted, I consider that with these conditions in place, the potential adverse earthworks and construction effects of the proposal will be less than minor. Erosion and Sediment Control Plans are also required to address the management of dust, further reducing the likelihood of adverse construction and earthworks effects on neighbours.

Positive Effects

74 The positive effects of the proposal have been set out in detail in the application document (paragraphs 47-54), and in Ms Bagshaw's

evidence. Ms Bagshaw outlines the importance of safe and stable housing for young persons, and the identified need for a one-stop-shop youth hub model to provide wrap around services to Christchurch youth. Ms Bagshaw also reiterates the value of a central residential location for the Youth Hub, notably in paragraphs 58-61, where she states:

'The importance of being a part of a residential community cannot be overemphasised. It is not only important in the sense of connection but also important for a process of transition to becoming an adult and taking responsibility as part of a community.'

75 Ms Bagshaw concludes (paragraphs 108 and 109):

'From my extensive involvement in providing youth services in Christchurch for many years now, it has become pertinently clear that there is a need for the Youth Hub in Christchurch. I am confident that the Youth Hub as proposed and set out in the Application and all of the services within it can be managed effectively and with far less impact on neighbouring properties as is suggested in the submissions.'

I believe the residential zoning and location of the Site is essential to the success of the provision of these services and in particular the supported housing aspect of the Youth Hub.'

76 I accept and rely upon Ms Bagshaw's expertise and opinion and therefore consider that significant positive effects will arise from the proposal.

Conclusion

77 In conclusion, I consider that the potential adverse effects of the proposal can be adequately avoided or mitigated such that they will be acceptable. Whilst the proposal will provide for a new and different non-residential activity on the Site than has existed historically, residential activity will also be introduced where none exists currently. I consider that significant positive effects will arise from the provision of an integrated youth living and support facility, and that the proposed Site is both appropriate from an environmental effects point of view, and beneficial for the future residents of the site.

78 I have drafted a fuller set of conditions in response to those suggested in the Officer's Report, and the recommendations of the various experts involved in this project. I set those out below.

**PART 3: OBJECTIVES AND POLICIES OF THE DISTRICT PLAN
(S104(1)(B))**

- 79 Relevant objectives and policies are contained in chapters 3, 6, 7, 8 and 14 of the District Plan. The relevant objectives and policies of these chapters are addressed in the AEE and I refer the Commissioner to that assessment.
- 80 In regard the transport objectives and policies (Chapter 7), I additionally concur with the Officer's Report that the effects on transport are acceptable. Relying on Mr Fuller's assessment and that of Mr Milne, I consider the proposal is consistent with the objectives and policies of the Transport chapter.
- 81 In regards to noise (Chapter 6), the Officer's Report seeks additional assurance around the management of the Site to ensure that the café and office environment operate quietly and are compatible with the residential environment (paragraph 61). Mr Smith has stated in his evidence that he considers the noise effects of the proposal will be acceptable and I rely on his evidence. I have outlined in paragraph 50 above the mitigation measures that are volunteered to ensure that potential nuisance noise effects from the café are minimised.
- 82 In regard to the office use (including health care centre and counselling/service facilities), I consider the potential for nuisance noise to arise from those uses is low, with staff located inside the building the large majority of the time and activity generally being of a quiet nature. Potential sources of noise from the office activity primarily include staff and visitors arriving and departing from the site, at which point conversations are likely to be the main source of noise, not unlike a typical residential environment.
- 83 For events held on the site, the activity will be subject to an Events Management Plan and Operational Travel Management Plan, which will direct how vehicles and persons are to be managed and behave while on the site, and arriving and leaving, to ensure nuisance noise is minimised or avoided.
- 84 Overall, I consider the proposal to be generally consistent with the objectives and policies pertaining to noise in Chapter 6 of the District Plan.
- 85 My principle focus for this assessment is on the critical objectives and policies that are contained in Chapter 14 (Residential), in particular those pertaining to residential amenity, and non-residential activities.
- 86 Regarding Objective 14.2.1 and increasing housing supply, I concur with the Planning Officer that the Proposal will increase supply

(currently and formerly the Site contains none) and provide for a diverse need, and the proposal is therefore consistent with this objective.

- 87 Policy 14.2.1.1 pertains to housing distribution and density. I acknowledge that the Proposal will not achieve the average density of 50 households per hectare that the District Plan seeks, as the sheltered housing does not meet the definition of a 'residential unit.' The Proposal provides for 41 bedrooms in total on the Site, which in my opinion could realistically be configured in a mixture of one and two bedroom units to achieve a compliant density. For example 18 x two bedroom units and 5 x one bedroom units, comprising 41 bedrooms, would provide 23 residential units, achieving the density sought by the District Plan on this site. I agree with the Planning Officer that although the proposal technically does not achieve the required density, it will provide for a rare type of housing (sheltered housing specifically for youth) to meet a particular housing need, consistent with the residential outcomes sought in Policy 14.2.1.1 and 14.2.1.3. The scale of non-residential activity exceeds that anticipated for this location, however it is considered that the potential adverse effects on the character and amenity of the surrounding area are able to be mitigated through site and building design and on-site management. The redevelopment of the Site is being undertaken in a comprehensive manner. I therefore consider the proposal is not contrary to policy 14.2.1.1, and consistent with policy 14.2.1.3.
- 88 I concur with the Planning Officer's assessment of Policy 14.2.1.7 (non-household residential accommodation), although I note the policy seeks development to be compatible with the *anticipated* character of any surrounding residential environment, not the current character. The District Plan anticipates the Central City Residential Zone will have buildings up to 14m (four storeys) in height (subject to achieving recession planes, boundary setbacks etc.) and the proposed development is therefore entirely consistent with, and to an extent smaller than, the anticipated character of the surrounding residential environment. I agree with the Planning Officer that it is not a significant departure from the existing surrounding environment. I therefore consider the proposal is consistent with this policy.
- 89 Regarding objective 14.2.4 and policy 14.2.4.1 (high quality residential environments), for the reasons set out in the AEE, I consider the Proposal is consistent with these provisions.
- 90 Regarding policies 14.2.4.2 and 14.2.4.4, the Planning Officer considers these are not relevant as they relate to medium density residential development, whereas high density is sought in the Central City which is covered by policy 14.2.1.1 (paragraph 57). On further reflection, I agree with the Planning Officer.

- 91 Regarding Objective 14.2.8 and supporting policies 14.2.8.1 and 14.2.8.2, I agree with the Planning Officer's assessment and reiterate the assessment provided in the AEE.
- 92 Turning to the objectives and policies pertaining to non-residential activities, Objective 14.2.6 seeks to ensure that residential activities remain the dominant activity in residential zones, whilst also recognising the need for community facilities to locate in residential zones and to restrict other non-residential activities unless the activity has a strategic or operational need to locate within a residential zone. The Environment Court³ has confirmed that the latter part of this objective relating to strategic or operational need should not apply to the Central City, as a central city specific policy 14.2.6.8 addresses non-residential activity. Regarding the remainder of the objective, and as stated in the AEE, the Proposal will result in no loss of residential activity as the site has to date been utilised for non-residential activity only. Rather, the Site will introduce new residential activity for at least 41 persons. I acknowledge that residential activity will be co-located with a community facility and non-residential activity.
- 93 For the reasons discussed above, and in Ms Bagshaw's evidence, the co-location with the various community facility and non-residential activity is considered important for the provision of an integrated facility with wrap-around services. The café proposal is valued by the applicant as a means of providing training and first job opportunities. However, I acknowledge the Planning Officer's concerns that the café may be partly inconsistent with this objective. Nevertheless, on the whole, I consider the Proposal is mostly consistent with the objective, and not contrary to it.
- 94 Regarding Policy 14.2.6.1 (residential coherence, character and amenity), I consider that residential coherence on the Site will be improved through the introduction of residential activity where none currently or formerly existed. On the basis of the expert evidence provided on behalf of the applicant, and consistent with the Officer's Report, the proposed non-residential activity will not have 'significant' adverse effects on residential coherence, character or amenity, and the Proposal is therefore consistent with this policy. I concur with the Officer's Report in this regard.
- 95 Regarding policy 14.2.6.2 (community activities and community facilities), the Planning Officer comments that the community health activities are not exclusively for the benefit of the local community. This is correct, but I note that the policy does not stipulate that community facilities must be directed only towards meeting local needs, and encourages co-location of facilities which this Proposal is very supportive of. The Proposal is a larger scale community

³ *Fright v Christchurch City Council* [2018] NZEnvC 111.

facility, but is not located within a defined arterial location. The Site is however chosen for its central location, good public transport access, walkable distance to city centre and absence of residential activity on site currently. Clause (b) does not *discourage* larger scale community facilities in other locations and thus the proposal is consistent with this policy. I agree with the Planning Officer that the use of the proposed services by people outside of the immediate area does not undermine the case that the services are to meet the needs of the young people who would reside on the application Site and be part of the local community.

- 96 With regard to policy 14.2.6.3 (existing non-residential activities), I refer the Commissioner to the assessment of that policy in the AEE (page 34), which the Planning Officer has also adopted. That assessment concludes that the proposal is neutral to this policy.
- 97 Policy 14.2.6.5 relates to retailing in residential zones and I refer the Commissioner to the assessment in the AEE (page 35), which acknowledges that the café aspect of the proposal is inconsistent with this policy, though I note that the café will generally be ancillary to the wider Youth Hub and will have insignificant effects.
- 98 Policy 14.2.6.8 addresses non-residential activities in Central City residential areas. I reiterate the analysis of this policy in the AEE (page 35), as follows:

'The proposed community facility (inclusive of café) cannot be said to be of a small scale, but inclusive of the residential activities proposed in the west and east wings, it is considered to be compatible with residential activities.

In regard to clause a(ii), the proposal cannot be said to focus on meeting the needs of the local residential community alone, as the Youth Hub will cater for youth in the wider city. The proposal does however depend on the high level of amenity inherent in the Residential Central City Zone, for the reasons set out above [and in Ms Bagshaw's evidence] relating to the need for a central residential location for the development. It is noted the proposal need only achieve one of the two parts of clause a(ii), as the clause requires a local residential need or dependence on the high level of amenity inherent in the zone.

Regarding clause a(iii), the community facility will not compromise the role of the Residential Central City Zone, noting the substantial residential activity that will be introduced to a site that currently has no residential activity. The role of the Central City Business Zone will not be compromised as the activity, whilst inclusive of non-residential activity, is not commercial in nature (Objective 15.2.6 states the role of the Commercial Central City Business Zone is to be the principal commercial centre for

Christchurch District). Potential adverse effects relating to the community facility and ancillary café are able to be avoided or mitigated through location centrally within the site and towards the Salisbury Street frontage, design and management practices, further ensuring that the role of the zone as a primarily residential area is not compromised. For the same reasons, the proposal is able to protect residential amenity, as sought in clause a(v).

Clause a(iv) is not relevant to this application.

Overall, given the large scale of the community facility, the proposal is partially inconsistent with this policy. The proposal is consistent with the policy where it seeks to protect residential amenity and not compromise the role of the zone. In summary, and noting the Commissioner's conclusions set out in RMA/2018/1336 that:

- the policy seeks multiple outcomes, not all of which are applicable to all non-residential activities; and

- the policy is not intended to require all sub-clauses to be fully satisfied;

the proposal is considered to be partially inconsistent with but not contrary to this policy.'

- 99 I accept the Planning Officer's opinion that some residents, primarily being those at 103 Salisbury Street, may experience some adverse effects on their amenity from the non-residential activities, however I do not consider the adverse effects will be significant. On balance, I reiterate that the proposal will be not contrary to this policy.
- 100 In summary, although the non-residential aspects of the proposal have some tension with provisions such as Policy 14.2.6.8(a)(i) that seek to limit the scale of non-residential activities in Central City residential areas, the proposal is in other respects consistent with or supportive of policies including those enabling community facilities in residential areas, seeking to increase housing supply and meeting diverse needs in the community including sheltered accommodation. The District Plan seeks to maintain the dominance of residential activity and the provision for residential activity on the Site will ensure the objective for non-residential activities is not compromised. Residential coherence will be improved, and residential character and amenity will not be significantly adversely affected.
- 101 Although the proposed facility is not small in scale, it is considered to be appropriate, and compatible with the surrounding residential activity, given: the scale of the site; the large amounts of landscaping and outdoor living proposed; and the sleeving

residential activity proposed on the north east and north west boundaries, with most non-residential activity concentrated centrally or towards the Salisbury Street boundary where character and amenity is less dominantly residential⁴.

- 102 Therefore, for the reasons set out above and otherwise having regard to the assessment of effects and the existing/consented environment, the Proposal is concluded to be not contrary to the relevant provisions of the Plan.

**PART 4: OTHER RELEVANT PLANNING INSTRUMENTS
(S104(1)(B))**

- 103 Other relevant planning instruments include the Canterbury Regional Policy Statement (2013) (CRPS) and the NPS-UD.
- 104 As referenced in the application document, the CRPS is considered to be of limited relevance to this application, given the proposal is for an urban development in an urban zone and does not entail any matters of regional significance or issues that are specifically addressed in the CRPS. To the extent the CRPS is relevant, the proposal is considered to be consistent with it.
- 105 The NPS-UD came into effect on 20 August 2020. It applies to Christchurch City, as a tier 1 local authority, and to the planning decisions made by Christchurch City Council that affect the urban environment. Section 104(1) directs that the consent authority must, subject to Part 2, have regard to the relevant provisions of a national policy statement. Broadly, the objectives and policies seek a well-functioning urban environment, housing affordability, recognition of developing and changing urban environments, integrated and well informed decision making, and resilient urban environments in terms of climate change. I comment on some of the more directly pertinent provisions as follows:
- 106 Objective 1 seeks *'well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future'*. In my view, the Proposal is consistent with this objective in so far as it will provide a needed, and currently lacking, integrated living and support facility for Christchurch youth, whilst ensuring that the wellbeing and health and safety of the surrounding residents is maintained.
- 107 Objective 3 seeks that district plans *'enable more people to live in, and more businesses and community services to be located in, areas of an urban environment in which one or more of the following apply: (a) the area is in or near a centre zone or other area with*

⁴ Refer paragraphs 19, 20, and 38 of Ms Wilkins' evidence.

many employment opportunities (b) the area is well-served by existing or planned public transport (c) there is high demand for housing or for business land in the area, relative to other areas within the urban environment.' I consider the Proposal to be consistent with this objective, in that it will enable both more people to live in, and more community services to be located in, the Central City. The Site is also well serviced by existing public transport. I understand there is a high demand for housing land in this area, though it is beyond my area of expertise to confirm this.

- 108 Objective 4 states that *'New Zealand's urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities, and future generations'*. This objective is particularly pertinent to the Proposal, insofar as it will result in some change to the amenity values of the immediate neighbourhood due a change from a bowling club (recreation) activity to a different type of community and non-residential activity. The Proposal however is being pursued in direct response to an identified need within the community for an integrated youth housing and support facility.
- 109 Policy 1 seeks *'Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum: (a) have or enable a variety of homes that: (i) meet the needs, in terms of type, price, and location, of different households; and (ii) enable Māori to express their cultural traditions and norms; and (b) have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and (c) have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and (d) support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and (e) support reductions in greenhouse gas emissions; and (f) are resilient to the likely current and future effects of climate change.'*
- 110 The proposed development will enable:
- a housing type that meets the needs of an identified sector of the population whose needs are not adequately met at present;
 - includes some expression of cultural traditions and norms in the design and architecture of the development;
 - is located on a site that is well placed for good accessibility; and

- is not subject to identified inundation hazard and to that extent is protected from the likely future effects of climate change.

111 The Proposal is therefore consistent with Policy 1.

112 Policy 3 relates to tier 1 urban environments, of which Christchurch is one. The policy requires district plans to enable building heights and density of urban form to realise as much development capacity as possible in city centre zones, and building heights and density of urban form to reflect demand for housing and business use in those locations, and in all cases enable building heights of at least 6 storeys in metropolitan centre zones. Provision for building heights of at least 6 storeys within at least a walkable catchment are required on the edge of city centre and metropolitan centre zones. Whether Christchurch centre is a city centre or metropolitan centre, in either case it is clear that a higher scale of building is anticipated than is currently permitted on the Site. The scale of building proposed for Youth Hub is therefore entirely consistent with, and in fact lower than, what is anticipated under this policy.

113 Policy 6 states that:

'When making planning decisions that affect urban environments, decision-makers have particular regard to the following matters:

- (a) *the planned urban built form anticipated by those RMA planning documents that have given effect to this National Policy Statement*
- (b) *that the planned urban built form in those RMA planning documents may involve significant changes to an area, and those changes:*
 - (i) *may detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types; and*
 - (ii) *are not, of themselves, an adverse effect*
- (c) *the benefits of urban development that are consistent with well-functioning urban environments (as described in Policy 1)*
- (d) *any relevant contribution that will be made to meeting the requirements of this National Policy Statement to provide or realise development capacity*

(e) *the likely current and future effects of climate change*’.

- 114 In respect of (a), I do not consider the Christchurch District Plan fully gives effect to this NPS, as in my opinion the current constraints on building scale and development in the Residential Central City zone are not entirely consistent with the outcomes sought in the NPS-UD. Clause (b) is particularly pertinent to this Proposal, where a development is proposed that will, to a limited extent, detract from amenity values appreciated by people but which will improve the amenity values appreciated by future residents of the Youth Hub and the wider community that will benefit from youth in supported living arrangements. Applying clause (b)(ii), those significant changes in built form cannot be considered an adverse effect.
- 115 Finally, Policy 11 specifies that the district plans of tier 1 territorial authorities do not set minimum car parking rate requirements, other than for accessible car parks. There is no minimum car parking requirement in the District Plan for the application Site. Clause (b) of Policy 11 strongly encourages authorities to manage effects associated with the supply and demand of car parking through comprehensive parking management plans. To the extent that this clause is currently relevant, Mr Milne and Mr Fuller have confirmed that the effects of the parking proposal are acceptable.
- 116 Part 3 of the NPS-UD addresses how authorities are to implement the NPS-UD, including the requirement by territorial authorities to identify sufficient development capacity for housing and business land. At this early stage of the NPS-UD implementation, it is difficult to anticipate the extent to which changes to the Christchurch District Plan may be made in response to the NPS-UD, beyond removing any remaining car parking requirements and possibly relaxing height restrictions in some of the peripheral central city areas. It is my opinion however, that the proposed development is wholly consistent with the objectives and policies of the NPS-UD.

PART 5: SECTION 104(C) MATTERS

- 117 The Officer’s Report provides commentary in regard recovery plans and regeneration plans, and plan precedent and integrity. I generally concur with those statements, including that the Proposal is not contrary to the objectives and policies of the District Plan and the issue of plan precedent and integrity should not therefore arise.

PART 6: SECTION 104D

- 118 The Officer’s Report sets out the two arms of the Section 104D test in paragraphs 68-71 of the report. In my view, the Application achieves both tests, as I do not consider the adverse effects of the

proposal to be more than minor, and the Proposal is not contrary to the objectives and policies of the District Plan. I note that while the Planning Officer considers the adverse effects of the proposal will be more than minor, she does agree that the Application is not contrary to the objectives and policies of the District Plan, and we are therefore both in agreement that consent may be granted under Section 104D.

PART 7: RESPONSE TO ISSUES RAISED BY SUBMITTERS

119 Submitters have raised a range of issues, most of which I have covered in my assessment above. For completeness, I additionally comment as follows:

119.1 *the applicant should provide signage detail.* The Application has not sought resource consent for proposed signage, instead undertaking to comply with the District Plan standards, or otherwise seek resource consent separately. At this stage, the applicant has advised me that only minimal signage will be implemented, consistent with the residential location, and it is for this reason that I consider the absence of signage detail is acceptable for this project. For reference, permitted signage on the site includes⁵:

- A. any sign that is not visible from the road or surrounding residential zone;
- B. a 3D building identification sign comprising up to 30 letters and/or symbols up to 200mm in height per building frontage;
- C. 1 x 0.5m² sign attached to a building, per building at a maximum height above ground level of 4m or façade height (whichever is lower); and
- D. 1 free standing sign a maximum of 0.2m² in area and a maximum height of 4m above ground.

119.2 *Fencing* – a number of submitters have referenced the proposed 2m acoustic fence as being non-compliant, suggesting that it is required to be 1.5m in height. Rule 14.6.2.5 of the District Plan specifies that fencing or walls must be *at least* 1.5m in height where it is screening a parking area. The exception to this is that other than for screening of any required service space or outdoor living space, fences and other screening structures must not exceed 1m in height where they are located within 2m of the road boundary. A non-compliance is sought with this latter aspect

⁵ Noting that no illumination of signage is permitted.

of the rule at the road boundaries of the site, but the proposed 2m fencing is otherwise compliant. In my experience, 1.8-2m high fencing around both residential and non-residential sites is very common and in fact the norm, and the Proposal to establish a 2m fencing around the internal boundaries of the Youth Hub is not at all unusual. Mr Smith states in his evidence that acoustic fencing is common in a range of situations and in my experience that is correct.

- 119.3 *Potential for construction damage to occur on neighbouring properties* – as I have stated above, the applicant volunteers to undertake pre-construction damage assessments at immediately adjoining properties, but that at this stage it is not anticipated that potentially damaging foundation work is likely to occur.
- 119.4 *Security for neighbours* – this has largely been addressed in Ms Bagshaw’s evidence. In summary, the site will have a considerably greater level of security than is the case for more typical residential activity. At all times of the day and night, staff will be present to assist with behavioural management and guide residents. Regardless, those residing at the Youth Hub will not be detainees or in custodial care.
- 119.5 *Effects on property values* – as noted above and confirmed in the Officer’s Report, this is not a valid resource management effect for consideration under the Resource Management Act. The amount of rates being paid by adjoining properties is similarly not relevant.
- 119.6 *Privacy* – addressed above, reductions in glazing and/or introduction of translucent glazing to further minimise the potential for loss of privacy. I note again however, in high density residential zones some degree of overlooking is to be expected between residential dwellings or apartments. Overlooking potential from the first and second floor green house and office activities has however been minimised.
- 119.7 *Basketball court not needed* – Mr Just has addressed this in his evidence (paragraph 36), stating that outdoor recreation and activity space was a common theme in early design workshops with young people, with basketball being a popular activity. I also note that basketball hoops on residential properties are commonplace and permitted in residential environments.
- 119.8 *Precedent* – as noted above, it is considered that the Proposal will not set a precedent for future non-residential proposals in the Central City Residential Zone. Any future proposals would need to be assessed on their own merit, are very unlikely to

be directly comparable to the Youth Hub proposal (which in itself has no comparable facility in Christchurch) and, if located near the current site, would need to be assessed for cumulative adverse effects.

119.9 *Other sites more appropriate* – the RMA does not require consideration of alternative sites unless adverse effects are significant, which is not the case on this site. Nevertheless, Ms Bagshaw has outlined some of the process that the Trust has gone through in selecting this site. The RMA also does not require the “best” site to be chosen, only that the proposed site is suitable and acceptable. For these reasons, consideration of alternative sites is not required.

119.10 *Who can stay at youth hub* – some submitters have requested detail as to how residents will be selected to live at the Youth Hub. In my opinion the criteria and process for selecting Youth Hub residents is not relevant to this resource consent. Sheltered housing and residential apartments are both permitted and therefore anticipated activities in the Residential Central City Zone. Nevertheless, for the purposes of information for the Commissioner and submitters, Ms Bagshaw has provided commentary on this issue in her evidence.

PART 8: CONDITIONS

120 The Officer’s Report recommends conditions to be imposed on the Application should it be granted. I generally concur with those conditions, but recommend some amendments for clarity and certainty, as set out in **Appendix 4**. I also include some additional conditions to ensure consistency with the recommendations of Mr Smith and Mr Fuller.

PART 9: RESPONSE TO OFFICER’S REPORT

121 I have commented on various aspects of the Officer’s Report in my evidence above, where relevant. This includes a summary of changes that have been made in response to recommendations in the Officer’s Report, clarification of the age of residents and areas of assessment where I either agree or disagree with the Officer.

PART 10: PART II OF THE RMA

122 An assessment of the Proposal against Part II of the Resource Management Act is set out on page 40 of the AEE and I adopt that assessment here. I also concur with the Officer’s Report, where it states that the District Plan is considered to be the mechanism by which the purpose and principles of the RMA are given effect to in the Christchurch District and that it was competently prepared via

an independent hearing and decision-making process in a manner that appropriately reflects the provisions of Part 2.

PART 11: CONCLUSIONS

- 123 Overall, I consider that the Proposal is not contrary to the relevant objectives and policies of the Christchurch District Plan, and that it will have actual or potential effects on the environment that are acceptable, and at the most, not more than minor. Where adverse effects are likely to arise, I consider that they must be considered in the context of the significant positive effects that are anticipated to arise from the proposal.
- 124 The Proposal is consistent with the purpose and principles of the RMA in that it enables people to provide for their economic and social well-being, while maintaining and enhancing the quality and amenity of the local environment and avoiding significant adverse effects.
- 125 I therefore consider that consent can and ought to be granted in accordance with sections 104, 104B and 104D of the Act, subject to the conditions recommended above.

Dated: 8 September 2020

Kim Marie Seaton

APPENDIX 1: REVISED PLAN SET



Resource Consent Application **Rev. 3** CH-36

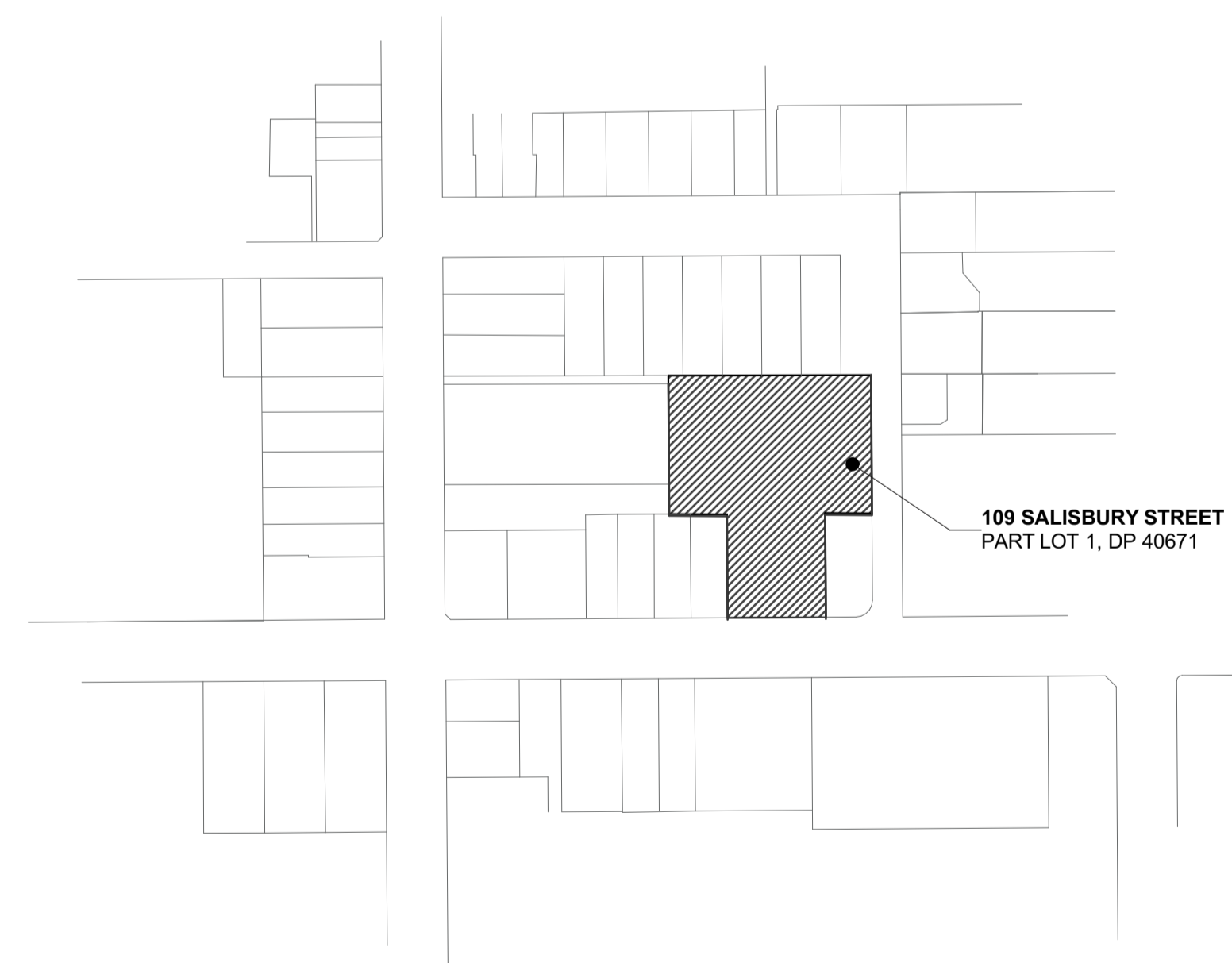
Te Hurihanga Ō Rangatahi The Youth Hub

109 Salisbury Street Christchurch New Zealand

Layout ID	Layout Name	Published	Issued Date	Current Revision ID	Issue Name
A000	Cover Sheet	<input checked="" type="checkbox"/>	4/09/2020 1:54 PM	03	RC Rev 03
A001	Indicative 3D Images	<input checked="" type="checkbox"/>	22/05/2020 5:21 PM	02	RF11
A002	Indicative 3D Images	<input checked="" type="checkbox"/>	24/02/2020 9:57 AM	01	Resource Consent
A101	Proposed Site plan	<input checked="" type="checkbox"/>	22/05/2020 5:21 PM	02	RF11
A200	Ground Floor Plan	<input checked="" type="checkbox"/>	4/09/2020 1:54 PM	03	RC Rev 03
A201	First Floor Plan	<input checked="" type="checkbox"/>	4/09/2020 1:54 PM	03	RC Rev 03
A202	Second Floor Plan	<input checked="" type="checkbox"/>	4/09/2020 1:54 PM	03	RC Rev 03
A203	Roof Plan	<input checked="" type="checkbox"/>	22/05/2020 5:21 PM	02	RF11
A300	Elevations	<input checked="" type="checkbox"/>	4/09/2020 1:54 PM	03	RC Rev 03
A301	Elevations	<input checked="" type="checkbox"/>	4/09/2020 1:54 PM	03	RC Rev 03
A900	Project Zones	<input checked="" type="checkbox"/>	22/05/2020 5:21 PM	02	RF11
A901	GFA - Ground Floor	<input checked="" type="checkbox"/>	24/02/2020 9:57 AM	01	Resource Consent
A902	GFA - First Floor	<input checked="" type="checkbox"/>	24/02/2020 9:57 AM	01	Resource Consent
A903	GFA - Second Floor	<input checked="" type="checkbox"/>	22/05/2020 5:21 PM	02	RF11
A904	Public Area - Ground Floor	<input checked="" type="checkbox"/>	24/02/2020 9:57 AM	01	Resource Consent
A905	Public Area - First Floor	<input checked="" type="checkbox"/>	24/02/2020 9:57 AM	01	Resource Consent
A906	Public Area - Second Floor	<input checked="" type="checkbox"/>	24/02/2020 9:57 AM	01	Resource Consent

Distribution	
Client	<input checked="" type="checkbox"/>
Local Authorities	<input checked="" type="checkbox"/>
Structural Engineer	
Landscape Architect	
Planner	<input checked="" type="checkbox"/>
Urban Designer	
Traffic Engineer	
Acoustic Engineer	

Distribution Format		
Electronic	PDF	<input checked="" type="checkbox"/>
	ArchiCAD	
Physical	Paper	



1. Site Location Plan 1:2000

RevID	CHID	Change Name	Date
01			24/02/2020
02	CH-23	Cover sheet updated	22/05/2020
03	CH-36	Cover sheet updated	4/09/2020

NOT FOR CONSTRUCTION

Do not scale.
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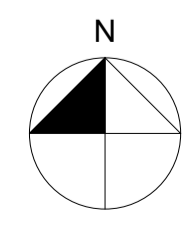
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Client
The Youth Hub Trust

Project
Te Hurihanga Ō Rangatahi - The Youth Hub
109 Salisbury Street Christchurch New Zealand

Title
Cover Sheet

Scale	1:2000 @ A1	
Drawn	IN/JK	
Checked	AK/AJ	
Project no.	Drawing no.	Rev.
18-008	A000	03





View of Salisbury Street entrance



View of Gracefield Ave. entrance

RevID	CHD	Change Name	Date
01			24/02/2020
02	CH-28	Image updated	23/05/2020

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Indicative 3D Images

Scale
@ A1

Drawn
IN/JK

Checked
AK/AJ

Project no.	Drawing no.	Rev.
18-008	A001	02



Over view of site from south east



Over view of site from north west

RevID	CHD	Change Name	Date
01			24/02/2020

NOT FOR CONSTRUCTION

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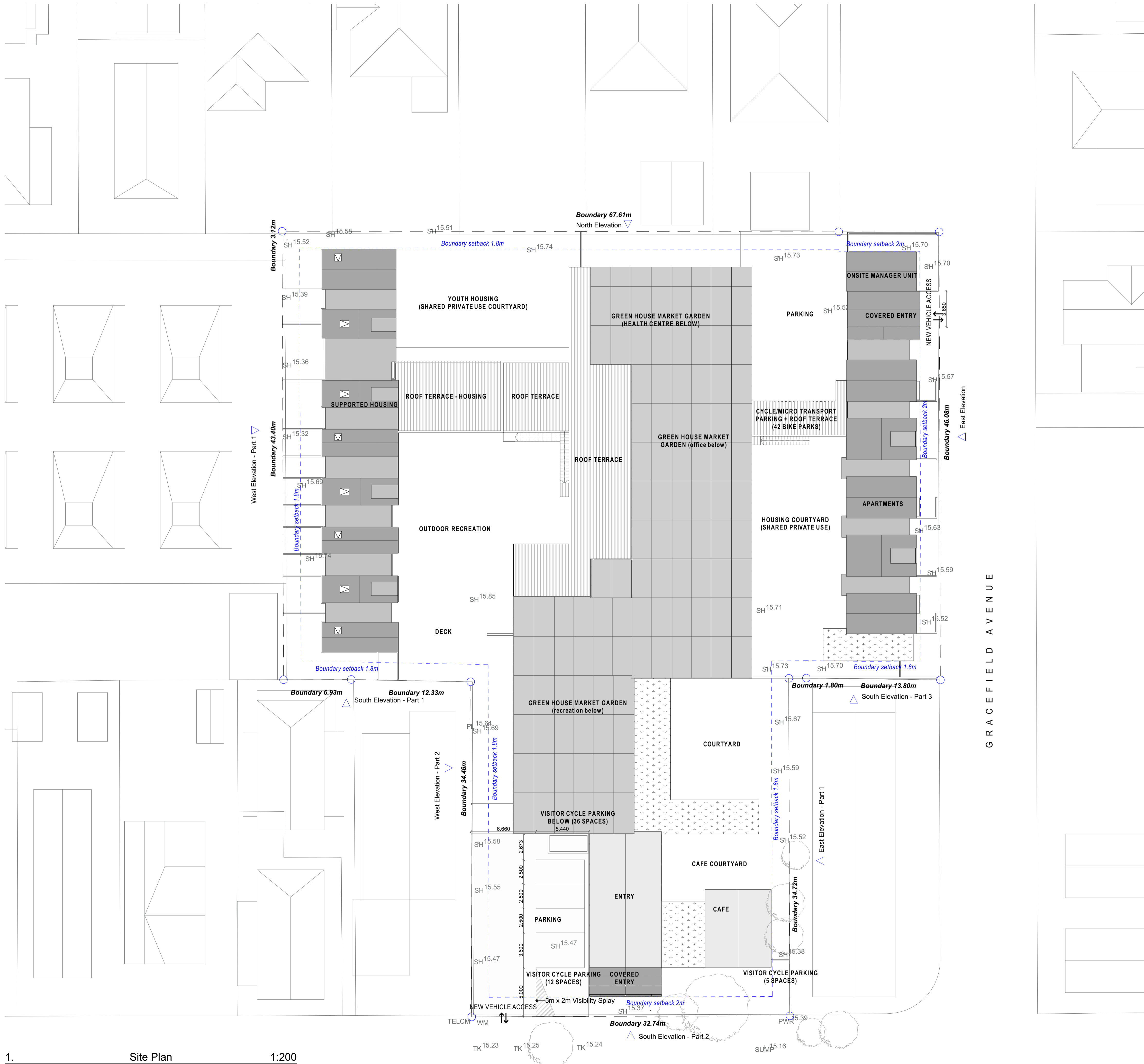

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 109 Salisbury Street Christchurch New Zealand

Indicative 3D Images

Scale
 @ A1
 Drawn
 IN/JK
 Checked
 AK/AJ

Project no.	Drawing no.	Rev.
18-008	A002	01



BUILDING FLOOR AREAS

Residential Units	5 units: 4 x 3 bedroom unit 1 x 4 bedroom unit (includes 1 x accessible bedroom)
Gross floor area	503.55m ²
On site managers unit	42.75m ²
Residential Activity (Youth hub housing):	22 housing units 2 supervisor units
Gross floor area	462.31m ²
Food and Beverage (cafe)	68.32m ² Public area 48.95m ² Outdoor Courtyard 69.92m ²
Entertainment / Event space	741.24m ² Public area 737.04m ²
Health Care / Counselling	213.67m ² Public Area 195.41m ²
Support Services	419.33m ²
Basketball Court	132.92m ²
Farm	779.04m ² Public floor area 190.66m ²

SITE PLAN LEGEND

- Boundary
- Proposed Tree (Refer to landscape architects documents to planting details)
- Vehicle Access
- Surveyed levels
- Greenhouse (glass) roofs
- Walk-on terrace with membrane below
- Possible green roof with membrane below
- Long-run steel roofing (Kowhai Glow)
- Membrane roof

SITE INFORMATION

Site Description:	Pt Lot 1 DP 40671
CCC Zone:	Residential Central City
Site Area:	4250m ²
Building Footprint:	2236.5m ²
Site Coverage:	52.62%

BUILDING AREA SITE COVERAGE

Building Footprint:	2236.5m ²	52.62%
Parking:	389.35m ²	9.16%

Refer to Landscape Architects documents to Hardscaping and Landscaping coverage information

CYCLE PARKING

Covered Visitor	36 spaces
Uncovered Visitor	17 spaces
Staff	42 spaces

SURVEY INFORMATION:

Budget Setouts LTD
28-06-19
Heights in terms of Chch Drainage Datum

RevID	CHD	Change Name	Date
01			24/02/2020
02	CH-01	Rearrangement to single 1200mm clear pedestrian/cycle way, vehicle entrance moved north accordingly and covered entrance roof arrangement adjusted.	22/05/2020

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109 Salisbury Street Christchurch New Zealand

Proposed Site plan

Scale	1:200 @ A1
Drawn	IN/JK
Checked	AK/AJ
Project no.	18-008
Drawing no.	A101
Rev.	02
Project no.	18-008
Drawing no.	A101
Rev.	02



FLOOR PLAN LEGEND

- Boundary
- Setback Line
- Roof Above/Below
- Void

SPACE DESIGNATIONS

- AW** Accessible toilet
- AWS** Accessible toilet with shower
- AU** Accessible single sleeping unit with ensuite
- B** Bed room
- BS** Bin store
- BT** Bathroom
- CT** Consult room
- CU** On-site manager unit
- D** Dining
- GW** Green waste composting
- K** Kitchen
- KT** Kitchenette
- L** Living
- LA** Laundry facilities
- LT** Lift
- M** Meeting
- O** Office/Breakout
- PC** Private courtyard
- R3U** Residential 3 bedroom unit
- R4U** Residential 4 bedroom unit
- S** Storage
- ST** Study
- SU** Supervisor sleeping unit
- U** Single sleeping unit with ensuite
- W** Unisex toilet

RevID	CHID	Change Name	Date
CH-01		Rearrangement to single 1200mm clear pedestrian/cycle way, vehicle entrance moved north accordingly and covered entrance roof arrangement adjusted.	
CH-02		Glazing added	
CH-03		Doors added	
CH-07		Glazing adjusted	
CH-12		Glazing moved	
CH-17		Wall moved south	22/05/2020
CH-18		Interior layout adjusted	
CH-19		Bin store added	
CH-24		Dimension added	
CH-25		Shown for clarity	
CH-26		Door arrangement changed	
CH-30		Door moved south and bike parking altered	4/09/2020
CH-35		Green waste composting added	

NOT FOR CONSTRUCTION

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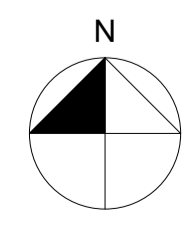
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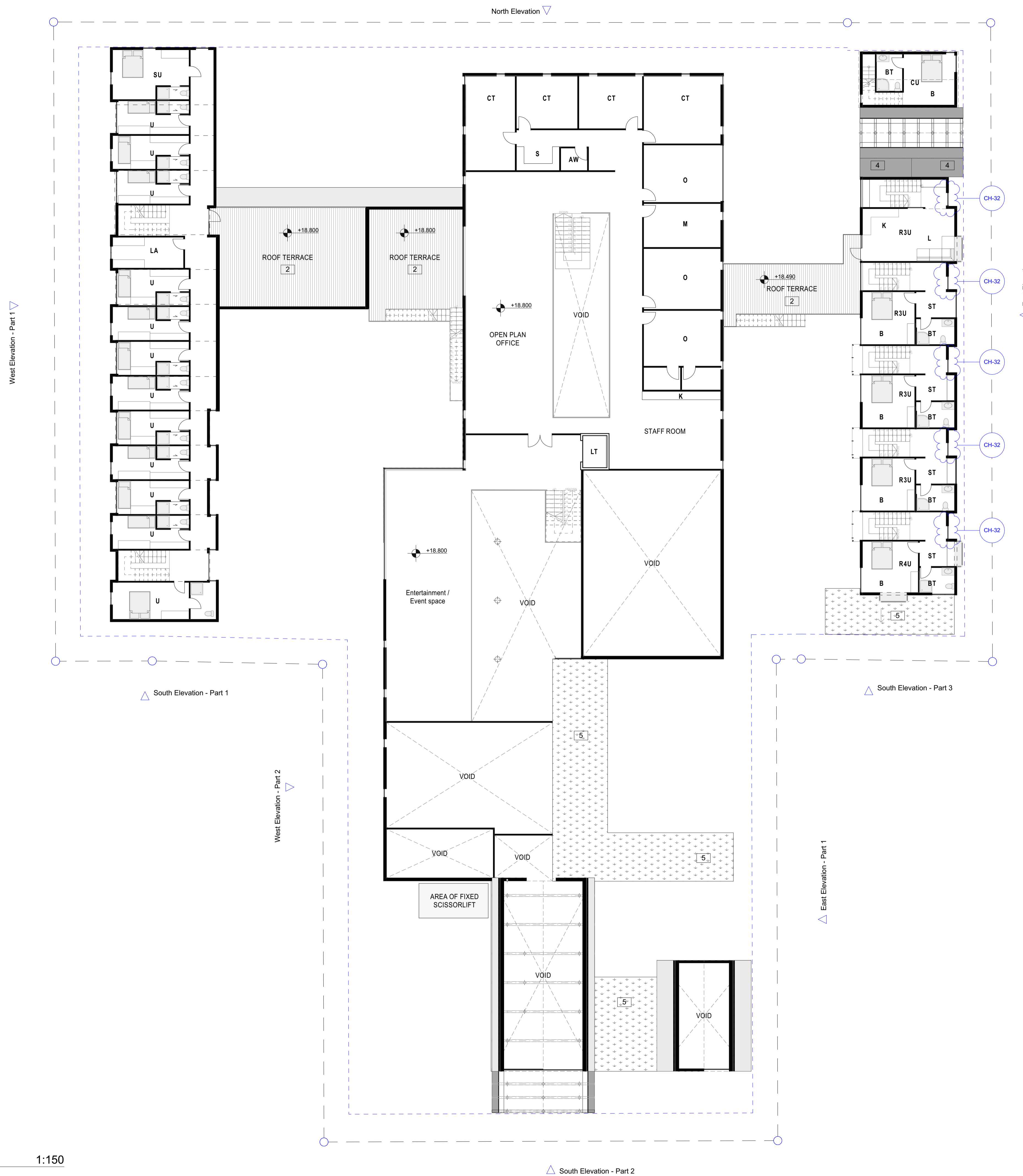
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 Project
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Ground Floor Plan

Scale
1:150 @ A1
 Drawn
 IN/JK
 Checked
 AK/AJ

Project no.	Drawing no.	Rev.
18-008	A200	03





ROOF PLAN LEGEND

- Roof Pitch
- 1 Greenhouse (glass) roofs
- 2 Walk-on terrace with membrane below
- 3a Long-run steel roofing (Kowhai Glow)
- 3b Long-run steel roofing (galvanised)
- 4 Membrane roof
- 5 Possible green roof with membrane below
- 6 Translucent profiled roofing
- 7 Timber Decking

FLOOR PLAN LEGEND

- Boundary
- Setback Line
- Roof Above/Below
- Void

SPACE DESIGNATIONS

- AW Accessible toilet
- AWS Accessible toilet with shower
- AU Accessible single sleeping unit with ensuite
- B Bed room
- BS Bin store
- BT Bathroom
- CT Consult room
- CU On-site manager unit
- D Dining
- GW Green waste composting
- K Kitchen
- KT Kitchenette
- L Living
- LA Laundry facilities
- LT Lift
- M Meeting
- O Office/Breakout
- PC Private courtyard
- R3U Residential 3 bedroom unit
- R4U Residential 4 bedroom unit
- S Storage
- ST Study
- SU Supervisor sleeping unit
- U Single sleeping unit with ensuite
- W Unisex toilet

RevID	CHID	Change Name	Date
01			24/02/2020
	CH-01	Rearrangement to single 1200mm clear pedestrian/cycle way, vehicle entrance moved north accordingly and covered entrance roof arrangement adjusted.	
	CH-02	Glazing added	
	CH-03	Window visibility updated for clarity	
02			22/05/2020
	CH-16	Wall moved north	
	CH-18	Interior layout adjusted	
	CH-19	Bin store added	
	CH-27	New bay window	
03			4/09/2020
	CH-32	Glazing reduced	
	CH-35	Green waste composting added	

NOT FOR CONSTRUCTION

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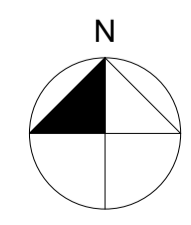
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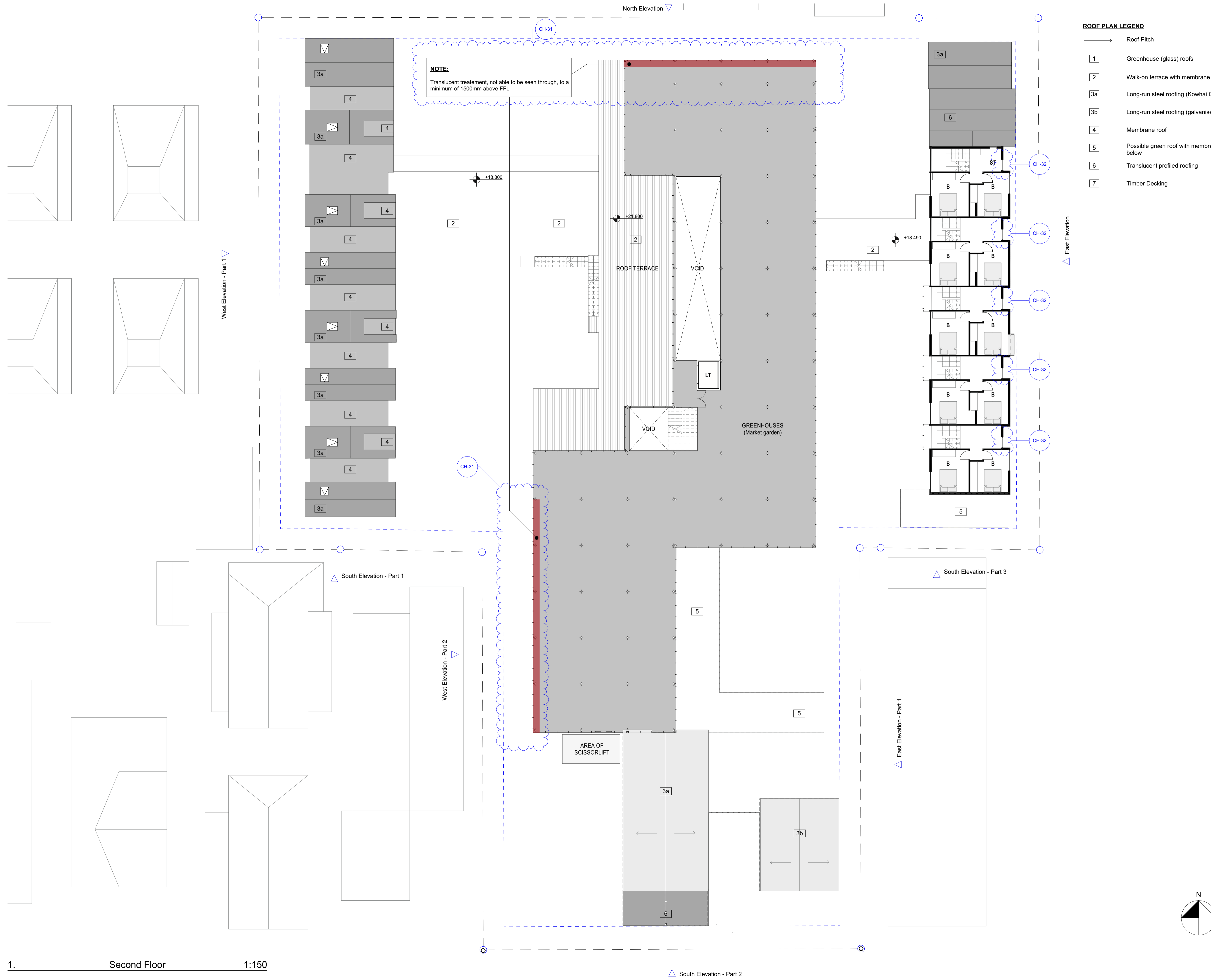
Client
The Youth Hub Trust
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Title
First Floor Plan

Scale
1:150 @ A1
 Drawn
 IN/JK
 Checked
 AK/AJ

Project no.	Drawing no.	Rev.
18-008	A201	03





ROOF PLAN LEGEND

- Roof Pitch
- 1 Greenhouse (glass) roofs
- 2 Walk-on terrace with membrane below
- 3a Long-run steel roofing (Kowhai Glow)
- 3b Long-run steel roofing (galvanised)
- 4 Membrane roof
- 5 Possible green roof with membrane below
- 6 Translucent profiled roofing
- 7 Timber Decking

FLOOR PLAN LEGEND

- Boundary
 - - - Setback Line
 - - - Roof Above/Below
 - ⊞ Void
- SPACE DESIGNATIONS**
- AW Accessible toilet
 - AWS Accessible toilet with shower
 - AU Accessible single sleeping unit with ensuite
 - B Bed room
 - BS Bin store
 - BT Bathroom
 - CT Consult room
 - CU On-site manager unit
 - D Dining
 - GW Green waste composting
 - K Kitchen
 - KT Kitchenette
 - L Living
 - LA Laundry facilities
 - LT Lift
 - M Meeting
 - O Office/Breakout
 - PC Private courtyard
 - R3U Residential 3 bedroom unit
 - R4U Residential 4 bedroom unit
 - S Storage
 - ST Study
 - SU Supervisor sleeping unit
 - U Single sleeping unit with ensuite
 - W Unisex toilet

RevID	CHID	Change Name	Date
01	CH-01	Rearrangement to single 1200mm clear pedestrian/cycle way, vehicle entrance moved north accordingly and covered entrance roof arrangement adjusted.	24/02/2020
02	CH-02	Glazing added	22/05/2020
	CH-03	Window visibility updated for clarity	
	CH-04	Surface texture removed for clarity	
	CH-19	Bin store added	
	CH-22	Study added	
03	CH-31	Translucent treatment added	4/09/2020
	CH-32	Glazing reduced	
	CH-35	Green waste composting added	

NOT FOR CONSTRUCTION

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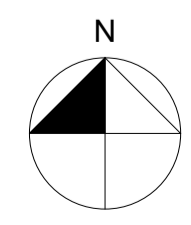
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 109 Salisbury Street Christchurch New Zealand

Title
Second Floor Plan

Scale
1:150 @ A1
 Drawn
 IN/JK
 Checked
 AK/AJ
 Publish Date
4/09/2020
 Issued for
Resource Consent

Project no.	Drawing no.	Rev.
18-008	A202	03



North Elevation ▽

West Elevation - Part 1 ▽

East Elevation ▽

South Elevation - Part 1 ▽

South Elevation - Part 3 ▽

West Elevation - Part 2 ▽

East Elevation - Part 1 ▽

South Elevation - Part 2 ▽

ROOF PLAN LEGEND

- Roof Pitch
- 1 Greenhouse (glass) roofs
- 2 Walk-on terrace with membrane below
- 3a Long-run steel roofing (Kowhai Glow)
- 3b Long-run steel roofing (galvanised)
- 4 Membrane roof
- 5 Possible green roof with membrane below
- 6 Translucent profiled roofing
- 7 Timber Decking

RevID	CHD	Change Name	Date
01			24/02/2020
02	CH-01	Rearrangement to single 1200mm clear pedestrian/cycle way, vehicle entrance moved north accordingly and covered entrance roof arrangement adjusted.	22/05/2020

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109 Salisbury Street Christchurch New Zealand

Roof Plan

Scale
1:150 @ A1

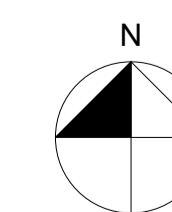
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IN/JK

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AK/AJ

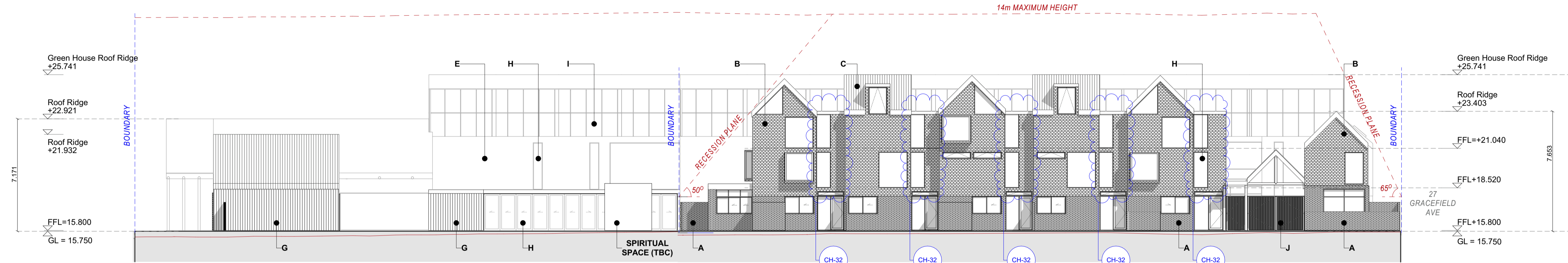
Publish Date
4/09/2020

Issued for
Resource Consent

Project no. 18-008	Drawing no. A203	Rev. 02
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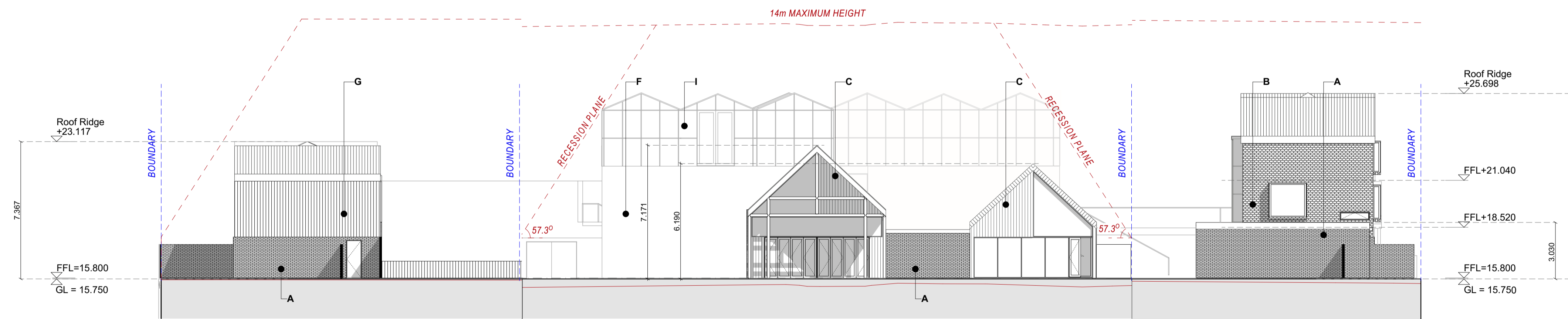


- FINISHES LEGEND**
- Refer to 3D images on sheet A001 and A002 for indicative colour and materials
- A Brick (type & colour TBC)
 - B Timber Shingles
 - C Colorsteel Cladding in 'Kowhai Glo'
 - D Galvanised Steel Cladding
 - E Concrete with teal paint finish
 - F Concrete with maroon paint finish
 - G Vertical Timber Cladding
 - H Glazing
 - I Green House (Glazing)
 - J Timber Gate
 - K translucent treatment
- Existing ground levels
Proposed ground levels



1. East Elevation - Part 1 1:150
A101, A200, A201, A202, A203, A907

2. East Elevation - Gracefield Avenue 1:150
A101, A200, A201, A202, A203



3. South Elevation - Part 1 1:150
A101, A200, A201, A202, A203

4. South Elevation - Salisbury Street 1:150
A101, A200, A201, A202, A203

5. South Elevation - Part 3 1:150
A101, A200, A201, A202, A203

RevID	CHD	Change Name	Date
01			24/02/2020
	CH-01	Rearrangement to single 1200mm clear pedestrian/cycle way, vehicle entrance moved north accordingly and covered entrance roof arrangement adjusted.	
	CH-06	Building heights added + Building levels corrected	22/05/2020
	CH-09	Fence height reduced to 1200mm	
	CH-20	Facade glazing rearranged	
	CH-21	Portion of building moved south	
	CH-32	Glazing reduced	
	CH-34	translucent treatment introduced to bottom panel	4/09/2020

NOT FOR CONSTRUCTION

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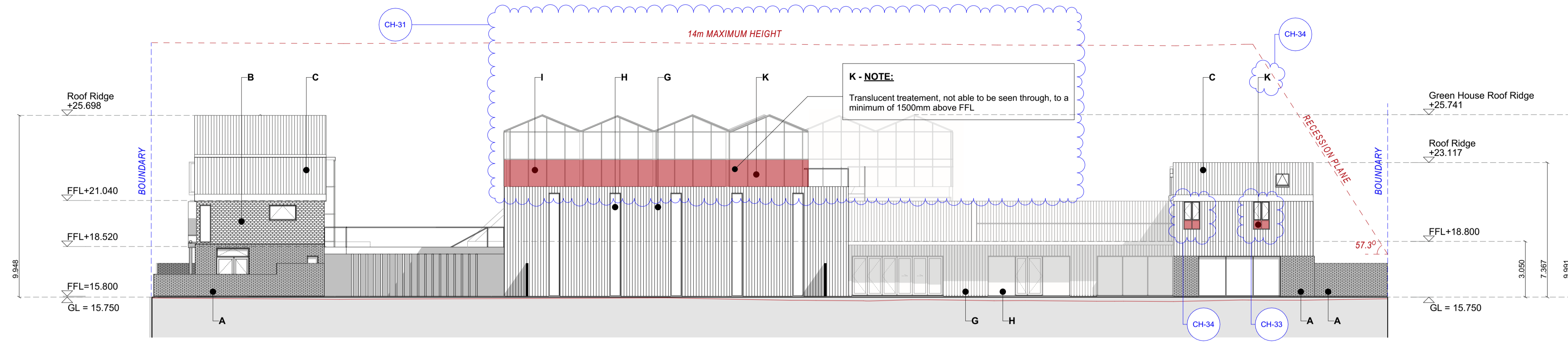
Project
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109 Salisbury Street Christchurch New Zealand

Title
Elevations

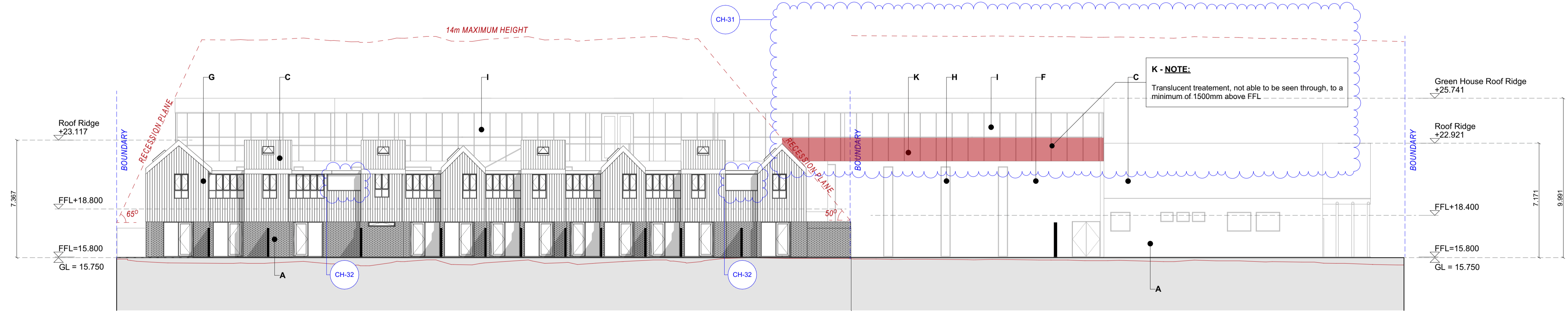
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Drawn
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AK/AJ

Issue Date: 4/09/2020
Issued for: Resource Consent

Project no.	Drawing no.	Rev.
18-008	A300	03



1. North Elevation 1:150
A101, A200, A201, A202, A203



2. West Elevation - Part 1 1:150
A101, A200, A201, A202, A203

3. West Elevation - Part 2 1:150
A101, A200, A201, A202, A203

- FINISHES LEGEND**
- Refer to 3D images on sheet A001 and A002 for indicative colour and materials
- A Brick (type & colour TBC)
 - B Timber Shingles
 - C Colorsteel Cladding in 'Kowhai Glo'
 - D Galvanised Steel Cladding
 - E Concrete with teal paint finish
 - F Concrete with maroon paint finish
 - G Vertical Timber Cladding
 - H Glazing
 - I Green House (Glazing)
 - J Timber Gate
 - K translucent treatment
- Existing ground levels
Proposed ground levels

RevID	CHID	Change Name	Date
01			24/02/2020
02	CH-06	Building heights added + Building levels corrected	
	CH-07	Glazing adjusted	
	CH-08	Bike storage separation added	22/05/2020
	CH-09	Fence height reduced to 1200mm	
	CH-31	Translucent treatment added	
	CH-32	Glazing reduced	
03	CH-33	Glazing reduced and translucent treatment introduced to bottom panel	4/09/2020
	CH-34	translucent treatment introduced to bottom panel	

NOT FOR CONSTRUCTION

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Client
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Project
Te Hurihanga Ō Rangatahi - The Youth Hub
109 Salisbury Street Christchurch New Zealand

Elevations

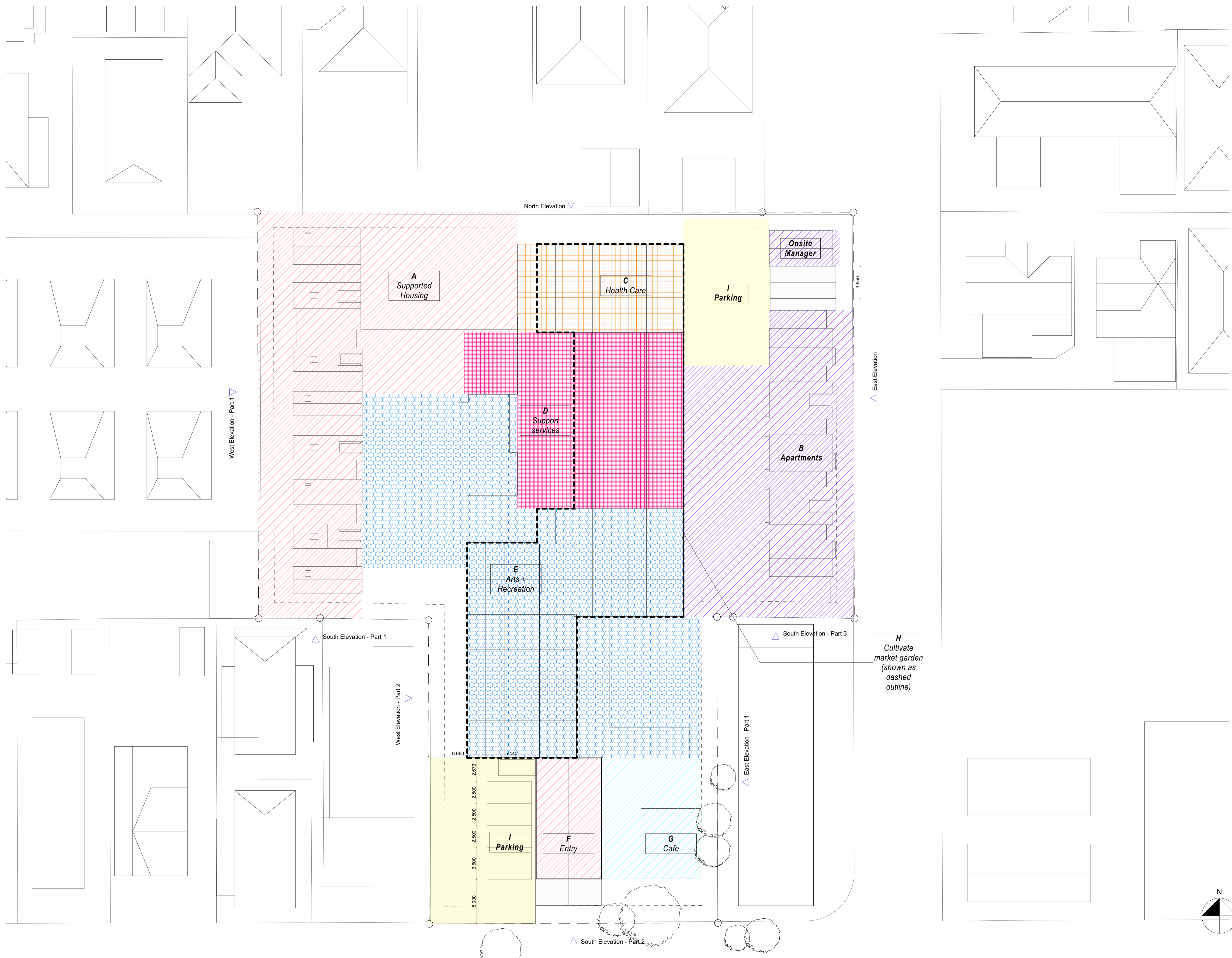
Scale
1:150 @ A1

Drawn
IN/JK

Checked
AK/AJ

Project no. 18-008
Drawing no. A301
Rev. 03

Resource Consent



- PROJECT ZONES**
- A** Supported Housing
 - B** Apartments
 - C** Health Care
 - D** Support services
 - E** Arts + Recreation
 - F** Entry
 - G** Cafe
 - H** Cultivate market garden
 - I** Parking

NOTE:

This drawing is intended to be read in colour



RevID	CHD	Change Name	Date
01			24/03/2020
02	CH-29	Zone name updated	23/05/2020

NOT FOR CONSTRUCTION

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 109 Salisbury Street Christchurch New Zealand

Project Zones

Scale
1:200 @ A1
 Drawn
IN/JK
 Checked
AK/AJ

Publish Date: 4/09/2020
 Issued for: Resource Consent

Project no.	Drawing no.	Rev.
18-008	A900	02



GROSS FLOOR AREA - GROUND FLOOR

- Zone of gross floor area
- Residential Units
179.93m²
- On site managers unit
24.23m²
- Residential Activity
290.72m²
- Food and Beverage (cafe)
68.32m²
- Entertainment / Event space
551.29m²
- Health Care / Counselling
103.80m²
- Support Services
185.16m²
- Basketball Court
132.918m²

NOTE:
This drawing is intended to be read in colour

RevID	CHD	Change Name	Date
01			24/02/2020

NOT FOR CONSTRUCTION
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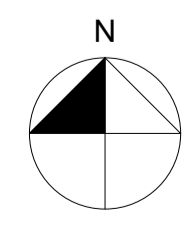
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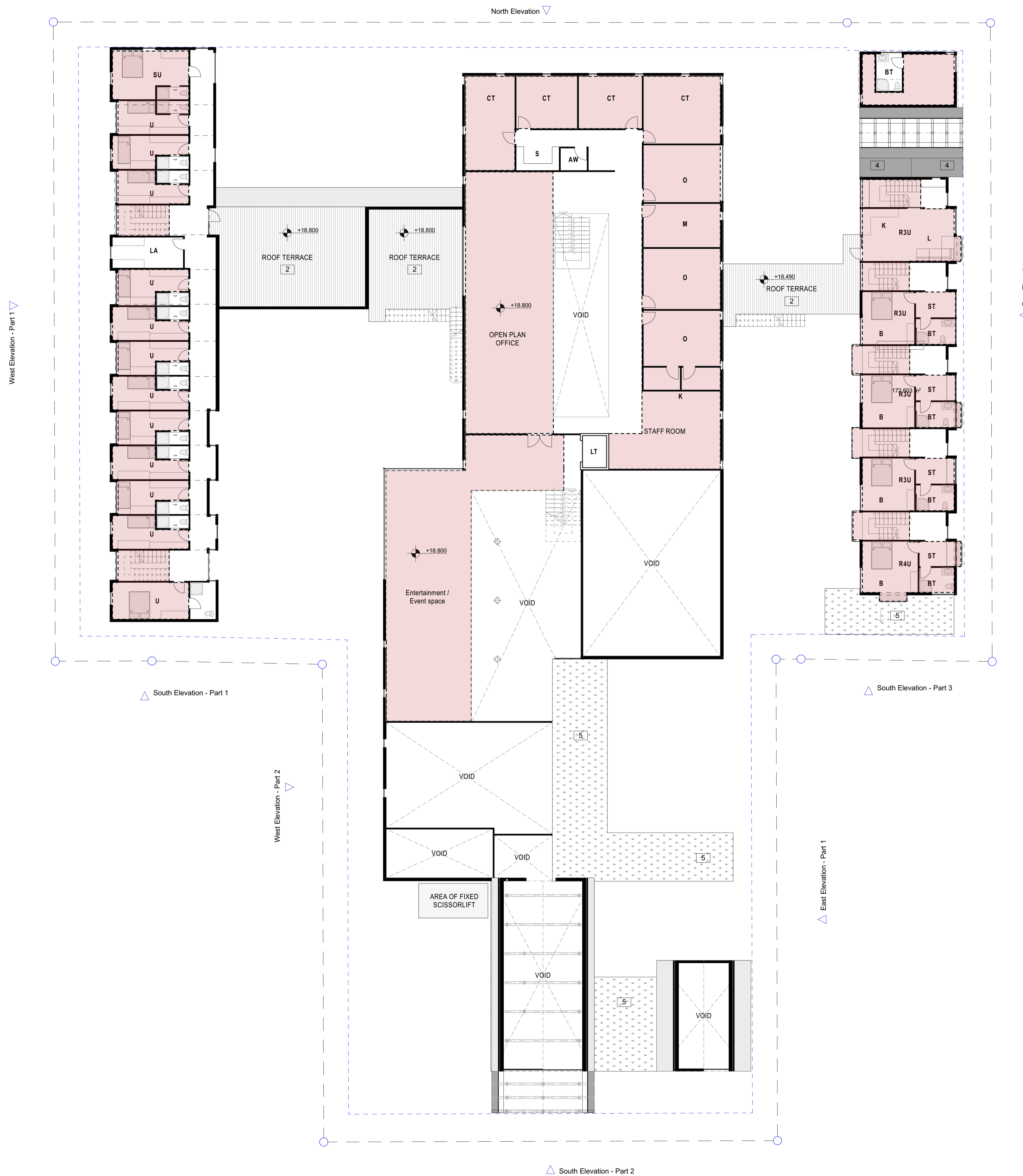
Client
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Project
Te Hurihanga Ō Rangatahi - The Youth Hub
109 Salisbury Street Christchurch New Zealand

GFA - Ground Floor

Scale: 1:150 @ A1
Drawn: IN/JK
Checked: AK/AJ

Project no. 18-008	Issued for: Resource Consent
Drawing no. A901	Rev. 01





GROSS FLOOR AREA - FIRST FLOOR

	Zone of gross floor area
	Residential Units 170.72m ²
	On site managers unit 18.52m ²
	Residential Activity 171.59m ²
	Food and Beverage (cafe) Nil
	Entertainment / Event space 189.95m ²
	Health Care / Counselling 109.87m ²
	Support Services 234.17m ²
	Basketball Court Nil

NOTE:

This drawing is intended to be read in colour



RevID	CHD	Change Name	Date
01			24/02/2020

NOT FOR CONSTRUCTION

Do not scale.
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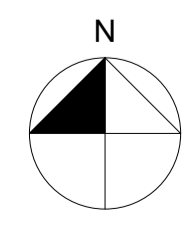
Title
GFA - First Floor

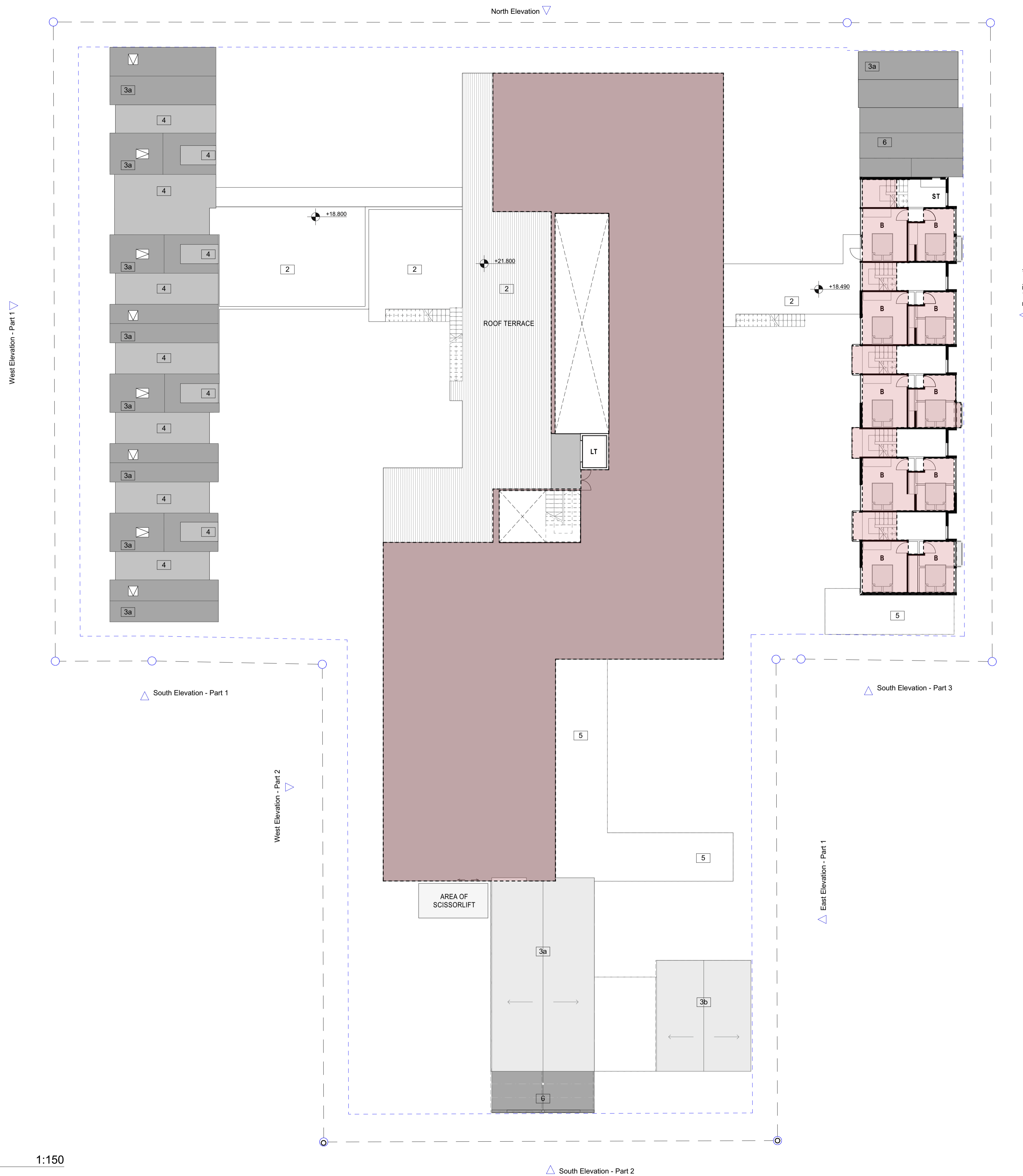
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Drawn
IN/JK

Checked
AK/AJ

Project no. 18-008	Drawing no. A902	Rev. 01
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GROSS FLOOR AREA - SECOND FLOOR

	Zone of gross floor area
	Residential Units 152.89m ²
	On site managers unit Nil
	Residential Activity Nil
	Food and Beverage (cafe) Nil
	Entertainment / Event space Nil
	Health Care / Counselling Nil
	Support Services Nil
	Basketball Court Nil

NOTE:

This drawing is intended to be read in colour



RevID	CHID	Change Name	Date
01			24/02/2020
	CH-01	Rearrangement to single 1200mm clear pedestrian/cycle way, vehicle entrance moved north accordingly and covered entrance roof arrangement adjusted.	
02			22/05/2020
	CH-03	Window visibility updated for clarity	
	CH-04	Surface texture removed for clarity	

NOT FOR CONSTRUCTION

Do not scale.
The contractor shall verify all dimensions before commencing work, and all discrepancies reported to Field Ltd. for clarification.



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| 021 184 5191 | info@fieldstudio.co.nz |
Boxed Quarter, 270 St. Asaph Street, Christchurch, New Zealand

Client
The Youth Hub Trust

Project
Te Hurihanga Ō Rangatahi - The Youth Hub
109 Salisbury Street Christchurch New Zealand

Title
GFA - Second Floor

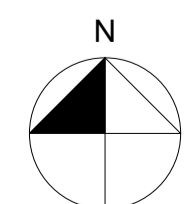
Scale
1:150 @ A1

Drawn
IN/JK

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AK/AJ

Published Date: 4/09/2020
Issued for: Resource Consent

Project no. 18-008	Drawing no. A903	Rev. 02
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1. Ground Floor - Public Area Zones 1:150

PUBLIC FLOOR AREA - GROUND FLOOR

- Zone of public floor area
- Residential Units
Nil
- On site managers unit
Nil
- Residential Activity
Nil
- Food and Beverage (cafe)
48.95m²
(Outdoor Courtyard = 69.92m²)
- Entertainment / Event space
589.09m²
- Health Care / Counselling
103.80m²
- Support Services
91.34m²
- Basketball Court
134.19m²

NOTE:
This drawing is intended to be read in colour

RevID	CHD	Change Name	Date
01			24/02/2020

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Client
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Project
Te Hurihanga Ō Rangatahi - The Youth Hub
109 Salisbury Street Christchurch New Zealand

Title
Public Area - Ground Floor

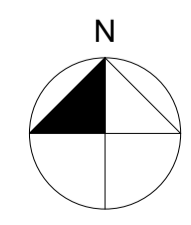
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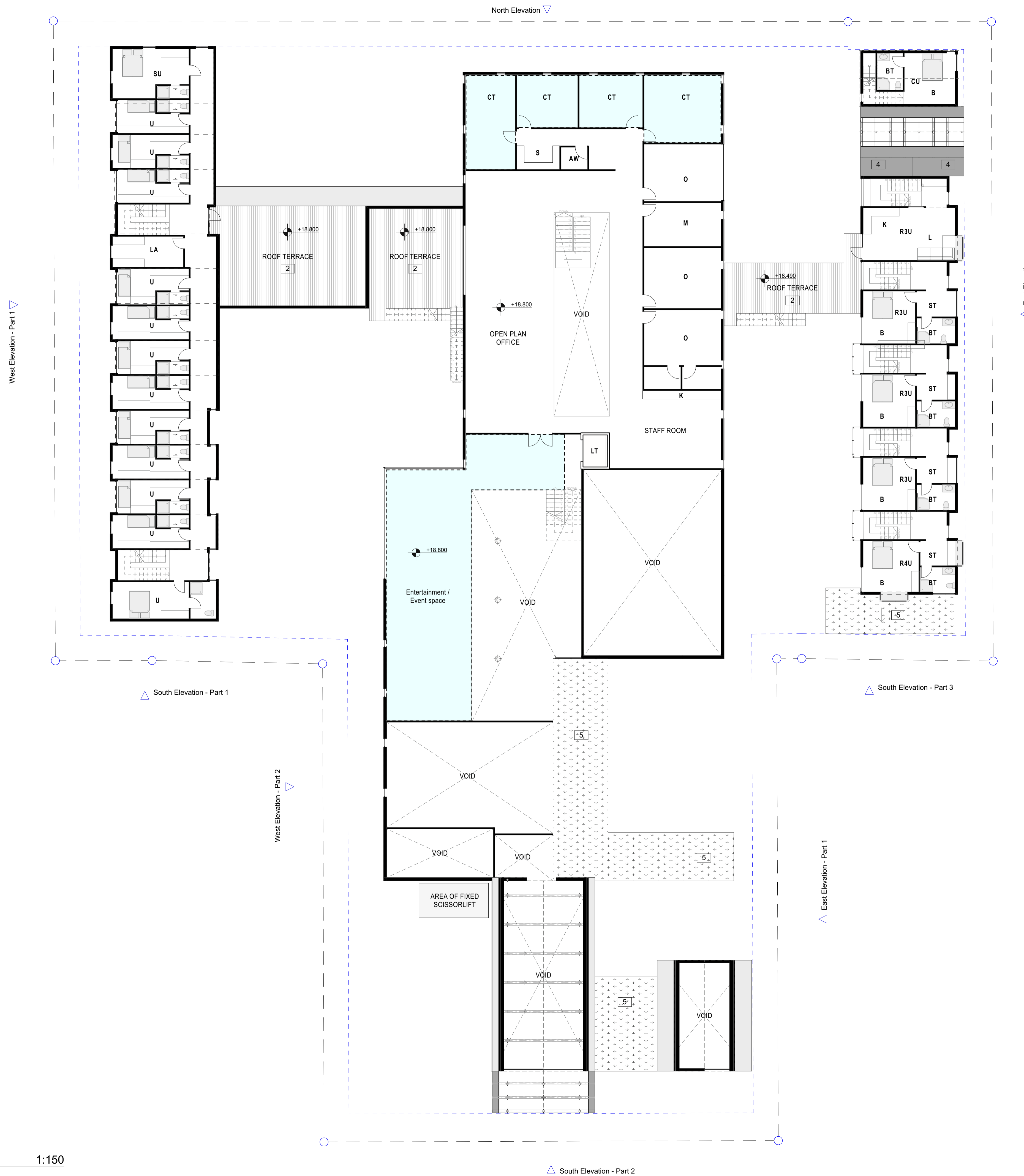
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AK/AJ

Project no.
18-008

Project no.	Drawing no.	Rev.
18-008	A904	01





PUBLIC FLOOR AREA - FIRST FLOOR

- Zone of public floor area
- Residential Units
Nil
- On site managers unit
Nil
- Residential Activity
Nil
- Food and Beverage (cafe)
Nil
- Entertainment / Event space
138.95m²
- Health Care / Counselling
91.61m²
- Support Services
Nil
- Basketball Court
Nil

NOTE:
This drawing is intended to be read in colour

RevID	CHD	Change Name	Date
01			24/02/2020

NOT FOR CONSTRUCTION

Do not scale.
The contractor shall verify all dimensions before commencing work, and all discrepancies reported to Field Ltd. for clarification.

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Client
The Youth Hub Trust

Project
Te Hurihanga Ō Rangatahi - The Youth Hub
109 Salisbury Street Christchurch New Zealand

Title
Public Area - First Floor

Scale
1:150 @ A1

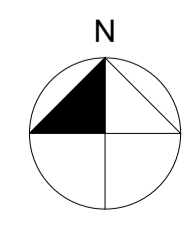
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Published Date
4/09/2020

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Resource Consent

Project no. 18-008	Drawing no. A905	Rev. 01
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APPENDIX 2: RMA/2020/435

Report / Decision on a Resource Consent Application

(Sections 95A, 95B and 104 / 104B)

Application number:	RMA/2020/435
Applicant:	Christchurch City Mission
Site address:	269, 271 and 275 Hereford Street and 228 Worcester Street
Legal description:	Lot 2 DP 7154, Lot 1 & 2 DP 10123, Lot 1 DP 1639, Lot 3 DP 2437
Zone:	Residential Central City
Overlays and map notations:	Liquefaction Management Area, Central City Building Height 14m Overlay, Central City Local Distributor
Activity status:	Discretionary
Application:	Redevelopment of the City Mission Complex including a shop and café.

Proposed activity

The proposal is described in detail in paragraphs 9. – 20. of the Assessment of Environmental Effects (AEE) submitted with the application. The key aspects are:

Specifically there will be three new buildings to achieve more efficient and effective use of the Site:

- a) *Building 1: 271-275 Hereford St:*
 - i. *Centralise foodbank activities on north side of Hereford Street including self - service food bank and collection, food storage, chillers and freezers.*
 - ii. *Reposition existing opportunity shop to Hereford Street front portion of the new foodbank building, with small staff room and office.*
 - iii. *Existing counselling services at 269 Hereford Street relocated to rear of foodbank.*
 - iv. *Upper level mezzanine and open plan office (108m²).*
- b) *Building 2: 269 Hereford Street:*
 - i. *New single storey building with social enterprise café (to include barista training) at front with north facing outdoor seating.*
- c) *Building 3: 269 Hereford St:*
 - i. *New three storey single men's assisted short term accommodation in new building to rear (5 person family flat on ground, 6 person flat on first floor, and 4 person flat on 2nd floor) with communal outdoor living area, and night attendant.*
- d) *All the existing buildings on 269 -275 Hereford Street will be demolished to enable the development of the three new buildings.*
- e) *There will be a new and separate drive through access for delivery vehicles (entry via Hereford Street, exit via Worcester Street).*

The application originally requested a land use consent for a first floor deck that would be within 4m of a northern boundary and require a land use consent. However the applicant has subsequently deleted that deck from the application plans. Changes made to the proposal over the course of the application are:

- two seats in the communal ODL space & size noted (66m²) – this was in response to feedback from the Council's urban designer;
- minor electrical cabinet within planting area between café and opportunity shop;
- 1st floor accommodation building - deck to north of housing block deleted and changed to metal roof – this was in response to feedback from the Council's urban designer;
- 2nd floor accommodation building - additional bedroom 5 to 2nd floor of housing building;
- Accommodation building roof plan- updated to show change of north deck to a roof. Roof to loading area in NE corner of foodbank cut back to line through with north wall below.
- Housing building, ground floor: one shower deleted and hot water cylinder cupboard added.

The removal of the deck to address urban design and neighbour privacy issues created an outdoor living space non-compliance.

Further the original application did not include a request for land use consent for earthworks. The application was subsequently amended to include a request for earthworks land use consent.

Description of site and existing environment

The application site and surrounding environment are described in paragraphs 3. – 8. of the AEE. I adopt the applicant’s description.

Activity status

Christchurch District Plan

The site is zoned Residential Central City in the Christchurch District Plan. The zone provides for high density residential development close the Central Business District.

The proposal requires resource consent for a discretionary activity under the following rules:

Activity status rule	Standard not met	Reason	Matters of control or discretion	Notification clause
14.6.1.4 D4 states that any activity that is not listed as permitted, restricted discretionary, or a non-complying activity is a discretionary activity.	N/A	The café and the second hand shop are not listed as permitted, restricted discretionary or non-complying activities	N/A	No clause
14.6.1.3 RD2 states that any activity involving the erection of new buildings and alterations and additions to existing buildings that results in three or more residential units is a Restricted Discretionary Activity.	N/A	Parts of the development will be in residential units. There will be more than three.	14.15.33 Urban design in the Residential Central City Zone	Any application arising from this rule shall not be limited or publicly notified.
14.6.1.3 RD1 states that applications arising from non-compliance with rule 14.6.2.3 are a	14.6.2.3 Road building setback	The social enterprise café extends to the footpath. It should be setback 2m from the road boundary.	14.15.29 Street scene and access ways in the Residential Central City Zone	Any application arising from this rule shall not be limited or publicly notified.

Activity status rule	Standard not met	Reason	Matters of control or discretion	Notification clause
restricted discretionary activity.				
14.6.1.3 RD1 states that applications arising from non-compliance with rule 14.6.2.6 are a restricted discretionary activity.	14.6.2.6 Tree and garden planting	20% of the site is to be in landscaping. The applicant proposes 12%	14.15.32 Landscaping and tree planting	Any application arising from this rule shall not be limited or publicly notified.
14.6.1.3 RD1 states that applications arising from non-compliance with rule 14.6.2.9 are a restricted discretionary activity.	14.6.2.9 Outdoor Living Space	The NW courtyard for the ground floor unit is 3.3 x 3.3m; An outdoor living space for an upper unit is not provided.	14.15.20 Outdoor living spaces	Any application arising from this rule shall not be limited or publicly notified.
7.4.2.3RD1 states that Any activity that does not meet any one or more of the standards in Rule <u>7.4.3</u> ; is a restricted discretionary activity.	7.4.3.2 cycle parking	The staff cycle spaces are not located in an area where the general public is excluded.	7.4.4.4 Minimum number of cycle parking facilities required	No clause
7.4.2.3RD1 states that Any activity that does not meet any one or more of the standards in Rule <u>7.4.3</u> ; is a restricted discretionary activity.	7.4.3.3 loading spaces	One heavy vehicle bay and one 99 percentile loading bay have not been identified on the plans.	7.4.4.5 Minimum number of loading spaces required	No clause
7.4.2.3RD1 states that Any activity that does not meet any one or more of the standards in Rule <u>7.4.3</u> ; is a restricted discretionary activity.	7.4.3.7(a) Access design	The access does not provide the required pedestrian visibility splay for a residential zone.	7.4.4.10 Vehicle access design	Any application arising from this rule shall not be limited or publicly notified.

Activity status rule	Standard not met	Reason	Matters of control or discretion	Notification clause
7.4.2.3RD1 states that Any activity that does not meet any one or more of the standards in Rule 7.4.3; is a restricted discretionary activity.	7.4.3.7(b) Access design	A 6m queue space has not been provided at the Hereford Street frontage.	7.4.4.11 Queuing spaces	Any application arising from this rule shall not be limited or publicly notified.
7.4.2.3RD1 states that Any activity that does not meet any one or more of the standards in Rule 7.4.3; is a restricted discretionary activity.	7.4.3.11 Access	<i>The most preferred road for access is a local distributor street outside the core (Hereford Street). However, the site also has access to Worcester Street which is a local street outside the core and is a 2nd choice.</i>	7.4.4.22 Vehicle access to sites fronting more than one street – Central City	No clause
Rule 8.9.2.3 RD1 states that earthworks that do not meet the permitted activity standards in Rule 8.9.2.1 P1 are a restricted discretionary activity.	8.9.2.1 P1 states that earthworks are less than 20m ³ in a 12 month period and less than 0.6m in depth are a permitted activity	The supplementary AEE TRIM 20/579960 states: <i>The preliminary designs of the new buildings on the site suggest that the overall development, even site by site, will exceed the permitted standards for earthworks which are maximum volume of 20m³ per site over any 12 month period, and maximum depth of 0.6m. Presently the actual numbers involved are not precisely known.</i>	Rule 8.9.4.1	Shall not be publicly notified but may be limited notified.

For completeness I note that;

- Community facilities are defined as:

Community facility

*means any land and/or buildings used for community activities or education activities. Community facilities include reserves, recreation facilities, libraries, community infrastructure such as community halls, health care facilities, care facilities, emergency service facilities, community corrections facilities, **community welfare facilities** and facilities used for entertainment activities or spiritual activities. Community facilities exclude privately (as opposed to publicly) owned recreation facilities, entertainment activities and restaurants.*

Community welfare facilities are defined as:

Community welfare facility

means the use of land and/or buildings for providing information, counselling and material welfare of a personal nature. This includes personal and family counselling, citizens advice bureaux, legal aid and the offices of charitable organisations where the facility is operated by a non-profit making organisation.

Pursuant to rule 14.6.1.1 P10 a community facility is a permitted activity subject to compliance with:

a. *The maximum total number of hours the site shall be open to visitors, clients or deliveries for the activity shall be 40 hours per week, and shall be limited to between the hours of:*
i. *07:00 – 21:00 Monday to Friday, and*
ii. *08:00 – 19:00 Saturday, Sunday, and public holidays.*
iii. *Except that these hours of operation in Rule 14.6.1.1 P10 a.i. and a.ii. do not apply to guest accommodation.*

b. *The maximum number of vehicle movements per site per day for any activity, other than for residential activities, shall be 200 and:*

i. *Vehicles, other than heavy vehicles associated with any residential activity on the site, shall be included in determining the number of vehicle movements to and from any site. Vehicles parking on the street or on any other site, in order that their occupants can visit the site, shall also be included in determining the number of vehicles trips to and from any site*

The proposed non-residential services provided by the city mission are a permitted activity.

- The applicant applied for a land use consent on the basis that the proposed café and the second hand shop were ancillary to the Community Welfare Facility – paragraphs 42. – 50. of the AEE. However I have concluded that these features are not ancillary to the community welfare activity and are therefore a Discretionary Activity;

I otherwise agree with the activity status assessment in the AEE at paragraphs 36. – 41. of the AEE.

- In regard to Rule 14.6.1.3 RD1 and the sheltered housing being a set of three or more residential units:

The definition of a residential unit states:

Residential unit

means a self-contained building or unit (or group of buildings, including accessory buildings) used for a residential activity by one or more persons who form a single household. For the purposes of this definition:

- a building used for emergency or refuge accommodation shall be deemed to be used by a single household;***
- where there is more than one kitchen on a site (other than a kitchen within a family flat or a kitchenette provided as part of a bed and breakfast or farm stay) there shall be deemed to be more than one residential unit;*
- a residential unit may include no more than one family flat as part of that residential unit;*
- a residential unit may be used as a holiday home provided it does not involve the sale of alcohol, food or other goods; and*
- a residential unit may be used as a bed and breakfast or farm stay.*

I consider that the occupants of each unit are a single household.

A residential activity is defined as

Residential activity

means the use of land and/or buildings for the purpose of living accommodation. It includes:

- a residential unit, boarding house, student hostel or a family flat (including accessory buildings);*
- emergency and refuge accommodation; and***

- c. **sheltered housing**; but excludes:
- d. *guest accommodation;*
- e. *the use of land and/or buildings for custodial and/or supervised living accommodation where the residents are detained on the site; and*
- f. *accommodation associated with a fire station.*

I consider that the accommodation provided on the site is a residential activity Residential activities are of course a permitted activity in the Central City Residential Zone.

Written approvals [Sections 95D, 95E(3)(a) and 104(3)(a)(ii)]
--

No written approvals have been provided with the application.

NOTIFICATION ASSESSMENT

Adverse effects on the environment and affected persons [Sections 95A, 95B, 95E(3) and 95D]
--

As a discretionary activity, assessment of this proposal is unrestricted and all actual and potential effects must be considered. Guidance as to the effects that require consideration is contained in the relevant objectives and policies, and any associated matters of discretion or control.

Relevant objectives and policies are set out in Attachment A to this report.

I consider that the following objective and its supporting policies are particularly relevant:

14.2.6 Objective - Non-residential activities

- a. *Residential activities remain the dominant activity in residential zones, whilst also recognising the need to:*
 - i. *provide for community facilities and home occupations which by their nature and character typically need to be located in residential zones; and*
 - ii. *restrict other non-residential activities, unless the activity has a strategic or operational need to locate within a residential zone or is existing guest accommodation on defined sites.*

14.2.6.2 Policy - Community activities and community facilities

- a. *Enable community activities and community facilities within residential areas to meet community needs and encourage co-location and shared use of community facilities where practicable.*
- b. *Enable larger scale community activities and community facilities within defined arterial locations that:*
 - i. *are within walking distance of the Central City and suburban commercial centres;*
 - ii. *front onto core public transport routes; and*
 - i. *are not dominated by residential development.*

14.2.6.8 Policy - Non-residential activities in Central City residential areas

- a. *Within Central City residential areas:*
 - i. *ensure non-residential activities are of a small scale and compatible with residential activities;*
 - ii. *ensure non-residential activities are focussed on meeting the needs of the local residential community or depend upon the high level of amenity inherent in the Residential Central City Zone;*
 - i. *ensure new non-residential activities do not compromise the role of the Residential Central City Zone, the Central City Business Zone, or the aim of consolidating that area of the Central City or the Central City Mixed Use Zones;*
 - iv. *enable the on-going operation, use and redevelopment of existing fire service facilities; and*
 - ii. *protect residential amenity by controlling the character, scale and intensity of non-residential activities.*

These objectives and policies recognise community welfare facilities should be located where they are needed but be compatible with residential activities.

Other objectives and policies seek:

- To restrict non-residential activities (i.e. the shop and the café) unless they have an operational or strategic need to locate in a residential zone;
- To ensure that non-residential activities (i.e the shop and café) are of a small scale and compatible with residential areas;
- To ensure that non-residential activities (i.e. the shop and the café) do not have significant adverse effects on the residential coherence, character and amenity of the area;
- To ensure that non-residential activities (i.e. the shop and the café) meet the needs of the local residential community;
- To ensure that non-residential activities (i.e. the shop and the café) do not compromise the role of the Central City Business Zone;
- To ensure that small scale retailing is limited to type and location to higher order streets;
- Activities contribute positively to amenity and cultural values of the area;
- Activities contribute positively to the enjoyment of those living in the area;
- To integrate development with the adjacent area;
- To minimise any adverse transport effects on the transportation network
- That earthworks facilitate use and development and the recovery of the District from the Canterbury earthquake.

In the context of this planning framework, I consider that the potential adverse effects of the activity relate to the matters set out below:

Social Impacts

There may be members of the surrounding residential community who are uncomfortable with the idea / perception of the congregation of persons who need support to address socio-economic or psychological matters.

As described in the application document the City Mission has an extensive history of being established on this site and offering support services.

Approximately 45% of the 275 Hereford Street building is used for emergency accommodation. The remainder of the building is used to 'support families with mental illness' ie supporting families and whānau to provide the best possible quality of life and recovery to persons with a mental illness and to their own self-care. This is done through free support, education and information for family and whānau, mutual support, the sharing of experiences and gaining strength and skills to cope better through participation in support groups; and promoting the rights and needs of individuals and families affected by mental illness.

Upon request the applicant also provided an additional assessment of the social effects of the proposal. Relevant aspects of this assessment are (the full assessment is in Attachment **C** to this report):

Any actual or potential adverse social effects arising from the City Mission campus will be less than minor for the following principal reasons.

- a) *The City Mission has been on the Hereford/Worcester Streets sites for a long time (a little over 90 years). Its presence and its activities are well known and understood by those nearby.*

...

- d) *The re-development of the City Mission Campus is best considered to be a rationalisation of spaces on the Campus, and a re-arrangement of functions to improve on-site efficiency and effective delivery of social/community services. While some new buildings are up to three storey, they are not out of scale with nearby developments and largely comply with District Plan built standards. As such no significant effects arise from the location, scale and disposition of the new buildings.*

...

- e) *The redevelopment will represent a similar scale and intensity of use. The new three storey accommodation building for 15 single people will replace existing accommodation on the site comprising eight rooms for three families (i.e. appx 12 persons assuming 4 person families).*

...

- g) *The redevelopment does not create new services being provided; the existing clientele and operating model for the Campus will stay the same. The redevelopment does not introduce any new elements that may lead to different social effects, nor any different effects by scale, intensity or duration.*

...

- j) *Adverse social effects can arise from inadequate consideration of safety issues: the overall campus has been assessed against CPTED principles (see p3 Urban Design Statement – Appendix 3 reproduced below)*

Crime Prevention Through Environmental Design Principles: The Opshop and cafe are brought to the street edge with shopfront glazing for visual permeability and to encourage views in from the street. The cafe, residential and foodbank building and associated offices all overlook the central public entry, parking and drop off zones, thereby ensuring passive surveillance of this area. Parking is clearly demarcated. The office area to the north of the food bank is in a good position for surveillance of both the public and truck vehicle routes through to Worcester Street, the existing women's night shelter, and across the carpark to the residential building. The eastern truck access route will be security controlled at the street.

Vehicle routes have been designed with input from the Traffic Engineer to provide smooth transitions and clear views along the direction of travel. Projecting bays in walls, concealed corners and dark recesses to areas accessible by the public have been avoided in the design.

Landscaping is carefully considered so as to demarcate the various functions on the site and to be both low maintenance and to not be of a species that would provide hiding places or areas of potential entrapment. Planting is generally open in nature with tree species chosen to have clean exposed trunks and low ground cover under.

The main pedestrian route through the site is alongside the vehicular route, and overlooked by surrounding buildings.

A mix of uses is provided on the site with residential, cafe, foodbank and offices, so that when the public/foodbank areas are closed there is ongoing passive surveillance from the residential block.

Fencing on the street edge and between the housing/cafe site and the carpark is to be visually permeable painted steel railings, allowing views in from the street and between the different parts of the site.

- k) *To the extent that social effects can arise from the design of buildings and structures, the urban design matters of the District Plan have been applied to the proposal (Urban design Statement Appendix 3 of the application).*

For clarity I have not taken into account matters , b', 'c' 'f', 'h' and 'i' (as set out in Attachment C) as they refer to positive effects which are not relevant to consideration of adverse effects under section 95 of the Act.

I particularly note statement 'e.' above and I have concluded that the scale of the activity on the site relating to the services offered will be generally the same as those currently offered. I also note that activities relating to the provision of social services have existed in the area for a considerable time are not 'new' or out of context.

I consider that any adverse social effects on people and the environment will be less than minor.

Earthworks

The applicant has provided a supplementary assessment of earthworks based on the matters of discretion in rule 8.9.4.3 and 8.9.4.6:

8.9.4.3 Land stability

- a. *Whether the earthworks affect the stability of adjoining land and its susceptibility to subsidence or erosion upon excavation taking place.*
- b. *The extent of any alteration to natural ground levels in the vicinity and, consequently, to the height and bulk of buildings that may be erected on the site.*
- c. *Whether the earthworks affect the future development potential of land for permitted activities, taking account of the nature of filling material proposed and the degree of compaction.*

Assessment:

- a) *All earthworks are clear of adjoining boundaries not within the development site and will not affect the stability of adjoining land. The depth of excavations are up to 750mm so no special retaining measures are required.*
- b) *The sites in the vicinity are long established and most developments have largely used natural or existing ground levels. The topography in this part of Worcester/Hereford Streets is largely low-lying, flat land. The development will have the appearance of being set at existing ground level.*
- c) *The earthworks are only to the extent necessary for re-development of the City Mission Campus, a land use that has been long-established on the site. The earthworks will not affect future potential development for permitted activities.*

8.9.4.6 Amenity

- a. *The level of alteration to existing ground levels and the degree to which the resultant levels are consistent with the surrounding environment.*
- b. *The resultant effects that result from the earthworks in terms of visual amenity, landscape context and character, views, outlook, overlooking and privacy.*

Assessment:

The development will work within existing ground levels. The sites being redeveloped are essentially flat with minimum slopes. The proposal is to site the buildings at existing ground level, except where the floor slabs will extend above ground due to the fall in the site. The ground levels achieved after site preparation will be consistent with the surrounding environment.

The proposal involves demolishing existing buildings and replacing them with new, purpose-built buildings. Upon completion the site will marry in to the existing environment with sealed and formed access, carparking, open spaces and landscaping. The earthworks themselves are only to the extent necessary to establish new foundations and given the form and nature of development in adjoining sites will have no effect on landscape context, views, or outlook. There are no change in levels from earthworks within the sites that create overlooking and privacy issues.

I agree with and adopt this assessment.

Another relevant matter of discretion is that related to nuisance:

8.9.4.1 Nuisance

- a. *The extent to which any potential dust nuisance, sedimentation and water or wind erosion effects can be avoided or mitigated.*
- b. *The extent to which effects on neighbouring properties, and on the road network, of heavy vehicle and other vehicular traffic generated as a result of earthworks can be avoided or mitigated.*
- c. *The extent to which any potential changes to the patterns of surface drainage or subsoil drains can be avoided or mitigated if those changes would put the site or adjoining land at higher risk of drainage problems, inundation run-off, flooding, or raise that site's or adjoining land's water table.*
- d. *Whether any change in ground level would be likely to impact on trees in terms of access to water and drainage.*
- e. *The extent of any potential adverse effects on the quality of groundwater and whether any such can be avoided or mitigated.*
- f. *The extent to which any adverse effects from noise and vibration associated with earthworks and land improvement can be avoided or mitigated, and the effectiveness of any methods to mitigate such effects.*
- g. *The extent to which earthworks in the Open Space Avon River Precinct (Te Papa Ōtākaro) Zone have an adverse effect on the Avon River and its margins.*

Of these I consider that the effects outlined in a.- b. are relevant and can be mitigated through standard conditions of consent. Of the other matters I note that the land is flat, is not within a flood management area, and there are no trees of note on the site.

I have discussed the earthworks with Ms Yvonne McDonald, Council subdivisions engineer, we have agreed an appropriate set of conditions of consent that will mitigate the adverse effects of the earthworks to point where they are less than minor. The applicant has accepted these conditions.

With the conditions I conclude that the adverse earthworks effects on the environment and people associated with the earthworks are less than minor.

Central City Recovery and Distributional Effects:

The proposed Café is a training facility for City Mission clients. Its primary function is not as a commercial entity that would direct café expenditure from the Central City. I have briefly discussed the nature of this activity with Mr Tim Heath an economic distribution expert who regularly advises the Council. Mr Heath commented that the distributional effects, given the primary purpose of the café and its links to the social mitigation purpose of the City Mission, will have less than minor distributional effects.

Further I note that the second hand / opportunity shop activity is not one that is contemplated or expected to establish in the Central City Business Zone taking into account in particular the high commercial floor space rental rates in the Central City. I also rely on the fact that this shop is already lawfully established on and operating from the site and forms part of the existing environment. The proposal does not seek to establish a new/additional shop activity in the Residential Central City zone and hence I am not considering this aspect afresh.

I consider that any distributional effects on both the environment and people will be less than minor.

Residential amenity Internal – outdoor living space

The applicant discusses the outdoor living space non-compliance at paragraph 56 of the AEE and this supplementary assessment received 4 June 2020:

Para 55 of the application sets out the purpose and use of the new men's temporary accommodation building. Para 56 of the application provides an assessment of how outdoor living space for the development as a whole will be provided for especially in terms of best use of the site, accessibility of that space, and in a circumstance where occupiers of the building are not permanent tenants.

Rule 14.6.2.9 anticipates that OLS [outdoor living space] can be provided in a mix of private and communal spaces. The City Mission preference is to focus the OLS for the first level flat in communal spaces (as marked on the amended plans in the attached link). The communal ODLS is generous sized (66m²) and includes two north facing outdoor seats to add amenity and use ability, as requested by the Council's urban designer who supports the change (see email attached). This approach will assist in the ensuring clients are not isolated in units, and are encouraged to use the spaces on the campus. Indirectly this provides the City Mission staff with some degree of oversight and management of clients.

The communal outdoor area and the enterprise café are highly useable spaces, and the outdoor area is orientated such that it provides sunlight access all year. Both spaces are accessible and convenient to the temporary occupants of the building, and is of a size and configuration with its planting to provide an oasis of openness in an otherwise fairly densely developed site. There is no existing vegetation to be retained; new plantings will provide balance and texture to the new buildings as shown on the landscape plan included with the application.

Overall, the lack of a balcony for the first floor unit is offset by ample alternative communal and outdoor space for City Mission clients staying in the first floor flat who are transient occupiers.

I agree with and adopt this assessment. I also note that the deletion of the deck was at the suggestion of the Council urban designer – discussed below.

I conclude that any adverse effects on people and the environment arising from the outdoor living space non-compliances will be less than minor.

Urban Design and tree and garden planting

I forwarded the application to Ms Nichola Williams, Council Urban Designer for comment. Ms Williams raised concerns in regard to a first floor deck. That deck was subsequently deleted. Ms Williams reviewed the amended plans and commented on the relevant matters of discretion for urban design and tree and garden planting, Ms Williams's comment are set out in Attachment **B** to this report.

I note that a pre-application meeting for this project was held between myself, Ms Williams and the applicant and the applicant's agent on 29 November 2019. It was concluded in that meeting that there was no need to involve the urban design panel in any pre-application or application advice.

I also note that Ms Williams has requested conditions of consent. Of the first I am satisfied is not required – an updated plan deleting the deck has been received and incorporated into the application.

The second requested condition is not required – because updated landscaping plans have been received which show the two bench seats.

The third requested condition is recommended.

Overall Ms Williams is complimentary of the development. I particularly note that Ms Williams considers that there will be a significant visual improvement of Hereford Street. I have taken this to mean that there are no adverse effects on the visual amenity of Hereford Street or on any persons across the street or on the street.

Residential amenity – external

I note that the general urban design and amenity assessment has determined that, from an urban design perspective, that the design is acceptable. This includes design matters as they relate to the design of buildings in the context of the surrounding area (which is a mix of residential and community facility buildings)

In regard to noise generated from the activities on the site the applicant has accepted a condition relating to compliance with the noise limit standards in the District Plan.

I conclude that any adverse effects on people and the environment relating to external residential amenity will be less than minor.

Transportation effects

I forwarded the transportation assessment received with the application to Mr Andrew Milne, Senior Transportation Planner for the Council for comment. Mr Milne replied:

I have reviewed the transport assessment for the above proposal. Several transport non-compliances have been identified. These are mainly internal to the site and I generally adopt the assessment of effects of these non-compliances that concludes: from a traffic perspective such that the effects on the traffic environment can be considered as less than minor. In respect to visibility – the potential for pool-style fence on the eastern side of the Worcester Street exit is suggested and I would support this if this doesn't compromise the security/potential operational needs for privacy of the women's accommodation unit. In any event I would support the use of signage and/or speed humps as cues to slow down vehicles exiting the site and these features can be captured in a condition of consent as offered by the applicant.

I accept and adopt Mr Milne's comments. I note that the applicant has provided amended plans showing pool style fencing in the splay commented on by Mr Milne. I have included a condition as offered by the applicant in regard to a speed hump. I conclude that any adverse transportation related adverse effects will be less than minor.

Noise effects

The application document's compliance assessment states that the noise standards in the District Plan will be complied with. However, given that there is to be a plant room and outdoor seating area adjacent to the western boundary I consider it prudent to add a condition stating that the noise standards in the District Plan will be complied with at all times be included in any grant of consent. The applicant has accepted this condition.

I consider that with the accepted condition the adverse effects on the environment related to noise will be less than minor.

Conclusion

Overall, with the accepted conditions, I consider that any adverse effects on people and the environment will be less than minor.

Notification tests [Sections 95A and 95B]

Sections 95A and 95B set out the steps that must be followed to determine whether public notification or limited notification of an application is required.

PUBLIC NOTIFICATION TESTS – Section 95A	
Step 1: Mandatory notification – section 95A(3)	
➤ Has the applicant requested that the application be publicly notified?	No
➤ Is public notification required under s95C (following a request for further information or commissioning of report)?	No
➤ Is the application made jointly with an application to exchange reserve land?	No
Step 2: If not required by Step 1, notification is precluded if any of these apply – section 95A(5)	
➤ Does a rule or NES preclude public notification for all aspects of the application?	No
➤ Is the application a controlled activity?	No
➤ Is the application a restricted discretionary or discretionary activity for a subdivision?	No
➤ Is the application a restricted discretionary or discretionary activity for residential activity on land that, under the District Plan, is intended to be used solely or principally for residential purposes? (While there is a residential component to this proposal – it is not a residential activity in its entirety.)	No,
➤ Is the application a boundary activity?	No
Step 3: Notification required in certain circumstances if not precluded by Step 2 – section 95A(8)	
➤ Does a rule or NES require public notification?	No
➤ Will the activity have, or is it likely to have, adverse effects on the environment that are more than minor (discussed above)?	No
Step 4: Relevant to all applications that don't already require notification – section 95A(9)	
➤ Do special circumstances exist that warrant the application being publicly notified?	No

In accordance with the provisions of section 95A, the application **must not be publicly notified**.

LIMITED NOTIFICATION TESTS – Section 95B	
Step 1: Certain affected groups/persons must be notified – sections 95B(2) and (3)	
➤ Are there any affected protected customary rights groups or customary marine title groups?	No
➤ If the activity will be on, adjacent to, or might affect land subject to a statutory acknowledgement - is there an affected person in this regard?	N/A
Step 2: If not required by Step 1, notification is precluded if any of the following apply – section 95B(6)	
➤ Does a rule or NES preclude limited notification for all aspects of the application?	No
➤ Is this a land use consent application for a controlled activity?	No
Step 3: Notification of other persons if not precluded by Step 2 – sections 95B(7) and (8)	
➤ Are there any affected persons under s95E, i.e. persons on whom the effects are minor or more than minor, and who have not given written approval (discussed above)?	No
Step 4: Relevant to all applications – section 95B(10)	

➤ Do special circumstances exist that warrant notification to any other persons not identified above?	No
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In accordance with the provisions of section 95B, the application **must not be limited notified**.

Recovery Plans and Regeneration Plans

I am satisfied that processing this application on a non-notified basis will not be inconsistent with any Recovery Plans or Regeneration Plans.

Notification recommendation

That, for the reasons outlined above, the application be processed on a **non-notified** basis pursuant to sections 95A and 95B of the Resource Management Act 1991.

Reported and recommended by: Scott Blair, Senior Planner


Date: 9 July 2020

Notification decision

That the above recommendation be accepted for the reasons outlined in the report.

Commissioner:

Name: David Mountfort

Signature: 

Date: 9 July 2020

SECTION 104 ASSESSMENT

Actual and potential effects on the environment [Section 104(1)(a)]

The adverse effects on the environment are assessed in the preceding section 95 discussion, and that assessment is equally applicable here. In addition there are positive effect as discussed in the applicants additional social impact assessment (Attachment C) as follows:

b) *The City Mission is an integral part of the community in this part of the central city. The local area has a predominant residential component but there are a number of long-standing social service providers in the vicinity. These include the YMCA, Te Whare Roimata, Volunteer Canterbury, and Housing First; and Supporting Families with Mental Illness (accommodated on the City Mission campus) – see application paras 27-31.*

...

c) *The City Mission provides an essential service, and close to its target community. This is set out at paras 21-26 and paras 32-34 of the application. That establishes the present scale and nature of activities on the site.*

...

- f) *The City Missioner has noted that “While resident there, they undertake more intensified support and development work to enable them to develop to a stage whereby they are able to secure employment and reach a stage in which they are able to maintain/sustain permanent housing in community.”*

...

- h) *The existing City Mission Campus activities have successfully operated at the site for a little over 90 years without complaint. In recent years the City Mission has assisted in providing facilities and programmes to reduce social harm across the wider community. Its operations are widely accepted and indeed valued by the surrounding community.*

...

I agree with and adopt these comments. Overall, I consider that the adverse effects on the environment are able to be mitigated through compliance with recommended conditions such that they will be **less than minor** and acceptable.

Relevant objectives, policies, rules and other provisions of the Plan [Section 104(1)(b)(vi)]

Regard must be had to the relevant objectives and policies in the District Plan. These are discussed at paragraphs 99. – 117. of the AEE. In general I agree with and accept that assessment. I only generally agree because the statement in regard to policy 14.2.6.8.iii. does not discuss the potential economic distributional effects on the Commercial Central City Zone. I have, however, discussed this above and come to the conclusion that any distributional effects would be less than minor.

The strategic objectives in Chapter 3 are not particularly relevant because recent comment from the Environment Court (from Judge Borthwick) has determined that the strategic directions objectives and policies are generally given effect to through the more specific objectives and policies in the remainder of the plan.

I also note that other policies that are concerned with locational effects are also relevant. I note in particular:

14.2.6.5 Policy - Retailing in residential zones

- a. *Ensure that small scale retailing, except for retailing permitted as part of a home occupation, is limited in type and location to appropriate corner sites on higher order streets in the road hierarchy.*

. There is some tension with this policy given that the retailing is not particularly small scale and it is not on a corner site or on a higher order road. However, taking into account the historical context of the site, the fact that an opportunity shop already exists on site, and the limited economic distributional effects, I consider that that tension is outweighed by the fit with the other objectives and policies discussed in the AEE.

The AEE also does not discuss Chapter 7 Transport objectives and policies. Nevertheless I have found above that the transportation related adverse effects are less than minor. I conclude that, with the offered conditions in the AEE, the transportation objectives and policies have been met.

Overall I consider that the objectives and policies of the District Plan have been met.

Relevant provisions of a National Environmental Standard, National Policy Statement, Regional Plan, Regional Policy Statement or Coastal Policy Statement [Section 104(1)(b)]

The National Environmental Standard for managing contaminants in soil to protect human health is not relevant to this application and is discussed above.

Part 2 of the Resource Management Act [Section 104(1)]

Taking guidance from the most recent case law¹, 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 through an independent hearing and decision-making process in a manner that appropriately reflects the provisions of sections 5-8 of the Act.

¹ R J Davidson Family Trust v Marlborough District Council [2018] NZCA 316

Accordingly no further assessment against Part 2 is considered necessary.

Section 104(3)(d) notification consideration

Section 104(3)(d) states that consent must not be granted if an application should have been notified and was not. No matters have arisen in the assessment of this application which would indicate that the application ought to have been notified.

Recovery Plans and Regeneration Plans

Granting consent to this application will not be inconsistent with any Recovery Plans or Regeneration Plans. The applicant discusses the Central City Recovery Plan at paragraph 118 of the AEE. I agree with that assessment.

Section 104 Recommendation

That, for the above reasons, the application **be granted** pursuant to Sections 104, 104, 108 and 108AA of the Resource Management Act 1991, subject to the following conditions:

1. The development shall proceed in accordance with the information and plans submitted with the application, including those plans received 4 June 2020 superseding the original plans.

Landscaping and lighting

2. The proposed landscaping shall be established in accordance with the Plans labelled RMA/2020/435 GROUND FLOOR PLAN RC.3 Rev 02 and RMA/2020/435 228 WORCESTER STREET – LANDSCAPING RC.7 Rev 01 of the Approved Consent Document
3. All landscaping required for this consent shall be maintained. Any dead, diseased, or damaged landscaping shall be replaced by the consent holder within the following planting season (extending from 1 April to 30 September) with trees/shrubs of similar species to the existing landscaping.
4. Prior to application for a building consent for any of the works the applicant shall submit a lighting plan showing human scaled lighting along the entrance pathways to the central courtyard as well as luminaries near each doorway on dusk timers (or similar) to the Team Leader Compliance and Investigations for certification via email to rcmon@ccc.govt.nz.

Earthworks

5. Prior to the commencement of any on-site works, the consent holder shall appoint a site supervisor responsible for ensuring that compliance with conditions of this consent are observed at all times. Contact details (name, position, phone number) for the appointed site supervisor shall be provided to the Council, Attention: Monitoring Officer by way of email to rcmon@ccc.govt.nz, at least 5 working days prior to the commencement of any works associated with this resource consent.
6. The consent holder shall prepare an Erosion and Sediment Control Plan (ESCP) covering all earthwork associated with the consented development. The ESCP shall be designed by a suitably qualified person. The performance criteria for the ESCP shall be based on Environment Canterbury's Erosion and Sediment Control Toolbox for Canterbury (ESCT) (<http://esccanterbury.co.nz/>). The ESCP shall include (but is not limited to):
 - (a) A map showing the location of all works including any areas of protection of natural assets and habitats (if applicable);
 - (b) Detailed plans showing the location of sediment and dust control measures, on-site catchment boundaries and sources of runoff;
 - (c) Drawings and specifications of designated sediment and dust control measures;
 - (d) A programme of works including a proposed timeframe and completion date;
 - (e) Installation of devices until the site is stabilised (i.e. grassed); and
 - (f) Inspection and maintenance schedules for the sediment and dust control measures.

The ESCP will thereafter form part of the Approved Consent Document.

7. No construction work shall commence on site until such time as the ESCP measures the subject of condition 6 are in place.
8. Adequate dust control measures shall be in place at all times so as to minimise any nuisance to neighbouring properties. Appropriate equipment (e.g. water hose, sprinkler system) shall be available on site at all times and used whenever required by adverse conditions (windy weather, etc) as well as to reduce dust emission from heavy traffic within the site.
9. All bared surfaces shall be adequately stabilised as soon as possible to limit sediment mobilisation.
10. Should the consent holder cease, abandon work on site, stop the works for a period longer than 14 consecutive days, or be required to allow time gaps in accordance with the proposed timeline, it shall first take adequate preventive and remedial measures to control sediment discharge, and shall ensure that any commenced earthworks are finished in respect to what has commenced for a specific localised area. These measures shall be maintained thereafter until the completion of the works, and site soils being reinstated to an erosion-free state.
11. All loading and unloading of trucks with excavation or fill material is to be carried within the application site. Any stockpiles shall be placed as far as practicable from internal boundaries adjoining residential properties.
12. Filling, excavation and disturbance of soil greater than 0.3m in depth shall be in accordance with NZS 4431:1989 Code of Practice for Earth Fill for Residential Development. The content of fill shall be clean fill, in accordance with the District Plan definition.
13. The footpaths and roads to and from the site are to remain clean of debris and tracked material at all times. Footpaths and roads will need to be regularly checked and swept as necessary.
14. At the completion of the works:
 - a. Any public road(s), footpath, landscaped areas or service structures that have been affected/damaged by contractor(s), consent holder or by vehicles and machinery used in relation to the works, shall be reinstated to the relevant Council Construction Standard Specification (CSS) at the expense of the consent holder and to the satisfaction of the Council's Subdivision Engineer; and
 - b. Surplus or unsuitable material from the project works shall be removed from site and disposed at a facility authorised to receive such material.
15. No construction work, other than maintenance of dust and erosion and sediment control measures, shall be undertaken on Sundays, Public Holidays or outside the hours of 7.30am to 6.00pm Monday to Saturday, without the Council's prior consent.

Transportation conditions

16. A speed hump (or humps as needed) shall be installed inside the site access to Worcester Street to provide a cue to drivers leaving the site to slow and provide time to look for pedestrians on Worcester Street.

Noise

17. The consent holder shall ensure that all noise generated by activities undertaken on the site comply with the District Plan standards in Chapter 6 General Rules and Procedures 6.1 Noise at all times. This will include, but not be limited to, any noise generated by the plant room and outdoor seating area associated with the café.

Advice Notes:

- 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:

- (i) A monitoring programme administration fee of \$102.00 to cover the cost of setting up the monitoring programme; and
- (ii) A monitoring fee of \$116.80 for the first monitoring inspection to ensure compliance with the conditions of this consent; and
- (iii) Time charged at an hourly rate if more than one inspection, certification of conditions or additional monitoring activities (including those relating to non-compliance with conditions), are required.

The monitoring programme administration fee and initial inspection fee / documentation fee 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.

- This resource consent has been processed under the Resource Management Act 1991 and relates to planning matters only. You will also need to comply with the requirements of the Building Act 2004 and any other legislative requirements (including but not limited to Environment Canterbury Regional Plans, health licence, liquor licence, archaeological authority, certificate of title restrictions such as covenants, consent notices, encumbrances, right of way or easement restrictions, landowner approval where required).
- For more information about the building consent process please contact our Duty Building Consent Officer (phone 941 8999) or go to our website <https://ccc.govt.nz/consents-and-licences/>
- This site may be an archaeological site as defined and protected under the provisions of the Heritage New Zealand Pouhere Taonga Act 2014. Archaeological sites are defined in the HNZPTA as any place in New Zealand where there is physical evidence of pre-1900 occupation, regardless whether the site is known or not, recorded in the NZAA Site Recording Scheme or not, or listed with Heritage New Zealand or the local council. Authority from Heritage New Zealand is required for any work that affects or may affect an archaeological site. Please contact the Heritage New Zealand regional archaeologist on 03 363 1880 or archaeologistcw@heritage.org.nz before commencing work on the land.

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

DEVELOPMENT CONTRIBUTIONS SUMMARY				PIM or Consent Ref:		RMA/2020/435		
Customer Name		Social Service Council Of The Diocese Of Christchurch				ESTIMATE		
Project Address		269-275 Hereford Street						
Assessment Date		11/03/2020						
Assessment Summary								
		HUE Credits			Assessed HUE After Discount	Change	DC Rate (incl GST)	DC Charge (incl GST)
Activity	Catchment	HUE A	HUE B	Discounts C	HUE D	HUE E	G	F= E x G
Network Infrastructure								
Water supply	District-wide	5.96	8.37	0.0%	8.37	2.41	\$2,395.45	\$5,765.04
Wastewater collection	District-wide	5.96	8.37	0.0%	8.37	2.41	\$6,349.15	\$15,280.27
Wastewater treatment and disposal	District-wide	5.96	8.37	0.0%	8.37	2.41	\$2,904.90	\$6,991.12
Stormwater & Flood Protection	Avon	9.86	9.12	0.0%	9.12	0.00	\$798.10	\$0.00
Road network	Central City	4.73	5.68	0.0%	5.68	0.95	\$907.35	\$858.58
Active travel	District-wide	4.73	5.68	0.0%	5.68	0.95	\$425.50	\$402.63
Public transport	District-wide	4.73	5.68	0.0%	5.68	0.95	\$717.60	\$679.03
							GST 15%	\$3,910.00
							Total Development Contribution	\$29,976.67

Where both a resource consent and building consent are required as part of the same development, a development contribution (DC) assessment will be undertaken for both consents. However the applicant need only pay for one assessment. As a result, the Council will only invoice in accordance with either the assessment on the resource consent or the assessment on the building consent, whichever is the lower of the two (after any corrections or reassessments undertaken in accordance with the DCP).

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. 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 or by contacting a Development Contributions Assessor on (03) 941-8999.


Section 104 Decision

That the above recommendation be accepted for the reasons outlined in the report.

- I have viewed the application and plans.
- I have read the report and accept the conclusions and recommendation.

Commissioner:

Name: David Mountfort

Signature: 

Date: 9 July 2020

Attachment A

Relevant Objectives and Policies and Matters of Discretion

14.2.6 Objective - Non-residential activities

- b. Residential activities remain the dominant activity in residential zones, whilst also recognising the need to:
 - iii. provide for community facilities and home occupations which by their nature and character typically need to be located in residential zones; and
 - iv. restrict other non-residential activities, unless the activity has a strategic or operational need to locate within a residential zone or is existing guest accommodation on defined sites.

14.2.6.1 Policy - Residential coherence character and amenity

- a. Ensure that non-residential activities do not have significant adverse effects on residential coherence, character, and amenity

14.2.6.2 Policy - Community activities and community facilities

- a. Enable community activities and community facilities within residential areas to meet community needs and encourage co-location and shared use of community facilities where practicable.
- b. Enable larger scale community activities and community facilities within defined arterial locations that:
 - i. are within walking distance of the Central City and suburban commercial centres;
 - ii. front onto core public transport routes; and
 - v. are not dominated by residential development.

14.2.6.5 Policy - Retailing in residential zones

- a. Ensure that small scale retailing, except for retailing permitted as part of a home occupation, is limited in type and location to appropriate corner sites on higher order streets in the road hierarchy.

14.2.6.8 Policy - Non-residential activities in Central City residential areas

- a. Within Central City residential areas:
 - i. ensure non-residential activities are of a small scale and compatible with residential activities;
 - ii. ensure non-residential activities are focussed on meeting the needs of the local residential community or depend upon the high level of amenity inherent in the Residential Central City Zone;
 - vi. ensure new non-residential activities do not compromise the role of the Residential Central City Zone, the Central City Business Zone, or the aim of consolidating that area of the Central City or the Central City Mixed Use Zones;
 - iv. enable the on-going operation, use and redevelopment of existing fire service facilities; and
 - vii. protect residential amenity by controlling the character, scale and intensity of non-residential activities.

14.2.8 Objective - Central City residential role, built form and amenity

- a. A predominantly residential environment offering a range of residential opportunities, including medium to high density living, within the Central City to support the restoration and enhancement of a vibrant city centre;
- b. A form of built development in the Residential Central City Zone that enables change to the existing environment, while contributing positively to the amenity and cultural values of the area, and to the health and safety, and quality and enjoyment, for those living within the area.

14.2.8.2 Policy - Amenity standards

- a. Prescribing minimum standards for residential development which:
 - i. are consistent with higher density living;
 - ii. protect amenity values for residents;
 - iii. integrate development with the adjacent and wider neighbourhood;
 - iv. provide for a range of current and future residential needs; and
 - viii. recognise cultural values.

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;
 - iv. that is managed using the one network approach.

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.

7.2.1.4 Policy - Requirements for car parking and loading

- 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.

Attachment B

To: Scott Blair, Senior Planner From: Nicola Williams, Senior Urban Designer Date: 8 May 2020 Re: RMA/2020/435 – 269-275 Hereford Street, Central City – Urban Design Assessment	MEMO
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Background

The Christchurch Methodist Mission is seeking to rationalise and redevelop their mixed use functions on their properties on the northern side of Hereford Street. Principally this includes three new buildings: assisted short term accommodation (three flats over three levels) and a social enterprise café on the west side; and a mixed use building (foodbank, opportunity shop, counselling services and office space) on the east side of the site. Car parking and a one-way (north bound) access arrangement out to Worcester Street separate the buildings to the west and east.

The Mission has engaged early with Council through a pre application meeting on 29th November 2019. It was decided that there was no need to present to the Urban Design Panel given the small number of residential units.



Figure 1: Ground Level arrangement

District Plan Provisions: Built Form Standards

The previous non-compliance relating to the minimum setback from internal boundaries has now been resolved with the north-facing deck on L1 of the residential building being removed. The communal open space near the entrance of the building is of sufficient size to provide residential amenity for the residents in the level 1 flat. It is recommended that a couple of bench seats be installed during construction of the landscape works to provide spaces for sitting and outdoor socialisation.

The only outstanding non-compliance is the 13% landscape area across the site (instead of 20%)

14.6.2.6 Tree and garden planting

1. A minimum of 20% of the site shall be provided for landscaping (which may include private or communal open space in residential developments), where
 - a. at least 50% of the landscaping shall be trees and shrubs, and
 - b. a minimum of one native tree for every 250m² of gross site area (prior to subdivision), or part thereof, is included within the landscaping;

Comment:

The applicant has commendably engaged a Landscape Architect and submitted a thoroughly designed Landscape Plan which offers diversity of tree and shrub plantings. Whilst the minimum total area of 20% landscaping is not achieved, I consider that the following factors sufficiently mitigate this shortfall:

- The number of trees that can grow to maturity – located along the street boundary in particular - offers a contribution to the wider neighbourhood;
- The paving across the carpark area is porous and will perform a low impact function to offset the extent of hard stand; and
- The residential component of the site is approximately one-quarter. Whilst the area around the residential building offers sufficient amenity, there is perhaps less need for the commercial / servicing uses internally within this large site to provide this.

In this particular site redevelopment, I consider this assessment matter to be met.

14.15.33 Urban design in the Residential Central City Zone

The discussion below represents an assessment of the application against the urban design principles in the District Plan:

a. *The extent to which the development, while bringing change to existing environments:*

i. *engages with and contributes to adjacent streets, lanes and public open spaces.*

I have reviewed the architect's Design Statement with respect to this matter and agree that the location and function of the social enterprise café and opportunity shop along the Hereford Street edge will be a most welcome addition of activity to this section of streetscape.

The entrance area to the opportunity shop and main entrance gate is being updated to provide an accessible route to the offices / op shop. Additionally, the ground floor building line of the building adjacent to the street is being brought forward to the 2-metre setback to remove any recessed areas for potential lingering.

The architect have commendably improved the level of glazing along the street edge so that people can see into the op shop more which will offer more enticement to shop and make their way through the gate to the door behind.

Overall, I consider this assessment matter to be now met.

ii. *integrates access, parking areas and garages in a way that is safe for pedestrians and cyclists, and that does not dominate the development.*

Bike, pedestrian and car parking areas have been commendably separated. There is no garaging for the short-term residents, but some may have access to a car parking space. Bicycle parking is located in front of the opportunity shop and also deeper into the site adjacent to the food back area for staff and volunteers.

Overall, I consider that this matter has been satisfactorily addressed.

iii. *has appropriate regard to:*

A. *residential amenity for occupants, neighbours and the public, in respect of outlook, privacy, and incorporation of Crime Prevention Through Environmental Design principles;*

The amenity for the short term residents includes a ground floor patio area in the north-west corner of the site for the ground floor flat, a communal open space on the western edge near the entranceway for the Level 1 flat and south-west facing deck for the women's flat on the second floor.

I agree with the commentary in the Design Statement that there will not be any overlooking of the neighbours from the café building, and now that the level 1 deck has been omitted, I consider there to be no impact on privacy for adjacent residential properties.

I agree with the applicant's commentary on CPTED and overall consider this assessment matter to be met.

B. *neighbourhood context, existing design styles and established landscape features on the site or adjacent sites.*

The scale, location, function and architectural expression of the new buildings will bring a very welcome and high quality addition to this section of Hereford Street.

Additionally, the four x new Kowhai (*Saphora microphylla*) located either side of the entrance gate will assist in defining the anchoring the scale of the street, providing shade of the footpath and generally lifting the landscape contribution for the wider neighbourhood.

The existing cordyline australis at the south-west corner has been retained. I consider this assessment matter to be met.

iv. *provides for human scale and creates sufficient visual quality and interest.*

The double-height form of the café successfully mediates the three storey (3 flats) building behind and balances the two storey scale of the opportunity shop / offices on the eastern side of the entrance gate. The material choice is honest, contemporary and relatively low maintenance and as mentioned above, will significantly lift the quality of buildings in this section of Hereford Street.

Overall, the human scale, level of visual interest and high quality design, form and materiality of this proposal is likely to be of admirable quality. I consider this assessment matter to be well met.

Conclusion


The redevelopment of the Methodist Mission will offer a significant asset and visual improvement both to the functioning of the site, but also the character and amenity of Hereford Street. The city-wide contribution the organisation offers to the health and wellbeing for Cantabrians is also notably commended.

Please review the suggested draft conditions of consent:

1. Prior to approval, the applicant shall submit an updated Level 1 floor plan and northern elevation to the Resource Consent officer for review by the reporting urban designer.
2. Prior to construction, the applicant shall submit an updated Landscape Plan which includes bench seating (or similar) in the communal open space, as well as details of the entrance fencing and the accessible route in from the street. These plans shall be submitted to the Resource Consent officer for review by the reporting urban designer.
3. Prior to occupation, the applicant shall submit a Lighting Plan to the relevant urban designer for review. This should include human scaled lighting along the entrance pathways to the central courtyard, as well as luminaires near each doorway on dusk timers (or similar).

Thank you Scott and please do not hesitate to get in touch if you have any queries.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'Nicola Williams', with a large, sweeping flourish that loops back under the name and ends in a small dot.

Nicola Williams
Senior Urban Designer
Urban Design, Regeneration and Heritage Team
Nic.williams@ccc.govt.nz

APPENDIX 3: DRAFT EVENTS MANAGEMENT PLAN

YOUTH HUB

EVENTS MANAGEMENT PLAN

8 SEPTEMBER 2020

Introduction

1. The purpose of this Event Management Plan (EMP) is to avoid undue disturbance of adjacent residential neighbours from functions at the community facility at 109 Salisbury Street ('**Youth Hub**') and to maintain compliance with the relevant district plan noise standards. The EMP will ensure that any use of the site for events will be managed and supervised to avoid nuisance noise effects on neighbours.

Hours of Operation

2. Events shall only be held as follows:

DAYS	HOURS	NO. OF VISITORS (EXCLUDING STAFF)
Monday to Sunday	09:00am – 9:30pm	<60
Friday or Saturday evenings, maximum of 12 evenings per year	Up to 10:00pm	60 – 120
Friday or Saturday evenings, maximum of 12 evenings per year	Up to 10:00pm	Up to 200

Management Procedures

3. The following procedures shall be followed to ensure noise does not unduly disturb adjacent residential neighbours along the internal boundaries and along Salisbury Street.
4. The Youth Hub management shall ensure that all staff are made aware of these instructions prior to the function commencing.
5. These instructions shall form part of every hire agreement.
6. Adequate staff, including security staff if necessary, shall be present on site for each event to ensure that visitors can be safely managed and that potential nuisance noise and behaviour is prevented from occurring.
7. The neighbours listed in clause 22 below shall be notified a minimum of 14 days in advance, of any event where in excess of 60 persons are anticipated to attend.

Events centre

8. All external doors and windows of the events centre shall be kept closed during events after 7:00pm or at any time that amplified music or speech is occurring within the space.
9. Amplified music shall cease no later than 9:30pm, except on up to 24 occasions a year when larger events (>60 persons) are permitted to occur. On these 24 occasions a year, amplified music shall cease no later than 10:00pm.
10. Any excessively loud behaviour shall be actively discouraged.
11. No alcohol or other drugs will be allowed on the premises, therefore there will be no sale of alcohol within the site.
12. All guests shall be off the site by 10.00pm, except for on up to 24 occasions a year when larger events (>60 persons) are permitted to occur until 10:00pm. On these occasions a year, guests shall be off site by 10.30pm. Only staff and or function organisers may remain on site after these hours to clean up ensuring that people leave promptly following events and there is no congregation within the site.
13. Guests shall be asked to leave and drive away quietly with due respect given to residential neighbours, especially following close of functions. Signs requesting this shall be placed at appropriate exit locations.

14. No guests shall be permitted to congregate in external court yards after 7:00pm.

Traffic

15. The site provides four visitor spaces, so management of these spaces will be required when events are taking place to ensure pick-up / drop-off parking occurs in an organised manner so that it does not affect the through flow on Salisbury Street.
16. On-street parking will be discouraged, in particular along Gracefield Avenue.
17. The Salisbury Street car park will be managed during events to provide an effective pick-up / drop-off area.
18. All events shall be managed in accordance with the Traffic Management Plan.

Deliveries

19. Goods and pickups shall be arranged to call only between the hours of 8am and 5pm on any day.

Complaints

20. Should noise complaints be received, they shall be handled courteously and actioned immediately.
21. A complaints register shall be kept which records that date and time of the complaint, the name, address and phone number of the complainant, details of the nature of the complaint and the action that was taken in resolving the issue. This information shall be made available to any Council officer who may request it.
22. Persons residing at the following addresses shall be provided with an events liaison person, whom neighbours may contact should they have any concerns about event management:

3-9 Gracefield Avenue

101A, 101 and 103 Salisbury Street

362/1-362/6 Durham Street North

31, 35, 39, 41, 43 and 43A Gracefield Avenue

27/1-27/6 Gracefield Avenue

16, 16A, 20/1, 20/1, 20/3 and 22 Gracefield Avenue

94, 96 Salisbury Avenue

118 Salisbury Avenue (when developed)

APPENDIX 4: DRAFT CONDITIONS

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 and labelled RMA/2020/405.

Lighting

2. At least 10 working days prior to the commencement of construction work associated with this resource consent, the consent holder shall provide a design certificate from a suitably qualified and experienced person confirming that the development will achieve compliance with the following requirements:
 - a) Lighting of the parking area shall be maintained at a minimum level of 2 lux, with high uniformity, during the hours of operation.
 - b) All exterior lighting shall be directed away from adjacent properties and roads.
 - c) There shall be no light spill at any residential boundary exceeding 4 lux. The point of measurement for the lux spill is either at a point 2 metres inside the boundary, or at the closest window, whichever is the nearer, of the property affected by glare from the proposed activity.
3. Upon completion of the lighting installation, an installation certificate from a suitably qualified person shall be provided to the Council showing that the lighting has been installed in accordance with design certificate.

Note: The required design certificate and installation certificate shall be provided to the Council Attention: Team Leader - Environmental Compliance, by way of email to rcmon@ccc.govt.nz.

Traffic Management

4. All proposed construction works shall to be carried out in accordance with an approved Temporary Traffic Management Plan (TTMP). The consent holder shall prepare a TTMP and submit this to Council, Attention: Christchurch Transport Operation Centre (CTOC) by way of email to rcmon@ccc.govt.nz, at least 10 working days prior to the commencement of construction work associated with this consent. The TTMP shall identify the nature and extent of temporary traffic management and how all road users will be managed by the use of temporary traffic management measures and comply with the NZTA Code of Practice for Temporary Traffic Management (CoPTTM). Activities on any public road should be planned so as to cause as little disruption, peak traffic delay or inconvenience to road users as possible without compromising safety.

5. Once operational, all activity on the site shall be carried out in accordance with an approved Operational Travel Management Plan (OTMP). The purpose of the OTMP is to encourage travel to / from the site by modes other than private car travel as far as is practicable; and to manage the car parking effects associated with those people that choose to travel to the site.
6. The OTMP shall include but not be limited to the matters set out in Appendix 4, of Appendix 7 of the application.
7. The consent holder shall submit the OTMP to Council (rcmon@ccc.govt.nz) for certification at least 20 working days prior to operations associated with this consent commencing on the site. This OTMP is to be certified by the Council as meeting the requirements of condition [x] prior to the commencing of operations and, once certified, the OTMP will therefore after form part of the Approved Consent Document.
8. Should the Council refuse to certify the OTMP, the consent holder shall submit a revised OTMP to the Council for certification. The certification process shall follow the same procedure and requirements as outlined in conditions [x].
9. The OTMP may be amended at any time by the Consent Holder. Any amendments to the OTMP shall be submitted by the Consent Holder to the Council for certification. Any amendments to the OTMP shall be:
 - a) for the purposes of improving the measures outlined in the OTMP for achieving the OTMP purpose (see condition [x]), and;
 - b) consistent with the conditions of this resource consent.

If the amended OTMP is certified, then it becomes the certified OTMP for the purposes of condition [x] and will thereafter form part of the Approved Consent Document.
10. Any staff arriving on the site by car between the hours of 11:00am and 07:00pm shall only park in one of the three southern car parking spaces in the Gracefield Avenue car park.
11. The Salisbury Street car park shall be used during the day time period only (07:00am to 11:00pm). Access to the car park will be physically prevented during night time hours.

Event Management

12. Events shall only be held as follows:

DAYS	HOURS	NO. OF VISITORS (EXCLUDING STAFF)
Monday to Sunday	09:00am – 9:30pm	<60
Friday or Saturday evenings, maximum of 12 evenings per year	Up to 10:00pm	60 – 120
Friday or Saturday evenings, maximum of 12 evenings per year	Up to 10:00pm	Up to 200

13. Prior to the first event being held on the site, an event management plan (EMP) shall be prepared and submitted to Council (rcmon@ccc.govt.nz) for certification. The purpose of the EMP is to ensure any use of the site for events will be managed and supervised to avoid nuisance noise effects on neighbours, and to maintain compliance with the relevant district plan noise standards.

14. All events on the site shall be carried out in accordance with an approved EMP. The EMP shall include but not be limited to the following matters:

- i. Hours of operation;
- ii. Management procedures and event staffing;
- iii. Management of outdoor areas accessible to visitors;
- iv. Management of the events centre building;
- v. Management of traffic on site and including with reference to the OTMP;
- vi. Complaints procedures and event manager contact details; and

vii. Any other information necessary to ensure compliance with the conditions of this resource consent.

15. The consent holder shall submit the EMP to Council (rcmon@ccc.govt.nz) for certification at least 20 working days prior to the first event associated with this consent commencing on the site. This EMP is to be certified by the Council as meeting the requirements of condition [x] prior to the first event and, once certified, the EMP will therefore after form part of the Approved Consent Document.

16. Should the Council refuse to certify the EMP, the consent holder shall submit a revised EMP to the Council for certification. The certification process shall follow the same procedure and requirements as outlined in conditions [x].

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

- a) for the purposes of improving the measures outlined in the EMP for achieving the EMP purpose (see condition [x]), and;
- b) consistent with the conditions of this resource consent.

If the amended EMP is certified, then it becomes the certified EMP for the purposes of condition [x] and will thereafter form part of the Approved Consent Document.

18. A record of all events/functions subject to the resource consent shall be kept detailing the nature of the event, date, time and number of guests. A copy of the record shall be made available to the Council on request.

Noise and Vibration

19. All construction activities shall be managed and controlled in accordance with NZS6803:1999.

20. [pre-works structural condition assessment – The consent holder shall undertake a pre-works structural/condition assessment for all habitable buildings within 5m of the site boundary - placeholder]

21. An acoustic fence shall be installed prior to construction activity commencing on all internal boundaries. The acoustic fence shall be 2m in height, shall have a minimum surface mass of 8.0kg/m² except that fencing adjoining the Salisbury Street car park shall have a minimum surface mass of 15kg/m², and shall be maintained in good condition with no gaps.

22. No outdoor seating shall occupy the café courtyard within 4m of the eastern site boundary.

23. No external music shall be played in the café courtyard. Internal music shall be played at background levels only.
24. The café courtyard shall have a maximum of 10 seats.
25. No alcohol shall be served in the café.

Erosion and Sediment Control

26. All filling and excavation work shall be carried out in accordance with a site specific Erosion and Sediment Control Plan (ESCP), prepared by a suitably qualified and experienced professional, which follows the best practice principles, techniques, inspections and monitoring for erosion and sediment control contained in ECan's Erosion and Sediment Control Toolbox for Canterbury <http://esccanterbury.co.nz/>. The ESCP must be held on site at all times and made available to Council on request.
27. Run-off shall be controlled to prevent muddy water flowing, or earth slipping, onto neighbouring properties, legal road, or into a river, stream, drain or wetland. Sediment, earth or debris shall not fall or collect on land beyond the site or enter the Council's stormwater system. All muddy water must be treated, using at a minimum the erosion and sediment control measures detailed in the site specific Erosion and Sediment Control Plan, prior to discharge to the Council's stormwater system.
28. The ESCP shall be implemented on site and maintained over the construction phase, until the site is stabilised (i.e. no longer producing dust or water-borne sediment). The ESCP shall be improved if initial and/or standard measures are inadequate. All disturbed surfaces shall be adequately topsoiled **and** vegetated as soon as possible to limit sediment mobilisation.
29. Dust emissions shall be appropriately managed within the boundary of the property in compliance with the Regional Air Plan. Dust mitigation measures such as water carts or sprinklers shall be used on any exposed areas. The roads to and from the site, and entrance and exit, must remain tidy and free of dust and dirt at all times.
30. The consent holder must notify Christchurch City Council no less than three working days prior to works commencing, (email to rcmon@ccc.govt.nz) of the earthworks start date and the name and contact details of the site supervisor.
31. All loading and unloading of trucks with excavation or fill material shall be carried out within the subject site.

Landscaping

32. The proposed landscaping shall be established on site within the first planting season (extending from 1 April to 30 September) following the final, passed building inspection.
33. All landscaping required for this consent shall be maintained. Any dead, diseased, or damaged landscaping shall be replaced by the consent holder within the following planting season (extending from 1 April to 30 September) with trees/shrubs of similar species.

Review

34. Pursuant to Section 128 of the Resource Management Act 1991, the Council may review conditions by serving notice on the consent holder within a period of one month of any 12 month period following the date of this decision, in order to deal with any adverse effects on the environment which may arise from the exercise of this consent and which it is appropriate to deal with at a later stage.