


15. URBAN DESIGN PANEL



General Manager responsible:	General Manager Strategy & Planning DDI 941-8281
Officer responsible:	Liveable City Programme Manager
Author:	Hugh Nicholson, Principal Adviser, Urban Design,

PURPOSE OF REPORT

1. The purpose of this report is to gain the Council's approval to establish an urban design panel for a trial period of eighteen months to promote higher quality urban design outcomes for the central city, key suburban centres (Business 2 zone) and higher density residential areas (Living 3 zone).

EXECUTIVE SUMMARY

2. This report investigates the establishment of an urban design panel for a trial period of eighteen months in order to promote higher quality urban design outcomes in the central city and other key intensification areas proposed in the Greater Christchurch Urban Development Strategy as a result of continued concerns over the quality of new developments. A trial period is proposed to allow the Council to evaluate the benefits of a panel, to investigate how it might be integrated with possible urban design changes to the City Plan and to properly establish the costs of a permanent panel and how in the future these might be fairly recovered. The permanent establishment of the panel would be considered as part of the 2009 LTCCP. The costs of the urban design panel would not be charged to applicants during the 18 month trial period.

The report's recommendations arise out of a seminar on the Urban Design Protocol Action Plan on 22 August 2006 and are a part of implementing the Greater Christchurch Urban Development Strategy and the Central City Revitalisation Strategy Stage II.

3. The proposed panel would be composed of four established professionals and would include expertise in urban design, architecture, property and development. The members would be selected from a pool of panellists nominated by professional institutes and the Property Council and approved by the Council.
4. It is anticipated that the panel would meet on a two weekly basis. The panel would have an advisory role to the Council rather than statutory decision making powers. The panel's recommendations would be incorporated into officers planning reports and referred to the appropriate decision making body
5. The scope of proposal that the panel could consider is potentially large, and in the case of Auckland its mandate has grown and shrunk over a number of years. It is proposed that initially the scope of the panel be defined to consider developments which meet the following criteria.
 - (i) Proposals that require a resource consent from the Christchurch City Council under the City Plan and which are located within any site within the four Avenues (all zones) and or any land zoned L3 or Business 2 (suburban Malls) in the City Plan. The trigger points for review by the panel within these areas/zones are:
 - ☐ Multi Unit Residential Development of 5 units or more.
 - ☐ Multi Unit Commercial Development of 3 units or more
 - ☐ Any building with a gross floor area (GFA) of 1500m² or greater
 - ☐ Any building adjoining any item contained in the "List of Protected Buildings, Places, and Objects", in the City Plan.
 - ☐ Any building adjoining any Conservation, or Open Space Zone land in the City Plan.
 - (ii) Any Christchurch City Council Capital Project with a value of \$5 million or greater, or which is intended for public use, or to which the public have regular access.

It is also proposed that the offices and the panel review these criteria at six, twelve and eighteen months to review their effectiveness and make recommendations back to Council as appropriate.

FINANCIAL IMPLICATIONS

6. The budget implications of the recommendations are as follows:
- (a) Strategy and Planning have an approved operational budget of \$50,000 in 2007/08 and again in 2008/09 to establish an urban design panel.
 - (b) By implementing the Urban Design Panel from 1 January 2008, the anticipated cost for the balance of the 2007/08 financial year is \$115,500. This cost is made up by secretarial support, start up administration and training costs, and costs associated with planner support and advice to the Panel. After making an allowance for the \$50,000 approved budget, there is an unbudgeted shortfall of \$65,500.
 - (c) In 2008/09 the anticipated cost of the Panel is \$203,000. This cost is made up by secretarial support, minor administration costs and costs associated with planner support and advice to the Panel. After making an allowance for the \$50,000 approved budget, there is an unbudgeted shortfall in 2008/09 of \$153,000. Given that the proposal is to run for a trial period of eighteen months and will need to do so for any real evaluation to take place it is proposed that Council fund the project for eighteen months, noting a shortfall in budgeted funding of \$65,500 for 2007/08 and the need to fund an additional \$153,000 for 2008-09 to cover the anticipated costs.
 - (d) The ongoing budget implications of the panel would be addressed as part of the report back to Council at the end of the eighteen month trial period, and be addressed as part of the 2009 LTCCP. As part of this and including an assessment of the public vs. private benefit of the panel, and potential cost recovery from resource consent applicants will be addressed.

LEGAL CONSIDERATIONS

7. This report has been reviewed by the Legal Services Unit, who conclude that there are no restrictions in the Resource Management Act 1991 that would prevent the proposed Urban Design Panel from being established or carrying out the functions proposed in the attached project brief. It is proposed that the panel be established as a subcommittee of the Council, with an entirely external membership to be appointed by the Mayor and Chief Executive.

ALIGNMENT WITH STRATEGIES

8. The recommendations in this report are signaled in the Greater Christchurch Urban Development Strategy (UDS). The central city is one of the key intensification areas identified in the strategy which notes that *"Central Christchurch becomes more 'livable' with an increase in the range of housing available"*. The strategy envisages that a significant proportion of Christchurch's growth up to 2041 will need to be within existing urban intensification areas, particularly the central city.
9. Three of the key approaches under Urban Design (Section 6.9.3) of the UDS are:
- ☐ to incorporate urban design considerations into district plan changes to help to prevent poor quality developments;
 - ☐ to encourage private investment to provide higher levels of amenity and environmental quality in areas where higher density is proposed;
 - ☐ to invest in high quality public spaces associated with town or activity centres.

10. One of the six urban design actions identified in the Action Plan (Section 6.9.4) is:
- (6) **Prepare plan changes for the central city and other activity centres, rural centres, and residential and rural areas to ensure future developments meet minimum urban design outcomes,**
Plan variations or changes to incorporate urban design considerations in district plans covering the main areas of development would go some way to preventing poor quality developments. Some consideration also needs to be given to ensure that any plan or variation changes do not make it harder to develop in areas where the Strategy envisages development thereby encouraging development in other areas.

Do the recommendations align with the Council's strategies?

11. The recommendations in this report support a number of community outcomes including:
- a. An attractive and well designed city**
Christchurch is attractive and well maintained, and we design our city to meet current needs and future challenges.
 - b. A safe city**
People feel safe at all times in Christchurch
 - c. A prosperous city**
We value sustainable wealth creation, invest in ourselves and in our future
 - d. A well governed city**
Our decision makers plan for a sustainable Christchurch
12. In terms of the Council's Strategic directions the recommendations of this report contribute to:
- Liveable City**
Maintain and enhance the quality of development and renewal of the city's built environment, by
- ☐ Championing high quality urban design
 - ☐ Encouraging improved accessibility in public and commercial buildings
 - ☐ Improving the way in which public and private spaces work together
- Strong Communities**
Reduce injury and crime and increase perceptions of safety, by
- ☐ Using and regulating urban design to maintain and improve public safety
- Healthy Communities**
Strengthen the Garden City image, by
- ☐ Providing street landscapes and urban open space that enhance the character of the city
13. The report is also aligned with the UDS (as discussed in paragraphs 8-10) and the Central City Revitalisation Strategy Stage II.

CONSULTATION FULFILMENT

14. The Institutes of Architects, Planners and Landscape Architects, and the Property Council would be consulted during the establishment of an Urban Design Panel. Feedback from the development community would be sought at the end of the eighteen month trial period as part of the report back to Council.

STAFF RECOMMENDATIONS

It is recommended that the Council:

- (a) Establishes an Urban Design Panel Subcommittee of the Council for a trial period of eighteen months (from the date the members of the panel are appointed) to provide urban design advice on significant resource consents and plan changes in the central city (within the four avenues), Business 2 and Living 3 zones, as outlined in the attached terms of reference dated September 2007.
- (b) Resolves that the panel is not deemed to be discharged on the coming into office of the members of the local authority elected or appointed at, or following, the next triennial general election of members.
- (c) Adopts the attached *“Urban Design Panel - Terms of Reference”* dated September 2007.
- (d) Delegates the Mayor and the Chief Executive to appoint to the Subcommittee up to twelve panel members from nominations received from the NZ Institute of Architects, NZ Institute of Landscape Architects, NZ Planning Institute, and the Property Council of New Zealand, and appoint one of the twelve as the convenor of the panel, and one as the alternate convenor.
- (e) That the developments and area covered by the panel (as set out in Part 4 of the Terms of Reference) be reviewed on a six monthly basis by staff and the panel, and any recommendations to amend these be referred to Council for consideration.
- (f) Approves additional funding of \$218,000 (\$65,000 in 2007/08 and \$153,000 in 2008/09) as a fixed term project to cover the costs of an eighteen month trial period for an Urban Design Panel.

BACKGROUND (THE ISSUES)

15. Christchurch City Council is a signatory of the New Zealand Urban Design Protocol launched in 2005 by the Ministry for the Environment. In becoming a signatory the Council has made a commitment to make Christchurch “more successful through quality urban design”. One of the ways this can be achieved is through appropriate statutory policies, rules and design guidance.
16. Over the last ten years the Council has received significant feedback concerning the poor quality of design and the urban form resulting from developments in the central city (within the four avenues), and the Business 2 and Living 3 zones.
17. A review of processes and practices affecting central city developments by *Planit Planning and Resource Management Consultants* in June 2000 identified a range of possible improvements to the Council’s procedures and development controls including:
 - Creating a positive culture of finding solutions and overcoming problems;
 - Having an experienced Council officer as a single point of contact and coordinator for developers;
 - Encouraging pre-application meetings to resolve problems before they arise;
 - Having an independent panel to assess design & appearance issues;
 - Providing greater Council assistance with earthquake strengthening and heritage retention
18. One of the methods of raising the quality of design and urban form is to introduce stronger urban design controls into the City Plan. Any proposed City Plan changes need to follow a statutory process under the Resource Management Act 1991 which includes the assessment of issues, options, and costs before a decision can be made, in accordance with Section 32.
19. There are limited design and appearance controls in the current City Plan. Even where these controls are in place development outcomes have not always been ideal. The current work programme for the City Plan includes an investigation of a central city design and appearance or urban design controls. The assessment of issues, options and costs of establishing urban design controls in the central city is currently being tendered by Strategy & Planning.

URBAN DESIGN PANEL

20. An urban design panel is a complementary tool that could be used to improve the quality of urban design outcomes in Christchurch. It is proposed that an urban design panel would be composed of four experienced professionals, including a chair, an urban designer, an architect and a representative of the Property Council, selected from a pool of twelve approved panelists, who would provide the Council with independent urban design advice. The panel would:
 - Provide pre-application advice and application assessments for significant resource consents in the central city (within the four avenues), Living 3 and Business 2 (suburban malls) zones;
 - Provide guidance regarding proposed urban design controls in the central city, Living 3 and Business 2 (suburban malls) for the City Plan;
 - Provide urban design advice regarding both Council and privately initiated plan changes;
 - Provide urban design advice regarding significant Council capital projects.
21. The urban design panel would have an advisory role to the Council rather than statutory decision making powers, and the importance of pre-application meetings would be stressed as a means of resolving problems before they arise. The panel’s recommendations would be incorporated into the officers planning reports for an application and referred to the appropriate decision making body. While the Council officers would be required to pay heed to the panel’s advice in their reports, the requirements of the City Plan and established Council policy would take precedence over the panel’s recommendations where there were any differences.

22. The terms of reference for the proposed panel establish urban design criteria for the panel to use in making assessments. The criteria would be revised as part of any notified urban design plan changes, and would include:
- a. Quality of the architecture and its relationship to Christchurch
 - b. General design principles including scale and composition, architectural details, articulation of facades and the treatment of rooftops
 - c. The relationship of the building to the street, public spaces and adjacent buildings, and to the character of surrounding areas
 - d. The location of activities and their relationship with the street and public spaces particularly on the ground floor
 - e. The design of pedestrian and vehicle entrances, and access to and around buildings
 - f. The relationship with existing heritage buildings and significant open spaces in the vicinity
 - g. The amenity and quality of outdoor spaces associated with the development
 - h. The integration of artworks into the development
 - i. Circulation and servicing
 - j. Safety for users and passers-by
 - k. The level of amenity for residential accommodation including outlook, sunlight access, visual and acoustic privacy, ventilation, size and design
 - l. The design of buildings to maximise sustainability, for example in water heating, lighting, heating, natural ventilation, and stormwater reduction, treatment or re-use
23. An urban design panel would be a preliminary step towards improving the design quality of new developments. An associated urban design plan is being investigated currently and will extend the opportunities for a panel to effect change. The advantages of establishing the panel at the same time as considering a plan change would be to signal a commitment to immediate action, to allow the panel time to establish itself before taking on a more significant role, and to provide advice on the most appropriate form of the plan change.
24. One of the risks of establishing an urban design panel is that it could discourage development in the central city by introducing more regulatory controls. It is proposed to manage this potential risk in two ways. The first is by ensuring that any urban design controls also apply to the main areas of competition to the central city – the suburban malls – thus ensuring a level playing field in terms of regulatory control.
25. The second method is to provide positive incentives for using the urban design panel and supporting their recommendations. The benefits for developments which have the support of the urban design panel include:
- ☐ Better design and quality
 - ☐ Faster processing through the resource consent process
 - ☐ Non-notified where the application is non-compliant in terms of other bulk and location

URBAN DESIGN PANELS IN OTHER PLACES

26. The use of urban design or design review panels has become more common both nationally and internationally. In the United Kingdom CABA (Commission for Architecture and the Built Environment), which is the government's advisor on architecture, urban design and public space, has run its own design review panel since 1999, and has published guidelines on running design reviews and design review panels. A significant number of local and regional authorities in the UK have established their own design review panels.
27. In New Zealand urban design panels are being used by Auckland, Manukau and Hamilton City Councils and by Queenstown Lakes District Council. There is also a design and appearance advisory committee in Akaroa. All of these panels have been established to promote better design outcomes which complement the existing city fabric, rather than to hinder new development.

28. There are two broad models for the establishment of the panels. Both Manukau and Hamilton City Councils have engaged independent consultants with expertise in urban design, architecture and landscape architecture to form their panels. Auckland City Council and Queenstown Lakes District Council have called for expressions of interest from professional institutes and other parts of the community, and selected their panels from those nominees with appropriate expertise. In Christchurch it is recommended that expressions of interest be called for from professional institutes in order to promote a greater sense of involvement with local design professionals.

NUMBER OF APPLICATIONS

29. Based on a review of the applications for resource consents received in 2006, approximately 10-15% of applications might have been referred to an Urban Design Panel. There would be an element of discretion in assessing the significance of applications to be referred to the panel. It is anticipated that up to three applications might be reviewed at each panel meeting, indicating that a two weekly meeting by the panel may be appropriate.

THE OPTIONS

30. (i) Maintain status quo:

Effectively there are minimal urban design controls over new developments in the central city and Business 2 zones currently. If the Council is successful in promoting new development in these areas as recommended in the GCUDS and the Central City Revitalisation Strategy Stage II there is a significant risk that poor quality developments could undermine the policies and objectives of these strategies and lead to a poor quality of built environment, and undermine any public confidence that an intensification strategy could succeed.

- (ii) Introduce an Urban Design Panel without an associated urban design plan change:

While an urban design panel is likely to be supported by those developers who are aiming to create high quality developments, it is unlikely to be able to influence the poor quality developments where cost and time are the key drivers without an urban design plan change which would give regulatory support to the panel. It is these poor quality developments that are likely to undermine the Council's strategic policies and objectives, and lead to a poor quality of built environment.

THE PREFERRED OPTION

31. (iii) Introduce an Urban Design Panel and investigate associated urban design plan changes introducing urban design controls to the central city (within the four avenues), and Living 3 and Business 2 zones.

ASSESSMENT OF OPTIONS

The Preferred Option

	Benefits (current and future)	Costs (current and future)
Social	Improved environment for crime prevention and social interaction resulting from urban design plan change	
Cultural	Improved opportunities for protection of heritage fabric of city and integration of arts and urban identity into new developments	
Environmental	Improved environmental outcomes in the central city and suburban malls	
Economic	Increased opportunities for high quality economic investment in central city. Enhanced attraction and retention opportunities for educated workforce.	Increased costs to Council of urban design panel, plan changes and incentives. Increased development costs in order to meet regulatory requirements.
<p>Extent to which community outcomes are achieved: Primarily aligned with Community Outcomes of <i>A Prosperous City</i> and <i>An Attractive and Well Designed City</i>. Also contributes to <i>A Safe City</i> and <i>A Healthy City</i></p> <p>Impact on Council's capacity and responsibilities:</p> <ul style="list-style-type: none"> Increased demands on staff resources as number of developments requiring resource consents in central city and B2 zone increases Increased costs of preparing and notifying an urban design plan change Increased costs and staff resources to run an urban design panel <p>Effects on Maori: N/A</p> <p>Consistency with existing Council policies: The proposal is consistent with the UDS, Central City Revitalisation Strategy Stage II, Central City Transport Concept, and Central City Lanes Plan. It is also consistent with Council policies to improve pedestrian facilities and the quality of the urban environment under the Christchurch Pedestrian Strategy and the Christchurch City Plan. The proposal also gives expression to the New Zealand Urban Design Protocol which the Council signed in 2005.</p> <p>Views and preferences of persons affected or likely to have an interest: Affected parties will be consulted as part of the proposal.</p> <p>Other relevant matters:</p>		

Maintain the Status Quo (if not preferred option)

	Benefits (current and future)	Costs (current and future)
Social		Risk of creating conditions which give rise to poor social outcomes including increased crime and poor quality housing
Cultural		Risk of significant damage to heritage fabric of city if level of central city development increases as part of central city revitalisation
Environmental		Risk of significant number of poor environmental outcomes if level of central city development increases as part of central city revitalisation
Economic	Lower regulatory and development costs maintained. Development not discouraged by increased regulation.	More difficult to attract highly educated workforce to live in Christchurch
<p>Extent to which community outcomes are achieved: Primary alignment with community outcome of <i>A Prosperous City</i></p> <p>Impact on Council's capacity and responsibilities: No change to the Council's capacity or responsibilities</p> <p>Effects on Maori: N/A</p> <p>Consistency with existing Council policies: Maintaining the status quo is consistent with the City Plan</p> <p>Views and preferences of persons affected or likely to have an interest:</p> <p>Other relevant matters:</p>		