

## 9. URBAN DESIGN PANEL INTERIM REPORT

<b>General Manager responsible:</b>	General Manager, Strategy and Planning, DDI 941-8281
<b>Officer responsible:</b>	Liveable City, Programme Manager
<b>Author:</b>	Fiona Wykes, Urban Designer

### PURPOSE OF REPORT

1. The purpose of this report is to present the first review of the Christchurch City Urban Design Panel (UDP) to the Council which includes some suggested alterations to the scope of the panel and budgetary matters.

### EXECUTIVE SUMMARY

2. As part of the original Council approval for the UDP it was agreed that the effectiveness of the panel and the criteria for the scope of its work would be reviewed on a six monthly basis. This report is the first of those reviews.
3. The panel has met on 15 occasions and has reviewed 20 projects, including three Council projects. Panel meetings are triggered by receipt of resource consent applications which meet the panel terms of reference (refer **attached**).
4. As yet it is too soon to evaluate the impact of the panel on built projects. This review will focus on feedback from panellists and planners, with feedback from applicants being assessed at the 12 monthly review that will be undertaken later in the year. In addition this report will look at possible additions to the scope of the panel terms of reference, questions regarding the legal status of panel recommendations and an assessment of whether additional panellists should be added to the pool of panel members.
5. Consultation with senior planners from the Environmental Policy and Approvals Unit has provided the following feedback:
  - Criteria for the UDP should be widened to include hospitals, retirement villages, subdivisions, daycare centres and elderly persons' housing, within any zone.
  - Generally taking applications to the panel was considered a positive experience.
6. The members of the UDP were also consulted as part of this review.
  - Generally the experience of being a panellist has been positive.
  - It was noted that positive feedback has been received from panellists' peers and also from the general public, through direct comments made to panellists, and there is a belief that the panel can and will make a difference in Christchurch.

### PANEL MEMBERSHIP

7. The six months that the panel has been running have clarified some issues regarding the membership of the panel – more specifically to recommend increasing the size of the pool of panel members from 12 to a maximum of eighteen panellists. The Mayor and Chief Executive can appoint new members to the pool of panellists however the Terms of Reference limit the size of the pool to twelve. The additional numbers in the pool do not affect the budget as panellists are only remunerated for meetings attended. Discussion amongst staff and with development professionals has led to the following suggestions:
  - The addition of two surveyors to the pool of members. Preliminary discussions have been held with the New Zealand Institute of Surveyors who are keen to be involved.
  - The inclusion of a second property expert within the pool. The contribution of the property expert currently serving the panel has been valuable and they have been included in every panel. It seems reasonable to include a second property expert within the pool for occasions when the existing panel member may not be available or where there may be a conflict of interest. Nominations would be sought from the Property Council of New Zealand.

- The inclusion of a heritage expert within the pool to be called upon as and when required. Nominations would be sought from the Historic Places Trust.
  - Additional planners with expertise in urban design who can represent both of these professions on the panel. Nominations would be sought from the New Zealand Planning Institute.
8. Currently the Terms of Reference for the UDP require four members to be present at a panel meeting to form a quorum. A change to the Terms of Reference requiring a quorum of three members would allow a meeting to proceed if for some reason a panel member is unable to attend a meeting at the last minute, and a replacement could not be found at short notice.

#### THE SCOPE OF THE PANEL

9. Criteria that the UDP can currently consider are in the Terms of Reference and in the final section of this report. Section 4(ii) of these Terms of Reference currently reads:

*'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'*

10. This should be reworded as the present wording means that all Council Capital Projects which are accessible to the public are required to go to the UDP, which is impractical and cost prohibitive. The recommended wording is:

*'Any Christchurch City Council Capital Project with a value of \$5 million or greater, which is intended for public use, or to which the public have regular access.'*

11. It is recommended that the scope of the panel might expand to include the following kinds of development in any zone, given their impact on the built form and function of Christchurch.

- Hospitals
- Retirement villages
- Elderly persons housing

12. Hospitals, retirement villages and elderly persons' housing can have significant impacts on neighbourhoods in which they are proposed or may be extended.

13. A suggestion has been made that subdivisions including more than five new allotments and daycare centres should also be added as development to be assessed by the panel and these will be considered with additional criteria and assessment matters attached to them at the 12 month review stage. Daycare centres can have significant impacts on neighbourhoods in which they are proposed or may be extended. Subdivisions have the potential to shape the future of Christchurch and if they are well designed, provide the opportunity to meet the objectives of the Greater Christchurch Urban Development Strategy and create a more sustainable urban form.

14. The UDP Terms of Reference do not currently reflect the importance that Christchurch City Council places on the health and wellbeing of the community. Good urban design promotes high quality living and health promoting environments but this point has not been made explicit in the Terms of Reference. Therefore it is suggested that Section 4 of the terms of reference has an additional clause 'o.' added to the matters that the panel can consider as follows:

'o. Encourage high quality design that promotes the health and well-being of the community.'

Copies of the 'Health Promotion and Sustainability Through Environmental Design: A Guide for Planning' document published by Christchurch City Council will be made available to members of the UDP.

## **FINANCIAL IMPLICATIONS**

15. At present the existing budget for the UDP for the year from 1 July 2008–30 June 2009 is \$203,000. This is made up of:
- |  |           |
|--|-----------|
| (a) The administration costs of the Panel:         | \$41,000  |
| (b) Democracy Service costs:                       | \$45,000  |
| (c) Environmental Policy and Approvals Unit costs: | \$117,000 |
16. To date additional meetings have been required due to demand. The exact number of meetings required on an annual basis cannot be predicted. However during this trial funding will be managed on an annual basis. At the conclusion of the trial for the UDP the ongoing cost to the Council will be assessed to inform future decisions around the long term continuation of the panel.

### **Do the Recommendations of this Report Align with 2006-16 LTCCP budgets?**

17. Yes.

## **LEGAL CONSIDERATIONS**

18. Any legal considerations that have arisen in connection with the Urban Design Panel have been addressed. A legal opinion has been sought from the Council's Legal Services Unit as to whether a Commissioner or Hearings Panel could have regard to the recommendations of the UDP under the Resource Management Act 1991. The Legal Services Unit has confirmed that a Commissioner or Hearings Panel can legally have regard to UDP recommendations, which, in accordance with the UDP's terms of reference, would be incorporated into the Council officer's report.

### **Have you considered the legal implications of the issue under consideration?**

19. Yes, there are no additional legal issues arising from this report

## **ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

20. As discussed in previous reports to the Council, the UDP aligns with a number of community outcomes including:
- *An attractive and well designed city*
  - *A safe city*
  - *A prosperous city and*
  - *A well governed city.*

### **Do the recommendations of this report support a level of service or project in the 2006-16 LTCCP?**

21. No, the UDP trial was established following adoption of the 2006-2016 LTCCP.

## **ALIGNMENT WITH STRATEGIES**

22. The UDP aligns with the Council's strategies of a Liveable City, Strong Communities and Healthy Communities. The UDP also aligns with the Greater Christchurch Urban Development Strategy.

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

23. 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

24. The report is also aligned with the Greater Christchurch Urban Development Strategy and the Central City Revitalisation Strategy Stage II.

## **CONSULTATION FULFILMENT**

25. Consultation for this review has been undertaken with the members of the UDP and with Environmental Policy and Approvals planners at the Council. It is intended that more comprehensive feedback from the development community will be sought at the end of the three year trial period as part of the report back to the Council at that time.

## **STAFF RECOMMENDATION**

It is recommended that:

- (a) The quorum for the Urban Design Panel be amended to three.
- (b) The wording of the Terms of Reference for the Urban Design Panel Part 4(ii) be amended to read as follows:
  - “(ii) Any Christchurch City Council Capital Project with a value of \$5 million or greater, which is intended for public use, or to which the public have regular access.”
- (c) The following criteria be added to the scope of the Urban Design Panel in Part 4 of the Terms of Reference:
  - ”(iii) Any of the following types of development, in any zone:
    - Hospitals
    - Retirement villages
    - Elderly persons' housing”
- (d) The size of the pool of panel members increases from 12 to 18 with the additional panellists nominated from:
  - (i) the New Zealand Institute of Surveyors (2 members),
  - (ii) an additional member from the New Zealand Property Council
  - (iii) a heritage expert nominated by the New Zealand Historic Places Trust
  - (iv) a planner with urban design expertise nominated by the New Zealand Planning Institute (2 members).

## **BACKGROUND (THE ISSUES)**

26. So far the panel has met on fifteen occasions and has reviewed the following projects:
1. Christchurch Central City Business Zones and Business 2, Urban Design issues and Options Consultation
  2. 92–102 Armagh Street, new office tower
  3. 57 Peer Street, the former Feltex Carpets site
  4. Proposed National Policy Statement on Urban Design, Ministry for the Environment
  5. The new Christchurch Civic Offices building
  6. Proposed L3/L4 Plan Change
  7. 399 Manchester Street, Housing New Zealand
  8. South City Mall Redevelopment
  9. Parklands Hospital, 429 Papanui Road
  10. Chateau Blanc Suites, 351 & 363 Montreal Street
  11. 298b, 300 & 302 Fitzgerald Avenue
  12. 325 Salisbury Street
  13. 45 & 47 Ely Street
  14. Barrington Mall Extension
  15. School of Music, University of Canterbury, Arts Centre
  16. Motel Complex, Corner of Whiteleight Avenue and Lincoln Road
  17. 435 Madras Street
  18. City Hotel, 166 Gloucester Street
  19. Christchurch City Mission
  20. Ronald McDonald House
27. Consultation with senior planners in the Council's Environmental Policy and Approvals Unit revealed that there was concern the current City Plan does not carry enough weight in terms of urban design to enforce the panel's recommendations. The planners would support a plan change to increase the effectiveness of the UDP's recommendations.
28. Consultation with the UDP panel members also noted that the City Plan is very limited in terms of urban design and the weight that can be given to the panel's recommendations.

## **THE SCOPE OF THE PANEL**

29. Currently the UDP can consider matters 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 1500m<sup>2</sup> 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.