

# Central City Planning Provisions Review - Summary

## Background

This report considers the extent to which the Christchurch District Plan and associated resource consent processes are potentially slowing or hindering the regeneration of the Central City. The report also has a specific focus on a study area centred on Cathedral Square to align with the priority area identified by Regenerate Christchurch.

The planning framework put in place through the new District Plan has been the subject of considerable scrutiny following the Canterbury earthquake sequence. This is to ensure that it is fit for purpose in enabling the recovery of the Central City.

## District Plan Development

In summary the development of the current District Plan provisions:

- (a) Began with the Christchurch Central Recovery Plan ('CCRP') that established a blueprint for the Central City. The CCRP included substantial amendments to the pre-earthquake City Plan provisions, with these amendments designed to ensure that the regulatory framework enabled recovery and the implementation of the blueprint;
- (b) The revised provisions introduced through the CCRP have in turn been subject to a recent review as part of the wider redrafting of the City Plan as it applies across the whole of the City and Banks Peninsula. This wider review therefore enabled any ambiguities or problematic rules introduced through the CCRP to be identified and resolved, within the statutory restriction that the new District Plan could not be inconsistent with any earlier Recovery Plans;
- (c) The Independent Hearings Panel undertaking the District Plan Review was required to make its decisions with reference to a Statement of Expectations from the Ministers for both Canterbury Earthquake Recovery and the Environment. This Statement of Expectations sought that the new District Plan would significantly reduce the number of rules, their complexity, and would place limits on public notification;
- (d) One of the first decisions issued on the new District Plan set out the Strategic Objectives for the City. The first two preeminent objectives sought to expedite recovery and minimize consenting costs and complexity, and thereby formed the lens through which all subsequent decisions and drafting was undertaken;
- (e) The Central City provisions were available for public submissions and evidence (as was the balance of the District Plan), thereby enabling input from Central City landowners on the proposed planning framework. Overall relatively few submissions and evidence were received on the Central City provisions. No appeals have been received on the Central City provisions and as such these provisions are now beyond legal challenge.

## Findings

The Central City District Plan provisions have been the subject of considerable scrutiny and amendment over the last five years. This is to ensure that they strike an appropriate balance between enabling recovery and facilitating an attractive and functional City Centre. In our (that of Planz Consultants Ltd) 'coal face' experience, obtaining resource consents for developments within the Central City has not been especially problematic, with consents generally being processed in a timely manner and on a non-notified basis. Whilst the District Plan rules warrant ongoing monitoring to

ensure that they remain fit-for-purpose, overall they do not appear to be unduly impeding the recovery of the Central City.

### **Anchor Projects**

The anchor projects identified in the CCRP have a key role to play in establishing both investor confidence and in providing valued public facilities in the Central City. These projects are all subject to designations, which as a planning tool provides an alternative consenting pathway that is not subject to District Plan provisions. As such the District Plan does not present a barrier to the consenting of the anchor projects.

### **Cathedral Rule Framework**

The recent decisions on the District Plan Review have created a bespoke regulatory framework for the Cathedral. This rule package is reasonably enabling, especially considering the building's prominence in the Central City and its significance as a heritage building. Demolition is permitted where such is necessary for public safety reasons pursuant to a s.38 notice issued under the Canterbury Earthquake Recovery Act.

The rule framework provides an easier consenting route for a restoration solution, with such consents unable to be declined as a 'controlled' activity, and likewise unable to be publicly notified. Conversely the rule framework for a new contemporary design faces a more challenging consenting pathway given that both the demolition and the design of the new building are open to an assessment as to notification, and the demolition component is able to be declined.

### **Other non-regulatory tools**

In addition to the District Plan framework, there are also a number of non-regulatory planning tools that have an impact on facilitating regeneration. In combination with the right regulatory mechanisms, these various tools can make a valuable contribution towards increasing investor certainty. The report identifies the following tools that should be continued and/or strengthened for use in the Central City:

- (a) Council's remission of Development Contributions in the Central City;
- (b) Retaining the voluntary advice role of the Council's Urban Design Panel;
- (c) Within the Cathedral Square study area facilitating clear communication between landowners, Church Property Trustees, Council, and Crown agencies, so that all parties are aware of development plans and timeframes in the study area and to improve the ability to integrate development outcomes;
- (d) Within the study area in particular having an increased focus on transitional uses and treatment of vacant spaces to provide an appropriate level of amenity and activity as permanent uses become reestablished;
- (e) Council facilitating a 'one stop shop' or internal project management service to coordinate responses and inputs from various Council departments. Such cross-unit communication has occurred in the past to varying degrees but could be made easier to access and better publicized within the development community, especially with the 'rebuild central' office behind Ballantynes being reintegrated back into the main Civic Offices.