1. INTRODUCTION

The Lyttelton/Mt Herbert Community Board (‘the Board’) appreciates the opportunity provided to make this submission to the Christchurch City Council on the Proposed Christchurch Replacement District Plan (‘The Plan’).

The Board has a number of specific views and comments on particular provisions within the Plan and the comments which follow will provide that context.

The Board does wish to be heard in support of this submission.

2. COMMENTS

CHAPTER 3 STRATEGIC DIRECTIONS

The Banks Peninsula Boundary – in the interests of unity and consistency across the whole Christchurch district, the Board would like consideration to be given to greater use of the natural boundary of Banks Peninsula which follows the toe of the slope around the base of the Port Hills to be used for planning purposes, rather than the now obsolete political boundary along the summit of the Port Hills. Many planning issues such as slope stability, erosion and sedimentation, biodiversity and natural hazards are shared across the entire district’s hill country and are quite different from planning issues on the flat land. For example provisions in the current Living Hills Zone could be appropriate throughout all Residential Banks Peninsula zones.

As a long term strategic direction the Board suggest that natural boundaries offer the best basis for planning for sustainable land use and a consistent district-wide planning framework which allows for local variation within is preferred.

Temporary Accommodation Permits – the Board reluctantly supports one roll-over of the expiry date of the permits but would not support a second rollover date.

CHAPTER 5 NATURAL HAZARDS

Rockfall Hazard – The Board ask consideration be given to refining the boundaries of the Rockfall Hazard Management Area in the vicinity of Norton Close and Endeavour Lane in Lyttelton. There are seven properties affected, some of which were re-zoned green following Canterbury Earthquake Recovery Authority (CERA) review. It appears the Council may not have taken into account detailed engineering assessments carried out during CERA’s zoning review process which indicate the level of risk is not so high as to warrant the development restrictions and all the associated costs to landowners placed on these properties by inclusion in the Rockfall Hazard Management Area 1 zone.
The Board suggests consideration should also be given to whether other Port Hills properties have been unnecessarily included in the Rockfall Hazard Management Area 1 Zone.

**Cliff Hazard Management Area 1 Zone** - The Board notes areas shown on Planning Maps 51- 53 inclusive and map 57, as Cliff Hazard Management Area 1 Zone and supports provisions to manage the hazard. Noting that cliffs behind the Mobil Tank Farm below Brittan Terrace is included, the Board is unclear about why the same zoning is not applied to the cliffs near 1 Gladstone Quay which collapsed onto the Lyttelton Museum outbuilding have not also been identified. The Board would support the Gladstone Quay cliffs to have the same zoning.

**Climate Change** - the Board is concerned about the effects of climate change on low-lying communities at Teddington, Allandale, Charteris Bay and Purau, as well as reclaimed land in Lyttelton. The Board supports the Liquefaction Zoning for these areas.

**CHAPTER 14 RESIDENTIAL – BANKS PENINSULA**

**Views, Sunlight and Privacy in Residential Zones** - Existing rules to protect sunlight and views are not always effective in preventing new development on one property having significant adverse effects on neighbours, especially on hill slopes. The District Plan needs to provide more effective provisions, or provide for a process which ensures applicants at least have a conversation with their neighbours to discuss the effects of proposals, perhaps with support from a Council planner.

**Elderly Persons Housing in Banks Peninsula Settlements** - The Board would like to see provisions in the Residential – Banks Peninsula Zone which make it easier to develop properties that enable older persons to continue living in their communities when their large properties become too much. Currently many people in this position have to leave the district and move to town where they have fewer community connections. Provisions to meet this need should avoid compromising the existing standard of development and not undermine the existing character of the surrounding neighbourhood.

**Enhanced Development Mechanism** – The Board would support Enhanced Development Mechanism provisions applying to the Residential – Banks Peninsula Zone.

**CHAPTER 15 COMMERCIAL – BANKS PENINSULA**

**Land on The South Side of Norwich Quay, Lyttelton** – The Board strongly supports Commercial-Banks Peninsula zoning proposed for land on the south side of Norwich Quay (properties at 1, 5, 7, 9 and 17 Norwich Quay). Even though some of the buildings were destroyed by the earthquakes and vacant lots are currently being used to store logs commercial development along both sides of Norwich Quay is part of the Lyttelton Community’s long term vision for a vibrant waterfront precinct as expressed in the Lyttelton Masterplan.

The Board would oppose commercial land on the south side of Norwich Quay being rezoned Lyttelton Port Zone.

The intersection of Oxford Street and Norwich Quay is a node of cultural significance to the local community. Pilgrims’ Rock precinct (the first place that Europeans landed) and the signal box were gifted to the Banks Peninsula District Council for the community. More recently the remains of a Maori settlement were unearthed during demolition of one of the buildings. If these cultural sites were subsumed by port activity their significance would be compromised or lost.
Lyttelton community's long held aspiration is for port traffic to be rerouted off Norwich Quay. The Board supports option C in the Lyttelton Access Project Report (Beca, June 2014) and believes this option is feasible. Assuming this can be achieved in context of the Lyttelton Port Recovery Plan, the entire narrow strip between Norwich Quay and the new port access road could be rezoned Commercial - Banks Peninsula to “future proof” Lyttelton for commercial growth and community use. The usual 12 metre height restriction could be applied from basement level to prevent new buildings totally blocking views to the harbour from other Norwich Quay properties.

The Board also notes any increase in the area of land for unspecified port activities close to the town contributes to an increase in adverse effects on the community from dust, noise and diesel exhaust.

**Rebuild and Recovery Supportive Amendments** – The Board supports all the provisions in the Christchurch Replacement District Plan which respond to the Lyttelton Master Plan Action (B1).

**Ambient Noise in Lyttelton** - Recent readings by noise control staff attending complaints from Lyttelton residents have shown that background noise in Lyttelton even late in the evenings often exceeds the minimum noise level standard allowable in the existing Christchurch District Plan. Either the Plan should be amended to reflect the reality of noise in a port town, or, if there are health issues associated with ongoing high noise levels, consideration should be given to how adverse effects are to be mitigated.

The Board suggests a requirement to meet national acoustic standards would sufficiently mitigate port noise effects.

**Lyttelton Farmers Market on London Street** – The Board is not opposed to market activities on London Street and in Albion Square becoming a permanent activity. However, the Board is aware the weekly use of public open space for such activities is not supported by everyone in the community and is also aware that circumstances are changing all the time as the town recovers. The Board recommends incorporating provisions which enable this permitted permanent temporary activity to be regularly reviewed either annually or bi-annually using a process which includes public notification.

**25 Canterbury Street** - A council-owned property which is currently used as an opportunity shop by a displaced community group under a Temporary Activity Permit. This activity raises vital funds for various local community organisations. The property is currently zoned Residential Conservation Zone but is contiguous with the Lyttelton Town Centre Zone now proposed to be called Banks Peninsula Commercial Zone. Continued use of 25 Canterbury Street for its current purpose or for other community uses in the future is limited by the property’s current residential zoning. The Board requests that this property be rezoned Commercial Banks Peninsula Zone. Part of the property is used for vehicle access to a parking area at the back of the Lyttelton Recreation Centre.

**Port Noise Overlay** – The Board request to delete the port noise overlay from the proposed Christchurch Replacement District Plan to support the recovery of commercial activity on land along Norwich Quay. At present the restrictions and extra costs created by the overlay provide a significant financial disincentive to rebuilding on these properties. For many properties in the Proposed Commercial - Banks Peninsula Zone (currently Lyttelton Town Centre) the commercial viability of re-development depends on incorporating some residential accommodation into development proposals (see Lyttelton Masterplan). Proposed provisions in the proposed plan enable Lyttelton Port Company, at its discretion, to veto or add extra costs to a development proposal creates uncertainty for landowners and provides a barrier to recovery.
Godley House Site, Diamond Harbour – The Board does not support Commercial - Banks Peninsula Zoning of the Godley House site at 2E Waipapa Avenue. The Board wishes the land to be retained in public ownership as it is an archeological site and would like to see it incorporated into the adjacent reserve network to ensure its long term protection. The site is currently used as public open space and for temporary activities organised by the community. Before its demolition Godley House was leased for commercial activities but now the house has gone, commercial zoning is unjustified. At the time the Stoddart Point Management Plan was being prepared the site was excluded because of its commercial zoning. When funds allow, the Board would support a community facility, possibly a joint venture, for the site.

3. GENERAL COMMENTS

Community Input into Consent Decisions - The Board supports any provisions which enable greater community input into individual consent decisions, including any provisions which result in more applications being publically notified, or by providing other mechanisms to support community input such as a Lyttelton Urban Design Advisory Committee along similar lines to the Akaroa Design and Appearance Committee. Like Akaroa, Lyttelton is a registered historic area.

4. COMMENTS TO CONSIDER FOR PHASE TWO OF THE PROPOSED CHRISTCHURCH REPLACEMENT DISTRICT PLAN

Heritage Sites and Areas (Chapter 9) - The schedule of heritage sites on Banks Peninsula is not complete. Many wharves and jetties are well over 100 years old and are of significant heritage value as tangible evidence of the story of Banks Peninsula communities. Hand-hewn totara sheep yards on the saddle between the Hikuika Valley and the headwaters of Owhetoro Stream, near Mt Fitzgerald on the Summit Road track should also be listed. There are probably many others.

Protection of Significant Ecological Areas - Significant ecological areas which are large enough to be ecologically sustainable and meet all the criteria outlined in the Environment Court’s Consent Order need to included in the Plan along with rules which will fully protect the complete range of Banks Peninsula biodiversity for future generations.

Protected Trees - There are a number of trees, highly valued by the community, which are not included in the current schedule of protected trees and which should be. For example there is a walnut tree in the grounds of Grubb Cottage in Lyttelton said to be one of the first to be planted in Lyttelton, it is one of a number which were planted in the vicinity at the same time. It is integral to the heritage value of Grubb Cottage and should be listed.

[Signature]

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