

Christchurch Urban Design Panel

TERMS OF REFERENCE



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Terms of Reference

Introduction

The use of urban design panels to review and provide advice on proposed developments has proven a valuable tool, both nationally and internationally, in promoting high-quality urban environments.

The Christchurch Urban Design Panel (the Panel) was established in 2008 as a result of public concern over the design quality of new developments in the city and its effects on the urban environment. The need for independent design review was further reinforced following the 2010 and 2011 Canterbury earthquakes, given the extensive rebuild and regeneration required.

As a signatory to the New Zealand Urban Design Protocol, Christchurch City Council (the Council) is committed to achieving high-quality urban design. This commitment is further reinforced through the Greater Christchurch Urban Development Strategy (UDS), Canterbury Regional Policy Statement, and the Council's policies and plans that include:

- Promoting good urban design to make our communities more liveable and attractive with good connectivity
- Recognising and protecting cultural identity and sense of place
- Ensuring the connection between homes, jobs, recreation and environment through mixed land uses and integrated transportation modes.

In addition to the Panel, a range of other initiatives are being undertaken to promote higher-quality urban development in the city.

Benefits of design review for applicants

Design review by the Panel provides the applicant and their designer(s) with independent peer review and free advice early in the design process, to promote high-quality design outcomes and identify ways to add value to the proposal.

Taking a proposal to the Panel early in the design process, and well before lodging a resource consent, can minimise potential delays to the consent application process and provide the benefit to the applicant of 'no surprises' once the proposal reaches the formal consent and decision-making stage.

Design review is provided free by the Council to encourage applicants to seek early advice. It is undertaken in confidence and is not open to the public. Recommendations made by the Panel for pre-application proposals are also confidential until such time that a resource consent may be lodged.

It is preferable for design review to occur prior to lodging for resource consent. However, if a resource consent application has already been lodged, Council staff can still recommend the proposal undergoes design review by the Panel.

1. Purpose of the Panel

The Urban Design Panel is a group of leading built-environment professionals who provide free, independent design review for the private and public sectors, to support the quality rebuild of Christchurch.

Role

The role of the Panel is to provide independent urban design advice to promote good-quality urban design for the:

- *Applicant and the Council* at pre-application and resource consent stages of significant developments in the Central City Zone (within the four avenues), Commercial Banks Peninsula Zone, Residential Medium Density Zone, Commercial Core and Commercial Local Zones, and Residential New Neighbourhood Zones
- *Applicant and the Council* on large-scale development in areas of sensitivity
- *Council* on appropriate urban design controls, and on both Council and privately initiated plan changes, or outline development plans
- *Council* on significant Council projects.

Status

The Panel is advisory to the Council and does not have decision-making powers. However, Council staff can consider and incorporate the Panel's advice into resource consent reports, where applicable to District Plan design matters. If for any reason the advice of the Panel is contrary to that of Council staff, the requirements of the District Plan or established Council policy would take precedence over the Panel's recommendations.

The Panel does not have a mandate to represent the public, or to represent the Council.

Cost

Design review is provided by the Council at no cost to the applicant, to encourage applicants to utilise design review by the Panel early in the process, and in recognition of the wider public benefits of well-designed urban environments.

2. Panel membership

Panel membership comprises a pool of up to 30 built-environment professionals with specialist skills in the fields of urban design, architecture, landscape architecture and property development. Panellists will also bring their expertise in areas such as planning, cultural values and design, sustainable design, and crime prevention through environmental design (CPTED).

Panellists are selected for their individual experience and qualifications, rather than as representatives of their professional firms. Panellists are required to be cognisant of current design best practice and the urban environments in which the proposals are located.

Panellists are reimbursed for time spent in design review and at Council-initiated training. Panellists are not reimbursed for site visits, preparation or research for design reviews.

Panel Convenors

Panel Convenors are Panellists who have the necessary experience and skills to chair design reviews. Each Panel design review will include one Convenor.

Appointment of Panellists

An open and transparent process will be followed for changes to the Panel membership with information released publicly through the Council's website and professional networks.

The Mayor and Council Chief Executive have the power to appoint (and remove) Panellists, and the option to extend their appointment, upon recommendation by Council staff.

A Panellist's term of service will generally be two years, subject to any extension.

Confidentiality and conflicts of interest

Panellists agree to be bound by the provisions of the Councillor's Code of Conduct as they relate to confidential information and conflicts of interest, and declare any conflicts of interest, as soon as they arise, that may prevent them from undertaking design review.

Panellists are required to adhere to the Council's Code of Conduct, in particular the confidentiality provisions, agree to the confidentiality requirements of staff and consultants, and declare any conflicts of interest, as soon as they arise, that may prevent them from undertaking design review.

Specialist expertise

For some proposals, additional specialist expertise may be engaged to participate in the design review.

3. Triggers for design review by the Panel

A series of ‘triggers’ (outlined below) identify proposals that—due to their scale, complexity and/or sensitivity of their location—would benefit from independent design review. In addition, the triggers reflect the parts of the District Plan where urban design control applies.

The Panel shall consider proposals that meet the following criteria:

- i. Proposals that require a resource consent from Christchurch City Council for a restricted discretionary, discretionary or non-complying activity, and that trigger a requirement for an urban design assessment that:
 - a. Is for a residential, commercial or community activity and meets one or more of the following:
 - a residential development with eight or more residential units
 - a mixed-use development with three or more residential units
 - a new building or an extension to a building that includes substantive changes to a key building façade, within the Commercial Central City, Commercial Core or Commercial Local Zones.
 - or*
 - b. Is considered to be of significance by a Principal Urban Design Advisor or Urban Design Team Leader, in respect to one or more of the following matters relating to its context:
 - scale and potential adverse effects on either users or the activities that take place on the site
 - location and potential adverse effects on surrounding areas/ public spaces/ environment
 - potential adverse effects on the local community or the general public.
- ii. Christchurch City Council capital projects with a value of \$2.5 million or greater, and/or any major infrastructure project intended for public use, or to which the public has regular access.

iii. On the advice of a Principal Urban Design Advisor or Urban Design Team Leader, the Panel may also review:

- Christchurch City Council projects and resource consents, to ensure the Council demonstrates best practice in its own development projects
- Christchurch City Council policy and strategy work, such as plan changes, design guides or structure plans, to ensure the professional opinions of the design and development communities are taken into account.

Where the applicant wishes to take a proposal to the Panel that does not fit the criteria outlined above, Council staff will consider whether it is of a scale and complexity that warrants design review.

4. Design review process

When a proposal meets the criteria for design review by the Panel, the benefits and process of design review by the Panel should be outlined by Council staff to the applicant. Ideally, this happens at the pre-application discussion or as soon as the proposal is identified by Council staff.

A proposal may be taken to design review multiple times if it is deemed by Council staff that value can be added to the proposal.

Scheduling

Design reviews are scheduled for Wednesday afternoons, with the option of a Monday afternoon on an as-needed basis.

An overview of the proposal is needed from the applicant in order to book a date for design review. This information is required to ensure Council staff can confirm an appropriate Panel is available, with no conflicts of interest with the applicant and/or their consultant(s).

Documentation

The applicant must provide the proposal documentation to Council staff prior to the scheduled design review date to ensure the Panel has a sufficient understanding of the proposal to provide recommendations to the applicant and Council staff that are of value.

Council staff may postpone or cancel a design review if the documentation provided for review is considered insufficient to effectively undertake the review.

The proposal documentation and agenda is prepared by the Committee/Hearing Advisor and circulated to the Panel prior to the design review. The agenda will also be sent to the applicant and Council staff prior to the design review.

Roles and attendance

The Panel will usually comprise three or four Panellists from the Panellist pool, who have relevant expertise for the specific type of proposal. A quorum of three Panellists is required for a design review. Council staff will ensure that the mix of expertise is appropriate for the proposal and its context and, to the best of their knowledge, ensure no conflicts of interest exist between the Panel and the proposal.

The Panel Convenor will be one of the Panellists; identified by Council staff; and responsible for chairing and managing the design review.

The applicant and their designer(s) are invited and expected (but not required) to attend the design review, to present information and to answer questions about the proposal. Attendance would be for approximately 30 minutes.

The Council Planner and Council Urban Designer will have briefed the Panel about the key aspects of the proposal and be present during the review to provide guidance and clarification for the Panel and the applicant as required.

A Committee/Hearings Advisor from the Council's Community Support, Governance & Partnership unit will be present to record and document the discussion and the Panel's recommendations, to ensure due process is followed.

Confidentiality

Design reviews will be closed to all but the applicant's nominated representatives, the Panel and Council representatives.

Design reviews are not publicly advertised or held in public, and will be undertaken on the basis of confidentiality for all pre-application proposals.

Design assessment and critique

The Panel will focus on how the building or development relates to the surrounding public spaces, in particular how the proposal fits into and improves the existing environment, and how it relates to its neighbouring context.

Design assessment criteria and/or design guidelines in the City Plan, or developed in conjunction with the community, will form the basis for the design review.

This is a concise review process and Panellists will have already reviewed the documentation, visited the site and discussed the key design matters ahead of the applicant's attendance. The focus is on key design matters and design-related resource consent non-compliances.

Recommendations

The recommendations made in the design review will be agreed by all Panellists and will not express the view of an individual Panellist.

Notes of the design review, including the recommendations made by the Panel, will be prepared by the Committee/Hearings Advisor present. The Panel Convenor will review the recommendations to ensure they reflect a true and correct record of the recommendations made at the design review.

The Panel's recommendations will then be circulated to the applicant and Council staff. Where subject to resource consent, the Panel's recommendations may be incorporated into the staff resource consent reporting for the delegated decision-making authority.

Further information

Please refer to the Council's website for further information regarding process, roles, responsibilities and required presentation material ccc.govt.nz/UrbanDesignPanel

