Te Pātaka o Rākaihautū
Banks Peninsula Community Board
SUPPLEMENTARY AGENDA

Notice of Meeting:
An ordinary meeting of the Te Pātaka o Rākaihautū/Banks Peninsula Community Board will be held on:

Date: Monday 15 April 2019
Time: 10am
Venue: Little River Service Centre,
4238 Christchurch-Akaroa Road, Little River

Membership
Chairperson
Pam Richardson
Deputy Chairperson
Tyrone Fields
Members
Felix Dawson
Janis Haley
John McLister
Jed O'Donoghue
Tori Peden
Andrew Turner

12 April 2019

Joan Blatchford
Manager Community Governance, Banks Peninsula/Lyttelton
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941 5689
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Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted. If you require further information relating to any reports, please contact the person named on the report.

To view copies of Agendas and Minutes, visit: https://www.ccc.govt.nz/the-council/meetings-agendas-and-minutes/
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14. Resolution to Include Supplementary Reports

1. **Background**
   1.1 Approval is sought to submit the following report to the Banks Peninsula Community Board meeting on 15 April 2019:
   
   15. Review of the Akaroa Design and Appearance Advisory Committee and the Lyttelton Design Review Panel
   
   1.2 The reason, in terms of section 46A(7) of the Local Government Official Information and Meetings Act 1987, why the report was not included on the main agenda is that it was not available at the time the agenda was prepared.
   
   1.3 It is appropriate that the Banks Peninsula Community Board receive the report at the current meeting.

2. **Recommendation**
   2.1 That the report be received and considered at the Banks Peninsula Community Board meeting on 15 April 2019.
   
   15. Review of the Akaroa Design and Appearance Advisory Committee and the Lyttelton Design Review Panel
15. Review of the Akaroa Design and Appearance Advisory Committee and the Lyttelton Design Review Panel

Reference: 18/1265565
Presenter(s): Joan Blatchford – Community Governance Manager – Lyttelton/Mt Herbert

1. Purpose and Origin of Report

Purpose of Report
1.1 The purpose of this report is for the Board to review the Akaroa Design and Appearance Advisory Committee (the Committee) and the Lyttelton Design Review Panel (the Panel) and provide recommendations for their structure and ongoing operation.

Origin of Report
1.2 At its 14 November 2016 meeting the Board requested that staff present an options report for the Board to consider a less formal structure for the Committee (BKCB/2016/00017).

1.3 The Lyttelton Design Review Panel was established in August 2016 for an eighteen month trial. This report fulfils the requirement in its Terms of Reference to assess its performance and recommend whether it should continue.

2. Strategic Alignment

2.1 This report supports the Council’s Long Term Plan (2018-2028):

3.1.1. Activity – Strategic Policy and Planning

3.1.1.1. Level of Service 17.0.17 – Provide design review advice for developments across the city.

2.2 This report supports the Community Board Plan (2017-2019):

3.1.2. Strategic Outcome – The cultural, natural and built heritage of Banks Peninsula is acknowledged, valued and enhanced.

3.1.2.1. Action – Advocate for the continuation of the Lyttelton Design Review Panel following an 18 month trial period and share the lessons with other local Panels/Committees.

3. Significance

3.1 The decisions in this report are of low significance in relation to the Christchurch City Council’s Significance and Engagement Policy.

3.1.3. The level of significance was determined by the number of people affected and/or with an interest.

3.1.4. Due to the assessment of low significance, no further community engagement and consultation is required.

4. Staff Recommendations

That the Te Pātaka o Rākaihautū/Banks Peninsula Community Board:

1. Restructure the Akaroa Design and Appearance Advisory Committee from a committee of the Board to a subordinate decision making body of the Board with Terms of Reference to reflect its current functions in a format similar to the Lyttelton Design Review Panel.
2. Confirm the structure for the Lyttelton Design Review Panel and adopt the amended Terms of Reference as at 15 April 2019.

5. Key Points

Akaroa Design and Appearance Advisory Committee

5.1 The Akaroa Design and Appearance Advisory Committee is a formal committee of the Banks Peninsula Community Board and as such is bound by statutory requirements under both the Local Government Act (LGA) and the Local Government Official Information and Meetings Act (LGOIMA), including requirements relating to the advertising of meetings and for meetings to be held in public.

5.2 One of the functions of the Committee is “to provide design and appearance advice in relation to external alterations to existing buildings, on entirely new building work, and to provide comment on any proposals for the demolition of existing buildings in the following instances:
- When resource consents are referred to the Committee by Council planning staff.

5.3 Because of statutory timeframes for resource consent applications to be processed, Council planning staff are often not able to seek advice from the Committee because there is insufficient time to convene meetings due to the need to comply with the LGA and LGOIMA. This has resulted in fewer of the applications received in Akaroa being reviewed by the Committee.

5.4 It has been suggested that a less formal structure for the Committee would allow advice to be sought in a timely manner by the planning staff processing resource consent applications.

5.5 The Community Board resolved at its meeting on 14 November 2016 to appoint the Committee for the current term and "request that staff present an options report for the Board to consider a less formal structure for this Committee" (BKCB/2016/00017).

Lyttelton Design Review Panel

5.6 The Lyttelton Design Review Panel, established to provide a similar advisory service in Lyttelton, is a subordinate decision making body of the Board. This is a less formal structure than a committee.

5.7 The Panel was established in August 2016 for an eighteen month trial, and has continued to operate beyond this period with the agreement of the Board and Panel members.

5.8 This report assesses the Panel’s performance and concludes that overall it has been effective and has had good governance. Staff recommend that the Panel continue under its current structure with amendments to its Terms of Reference (attached).

6. Akaroa Design and Appearance Advisory Committee

Context/Background

6.1 As stated above, the Committee is a formal committee of the Banks Peninsula Community Board.

6.2 The Committee was appointed and its Terms of Reference reconfirmed at the Board meeting on 14 November 2016. The Terms of Reference are attached – Attachment A.

6.3 The membership of the Committee consists of two Community Board members, one community member, one Akaroa Civic Trust nominee and three consultants. One consultant position is currently vacant.

6.4 The Committee is supported by staff from the Banks Peninsula Governance Team and receives technical advice from planning and urban design staff and representatives from Heritage New Zealand, Pouhere Taonga.
6.5 Committee members are eligible to claim the Council’s approved mileage allowance for attendance at official meetings and consultant Committee members can claim $150 per meeting.

6.6 Of the seven design reviews undertaken by the Committee in the last two years, four were Council-led infrastructure rebuild projects, one was from the Canterbury District Health Board (CDHB) and two were from the private sector. The CDHB (Akaroa Health Centre) proposal was the only substantive building to be reviewed. Other reviews were for smaller proposals such as temporary toilets, paint schemes and cabins. Two reviews were for retrospective proposals.

Evaluation

6.7 Outcomes – Staff assessed the Committee against the following desired outcomes:

6.7.1 Effectiveness – The Committee is effective in that it improves design and urban environment outcomes;

6.7.2 Governance – The Committee has good governance.

6.8 Methods – The following assessment methods were used:

6.8.1 An anonymous questionnaire was circulated to Committee members. Five out of six members completed the survey;

6.8.2 A follow up workshop was held with Committee members;

6.8.3 Heritage New Zealand and Council staff members in planning and urban design provided general feedback by email;

6.8.4 A questionnaire was circulated to applicants who had attended the Committee in the past two years, but no responses were received;

6.8.5 Planning and urban design staff reviewed the seven applications considered by the Committee to determine the following:

- How well did the recommendations of the Committee align with the requirements of the Christchurch District Plan, resource consent process and relevant Council policies?
- Was the Committee’s advice incorporated in staff planning reports and/or the applicant’s final design?
- Were design and urban environment outcomes improved as a result of the Committee’s advice?

Feedback

6.9 Of the five reviews with a measurable outcome, one was supported by the Committee. The other four had fairly substantial sets of recommendations, but resulted in only minor changes to the proposal.

6.10 Of the three that required resource consent, all contained reference to the Committee in the staff planning report.

6.11 Generally the current Committee members support the continuation of the Committee but agreed at the workshop that it would work better if formed as a panel, similar to the Lyttelton Design Review Panel. This would provide a structured format with greater flexibility for meeting arrangements and timing.

6.12 Heritage New Zealand, Pouhere Taonga, supports the continuation of the Committee’s role in promoting appropriate solutions that are compatible with the heritage values of Akaroa.

6.13 Other feedback from the workshop included:
It would be helpful if technical staff continued to attend meetings where appropriate.

There should be an emphasis on heritage in the Committee's deliberations.

Any appointees to the Committee should have appropriate skills.

The possibility of a representative from mana whenua was also suggested.

6.14 Because of statutory timeframes for resource consents, Council planning staff are often not able to seek advice from the Committee because there is insufficient time to convene meetings due to the need to comply with the LGA and LGOIMA. This has resulted in fewer of the applications received in Akaroa being reviewed by the Committee. Many proposals bypass the Committee due to its governance structure:

6.15 The public status of the Committee meetings can discourage applicants from engaging the Committee.

Conclusion

6.16 Overall, staff consider that the effectiveness is mixed with some positive changes made as a result of Committee recommendations.

6.17 However, in part this may be the result of the limited number of proposals referred to the Committee due to statutory constraints around scheduling meetings, minimal development in Akaroa itself and the location of development within the township.

6.18 The staff recommendation is to restructure the Committee from a committee to a subordinate decision making body of the Board so that the convening of meetings is more flexible and the Committee is able to advise on more applications.

6.19 It is proposed that terms of reference for the new body be prepared with input from the current Committee before being approved by the Community Board.

7. Lyttelton Design Review Panel

Context/Background

7.1 In August 2016 the Lyttelton/Mt Herbert Community Board established the Lyttelton Design Review Panel for an eighteen month trial as a subordinate decision making body. The Panel has continued to operate beyond the trial period with the agreement of the Board and Panel members.

7.2 The Panel has an advisory role and does not have statutory decision making powers.

7.3 The scope of the Panel is to consider significant or complex developments that trigger a restricted discretionary activity status in respect to design in Lyttelton.

7.4 The Panel provides design advice to promote good design and a quality urban environment that express the local character and identity of Lyttelton.

7.5 Where the Panel's recommendations are applicable to matters of assessment they may be incorporated into staff planning reports, which are then referred to the appropriate decision making body.

7.6 The Panel consists of six members including:

7.6.1 Three design professionals with qualifications in architecture and/or urban design and demonstrated Lyttelton experience;

7.6.2 Two community representatives with a demonstrated understanding of design and development;

7.6.3 A representative of Te Hapu o Ngati Wheke with a demonstrated understanding of design and development.
7.7 Staff provide design, planning and governance advice and administrative support to the Panel from existing operational budgets.

7.8 Since its establishment the Panel has considered ten applications, including commercial, residential, mixed use and public developments, as well as the Council’s Lyttelton Character Area Design Guide.

7.9 For more background information please refer to the current Terms of Reference (attached).

Evaluation

7.10 Outcomes – Staff assessed the Panel against the following desired outcomes:

7.10.1 Effectiveness – The Panel is effective in that it improves design and urban environment outcomes;

7.10.2 Governance – The Panel has good governance.

7.11 Methods – The following assessment methods were used:

7.11.1 An anonymous questionnaire was circulated to Panel members. Five out of six members participated in the survey;

7.11.2 Planning and urban design staff provided general feedback by email;

7.11.3 A questionnaire was circulated to applicants who had attended the Panel, but no responses were received;

7.11.4 Planning and urban design staff reviewed the ten applications considered by the Panel since its establishment to determine the following:

- How well did the recommendations of the Panel align with the requirements of the Christchurch District Plan, resource consent process and relevant Council policies?
- Was the Panel’s advice incorporated in staff planning reports and/or the applicant’s final design?
- Were design and urban environment outcomes improved as a result of the Panel’s advice?

7.12 Feedback

7.12.1 The Panel reviewed the Lyttelton Character Area Guidelines. Feedback on cultural and landscape elements and historic references in particular were incorporated as a result of Panel recommendations.

7.12.2 A commercial development was presented for the Panel’s information only. However discussion of the proposal resulted in additional landscape elements incorporated in the design outcome of stage one and will potentially influence the design of stage two.

7.12.3 Eight building proposals presented to the Panel required resource consent. Of the three proposals that have gained consent, staff planning reports all contained references to the Panel’s recommendations, with these appropriately aligning with District Plan matters of assessment.

7.12.4 Of the five of the remaining proposals requiring resource consents, all but one resulted in changes that adopted the majority of the Panel’s recommendations. One resulted in some changes but did not fully adopt the recommendations (this application is still being worked through pre-application matters).
7.12.5 Two Panel members requested that staff provide ongoing feedback on the effectiveness of the Panel recommendations. Staff will consider providing this advice on a six monthly or annual basis.

7.12.6 Panel members and staff reported that the Panel works well together and has the right mix of skills and professions. Staff noted that the requirement that the Panel has Lyttelton experience gives it a strong mandate and good connection to the local context.

7.12.7 Panel members reported that they feel their recommendations convey the right message. One member noted that staff have a tendency to contribute to and steer the Panel’s recommendations.

7.12.8 Panel members reported that they feel the Terms of Reference are fit for purpose. One member also noted that the requirement that each Panel has a maximum of four members may be counterproductive for major proposals.

7.12.9 Staff suggested that the role of Chairperson is rotated.

7.12.10 Staff suggested that the Panel hold informal meetings to discuss cultural narratives, District Plan provisions and other matters to inform their recommendations at formal meetings. Staff will consider this feedback when reviewing the Panel’s training programme.

7.13 Conclusion

7.13.1 The Panel’s advice is most effective at the pre-application stage of the resource consent process when concepts are in the early stages, and when there is positive engagement by the applicant and their designer within the review process. Staff will continue to encourage applicants to engage at an early stage in the development of their proposals.

7.13.2 Some of the Panel’s recommendations aligned with the Christchurch District Plan, resource consent process and relevant Council policies. However an area of ongoing improvement would be to ensure that recommendations concisely and clearly relate to provisions in the District Plan. Staff will consider this when reviewing the Panel’s training programme.

7.13.3 The Panel’s recommendations were generally focused, enabling staff to assist the applicant in addressing them.

7.13.4 Overall the Panel had a positive influence on design outcomes within Lyttelton, with its recommendations incorporated to varying degrees within every proposal’s final design.

7.13.5 The consensus of Panel members and staff was that the Panel had good governance, with minor improvements suggested. These suggestions are reflected in the proposed amended Terms of Reference (attached).

8. Financial Implications

8.1 Currently members of the Lyttelton Panel operate on a pro bono basis and receive no recompense, this was as agreed for the 18 month trial period. The consultant members of the Akaroa Committee are able to claim $150 per meeting as a flat meeting fee, and claim mileage at the Inland Revenue rate. It has been indicated that the funding for this will not be available next financial year.
8.2 The expertise of panellists is critical as it enables them to provide technical understanding and breadth of skills that allow for a robust and constructive review. Whether members operate on a pro bono basis or receive reimbursement may impact on the quality of expertise.

8.3 There is a risk that if professional members of both groups are not recompensed, it will be difficult to continue to retain the same skillset to ensure high quality advice is maintained.

8.4 The cost estimate for a small annual honorarium and mileage reimbursement for each member is $21,200 each financial year, which is not currently included in operational budgets. The cost estimate is based on an honorarium of $200 per meeting per member, with an average of seven meetings per year for each of the two bodies, and an estimated mileage reimbursement for each member at the Inland Revenue rate.

8.5 The Board has submitted to the Draft Annual Plan 2019/20 in support of including the above funding in the operational budget going forward.

8.6 The Panel and Committee are currently supported by staff from the Urban Regeneration, Urban Design and Heritage Unit, the Resource Consents Unit and the Community Support, Governance and Partnerships Unit. Staff resource is provided from existing operational budgets.

Attachments

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<th>No.</th>
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<td>Akaroa Design and Appearance Committee - Terms of Reference</td>
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<td>B</td>
<td>Lyttelton Design Review Panel - Proposed Terms of Reference</td>
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<tr>
<td>C</td>
<td>Lyttelton Design Review Panel - Proposed Terms of Reference - Clean Version (Tracked Changes Accepted)</td>
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Confirmation of Statutory Compliance

Compliance with Statutory Decision-making Requirements (ss 76 - 81 Local Government Act 2002).

(a) This report contains:
(i) sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages; and
(ii) adequate consideration of the views and preferences of affected and interested persons bearing in mind any proposed or previous community engagement.

(b) The information reflects the level of significance of the matters covered by the report, as determined in accordance with the Council’s significance and engagement policy.
### Signatories

<table>
<thead>
<tr>
<th>Authors</th>
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<tbody>
<tr>
<td>Liz Carter - Community Board Advisor</td>
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<tr>
<td>Amy Hart - Banks Peninsula Support Officer</td>
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<tr>
<td>Ceciel DelaRue - Team Leader Urban Design</td>
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<td>Josie Schroder - Principal Advisor Urban Design</td>
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<td>Boyd Barber - Urban Designer</td>
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<th>Approved By</th>
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<tr>
<td>Joan Blatchford - Manager Community Governance, Banks Peninsula/Lyttelton</td>
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<tr>
<td>John Filsell - Head of Community Support, Governance and Partnerships</td>
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Akaroa Design and Appearance Advisory Committee
Terms of Reference 2016

Name
The Committee will be known as the “Akaroa Design and Appearance Advisory Committee”.

Status
The Committee will be a committee of the Banks Peninsula Community Board.

Composition
- The two Akaroa subdivision members of the Banks Peninsula Community Board
- One Community Representative¹
- One Akaroa Civic Trust nominee
- Three consultants² (maximum of two, to attend each meeting)

¹ The position of Community Representative will be publicly advertised, seeking expressions of interest.
² The Community Board will seek the opinion of the Akaroa Civic Trust on the appointment of the consultants.

The Community Board will appoint the Chairman of the Committee.

Term
The Committee will be discharged three months from the coming into office of the members of the community board, elected or appointed at, or following each triennial general election.

Administration
As a committee of the Community Board the Committee shall be bound by the various Acts and Regulations governing the operation of a Local Authority and shall also be subject to the Council’s Standing Orders.

In reaching any decision the Committee may seek advice from Council staff.

The New Zealand Historic Places Trust will be asked to provide a technical adviser to each meeting of the Committee.

Remuneration
Committee members will be eligible to claim the Council’s approved mileage allowance for attendance at official meetings.

Consultant Committee members will be paid an appropriate honorarium.

Delegations
The Committee will have the delegated authority to make decisions as to what advice it will give when performing its functions (as described in Clause 8).

The Committee will set its own schedule of ordinary meetings, which must be held monthly throughout the year, (excluding January) if there is business to consider.

The Committee is prohibited from appointing its own subcommittees.
Functions

- To provide design and appearance advice in relation to external alterations to existing buildings, on entirely new building work, and to provide comment on any proposals for the demolition of existing buildings in the following instances:
  - When resource consents are referred to the Committee by Council planning staff.
  - When requested to provide advice by a private individual either before or after a resource consent has been lodged with Council or where judged by staff to be appropriate.
  - As requested by the Community Board, for example, should the Board need such advice in preparing a submission on a resource consent lodged with another authority, or with Environment Canterbury (ECAN).
  - As requested by any external body, e.g. ECAN, or the New Zealand Historic Places Trust.
- To provide advice to the Council or Council staff, as required, on the preparation of any plan changes, or variations that have relevance to heritage, historic and urban design issues in Akaroa.
- The advice given must give effect to the objectives and policies of the District Plan and, in particular, should seek to achieve the following:
  - To conserve the existing pattern of streetscape and building form in the Residential Conservation and Town Centre Zones of Akaroa.
  - To ensure that the level of amenity is maintained in both the above zones.
  - To protect the heritage values of scheduled structures, buildings, places and sites which have architectural, historical or cultural significance.
- In achieving the above, the following matters should be taken into account:
  - The guidance provided within the Akaroa Design and Appearance Guidelines.
  - The appropriateness of the architectural mass, form, proportion, setback and scale of the building in relation to the existing built environment and the streetscape.
  - Whether the style of the building or alterations are respectively complimentary to the existing built environment or the built fabric of the building to be altered.
  - In the case of listed heritage structures, whether the heritage values of the building will be protected, taking into account the external form, fabric, cladding, colour and location of the works.
Explanatory Notes

The Standing Orders as adopted by the Council in July 2008, determine many of the operational procedures for the Committee, including the following (abridged):

(Note – the ‘local authority’ in this case is the Banks Peninsula Community Board)

| Appointment of committees, subcommittees etc. | A local authority may appoint – the committees, subcommittees, and other subordinate decision-making bodies that it considers appropriate and … a committee may appoint the subcommittees that it considers appropriate unless it is prohibited from doing so by the local authority | Order 2.7.1 |
| Discharge or reconstitution of committees | Unless expressly provided otherwise in an Act, –
(a) a local authority may discharge or reconstitute a committee; and
(b) a committee may discharge or reconstitute a subcommittee.
A committee, is, unless the local authority resolves otherwise, deemed to be discharged on the coming into office of the members of the local authority elected or appointed at, or following, the triennial general election of members next after the appointment of the committee. | Order 2.7.2 |
| Committees subject to direction of local authority | A committee is subject in all things to the control of the local authority, and must carry out all general and special directions of the local authority given in relation to the committee or other body or the affairs of the committee or other body. ……
Nothing in this [standing order] entitles a local authority or committee to rescind or amend a decision made under a delegation authorising the making of a decision by a committee. | Order 2.7.3 |
| Appointment or discharge of committee members | A local authority may appoint or discharge any member of a committee. | Order 2.9.1 |
| Elected members on committees | The members of a committee or subcommittee may, but need not be, elected members of the local authority, and a local authority or committee may appoint to a committee or subcommittee a person who is not a member of the local authority or committee if, in the opinion of the local authority, that person has the skills, attributes or knowledge that will assist the work of the committee or subcommittee… at least 1 member of a committee must be an elected member of the local authority; and an employee of a local authority acting in the course of his or her employment may not act as a member of any committee unless that committee is a subcommittee. | Order 2.9.2 |
| Minimum number on committees | The minimum number of members is 3 for a committee, and is 2 for a subcommittee. | Order 2.9.4 |
Explanatory Notes - continued

<table>
<thead>
<tr>
<th>Chairperson an ex-officio member</th>
<th>The mayor or chairperson of the local authority may be appointed an ex-officio member of any committee other than a community board or a quasi-judicial committee.</th>
<th>Order 2.9.5</th>
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<tr>
<td>Information to be available to public</td>
<td>All information provided to members at local authority and committee meetings must be available to the public and news media unless any item included in the agenda refers to any matter reasonably expected to be discussed with the public excluded.</td>
<td>Order 2.15.2</td>
</tr>
<tr>
<td>List of committee members publicly available</td>
<td>The members of each committee are to be named on the relevant agenda.</td>
<td>Order 2.15.12</td>
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<td>Quorum for committee meetings</td>
<td>The quorum at a meeting of a committee – (i) is not fewer than 2 members of the committee (as determined by the local authority or committee that appoints the committee); and (ii) in the case of a committee other than a subcommittee, must include at least 1 member of the local authority.&quot;</td>
<td>Order 2.4.4</td>
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<tr>
<td>Casting Vote</td>
<td>The Akaroa-Wairewa Community Board has determined that it’s Chairman (and the Chairman of any of its committees) will NOT have a casting vote</td>
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LYTTELTON DESIGN REVIEW PANEL – TERMS OF REFERENCE
April 2019

1. Name

The Panel will be known as the “Lyttelton Design Review Panel.”

2. Status of the Panel

The Panel will be a subordinate decision making body of the Banks Peninsula Community Board (Board) under the Local Government Act 2002. The Panel has an advisory role and does not have statutory decision making powers.

3. Role

The role of the Panel is to provide design advice to promote good design and a quality urban environment which expresses the local character and identity of Lyttelton.

4. Term of Panel

The Panel will be established for an eighteen month trial. During that period the Council will monitor the effectiveness and costs in order to inform the 2018 Long Term Plan and make a decision regarding the Panel’s future.

The term of office for the Panel is three years. The Panel will be discharged one month from the coming into office of the members of the Board, following each triennial general election.

5. Composition of Panel

Each Panel will consist of a minimum of three members (a quorum) and a maximum of four members. Each Panel will be drawn from a pool of:

The Panel will have six members, including:

- Three design professionals with qualifications in architecture and/or urban design and demonstrated Lyttelton experience.¹
- Two community representatives with a demonstrated understanding of design and development.¹
- A representative of Te Hapū o Ngāti Wheke with a demonstrated understanding of design and development.²

A quorum of three should include two design professionals. The Community Board will appoint two convenors from the pool of Panel members, with one convenor in attendance at a Panel meeting.

¹ The Community Representatives and Consultants positions will be publicly advertised, seeking expressions of interest. Community Representatives may include Lyttelton/Mt Herbert Community Board members.
2 Nominated by Te Hapū o Ngāti Wheke, should they choose to identify a representative for the Panel.

6. **Appointment**

Expressions of Interest for community representatives and design professionals will be publicly advertised. Community representatives may include Board members.

The Board will request that Te Hapū o Ngāti Wheke nominate a representative, should they wish to do so.

The Board will appoint the Panel members by resolution at a public meeting.

7. **Resignation**

Any Panel member may resign by giving written notice to the Board. The vacancy will be filled by following the process set out in Item 6.

6. **Scope**

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The Panel may consider significant or complex developments which trigger a restricted discretionary activity status in respect to design, in either the Lyttelton Character Area Overlay (of the Banks Peninsula Residential Zone) or the Commercial Banks Peninsula Zone.

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If requested by the applicant the Panel can consider applications from other zones.

The Panel has an advisory role and does not have statutory decision making powers.

7. **Role of the Lyttelton Design Advisory Panel**

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The Panel has an advisory role and does not have statutory decision making powers. The role of the Lyttelton Design Advisory Panel is to provide design advice to promote good design and a quality urban environment which expresses the local character and identity of Lyttelton.

- Provide pre-application advice to developers/landowners and the Council in relation to developments which will trigger a restricted discretionary activity status in relation to design in either the Lyttelton Character Area Overlay (of the Banks Peninsula Residential Zone) or the Commercial Banks Peninsula Zone.

The Panel’s recommendations may be incorporated into officers’/staff planning reports where they are applicable to matters of assessment and referred to the appropriate decision making body. While Council officers will consider the Panel’s advice, the requirements of the District Plan or established Council policy should take precedence over the Panel’s recommendations where there are any differences.

- When resource consents are referred to the Committee by Council planning and urban design staff.
• When requested to provide advice by a private individual, either before or after a resource consent application has been lodged with Council, or where considered by staff to be appropriate.

• To the Council or Council staff, as required, on significant Council projects or on the preparation of any plan changes or variations that have relevance to design issues in Lyttelton.

Council’s resource consent planners and/or urban designers will advise the Panel of relevant issues that the Panel might wish to consider.

8. Administration and Meetings

The Community Governance Team will manage the schedule of meetings for the Lyttelton Design Review Panel and the appropriate officers. In order to minimise delays to applicants, meetings will take place with a minimum of three panelists as a quorum.

The Panel will meet on an as needed basis. In order to maintain the confidence of developers, meetings will not be publicly advertised or held in public and will be closed to all but the applicant’s nominated representatives, the Panel and Council staff, unless expressly agreed by all the above parties.

The quorum at a meeting will be three members, including two design professionals. At the start of each meeting, the Panel will appoint a Convenor.

The applicant is expected to attend the meeting, along with their designer, and present necessary information and respond to questions. Applicants will be advised that they cannot make any reference to the Panel or its recommendations in any media without the express permission of Council.

Reports for the meetings will be submitted to Democracy Services by the reporting planner and agenda; including copies of the development application(s), will be circulated to Panel members as early as possible before a meeting.

Meetings will be scheduled for a minimum of one hour per development proposal or resource consent application.

Panel members will be asked to attend meetings and undertake reading and site visits prior to meetings on a pro bono basis—that is to donate their time for the public good without any payment or compensation.

Recommendations will be made by Panellist consensus, whereby discussion will result in a set of recommendations and reasons for them with which all Panel members are in general agreement.

Members of the Panel will be bound by the Council’s Code of Conduct for elected members, specifically in relation to Part 1: General Principles of Public Life, and Part 2: Disclosure of Pecuniary and Other Interests, Contact with the Media regarding Council and Committee Decisions, and Confidential Information.
Minutes will be prepared by the Democracy Services officers present and reviewed by the Convenor to ensure a true and correct record of appropriate recommendations made at the meeting. The Panel’s recommendations will be circulated to the applicant and reporting planner within five working days of the meeting.

9. **Review Process of development proposals by the Lyttelton Design Advisory Panel**

The Panel may provide advice on developments that will trigger a restricted discretionary activity status in the Lyttelton Character Area Overlay (of the Banks Peninsula Residential Zone) or the Commercial Banks Peninsula Zone. If requested by the applicant the Panel may consider applications from other zones.

In particular the Panel may provide advice in the following instances:

- When resource consents are referred to the Panel by Council planning and urban design staff.

- When requested to provide advice by a private individual either before or after a resource consent application has been lodged with Council, or where considered by staff to be appropriate. Once an application has been formally lodged, the final development proposal may be re-considered by the Panel.

The Panel may provide advice to the Council or Council staff, as required, on significant Council projects or on the preparation of any plan changes or variations that have relevance to design issues in Lyttelton.

The Panel will focus on how the building or development relates to surrounding public space and will especially consider how the proposal fits into and improves the existing environment. Design assessment criteria and/or design guidelines in the District Plan will form the basis for review of proposals. *The Panel’s advice should seek to:*

*The advice given must give effect to the objectives and policies of the District Plan and should seek to:*

- Support the existing pattern of streetscape and building form, ensuring that the site layout is appropriate to the local pattern of development including location of the building(s), landscaping, car parking and access.

- Ensure development maintains and/or enhances the landscape character, and amenity value is maintained and or enhanced in both the above zones.

- Protect the heritage values of area, its structures, buildings, places and sites which have architectural, historical or cultural significance.

- Ensure the appropriateness of the architectural mass, form, proportion, setback, scale and materials of the building in relation to the built environment and the streetscape.

In its considerations the Panel shall have regard to the following documents:
- NZ Urban Design Protocol
- Greater Christchurch Urban Development Strategy
- Christchurch District Plan and associated design guides
- Lyttelton Town Centre Masterplan - and its principles for the recovery of Lyttelton from the 2010/2011 earthquakes.

The Panel’s recommendations, where they relate to the Christchurch District Plan matters of assessment or Town Centre design guidelines, may be incorporated into the staff planners’ report to the delegated decision-making authority. While staff will consider the Panel’s advice, the requirements of the District Plan or established Council policy should take precedence over the Panel’s recommendations where there are any differences.

7. — Process

To encourage developers to consult the Lyttelton Design Review Panel early in the process, the Council will meet the costs of running the Panel.

In order to maintain the confidence of developers, meetings of the Panel will be closed to all but the applicant’s nominated representatives, the Panel and Council representatives.

Applicant’s will be required to submit information on their proposed developments in advance of the Panel meeting, within the required timeframes, to allow for informed review by the Panel.

Applicant’s teams are invited to present to the Panel and answer questions on their proposal. After the applicant has left the meeting, the Panel will complete the drafting of its recommendations.

The advice of the Panel, as a team of community representatives and design experts, may be supplemented by an urban design assessment as part of the processing of resource consents.

Once an application has been formally lodged, the final development proposal may be reconsidered by the full Panel at an agreed meeting. Recommendations from the Lyttelton Design Review Panel, where they relate to matters of assessment, will be incorporated into the planners’ reports to the delegated decision-making authority.
LYTTELTON DESIGN REVIEW PANEL – TERMS OF REFERENCE
April 2019

1. Name

The Panel will be known as the “Lyttelton Design Review Panel.”

2. Status

The Panel will be a subordinate decision making body of the Banks Peninsula Community Board (Board) under the Local Government Act 2002. The Panel has an advisory role and does not have statutory decision making powers.

3. Role

The role of the Panel is to provide design advice to promote good design and a quality urban environment that expresses the local character and identity of Lyttelton.

4. Term

The term of office for the Panel is three years. The Panel will be discharged one month from the coming into office of the members of the Board, following each triennial general election.

5. Composition

The Panel will have six members, including:
- Three design professionals with qualifications in architecture and/or urban design and demonstrated Lyttelton experience;
- Two community representatives with a demonstrated understanding of design and development;
- A representative of Te Hapū o Ngāti Wheke with a demonstrated understanding of design and development.

6. Appointment

Expressions of Interest for community representatives and design professionals will be publicly advertised. Community representatives may include Board members.

The Board will request that Te Hapū o Ngāti Wheke nominate a representative, should they wish to do so.

The Board will appoint the Panel members by resolution at a public meeting.

7. Resignation

Any Panel member may resign by giving written notice to the Board. The vacancy will be filled by following the process set out in Item 6.
8. **Administration and Meetings**

The Panel will meet on an as needed basis. In order to maintain the confidence of developers, meetings will not be publicly advertised and will be closed to all but the applicant’s nominated representatives, the Panel and Council staff, unless expressly agreed by all the above parties.

The quorum at a meeting will be three members, including two design professionals. At the start of each meeting, the Panel will appoint a Convenor.

The applicant is expected to attend the meeting, along with their designer, and present necessary information and respond to questions. Applicants will be advised that they cannot make any reference to the Panel or its recommendations in any media without the express permission of Council.

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