

Woolworths New Zealand Ltd

*Establish a new supermarket-based local
centre, Madras Street, St Albans*

*Resource Consent Application to
Christchurch City Council*

November 2024



Planz Consultants

Quality Assurance Statement:

Application Prepared By:

Planz Consultants Ltd,
Level 3, 79 Lichfield Street,
Christchurch 8140

PO Box 1845,
Christchurch 8140

planzconsultants.co.nz

A handwritten signature in blue ink, appearing to read "Jonathan Cleese".

Name: Jonathan Cleese
Position: Consultant Planner

M: 022 170 0204 E: Jonathan@planzconsultants.co.nz

Reviewed By:

A handwritten signature in blue ink, appearing to read "Matt Bonis".

Name: Matt Bonis
Position: Consultant Planner

M: 021 796 670 E: matt@planzconsultants.co.nz

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APPLICATION FOR RESOURCE CONSENT

SECTION 88 OF THE RESOURCE MANAGEMENT ACT 1991

- 1) **Woolworths New Zealand Ltd** applies for a **land use consent** for the following activity:
Establish a new stand-alone supermarket in a local centre.

The proposal is more fully described in the attached AEE and plans which form part of this application.

The site at which the proposed activity is to occur is as follows:

Address: 476-494 Madras Street

Legal Description:

- Lots 1-2 of approved subdivision RMA/2024/1031
- Lots 60-62 and 64-65 of DP 953
- Pt Lots 33-34 DP 1212
- Lot 1 DP 77018

Area: 1.443ha

The full name and address of each owner or occupier (other than the applicant) of the site to which the application relates are as follows:

Woolworths New Zealand Limited (WWNZ).

- 2) There are no other activities that are part of the proposal to which this application relates
- 3) This application also addresses matters relating to the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (**NES-CS**).

Construction phase and operational phase resource consents (if necessary) from the Canterbury Regional Council relating to groundwater and stormwater management will be sought separately.

- 4) Attached is an assessment of the proposed activity's effect on the environment that:
- a) includes the information required by clause 6 of Schedule 4 of the Resource Management Act 1991; and
 - b) addresses the matters specified in clause 7 of Schedule 4 of the Resource Management Act 1991; and
 - c) includes such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.
- 5) Attached is an assessment of the proposed activity against the matters set out in Part 2 of the Resource Management Act 1991.
- 6) Attached is an assessment of the proposed activity against any relevant provisions of a document referred to in section 104(1)(b) of the Resource Management Act 1991, including the information required by clause 2(2) of Schedule 4 of that Act.



Jonathan Clease (Director)
Planz Consultants Limited
On behalf of **Woolworths New Zealand Ltd**

Address for Service:

Planz Consultants Limited
PO Box 1845
CHRISTCHURCH 8140
Attention: Jonathan Clease

Mobile: 022 170 0204
Email: jonathan@planzconsultants.co.nz

Address for Billing:*

Woolworths New Zealand Limited
Attn. Daniel Shao
Development Manager
80 Favona Road, Auckland 2024

Mobile: 027 216 6035
Email: Daniel.shao@woolworths.co.nz

** Planz Consultants Limited accepts no liability for any Council costs or charges. Invoices for all such work are to be sent to the Applicants address above for billing.*

1 Introduction

Woolworths New Zealand Limited (**WWNZ**) applies for resource consent (land use) to establish and operate a new supermarket-based local centre with associated small scale retail activities on a site that is split zoned between 'Local Centre' and Residential Medium Density Zone (**RMD**) within the Christchurch District Plan, and thereby rehabilitate a vacant brownfield site, commonly known as the 'Orion site' on Madras Street in St Albans.

The proposed development includes a supermarket, sleeved by small-format retail on the ground floor, provision for a modest amount of commercial (non-retail) activities at first floor level, set around a 'village green' pocket park. Associated signage, stormwater attenuation tanks, access, car parking and landscaping also form part of the proposal. The site is held in numerous titles, with the Records of Title attached in **Appendix 1**.

This assessment of effects on the environment (AEE) is to provide a comprehensive assessment of the actual and potential environmental effects of the proposed development and to assess this proposal against the statutory purposes and principles of the Resource Management Act 1991 (**RMA**) and the relevant provisions of the statutory planning instruments. This assessment has been undertaken to comply with the requirements of section 88 and the Fourth Schedule to the RMA.

The AEE also provides a description of the proposal, the associated construction activities for the site, and assesses the proposal against the relevant provisions of the District Plan in conjunction with the accompanying technical assessments.

1.1 Subdivision Consent RMA/2024/1031

WWNZ recently obtained subdivision consent on 7th June 2024 to undertake boundary adjustments to the underlying title boundaries.

At the time of writing the works necessary to fulfil s223/224 requirements were being undertaken, with a view to new titles being issued in early 2025.

The proposed new titles will all be subject to the enduring conditions of consent implemented via a consent notice under s221 RMA in relation to the need for subsequent development to appropriately address servicing, soil contamination, and foundation design.

This application seeks land use consent under the NES-CS (discussed in more detail below), and also provides an overview of the servicing and civil works necessary to facilitate the proposal, with the detailed design of servicing to be addressed through the Building Consent process.

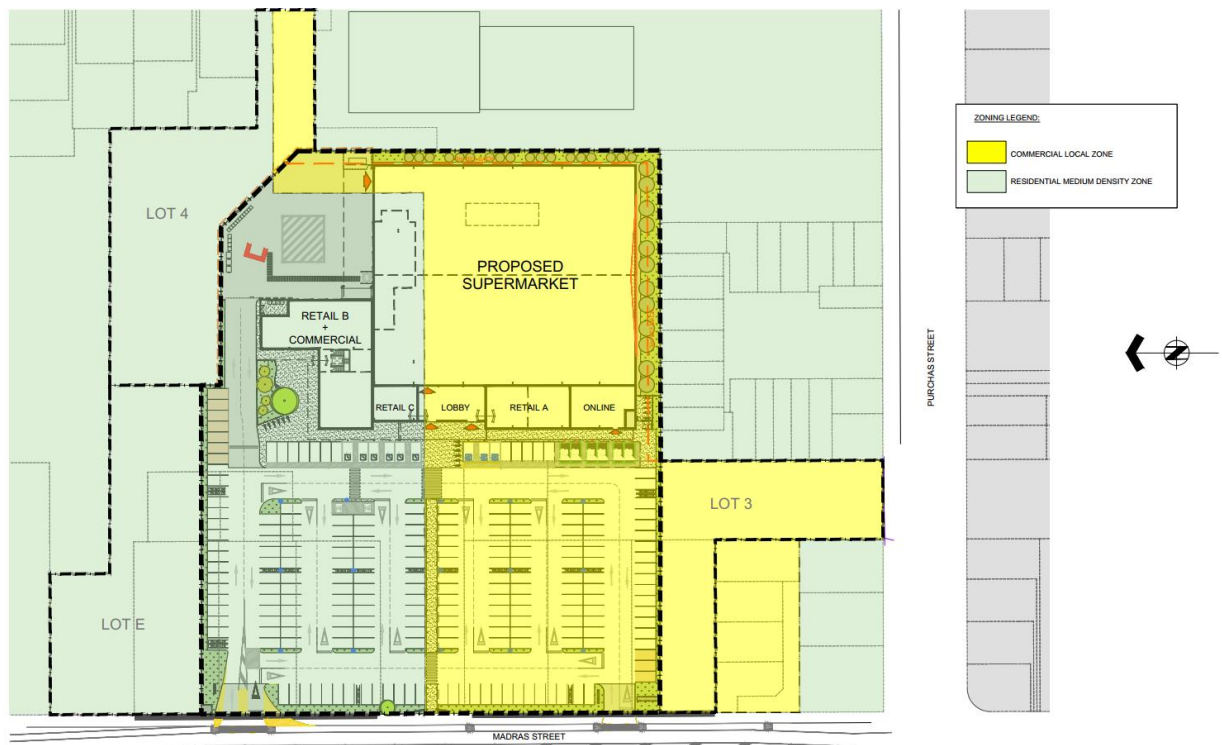
The subdivision enables the titles to be repackaged to facilitate both the current proposal, and future development on adjacent land. Lot E (shown in Figure 1 below) will be retained by WWNZ for the time being, however it may ultimately be on-sold and developed by others. Either way, any development on Lot E will be subject to a separate future application.

There are two other lots (Lots 3 and 4) that are currently part of General Distributors Limited's (GDL) ownership (GDL being the property holding arm for WWNZ). Subject to new titles being issued for Lots 3 and 4, a separate third party entity 'Dragon Win Investments Ltd' hold an unconditional contract to acquire these lots from GDL. Given this, for this resource consent application it is anticipated that Lots 3 and 4 will not ultimately be owned by GDL (i.e. title will likely transfer whilst this application is being processed). Lot 4 is immediately to the north of

the proposed loading bay and Lot 3 is to the southwest adjacent to the customer carpark. The contracted party for these Lots (Dragon Win Investments Ltd) has provided an Affected Party Approval and therefore effects on these adjacent lots cannot be considered (**Appendix 14**).

The various parts of the landholding, underlying zoning, and Lot 3, Lot 4, and Lot E are shown in **Figure 1** below.

Figure 1. GDL landholdings relative to the application 'site'.



1.2 Background

The site has a long and complex planning history. It was originally developed for residential housing in the early 1900s, along with much of the surrounding suburb of St Albans. This historic residential development generated an existing underlying subdivision pattern of rectangular shaped lots circa 800m² in size, with dwellings at the time typically being single storey villas and bungalows set within landscaped gardens. **Figure 2** below shows the site as it was in the 1950s, with the use primarily residential and including a large vacant area in the centre of the block.

In the 1980s the western edge of the site with frontage to Madras Street was designated for roading purposes. The intention at the time was to extend the proposed northern motorway all the way from Belfast into the city centre, with a widened Madras Street forming part of this arterial route connecting into Bealey Avenue. The designation was in place until the mid-1990s and led to 'planning blight' whereby the dwellings under the designation were not maintained due to their anticipated removal.

Figure 2. Application block in the 1950s



Image source: Canterbury Maps

In the mid-1990s the designation over the land was no longer sought to be retained by the Requiring Authority (the precursor to the New Zealand Transport Agency), and the City Council of the day resolved not to accept the transfer of the designation. The designation therefore lapsed in the mid-1990s, with the residential properties that had been acquired by the Requiring Authority subsequently on-sold. Due to their run down condition they were subsequently removed such that the Madras Street frontage became vacant, with the ex-designated area visible on the aerial photo (**Figure 3** below) as a grassed strip approximately 50m deep running parallel with Madras Street.

In parallel to the Madras St designation, the central portion of the block was acquired in the 1970s by the Metropolitan Electricity Department ('MED') and its subsequent organisation branded as 'Orion'. The site remains colloquially known as the 'Orion site' in reference to this previous occupier and general 'brown fields' nature and condition. The site was used by Orion as a works yard and depot that was used for the storage of work vehicles and electricity-related equipment and conductor coils. The works yard included a large asphalt hardstand area, several

warehouses and workshop buildings, along with an administrative office building located towards the Purchas Street frontage.

Figure 3. Application block in the 1990s



Image source: Canterbury Maps

Orion ceased to occupy the site in the mid-2000s and their land holdings were subsequently on-sold. The use of the site as a works depot led to soil contamination being present in parts of the site, with contamination matters discussed in more detail below.

The large workshop building in the centre of the site was demolished, with the footprint of this building now appearing on the aerial in **Figure 4** below as a grassed rectangle.

The Orion workshop building adjacent to Packe Street and associated hardstand area were acquired by a Korean Church. The church continues to occupy the southeastern corner of the block with the Packe Street building repurposed as a spiritual facility. The entire church landholding is scheduled for spiritual activities in the District Plan (SF40).

The Orion office building on the Purchase Street frontage has recently been demolished and redeveloped as multi-unit residential housing. Two blocks of 3x townhouses were developed on the southwestern corner of the site in the mid-2000s.

Figure 4. Application block 2018

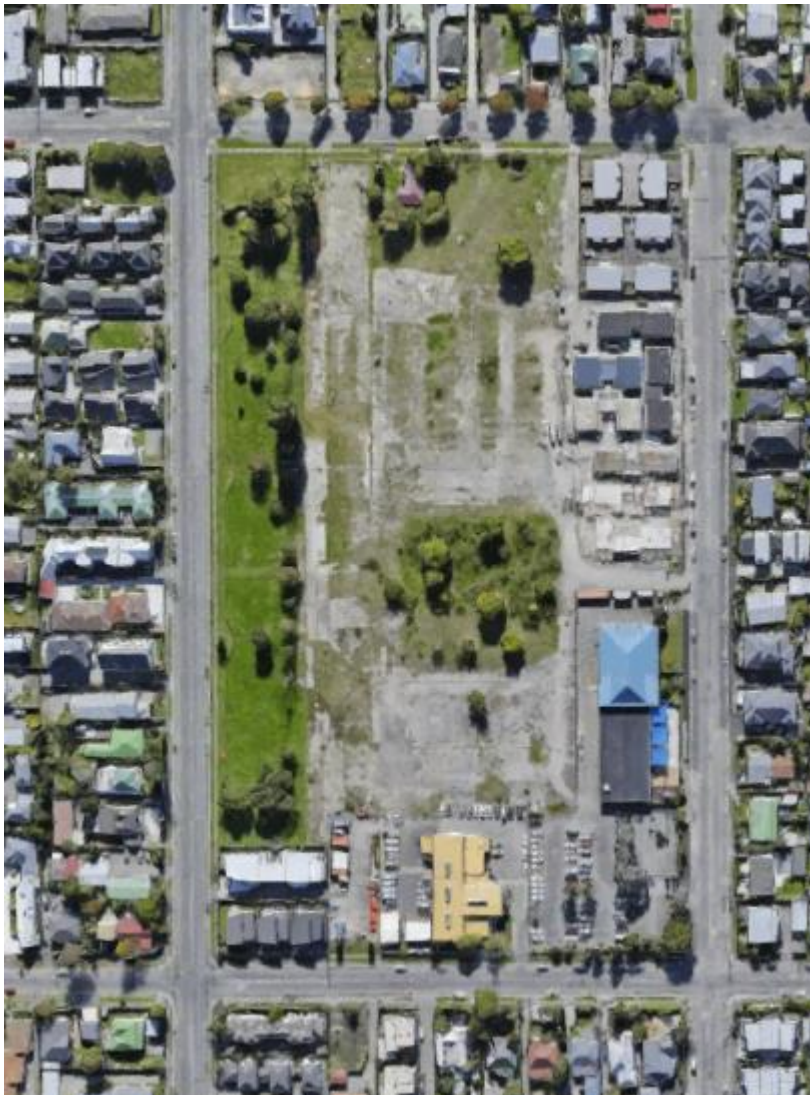


Image source: Google Earth

In the late 2000s, the owner of the balance of the block envisaged a comprehensive redevelopment plan for the site. The concept, at the time, was for an integrated residential and commercial development based on ‘Transit-Oriented Development’ principles (these principles are now more commonly articulated in urban design literature as mixed-use developments where residents are able to ‘work, live, and play’ in close proximity to a range of services and with a range of transport mode choices available).

The envisaged concept gave rise to a specific and detailed design/ set of plans, which were then translated into a private plan change and associated Outline Development Plan (ODP). Plan Change 31 (PC31) became operative on 26 October 2010. PC31 amended the Living 3 zone provisions relevant to the northern half of the block, increased the permitted height limits in the centre of this area to 14m, and included an exemption from needing to comply with the High Traffic Generation rule on the basis that traffic generation matters had been assessed and found to be acceptable as part of the PC31 process. PC31 also introduced a Business 1 zone to the southern portion of the block with associated limitations on tenancy size to reflect both the

market conditions at the time and the specific design outcomes sought through the concept plan. The plan change included an ODP based on the specific design the applicant had for the area at that time, and so the shape and content of the ODP (and the RMD/Commercial zone boundary) simply reflects the design of the time, rather than being driven by any more principle or resource management-based criteria. A copy of the ODP developed as part of PC31 is attached as **Appendix 4**.

Shortly after PC31 became operative, the Canterbury earthquake sequence occurred. The earthquakes fundamentally changed the housing and construction markets, flood levels and stormwater functioning in the area, and led to a greater understanding of ground conditions and liquefaction risks. The specific plans that PC31 was based upon included extensive basement parking areas for the residential component which were no longer considered to be an appropriate design response to site ground conditions.

Following the earthquakes the District Plan was reviewed to ensure it provided for the recovery of the City. This review 'rolled over' the boundaries of the residential and commercial zones for the block and the associated rules relating to tenancy size with minimal s.32 assessment as to whether the commercial area rules remained appropriate. Somewhat curiously, the portion of the ODP applying to the Business 1 zoned part of the site was retained, but the ODP relating to the northern residential area was removed. This approach has led to some ambiguity in the rules as they apply to the site (discussed in more detail below). The exemption from the need to comply with the High Traffic Generation rule was also removed (again with minimal s.32 assessment).

In parallel with the time period when the District Plan was being reviewed, the owner at the time entered into a medium-term lease arrangement with an Australian-based company who were seeking to utilise the site for temporary construction worker housing. This project obtained consent and design work was undertaken. The temporary use of the site for worker housing was never implemented, however the lease agreement endured and only expired in 2021.

Subsequent to entering into a lease agreement for the temporary use of the balance of the site, the land owner separately agreed to on-sell the northeastern corner of the block to Horncastle Homes who developed this area for single storey medium density housing in accordance with the underlying Residential Medium Density Zone (RMA2016/1413). Some of these dwellings were subsequently purchased by Housing New Zealand for social housing purposes, with the balance of the units on-sold to the private market.

The northern half of the block was then on-sold to Mike Greer Homes. Mike Greer Homes are in the process of constructing a comprehensive medium density development across the northern area. Of note, the consented plans do not provide for any internal access to the application site (with such not required due to the PC31 ODP area for the northern half of the site no longer forming part of the District Plan). The start of construction to the north, and the recent town house development to the south (replacing the Orion offices), are both visible in **Figure 5** below.

WWNZ have recently acquired the remaining southern portion of the block. They have carefully developed plans for the site that facilitate brownfield regeneration, contaminated land remediation, account for significant network infrastructure constraints, and facilitate the delivery of a much-needed local grocery offering and new local centre in support of a rapidly intensifying surrounding catchment.

Figure 5. Application block 2023



Image Source: Google Earth

2 Site Description

2.1 Application Site

The application site consists of a 1.443ha piece of flat land located in the block bounded by Madras, Canon, Purchas and Packe Streets, and comprising a large portion of the central and southwestern areas of the block. **Figure 1** above shows the extent of the Stage 1 area that is the subject of this application.

The site is now largely vacant and is comprised of a mix of grass, scrub, and remaining hardstand surfacing. The site is grazed by cattle and is fenced around its perimeter by a 2m high barbed wire chain link security fence. The site contains several mature trees, none of which are listed in the Plan or protected by consent notices. Whilst providing a degree of visual amenity as an open green space, the site overall presents as a somewhat derelict barren area surrounded by a chain link security fence. No through-block access is provided to the public.

2.2 Surrounding Area

As set out above, those parts of the block not controlled by the applicant include the northern half of the block which is in the process of being developed for townhouses by Mike Greer Homes, six townhouses on the Madras/ Purchas corner, a collection of new townhouses at the southern end of the block with frontage to Purchas Street, and a Korean church and carparking on the Purchas/ Packe Street corner.

The surrounding area has a Residential Medium Density Zoning, and as such provides for higher density forms of housing. The density of housing in the surrounding area reflects both the current zoning and the previous Living 3 zoning in the old City Plan. There is a wide variety of housing styles and typologies in the surrounding area which range from the original villas and bungalows, through a variety of higher density townhouses and terraced forms of development built from the 1960s to the present. Whilst there is considerable variety in building styles and materials, the predominant form is that of two storey townhouses with shared driveways and small courtyard gardens.

It is also noted that ground conditions in the surrounding area, in conjunction with damage to housing stock through the Canterbury Earthquake sequence, has seen the substantial replacement over the last decade of stand-alone single and older two-story dwellings with terraced and multi-unit housing developments. Consequently, the character and density of residential dwellings has changed rapidly over recent years and is now reflective of the medium density outcomes anticipated by the underlying zoning for a fringe CBD suburb.

Figure 5: Surrounding area



Madras Street is classified as a Collector Road in the District Plan roading hierarchy, and Packe, Purchas, and Cannon Streets are all local roads. Existing bus routes proximate to the site include No.44 (Shirley/ Westmorland) which has stops on the corner of Barbados and Purchase Streets, and No.27 (Northwood/ Huntsbury) which has stops on the corner of Colombo Street and Purchase Streets.

The site is approximately 850m from the Edgware shopping centre to the northwest, and 1km to the Richmond commercial centre to the east.

The southern edge of the site is located some 260m north of Bealey Avenue which is commonly considered to be the northern edge of the city centre 'Four Avenues'. The site is approximately 1.3km from Cathedral Square in the city centre. As well as being in relatively close proximity to the city centre, the site is located approximately 600m south of the large St Albans park.

3 Proposal Description

3.1 Overview

The proposal seeks to facilitate the regeneration of a long derelict brownfield site. 'Brownfield' is a term defined in the District Plan as meaning "*abandoned or underutilised commercial or industrial land, or land no longer required by a requiring authority for a designated purpose*".

The site's history, in conjunction with no longer needing a transport related designated strip, combined with its past uses as an industrial works depot place it squarely within the definition.

The proposal is to establish a full-service supermarket sleeved with small-format retail to form a local community hub set around a village green pocket park, along with associated car parking, loading and landscaping. The proposed architectural plans are attached as **Appendix 2**, with the proposed landscape plans attached as **Appendix 3**.

The proposal includes:

- A 3,350m² GFA supermarket located adjacent to the south and east internal boundaries,
- A 200m² ancillary office associated with the supermarket operation;
- A 150m² 'click and collect' facility;
- A 150m² entrance lobby;
- Separate 860m² small format retail tenancies sleeving the supermarket;
- 530m² non-retail commercial tenancy at first floor level;
- Total of 5,303m² GFA;
- A new 'village green' outdoor courtyard space, framed by food outlets to the east and south;
- Associated landscaping and trees planted around the perimeter of the site, including a continuous landscape strip and trees along the Madras Street road frontage;
- Vehicle access is provided in the form of two access points to Madras Street. A right-turning bay is proposed within the Madras Street road corridor to facilitate movement.

Heavy Goods Vehicles servicing the supermarket shall therefore only access the site from Madras Street, and will only use the northern accessway which has a wider kerb to facilitate such movements. Inclusion of the right-turn flush median requires alterations to the road markings within Madras Street and the removal of on-road parking along the eastern side of Madras Street in front of the site. The on-road works are limited to lane markings and do not require any realignment of the formed kerbs¹;

- A central pedestrian covered walkway is provided in the middle of the carpark to provide direct pedestrian access from the Madras Street footpath to the store entrance. The covered walkway provides both weather protection and legibility through the site as a visual cue to the location of the walkway.
- The provision of 223 carparks (including 6 accessible parks, 3 parents parks, 10 staff parks, 6 click and collect parks, and 1 drop off park).
- The provision of 34 cycle parks comprised of 12 visitor spaces adjacent to the supermarket entrance, 12 visitor spaces adjacent to the village green, 10 covered and secure staff spaces to the south of the online click and collect facility.
- Back-of-house loading is provided in the northeast corner of the site, with this area screened and separated from publicly accessible parts of the site. The loading area includes acoustic fencing at the residential interface.
- On-site stormwater management including 18 x 10,000lt tanks along the eastern internal boundary and 12 x 30,000lt tanks along the southern internal boundary to the rear of the supermarket.
- Potential future pedestrian access connections to the southern portion of the wider block are not precluded through the conscious decision to locate parking rather than buildings adjacent to the southern boundary with the adjacent Commercial Local Zone;
- Indicative tenant signage areas are included in this application, along with 2 blade signs adjacent to the northern and southern vehicle entrances; signs will be internally lit only
- Earthworks associated with the formation of the carpark and outdoor spaces.

Overall, the proposal is to deliver a comprehensively designed local centre to provide accessible convenience retail and supermarket requirements to the surrounding and intensifying neighbourhood as part of a brownfield regeneration package.

The design and massing of the various building elements is discussed in more detail below. A number of conditions are likewise offered as mitigation, with these offered conditions forming part of the application.

¹ It is acknowledged that amendments to road reserve markings need separate approval from the Council as road controlling authority.

4 Christchurch District Plan Assessment

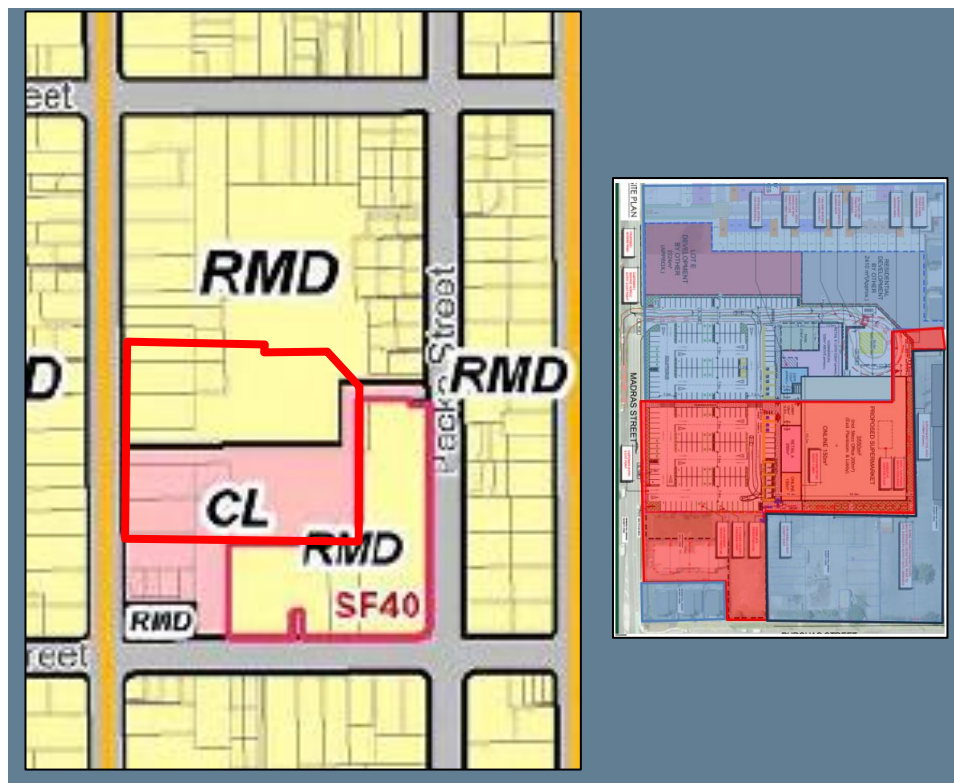
4.1 Planning Framework

The site has a split zoning. The majority of the retail space and approximately half of the carpark is located within the Commercial Local Zone, whilst the village green open space, hospitality retail area, and back of house loading, are all located within the RMD zone.

For completeness there are no listed heritage buildings, trees, waterways, or cultural sites identified on the application site. The church landholding between the application site and the southeastern corner of the block is shown on the planning maps as being scheduled as a spiritual facility (SF40), noting that a portion of the scheduled area has since been on-sold and developed as townhouses.

Figure 6 shows the zone boundaries, with the inset showing the location of the zone boundaries overlaid on the proposal.

Figure 6. Zone Boundaries



Parts of the site are located within a Flood Management Area and a Liquefaction Management Area, as shown on **Figure 7** below. A Finished Floor Level Certificate has been obtained from Council (15.45RL) and is attached as part of the civil servicing report (**Appendix 13**). The proposed buildings have been designed to achieve these levels.

Figure 7. Natural hazards map with the FMA shown as blue dots.



In addition to the zoning and associated overlays shown on the planning maps, the District Plan (Appendix 15.15.4) includes an Outline Development Plan (ODP) for the Commercial Local zoned portion of the site. The operative ODP is a roll-over of the ODP (original ODP) arising from PC31, albeit that the northern residential portion of the original ODP was deleted as part of the last District Plan review.

The operative ODP and associated rules provide for a maximum total GLFA (all activities) of 3,500m² within specified areas labelled A and B, including one tenancy with a maximum of 800m² GLFA, and other tenancies up to 450m² GLFA. The ODP also requires publicly accessible open space with a minimum area of 550m², and access, circulation, parking and stormwater management areas. For ease of reference a copy of the original PC31 ODP is attached as **Appendix 4** and a copy of the operative ODP is attached as **Appendix 5**.

The District Plan no longer contains a corresponding ODP for the residentially zoned land north of the Commercial Local (CL) zone. This appears to be an error, as the RMD zone rules include area specific rules referring to the RMD zone within the ODP. These RMD zone rules mirror the

City Plan rules that applied to the residential portion of the original ODP, and allowed a greater maximum height limit within the centre of the block (refer e-mail with CCC Policy team in **Appendix 6**).

4.2 Relevant Definitions

The proposed supermarket falls within the definition of that term. The anticipated use of the smaller tenancies fall within the definition of ‘*retail*’ and/or ‘*food and beverage outlets*’. The first-floor commercial space to the north of the supermarket building is intended to be used by either a gym or non-retail activities that are commercial offices or activities that fall within the permitted envelope in the RMD zone e.g. health, education, pre-school, spiritual etc.

4.3 Activity Status

The proposal is a **Discretionary Activity** under the Christchurch District Plan due to the scale of non-residential activities in the RMD Zone.

An assessment against the relevant rules is contained in the compliance table attached as **Appendix 7**. Unsurprisingly, given both the complex history of the site, out of date ODP and brownfield nature, the proposal breaches a number of District Plan rules relating to the earthworks, transport, signage, landscaping, ODP layout, and the size of the commercial activities proposed.

It is noted that the majority of these rule breaches have a restricted discretionary activity status, with many of them also required to be processed on the basis that they are not to be limited or publicly notified. Some of the proposed retail and commercial activities, the ‘pocket park’, and parts of the commercial area access, parking, and loading areas are located within the RMD zone and are Discretionary Activities.

In summary, matters to be assessed include non-residential activities in the RMD zone, a layout that differs from the ODP, tenancies and total GLFA that exceed permitted limits, internal boundary landscaping, building setbacks and recession planes, vehicle access, day-time noise levels, signage, and earthworks.

The Plan rule interpretation is that of the author and is not in substitution of the Council’s own assessment of the proposal, nor is it a restriction on the matters resource consent is being sought for.

Resource consent is applied for the proposal as described in the “Proposal Description” set out above in Section 3 of this AEE, including all attached plans and other technical information submitted in support of the application. Resource consent is applied for the rule infringements described in this application, and any other resource consents necessary, whether specifically identified or not, to allow the proposal to be established, maintained and operated.

As such, if the Council is of the view that resource consent is required for alternative or additional matters to those identified in this Assessment of Effects on the Environment (AEE), it has the discretion to grant consent to those matters as well as or in lieu of those identified in this AEE. Furthermore, should Council be of the view that the activity status of any of the matters requiring consent is different to that described in this AEE, or that some or all of the matters requiring consent should be bundled or unbundled in a way that results in a different outcome to that expressed in this AEE, the Council has the ability under section 104(5) of the

RMA to process the application regardless of the type of activity that the application was expressed to be for.

In summary, the following rule triggers are identified:

- **Earthworks:** Filling and exaction volumes and depths;
- **Acoustic:** daytime and nighttime noise limits;
- **Signage:** size;
- **Transport:** access design and high trip generation;
- **RMD Zone:** scale of non-residential activities, urban design, recession planes and internal boundary setbacks (loading bay acoustic fence), area of landscaping and tree planting;
- **Commercial Local zone:** Supermarket GFA, recession plane and internal boundary setbacks, not built to the road edge, percentage of façade glazing
- **Area specific rules:** layout not in accordance with ODP, size of the supermarket tenancy.

5 National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES-SC) came into force on 10 October 2011.

The application site is listed on the ECAN Listed Land Use Register as a HAIL site, and therefore the NES-SC applies to any land use on the site.

A Detailed Site Investigation ('DSI') has been undertaken by a Suitably Qualified and Experienced Practitioner ('SQEP'). A copy of the DSI is attached as **Appendix 12**. The DSI identifies the location, nature, and scale of contamination as a result of past industrial activities, with contaminants including heavy metals and asbestos. The proposal is to undertake earthworks on a piece of land where there is a DSI, and that DSI identifies soil contamination that exceeds the applicable standards. As such the proposal is a **Restricted Discretionary** activity under NES-SC, clause 10.

The report includes a Site Management Plan ('SMP') and Remedial Action Plan ('RAP') to guide the management and disposal of contaminated soil in order to appropriately manage risks to human health.

The proposed activity of a commercial building with associated carpark is not a sensitive activity to ongoing contamination health risks. Human health risks are therefore primarily a function of soil disturbance as part of construction activity.

Remediation options include the removal of contaminated soil and disposal off-site to a licensed landfill facility, or encapsulation on-site beneath either the building foundations and/or carpark with a suitable capping layer. The SMP/ RAP identify realistic methods for managing soil to protect human health.

It is anticipated that earthworks will be undertaken in accordance with the SMP/ RAP, with such required under Council's standard conditions relating to the management of contaminated soil.

6 Statutory Framework

6.1 Part 2 of the RMA

Part 2 of the RMA sets out the purpose and principles of the Act, being *"to promote the sustainable management of natural and physical resources"* which is defined to mean:

"managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural wellbeing and for their health and safety while –

- a) *Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- b) *Safeguarding the life-supporting capacity of air, water, soil and ecosystems; and*
- c) *Avoiding, remedying or mitigating any adverse effects of activities on the environment."*

This application has been prepared after the Court of Appeal's consideration of the High Court Decision of *R J Davidson Family Trust v Marlborough District Council* [2017] NZHC 52 (Davidson Decision). The Court of Appeal's decision means that recourse to Part 2 of the RMA is appropriate, particularly in circumstances where the relevant higher order policy documents are unclear or outdated in addressing the matters pertinent to the application. Whilst the Plan is broadly aligned with higher order policy direction, at the time of writing the Council had yet to make decision regarding the Independent Hearing Panel's recommendations on PC14. PC14 is the Council's response to the need to give effect to both the NPS-UD and the Medium Density Residential Standards. As such, the operative aspects of the Plan as they currently stand may not give full effect to either of these requirements. It is likewise noted that the ODP for the site and the associated rules reference the northern part of the block that was once covered by the ODP. This northern area has since been deleted, however the rules have not been properly updated to reflect this change. As such, several plan provisions are ambiguous and inconsistent. The proposal's alignment with the outcomes sought in the NPS-UD in particular are therefore discussed in more detail in the below section that assesses the objective and policy framework.

For completeness it is noted that based on the provisions of the Christchurch District Plan we are not aware of any s6 matters of national importance or s8 Te Tiriti o Waitangi matters that need to be taken into account in respect of this proposal. The site is not located adjacent to any waterways or sites of identified cultural significance to mana whenua in the District Plan.

The relevant matters to have regard to and the overall sustainable management purpose of the RMA in relation to this proposal have been addressed as part of the below assessment of effects.

Section 7 requires particular regard to be had to 'other matters.' Of relevance to this application are:

- b) the efficient use and development of natural and physical resources;

- c) the maintenance and enhancement of amenity values; and
- f) maintenance and enhancement of the quality of the environment;
- g) any finite characteristics of natural and physical resources:

6.2 Section 104 of the RMA

Section 104 of the RMA provides the statutory requirements for the assessment of the application and sets out those matters that the Council must have regard to when considering the application. Subject to Part 2 of the RMA, it is considered that the relevant matters for the assessment of this application include:

- (a) Any actual or potential effects on the environment of allowing the activity;*
- (b) The relevant objectives, policies, rules and other provisions of the District Plan; and*
- (c) Any other matter that the Council considers relevant and reasonably necessary to determine the application.*

Section 104 (2) allows the Council when forming an opinion in relation to any actual or potential effects on the environment of allowing the activity to disregard an adverse effects of the activity on the environment if the District Plan permits an activity with those effects. The permitted baseline is discussed in more detail below.

6.3 Section 104B and 108 of the RMA

The consent authority may grant or refuse the application for a discretionary activity under s104B. However, if it grants the application, the consent authority may impose conditions under section 108.

7 Assessment Of Effect on the Environment

7.1 The Receiving Environment/ Permitted Baseline

For the determination under s104(1)(a), the 'receiving environment' for the purposes of assessment includes the site as it currently exists, any activities that are permitted under the District Plan ('the permitted baseline'), lawfully established activities (via existing use rights or resource consent), and any unimplemented resource consents that are likely to be implemented.

As identified above, the site is subject to a recent subdivision consent that enables boundary adjustments to be undertaken. There are no other unimplemented consents relevant to the site.

The Mike Greer site immediately to the north is being developed in accordance with land use consents that enable medium density housing across this northern area. This residential consented design does not provide for any vehicle or pedestrian connections into the application site, and therefore the ability to achieve a north-south link between the two sites has been foreclosed. This forms part of the existing environment for assessment purposes.

In terms of the permitted baseline, subject to compliance with the CL zone rules and the ODP layout, commercial activities could be established on the site as of right. These activities include up to 3,500m² of retail, including a single tenancy of up to 800m² i.e. a small supermarket (and therefore 2,700sqm of non-supermarket retail). There is no urban design rule applicable to the CL zone and therefore a reasonable level of commercial activity can be anticipated as a permitted

baseline. Accordingly, a local centre is anticipated on the site, with Policy 15.2.2.1 / Table 15.1 identifying such as:

“A small group of primarily convenience shops and, in some instances, community facilities. Accessible by walking, cycling from the area served and on a bus route in some instances. Also includes standalone supermarkets serving the surrounding residential community”.

Within the RMD zoned portion of the site, medium density residential housing, a preschool of up to 200m² and a health facility up to 300m² are all permitted in terms of the activity rules (assuming compliance with the various activity specific standards), however there is a low threshold (40m²) at which an urban design assessment applies for non-residential activity.

Earthworks within a Flood Management Area will require consent, however such works could plausibly be ‘unbundled’ and undertaken in advance of a subsequent commercial development in accordance with the CL zone provisions.

The zone frameworks clearly anticipate and provide for the southern end of the site to be developed as a new commercial centre, and the northern portion to be developed for medium density housing and associated community facilities. The policy framework for the site likewise seeks to enable and incentivise the regeneration of brownfield sites for mixed use development.

The starting point for assessment also obviously includes the site as it currently exists. This includes its rundown and somewhat derelict appearance, contaminated soils, cracked hardstand and weed growth, and high barbed wire security fencing around the perimeter. No through-block public access is provided and the site currently provides no housing, no publicly accessible open space, no community facilities, and no convenient retail services to the surrounding community.

Separate to an assessment of the ‘existing environment’, consideration of the environment as reasonably anticipated by the underlying zoning and associated policy outcomes (albeit subject to consent) is also helpful for informing the assessment of effects and ultimately outcomes expected by the District Plan. The Plan clearly anticipates the development of a commercial centre serving the surrounding area. The plan anticipates that this centre can contain a stand-alone supermarket along with a group of small format retail and associated parking areas. The northern half of the site is anticipated to be developed for multi-unit residential buildings up to three stories in height, along with modestly scaled community activities such as preschools and health facilities. As a brownfield site, regeneration is encouraged, with a wider range of activities enabled at a policy level to help facilitate site remediation.

7.2 Summary of matters to be assessed

The proposal has a fully discretionary activity status and therefore Council can assess all relevant matters. Within this wide discretion, the key matters arising from the proposal are considered to be as follows:

- Retail distribution/ centre hierarchy;
- Residential amenity;
- Delivery of acceptable acoustic outcomes;
- Delivery of a safe and efficient transport network that provides modal choice

- Urban design outcomes, including centre design and integration with the surrounding neighbourhood;
- Positive effects, including the regeneration of a large brownfield site and the delivery of much needed access to groceries and a local community hub.

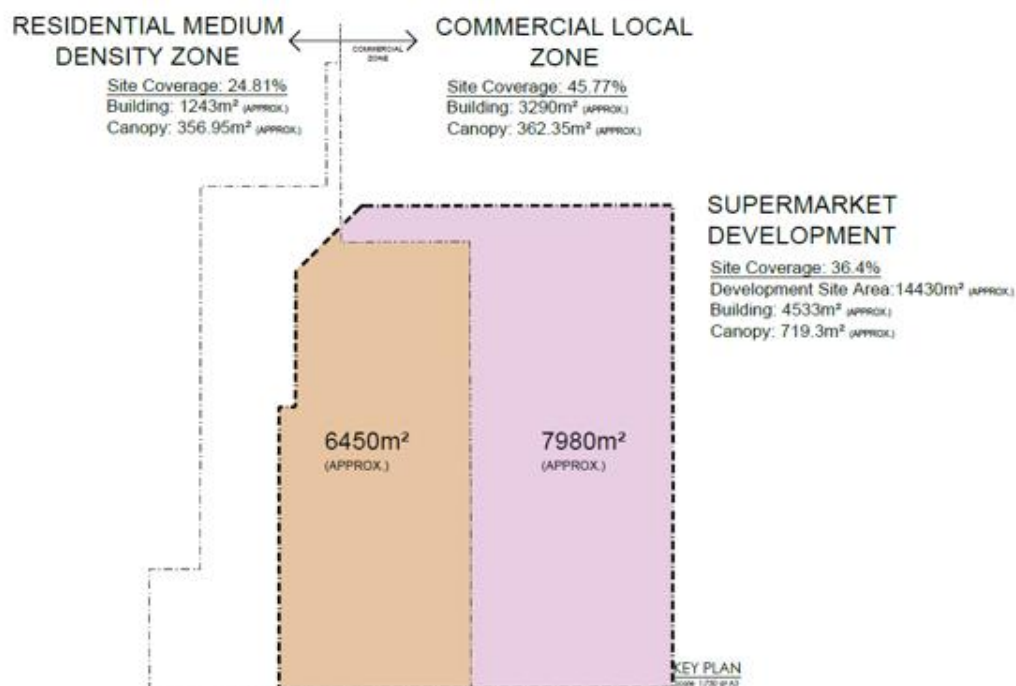
7.3 Retail distribution effects

In association with the ODP notes, the District Plan includes an Area-specific Built Form Standard (15.5.3.2.1) that includes three limitations on the nature and extent of retail activity within this specific CL zone. These limitations are:

- Maximum of 3,500m² GLFA of non-residential activity within Areas A and B of the ODP;
- Maximum of 800m² for one tenancy;
- No other individual tenancy of more than 450m²
- The Plan is explicit that any application arising from exceeding these thresholds is not to be limited or publicly notified.
- The supermarket also exceeds the generic 1,000m² threshold in rule 15.5.1.3 (RD2), with breaches of this rule to also be processed on a non-notified basis.

The proposal technically complies with the 3,500m² threshold in the CL zone/ ODP area, as the GLFA located within the ODP area is only 3,290m². A further 1,243m² GLFA is located in the RMD zone at ground level, with 530m² at first floor level. Total GLFA across both zones therefore equals 5,303m². Figure 8 below shows the building footprint and site coverage split between the two zones. Given the fully discretionary status of the application, proposal alignment with centre outcomes is nonetheless considered to be a relevant matter.

Figure 8. Building footprint and zone boundaries



In addition to limits on overall GLFA, the proposed supermarket exceeds the 800m²/ 1,000m² thresholds of the two rules controlling supermarket size. No other tenancies exceed 450m², and therefore the proposal complies with the 450m² tenancy limitation rule for non-supermarket tenancies.

In addition to the CL zone matters, the proposed retail and commercial tenancies in the RMD zone, along with the use of some RMD zoned land for supermarket loading, parking, and access, results in a discretionary activity status.

Whilst the application overall is therefore deemed a discretionary activity, the matters of discretion set out in Rule 15.13.4.5.2 provide useful guidance as to the key matters relating to retail distribution for this specific Commercial Local centre as follows:

1. *The effects of any larger floor space for non-residential activity on District Centres and Neighbourhood Centres.*
2. *Any effects in terms of traffic generation and access.*
3. *The maintenance of permeability within the block for internal pedestrian and cycle circulation including the connections with that part of the block within the residential zone.*
4. *Form, amenity and function of the Commercial Local Zoned area as a Local centre would be maintained.*
5. *Any potential for the role of other commercial centres to be eroded by development or urban form effects, and any wider transport network effects from any associated transport generation.*

Rule 15.13.2.1 adds a further two matters of discretion for consideration regarding the extent to which the scale of the activity:

- (i) *Affects recovery of the Central City and its function as the principal centre;*
- (ii) *Supports the intended role of the Centre having regard to the Centres hierarchy in Policy 15.2.2.1.*

Matters 2 and 5 relating to transport network effects are discussed in the below section on transport matters and the associated Integrated Transport Assessment (ITA) attached as **Appendix 10**. Matter 3 regarding connectivity and permeability is discussed in the below section on the ODP and associated urban design assessment (**Appendix 8**).

The remaining matters relate to the role of local centres and potential effects on other centres within Christchurch's retail network i.e. retail distribution effects. These matters have been considered in detail in an Economic Effects Assessment attached as **Appendix 9**.

The creation of a new local centre (and associated retail distribution effects) is anticipated by the Plan for this area, as is the inclusion of a supermarket. The inclusion of office tenancies are anticipated and permitted in the CLZ, provided individual tenancies do not exceed 450m². A portion of the first floor commercial space could be leased for offices, with a condition offered

that individual tenancies will not exceed 450m². The potential office component therefore complies with the permitted outcomes anticipated in the CLZ.

The restricted discretionary activity status of the GLFA rules, combined with a non-notified clause, also signals that the Plan contemplates that an increase to both the overall retail quantum and/or the size of individual tenancies is something that can be contemplated through the provision of a clear consenting pathway, subject to a specific assessment of the merits and effects of any given proposal. Such is considered appropriate given that these retail floorspace thresholds were established over a decade ago, there has been considerable residential intensification in the surrounding catchment since that time, and also no commercial centres are static to a particular point in time, but should be dynamic so as to meet catchment demands, whilst respecting the wider role and function of the centres network.

The consideration of retail distribution effects therefore needs to be framed around those effects that might arise that are greater than those otherwise permitted and anticipated. As set out above, 3,500m² of retail is permitted. This application seeks to provide an additional 1,803m² of commercial activity, however not all of this is retail e.g. the 530m² first floor space will be associated with either a gym or other non-retail tenancies. The Plan clearly anticipates up to 2,800m² of small format retail and/or community activities being appropriate for this centre, along with a 'top-up' 800m² supermarket. The proposal therefore sits comfortably within the permitted envelope for small format retail/ general commercial activities. Retail effects are therefore focussed on considering the effects associated with a larger supermarket, rather than the effects generated by the balance of the centre and a smaller supermarket.

At the outset, it is acknowledged that business competition is considered beneficial and in the public interest, reinforced by the findings of the relatively recent Commerce Commission study into the retail grocery sector². Provisions in the RMA, including s74(3) and s104(3)(a)(i) also confirm that the RMA is not to be used to oppose trade competitors or as a means of licencing or regulating competition. RMA provisions also proscribe the involvement of a trade competitor³.

The RMA is not therefore concerned with the adverse effects of trade competition on individual businesses. However, relevant RMA considerations include the broader economic and social implications that might flow from distributional effects (for instance, those associated with a new commercial centre), particularly where these effects have the potential to lead to a decline of existing commercial centres and/or their vitality, amenity or vibrancy, with consequent adverse effects on the community (and the centres framework contained in the District Plan).

It is understood that there is no set definition of what 'adverse trade competition effects' are, or as to the broader impacts which may be significant. Such broader effects on existing centres might manifest in a decline in the character and quality of the retail offer, or a drop in patronage, locals having to travel further afield to meet their needs or a change in the centre's character for the worse.

² https://comcom.govt.nz/__data/assets/pdf_file/0024/278403/Market-Study-into-the-retail-grocery-sector-Final-report-8-March-2022.pdf

³ s308B. Refer also:

(i). *Woolworths New Zealand Ltd vs Christchurch City Council* [2021] NZEnvC133 [56 – 58, 203]
(ii). *Woolworths New Zealand Ltd vs Christchurch City Council* [2022] NZEnvC 079 [58(b)]

It is understood that any adverse social or economic effects must be significant⁴ before they can properly be regarded as going beyond the effects ordinarily associated with trade competition on trade competitors.

The point of distinction between adverse effects of trade competition on trade competitors and adverse effects which may properly be considered under the RMA, is that for the latter there is likely to result in more general effects on wider community, i.e. it is not limited to matters arising directly out of rivalrous behaviour occurring between those involved in commerce⁵. The RMA provides for the consideration of those broader effects.

The Economic Assessment (**Appendix 9**) has examined the geographic extent of the site's retail catchment, the location of other commercial centres in this catchment, and the growth in retail spend anticipated within this catchment. It has found that the catchment has been and remains subject to relatively high levels of growth in anticipated retail spend over the coming years, driven by both increasing household incomes and, more importantly, by an increase in the number of new households locating within the catchment. The later increase is in response to ongoing infill housing as sites, such as the northern half of the application block, are redeveloped in accordance with the underlying RMD zoning.

The assessment has found that whilst the proposed supermarket will have low trade competition effects on the nearest alternative supermarkets, the extent of these effects is both minor and temporal in that any short-term reallocation of sales are rapidly made up by general growth in the anticipated retail spend within the catchment within a timeframe of less than five years.

As noted above, the Act is explicit that decision makers are not to have regard to trade competition, or the effects of trade competition, when considering resource consent applications under s104(3)(a)(i) or notification under s95D(d). Trade competition is generated by the rivalrous behaviour between two retailers of similar products, operating in the same market catchment. Such effects would include the short term and minor loss of custom by other competitive supermarkets.

The retail assessment has concluded that given the minor and temporal nature of trade competition effects, the proposal will have negligible amenity-related effects resulting from the decline of alternative centres, as such decline is not anticipated, and accordingly the 'significant' effect threshold is not attained.

In addition to considering effects on other nearby suburban centres, the retail assessment has also considered effects on the recovery and function of the central city as the City's principal commercial centre. The central city already contains a number of large and medium sized supermarkets (Countdown, Pak n Save, and New World on Moorhouse Avenue and Fresh Choice in the CBD). These supermarkets generally service different catchments and are expected to incur negligible trade competition effects. Substituting small format retail for a larger supermarket on the application site is likewise considered to have a negligible effect on the recovery and role of the central city.

In conclusion, the southern portion of the site has an existing CL zone and as such the development of a new local centre in this location is anticipated. The provision of a small

⁴ *Discount Brands Ltd v Westfield (NZ)* 2NZLR 697 [120]

⁵ *Bunnings Ltd vs Hastings District Council* [2011] NZEnvC330 [30]

supermarket up to 800m² and a further 2,700m² of small format retail is likewise anticipated as a permitted activity, with individual tenancies and overall floorspace above this level to be assessed on a case-by-case basis as a restricted discretionary, non-notified application. The substitution of small format retailing for a larger supermarket, along with the provision of some additional small format retail, gym, and non-retail tenancies has been found to have no more than minor, and temporal, trade competition effects, which decision makers are directed to not have regard to. It will have negligible effects on the amenity or overall viability of other established centres. The development of a new centre in a location where this has long been anticipated will conversely result in positive economic and social effects in terms of the ability of the wider community to conveniently access groceries and other retail offerings in the community they live, and as such will help to reinforce the desirability of St Albans as a location where ongoing residential infill and intensification is encouraged.

7.3.1 Role of Centres

Consideration of the role and function of centres is closely related to the above assessment of retail distribution effects. Policy 15.2.2.1 provides the primary direction in the Plan regarding the centre hierarchy for Christchurch. Table 15.1 sets out the centre hierarchy, with the CBD at the top of the hierarchy, district centres (primarily the large suburban malls) next in the hierarchy, then neighbourhood centres and finally local centres⁶. Local centres are described as follows:

- *A small group of primarily convenience shops, and in some instances, community facilities;*
- *Accessible by walking, cycling from the area served and on a bus route in some instances;*
- *Also includes standalone supermarkets serving the surrounding residential community;*
- *Size: up to 3,000m², excluding standalone supermarket based centres.*

In contrast, Neighbourhood Centres, as the next step up the hierarchy, have their size as being between 3,000m² - 30,000m². The subject site is the only CL zoned centre that has its own Area-specific set of rules and ODP. As such it can be readily differentiated from local centres more generally. These site-specific rules provide for up to 3,500m² of commercial activity as of right, and as being compatible with the role and function of a CL zone.

The restricted discretionary activity status for exceeding 3,500m², associated with the narrow set of matters of discretion, signals that additional floor area may be appropriate subject to a merit-based assessment, such as that undertaken in the Economic Assessment discussed above. It is important to emphasise that the provision of standalone supermarkets in Local Centres is also anticipated, with this outcome likewise reflected in the restricted discretionary, non-notified consenting pathway for supermarkets in local centres more generally.

The application is considered to sit comfortably within the Plan's centre hierarchy. The total quantum of retail activity is within the bounds of that contemplated by the Plan (via resource consent), as is the provision of a supermarket. The proposal is at the larger end for a local centre,

⁶ It is noted that under PC14, the labelling of local and neighbourhood centres is proposed to be swapped to align with the zone hierarchy and purposes set out in the National Planning Standards. To avoid confusion, this application uses the centre labels as they are currently shown in the operative Plan i.e. 'local centres' are at the bottom of the hierarchy.

however this larger size is recognised through the area-specific rule framework which in turn reflects the site's history as a large brownfield site in conjunction with the Plan's enabling policy framework that recognises the benefits associated with brownfield regeneration⁷. Given that neighbourhood centres can be up to 30,000m² in floor area, the proposal is nowhere near challenging the Policy framework by 'moving up' the hierarchy, and the relevant Objective 15.2.2 is still achieved. It is fundamentally smaller, and with a much narrower retail offering, than that typically provided in neighbourhood centres such as Merivale, Ferrymead, Bishopdale and the like.

The proposal's alignment with the District Plan policy framework is discussed in more detail below, however in summary it is not found to undermine the centre hierarchy.

7.4 Supermarket operation and urban design outcomes

The urban design outcomes delivered by the proposal have been considered in detail in the Urban Design Assessment attached as **Appendix 8**. The Urban Design report provides a robust assessment of the site context, character, connections, layout, and design. It draws upon an architectural design statement that forms part of the proposed plans attached as **Appendix 2**.

The key findings of the urban Design Assessment are summarised below, along with a discussion on the functional drivers for supermarket design.

In developing an appropriate design for commercial centres, it is necessary to first understand the functional requirements of the businesses that comprise the majority occupiers of these centres. From a design perspective, standalone supermarkets have a number of functional requirements that must be achieved in order to operate successfully.

Supermarkets typically have the following internal layout:

- The front wall/ entrance is glazed, with direct connection to the carpark from whence customers arrive;
- The checkouts are located in a line with their backs to the windows/ entrance;
- Three side walls do not have glazing so that goods/ displays can be located along these walls and to prevent sunlight damaging perishable food. Supermarkets also typically locate fridge/ freezer units adjacent to the external wall rather than locating them mid-store. This avoids both the backs of the units from being visible to shoppers and also means that the fridge/ freezer area is located at the 'end' of the customer's route through the supermarket so that cool or frozen goods are the last items that are collected in the shopping visit which minimises defrosting time;
- One of the rear or side walls is used for the 'back of house' functions such as loading bays, waste recycling, storage, and on-site food preparation activities. Supermarkets in particular require direct loading bay access due to the large volumes and perishable nature of food products which require daily restocking;
- Loading bays need to be separated from customers for safety, security, and visual amenity reasons. As such they are generally sited to the side or rear of centres. Loading

⁷ Objective 14.2.7 and Policy 14.2.7.1

bays generally have separate access points from customer car parks, or if the same entrance is used they often take the form of a one-way slip lane around the side and rear of the building or a direct entry and exit route that avoids the need for complex manoeuvring through the customer carpark area. It is a basic safety requirement that customer car parks and associated pedestrian movements are kept separate from Heavy Goods Vehicle routes and manoeuvring areas, and associated forklift work areas. Loading bays are therefore located to the side or rear, with customer parking located to the front. Co-locating customer parking with HGV loading bays is unsafe and unsightly for arriving customers, and inefficient for unloading deliveries.

- In response to changing customer needs, 'click and collect' facilities are now common for supermarkets and enable shoppers to pre-order and then undertake a short visit to pick up their already collated groceries. Click and collect facilities need to be located at the front of the store adjacent to the carpark and with dedicated parking spaces to facilitate timely pick-up trips.

The proposed supermarket reflects these functional requirements – a classic case of form following function. As noted above, a supermarket inherently has three blank walls. For centres that are not Mall-based, this means that blank walls will be visible along some frontages. Such built outcomes are experienced in the majority of suburban centres across the City. It is not commercially viable to sleeve the store with retail shops along all frontages in smaller centres and the Commercial Local zone does not anticipate large numbers of specialty retail stores for comparison shopping where additional retailing would threaten the role and function of the centre in the District Plan hierarchy.

The community hub role anticipated by the ODP has none-the-less been carefully considered in the store design, along with the need for the proposed local centre to sit comfortably within a wider medium density residential context. The supermarket building mass has therefore been located towards the centre of the block and well away from residential streets.

The supermarket has a shallow gable roof form to minimise building height, with high levels of glazing facing towards Madras Street. The mass of the building is compliant with all built form standards, with the exception of modest gable-end recession plane intrusions to the southern internal boundary and water tank setbacks relative to the eastern and southern boundaries which are discussed in more detail below.

The visually prominent western façade and northern corner have been sleeved with small format stores. A clearly legible entrance lobby to the supermarket is provided in the centre of the façade with a direct link to a covered pedestrian walkway that provides access through the carpark to Madras Street. The northern end of the building is oriented around a new village green which provides a modern interpretation of the ODP concept of a small cluster of shops gathered around a publicly accessible open space. The northern end of the building provides for food outlets directly connected to this sheltered north-facing outdoor space. Additional non-retail tenancies are provided at first floor level to further sleeve the building and provide passive surveillance of the village green space.

The proposed supermarket loading bay is consistent with these functional design drivers. The loading bay is designed to be visually unobtrusive with back of house deliveries and waste management areas to be fully screened from both the road and any residential areas to the north of the site. The loading bay enables Heavy Goods Vehicles to enter, unload, and exit to and from

Madras Street as a collector road rather than have any access to the lower order Packe or Purchas Streets.

Whilst specific tenants are currently unknown, areas for signage have been incorporated into the façade design to ensure signage is appropriately scaled and located. A single large free standing pylon sign is proposed along the Madras Street frontage adjacent to the southern access to assist with centre legibility and wayfinding, with a second subordinate pylon sign located adjacent to the norther access. The scale of these signs are in keeping with that generally anticipated for commercial centres, especially where located adjacent to busier road corridors.

The proposed car park is of sufficient size to meet anticipated customer demand. Provision has been made for safe, attractive and functional walking and cycling visits, however it needs to be acknowledged that the significant majority of visitors to supermarkets arrive in private cars, due to the bulky nature of grocery shopping.

An at-grade surface parking solution is preferable to structured parking in either basement or roof top locations. Such parking layouts are common in suburban contexts where structured parking is uncommon and tends to be limited to very small sites where it is the only available design solution. Site geotechnical constraints of a high water table and encapsulation of contaminated soil also work against a basement parking solution.

Care has been taken with the overall site design to visually break up the carpark through clear pedestrian walkways with a differentiated aggregate surface treatment and canopy. It is noted that the District Plan does not require landscaping within commercial carparks, with landscaping only required around the site boundaries. The landscape design reflects the need to prioritise planting around the carpark perimeter, with specimen trees provided along the Madras Street frontage and along the internal boundaries with RMD zoned neighbouring sites.

The grid nature of the surrounding blocks will facilitate easy pedestrian access for both existing residents in the wider area and future new residents in the growth area. Cycle parking is provided for staff in a secure area, and visitor stands are located in multiple locations in close proximity to building entrances to facilitate this transport mode. This will have an overall effect of reducing trip generation by private motor vehicle and will reduce car dependence in this area of Christchurch.

Overall, the development is considered to provide a high amenity local commercial centre and adjacent community hub that complements the wider medium density housing and facilitates easy access by the community to a range of services.

7.5 Outline Development Plan

The PC31 process resulted in an ODP for the block, reflecting a specific developed design at the time of that plan change process. Since the ODP was developed, the ownership of the wider block has become fragmented, with the northern areas developed for townhouses. This townhouse development therefore precludes the implementation of the original PC31 ODP for the northern residential portion of the block. The wider physical and economic context has likewise changed since the ODP was originally developed through the Canterbury earthquake sequence and rapid and ongoing intensification in the wider neighbourhood.

Through the District Plan Review process the northern RMD zoned portion of the ODP was deleted. Correspondence with Council's Strategy & Planning team has confirmed that this omission was in error, and that Council were looking at re-establishing the northern half of the

ODP via clause 20A processes (see e-mail correspondence in **Appendix 6**), albeit that such reinstatement is yet to occur and has now been functionally superseded by the Mike Greer development. This assessment has therefore been prepared on the basis that the ODP applying to the block is that developed through PC31, which also aids in interpretation of the area-specific rules in the RMD zone.

Development that is not in accordance with the ODP requires assessment through rule 15.5.3.1.3 (RD1) for the CL zoned portion of the site, and rule 14.5.3.1.3 (RD4) in the RMD zoned portion of the site.

The relevant matters of discretion for the CL zoned area are set out in Rule 15.13.4.5.1 as follows:

- a. The extent to which comprehensive, mixed-use development would continue to be achieved;*
- b. The nature and degree of any adverse effects caused by proposals not in accordance with the development plan;*
- c. The relationship and integration of proposals with any other existing development within the block;*
- d. Whether the scale and nature of development is consistent with that anticipated for a Local centre;*
- e. The degree to which vehicle, cycle and pedestrian access has provided for internal pedestrian and cycle circulation, including the connections with that part of the blocked zoned Residential Medium Density Zone;*
- f. The extent to which comprehensive design enables greater use of open space within the development than would be the case with piecemeal development; and*
- g. The extent to which stormwater treatment areas are integrated with open space.*

The relevant matters of discretion for the RMD zoned area are set out in Rule 14.15.15. These matters are the generic provisions that apply to all greenfield ODPs and as such are either addressed through the CL zone matters set out above or are not of any particular relevance to the application site. The assessment has therefore focussed on matters (a-g) above, noting that matter (d) relating to the role of Local Centres has already been addressed.

7.5.1 Delivery of comprehensive mixed-use development (a)

The proposal has been designed to directly achieve a mixed use development. The proposal delivers a supermarket and a small number of other retail/ food outlets, and non-retail/ community tenancies at first floor level.

The majority of the RMD zone is retained for development of housing in keeping with the RMD zone framework and the mixed use outcomes anticipated for the block/ ODP as a whole. The provision of readily accessible groceries and services further supports the ongoing residential intensification in the wider neighbourhood.

7.5.2 Alignment with the ODP (b), integration with adjacent development (c), and internal connections (e)

The ODP seeks a number of outcomes as follows:

- A supermarket located in the centre of the block;
- Small format retail arranged around 550m² publicly accessible open space with frontage to Madras Street;

- Vehicle access through the site in an east-west direction, forming a mid-block link between Madras and Packe Streets;
- Vehicle access in a north-south direction, forming a mid-block link between Cannon and Purchas Streets;
- Semi-public connections from the commercial area to the residential area;
- Stormwater management integrated within the parking and access areas.

The proposed site layout retains the above elements, albeit subject to some reordering to improve the amenity and functionality of the centre. The proposed supermarket is retained in the centre of the block. This location enables the visual bulk of the supermarket to be located away from both the road boundaries and residential properties on the far sides of the surrounding road network.

The proposed design includes a clear 'front' to the centre with the main entrance to Madras Street in keeping with the Collector Road status of Madras Street. The supermarket building contains high levels of glazing and a clearly legible pedestrian entrance facing towards Madras Street to reinforce the centre orientation. The loading area for the supermarket is located to the north where it is separated from existing residential neighbours and able to be largely screened from public view/ adjacent streets through a combination of the supermarket building and associated solid fencing and landscaping.

The through block linkages envisaged in the original ODP have since been superseded by the fragmentation of ownership. The consented Mike Greer development to the north does not provide for any link into the application site. The ability for this application to form linkages to the east to Packe Street and south to Purchas Street have likewise been foreclosed through the land being controlled by other parties. Provision has nonetheless been made to retain the potential to form a future connection to the south/ Purchas Street into the adjacent CLZ land by locating parking and a landscape strip rather than building and fencing along the southern internal boundary with the remainder of the CL Zone.

A modest area of small format retail is incorporated into the proposal. This retail is arranged around a 'village green' publicly accessible outdoor space. This outdoor space is a mix of soft and hard landscaping and provides the opportunities for outdoor seating and café tables in a location that is sheltered from the prevailing northeasterly wind. The proposed Village Green facilitates an attractive frontage to the supermarket when viewed from Madras Street with highly glazed facades providing passive surveillance and visual interest to the communal outdoor space.

7.5.3 Use of open space (f)

The ODP includes provision of a small public open space. The proposed development provides a high quality, publicly accessible open space. The Village Green discussed above provides a landscaped courtyard that is integrated with the adjacent retail tenancies to enable outdoor seating in an attractive open-air setting.

In addition to the open space area, the proposal includes the provision of trees throughout the perimeter of the carparking area and in particular along the visually prominent Madras Street frontage. The planting comprises of a mix of exotic and native tree species. Planting and hedging are also proposed adjacent to the supermarket stormwater tank areas to provide visual screening of these more functional back of house areas. Overall, the proposal has been designed

to provide a visually attractive, high amenity, local centre that improves the community's access to a variety of open spaces and that increases the amount of tree planting in area.

7.5.4 Integration of stormwater treatment (g)

The Canterbury earthquake sequence resulted in significant damage and changes in levels and capacity to Council's reticulated stormwater network. This capacity has also been further reduced through incremental infill and an associated increase in hardsurfacing in the wider catchment.

Feedback from Council's network asset team is that they are seeking on-site attenuation of stormwater to pre-development levels (i.e. the site starting point is deemed to be fully permeable grass rather than the extensive hardstand areas associated with past industrial activities). The groundwater in the area is close to the surface in winter (less than 1m below ground level) which means that it is not practicable to attenuate stormwater to predevelopment levels through swales or open space solutions.

An alternative solution has therefore been developed which includes the use of large storage tanks. These tanked systems are separated to enable roofwater to be captured for detention and later release (without needing treatment) separate to runoff from parking areas which requires treatment prior to attenuation via either pumping into above ground tanks or temporary storage in shallow below ground storage systems that are integrated into building and carpark foundations. Roofwater tanks are therefore located behind the supermarket, adjacent to the site's eastern and southern internal boundaries where they are visually hidden by the supermarket building, fencing and landscaping. Details of the stormwater solution are set out in the servicing report attached as **Appendix 13**.

In short, a swale or open space-based stormwater detention system is simply not practicable following changes in the wider network following the Canterbury earthquake sequence and the height of existing groundwater. A practical alternative solution that provides for both treatment and detention has therefore been developed for the site.

7.5.5 ODP and urban design conclusions

The original ODP, as developed through the PC31 process, is obsolete and no longer able to be practically implemented given the post-earthquake changes in ground conditions, stormwater detention requirements, and the fragmentation of ownership and subsequent development over much of the block.

A variation of the layout relative to the ODP is therefore inevitable if the site is to be comprehensively redeveloped for urban uses as envisaged by the District Plan. The proposed layout has nonetheless been prepared in a manner that is respectful of the key outcomes sought in the ODP regarding the siting of a supermarket and associated loading areas in the southeast corner of the site, the provision of small format retailing wrapped around a publicly accessible village green, and the inclusion of an effective stormwater solution.

The centre design represents a conscious shift towards a more bespoke architectural response with high levels of articulation and visual interest compared with typical supermarket developments in suburban contexts. All buildings front towards Madras Street and contain high levels of glazing along the frontages facing towards publicly accessible space. The building design has been integrated with a comprehensive landscape plan and associated areas of open space

to ensure a high level of amenity is provided and to provide a valued community hub in the centre of a rapidly intensifying residential area.

7.6 Residential amenity - visual outcomes

The application site has no existing residential character, as it has been vacant and in an undeveloped state for some two decades and was previously used for industrial activities.

The design has been conscious of the need to provide an acceptable level of amenity along internal boundaries with prospective residential neighbours to the north and south, and for residents on the western side of Madras Street.

As noted above, the proposed building has been designed to be largely comply with the required recession plane, boundary setbacks, and height limits. Three exceptions are the location of stormwater tanks along the site's eastern and southern internal boundaries which intrude the 3m building setback, the top of the southern gable which intrudes a recession plane, and the acoustic fence adjacent to the loading bay.

The eastern stormwater tanks are relatively low structures that are no more than 2.9m high. They are set back 0.95m from the eastern boundary and comply with recession planes. Tree planting is incorporated along the boundary between the tanks to help soften the limited visibility of the tanks and to also visually soften views to the rear wall of the supermarket. The adjacent site is a scheduled spiritual facility with the area adjacent to the boundary comprised of an asphalt carpark. The insertion of the tanks into the setback is therefore expected to have less than minor impacts on the amenity of the adjacent property.

The southern tanks are larger (3.13m high), however the building setback from the boundary is also deeper which means the southern tanks are setback a minimum of 1.3m from the southern boundary and again comply with recession planes. Tree planting is again incorporated along this boundary between the tanks. A hedge is also proposed along the boundary which is to be maintained at a height of 2.3m. The hedge will help to screen views of the tanks from the adjacent residential properties to the south, and will also help to soften views of the supermarket building. The side panels of the supermarket are to be formed with textured concrete and differentiated grey colour tones to provide a degree of visual interest to further manage boundary interface outcomes, noting that the site has a CL zoning and the ODP shows a supermarket in this location, and therefore the construction of a large commercial building in the southeast corner is anticipated by the Plan.

The top of the gable in the southern elevation intrudes into the recession plane relative to the site's southern boundary. A shading study forms part of the architectural plan set attached as **Appendix 2**. The study compares the shade cast by the proposed supermarket with the permitted baseline of shade that could be cast by a building erected 3m from the boundary with compliant height and recession planes and 1.8m high boundary fencing. Because the intrusion is generated by just the top of the gable, the net shade cast is less than the baseline of a parapet wall constructed to the permitted rule envelope. As such the shade generated is considered to be less than minor.

The loading bay is proposed to be screened along the northern and eastern internal boundaries by a 3m high acoustic fence. This fence will ensure that acoustic outcomes are acceptable for neighbours in the event that two storey residential units are built in the future. The fencing is technically a 'building' due to its height and therefore it intrudes both the boundary setback and

recession plane requirements. The written approval of the future owner of this land⁸ (Lot 4) is provided as **Appendix 14**. As such, no effects on this party can be considered.

The applicant owns the future development land (Lot E) to the northwest of the proposed northern entrance and car park and therefore landowner approval is implicit in the same party being the applicant. As such it is not necessary to assess amenity effects on the vacant land to the northwest, noting that the interface with the car park is managed through a 2.3m high acoustic fence and boundary landscaping.

As an aside, whilst minimal weight can be placed on PC14 at the time of writing, in the event that the Council accept the Panel's recommendations for MDRZ in locations close to centres, then the proposed building gable will comply with both the recommended PC14 recession plane controls and the recommended 14m height limit. The loading bay acoustic fencing will likewise be largely compliant, with a minimal 0.2m intrusion into the recession plane which is recommended to start at 4m above ground level.

The properties on the far (western) side of Madras Street are mostly oriented to the north rather than the east. Madras Street is a busy collector road that provides clear physical and visual separation between the site and the western dwellings. The proposal includes car parking and landscaping along the road frontage rather than buildings, and as such is considered to provide an acceptable outlook and interface to these western properties. Conversely the provision of easy and convenient access to grocery retail, retail and food outlets, and a new village green is seen as making a positive contribution to residential amenity and the attractiveness of the area, especially when compared to the current low levels of amenity generated by a derelict, fenced off, brownfield site.

7.7 Residential amenity – acoustic outcomes

An Acoustic Assessment is attached as **Appendix 11**. This assessment has been undertaken noting that the written approval has been obtained from the future owner of both Lot 3 and Lot 4, and that the applicant controls the land to the northwest of the northern entrance (Lot E) and therefore landowner approval can be assumed in terms of any effects. A number of conditions regarding operational matters, the design of roof plant, boundary fencing, and hours of operation, are offered in response to acoustic recommendations. These offered conditions form part of the proposal.

With these conditions in place, the proposal is expected to comply with the night-time noise standards at all internal residential boundaries, apart from a possible 2 dB exceedance at the boundary with Lot 3 where written approval has been obtained.

Compliance with the day-time standards is also anticipated along all of the site's internal boundaries.

A minor non-compliance of 1 dB with daytime noise standards is identified for the properties on the far (western) side of Madras street (479 and 483 Madras St), however a 1dB difference in

⁸ As set out earlier in the background section, there is a sale and purchase agreement in place for Lot 4 to be sold back to the original landowner once titles are issued following the recent subdivision consent process. For completeness the same party has also provided written approval in terms of their future ownership of Lot 3.

noise is assessed as having a minimal effect, especially given that the supermarket-generated noise is largely ‘drowned out’ by the higher existing ambient noise generated by traffic on Madras Street.

The Acoustic Assessment compares the level of non-compliance with acceptable outcomes by the World Health Organisation and NZS 6802, and concludes that the effects will meet national and international guidance for internal acoustic amenity, even where windows are open for ventilation. The Acoustic Assessment concludes that the effects are therefore minimal.

7.8 Transport

A comprehensive Integrated Transport Assessment (ITA) is attached as **Appendix 10**. The ITA identifies that the proposal is largely compliant with transport-related rules. The ITA provides the following conclusions:

The internal layout of the proposed supermarket provides a high level of compliance with the CCC District Plan transport rules. The two matters of non-compliance relate to vehicle crossing design and queuing space. The vehicle crossings have been designed to support the volume of movements expected, whilst maintaining pedestrian priority and ability for service vehicles to access the site. It is proposed that the parking spaces beside the driveways are used by staff to minimize the potential for conflicts close to the driveways. At the northern driveway, it is recommended that a ‘keep clear’ zone is marked across the northern end of the western parking aisle.

The supermarket represents a high trip generating activity and represents a restricted discretionary activity under the District Plan transport rules. The investigation of traffic effects indicates that the customer vehicle movements can be accommodated on the road network. It is recommended that Madras Street along the site frontage is reconfigured to include a flush median along the site frontage so that right turning vehicles can stop clear of through traffic. The site is well located in the active travel network to support walking and cycling, including from the surrounding residential catchment where vehicle trips are likely required to a comparable sized existing supermarket. Public transport routes are available within a 5 minute walk from the site.

Overall, it is concluded that the supermarket proposal can be supported from a transport perspective subject to alterations to Madras Street to creating a flush median along the site frontage.

Whilst changes to road markings require separate approval from the Council as road controlling authority, such changes are routinely undertaken when large sites are redeveloped. The changes within the road corridor are limited to road markings and do not require any alteration to formed kerb lines, relocation of lighting poles, or widening of the road reserve.

In terms of car parking provision, the ITA notes the following:

Although there are no specific minimum parking requirements in the District Plan, the number of parking spaces has been aligned to meet Woolworths design requirements to ensure that it has capacity to meet parking demands on site throughout most of the year, to ensure a good customer experience and minimise potential for off-site effects.

Overall, the provision of a supermarket in an area that the Economic Assessment identifies is subject to high levels of growth and that has a shortage of convenient access to grocery retailing is beneficial in reducing potential journey times and vehicle kilometres travelled (VKT)

and facilitating non-car modes of transport for residents who live nearby. The proposal will not have any unacceptable effects on the safe and efficient functioning of the wider road network or nearby intersections, and right-turn access to the site is readily available due to the strong platooning nature of Madras Street due to the north-bound one-way nature of this road south of Bealey Avenue.

7.9 Earthworks and servicing

Earthworks are limited to foundation construction for the building, installation of services, and a shallow site scrape to remove organic material prior to backfilling with basecourse for the parking area and if need be the installation of below ground stormwater attenuation structures. No material changes are expected to ground levels beyond site leveling and grading to ensure that stormwater falls away from boundaries and into the on-site stormwater network.

As set out above, earthworks will be subject to SMP/ RAP processes to manage soil contamination and associated risks to human health. It is anticipated that separate consents will be required from the Canterbury Regional Council regarding the management of construction phase stormwater and groundwater interception (and potentially operational phase stormwater depending on the final contaminated soil/ stormwater system design).

Management of dust and erosion will be managed through proven techniques, with Council's standard construction-phase earthworks conditions anticipated to mitigate such effects.

A Servicing Assessment is provided as **Appendix 13**. This report sets out site servicing solutions for potable water, fire fighting water, wastewater, stormwater, power and data. The detailed design of these services and specific solutions for on-site infrastructure will be confirmed as part of the Building Consent process. For this land use consent stage, plausible solutions have nonetheless been identified and provided for through inclusion on the site plan of appropriately sized stormwater attenuation tanks, road adjacent fire hydrants, and an electricity sub-station.

7.10 Positive effects and overall summary

The site is a vacant brownfield industrial site in the middle of a rapidly intensifying medium density suburb and has remained undeveloped for well over 20 years. The proposal provides for the comprehensive rejuvenation of a long-standing brownfield site for a mix of uses in a manner that will significantly improve neighbourhood amenity.

In addition to remediating a large brownfield site, the proposal complements and support the rapid residential intensification occurring in the wider area through the provision of a supermarket based local centre that provides for the needs of the local community who live there in a convenient and accessible manner. The supermarket in itself provides a number of employment opportunities and improves competition in the local grocery market whilst not resulting in any significant effects on the vibrancy and viability of other centres.

The application is subject to a comprehensive suite of expert reports that address retail economics and distribution, urban design, transport, acoustic, contamination, and servicing matters. These technical reports collectively demonstrate that the proposal will not adversely affect the wider commercial centre hierarchy, will sit comfortably within a wider residential context whilst delivering the functional outcomes inherent in a supermarket, and will do so

without having any unacceptable effects on residential amenity or the safe and efficient functioning of the transport network.

8 Volunteered Conditions

It is anticipated that the consent will be subject to Council's standard suite of conditions regarding construction phase earthworks, soil contamination, and the installation and maintenance of landscaping. In addition to these standard conditions, the following additional conditions are offered to ensure potential effects are appropriately managed:

- 1) Prior to the supermarket opening to the public an acoustic fence shall be installed along all internal boundaries. The acoustic fence shall be to the heights specified on the approved plans, be continuous and maintained with no gaps or cracks, and shall have a minimum surface mass of at least 12kg/m².
- 2) Prior to the supermarket opening to the public roof plant shall be assessed by a suitably qualified acoustic engineer to confirm compliance with the applicable District Plan noise standard as measured at the boundary with the closest residentially zoned property.
- 3) The outdoor area marked as 'Village Green' on the landscape plan shall not be used for outdoor dining or the consumption of alcohol between the hours of 22:00-07:00.
- 4) No tenancies located within 75m of a Residential Zone shall be used for the on-site consumption of alcohol between the hours of 23:00-07:00.
- 5) The supermarket will not be open to the general public between the hours of 22:00- 07:00.
- 6) No vehicles or forklifts shall operate within the outdoor loading area between the hours of 22:00- 07:00.
- 7) No emptying of bottles or removal of waste bins shall occur within the service yard to the rear of the Village Green tenancies between 22:00-07:00.
- 8) Lighting within the carpark shall be lit to a minimum of 2 lux. Lighting received at the internal boundaries shall not exceed 4 lux.
- 9) Apart from the supermarket, no individual retail or office tenancies shall be more than 450m² GLFA.

9 Objectives and Policies

9.1 The National Policy Statement on Urban Development (NPS-UD)

The National Policy Statement on Urban Development (NPS-UD) sets out the outcomes necessary to deliver a well functioning urban environment and the requisite residential and business capacity to meet demand in growing towns and cities.

PC14 is the Council's response to ensuring the District Plan gives effect to the NPS-UD.

PC14 is now at an advanced stage, with hearings complete and the Panel's recommendations received. At the time of writing, Council has yet to make a decision on whether or not to accept the IHP's recommendations, at least insofar as those recommendations relate to Local/

Neighbourhood centres and adjacent residential areas. As such the District plan as it currently stands has yet to be updated to ensure it properly gives effect to the NPS-UD and therefore consideration of the NPS-UD itself is necessary.

The NPS-UD seeks two key outcomes, namely to first ensure that sufficient capacity for housing and business land is made available⁹; and secondly to ensure that such provision occurs in the right locations i.e. that a 'well-functioning urban environment' results¹⁰.

Decisions to achieve these two outcomes need to be cognisant of the following principles:

- Support competitive land and development markets¹¹;
- Recognise that urban environments and amenity values develop and change over time¹²;
- Take into account the principles of Te Tiriti¹³;
- Be integrated with infrastructure planning and funding decisions¹⁴;
- Be strategic over the medium to long term i.e. be based not just on what the current urban form is, but what it should be over a 10-30 year time horizon¹⁵;

Taking these principles into account, decisions to achieve these two outcomes need to enable growth in the right locations in order to deliver a well-functioning urban environment. Namely locations that:

- Support reductions in greenhouse gas emissions i.e. enable people to live close to where they work and shop¹⁶;
- Be resilient to current and future effects of climate change i.e. not in areas exposed to unacceptable risks from natural hazards¹⁷;
- Be in or near a centre zone or other area with many employment opportunities¹⁸;
- Be well serviced by existing or planned Public Transport¹⁹;

⁹ NPS-UD Objective 1 & 2, Policy 1(d), Policy 2

¹⁰ Ibid, Objective 1 & 3

¹¹ Ibid, Objective 2

¹² Ibid, Objective 4, Policy 6(b)

¹³ Ibid, Objective 5

¹⁴ Ibid, Objective 6(a)

¹⁵ Ibid, Objective 6(b)

¹⁶ Ibid, Objective 8(a), policy 1(e)

¹⁷ Ibid, Objective 8(b), Policy 1(f), Policy 6(e)

¹⁸ Ibid, Objective 3(a), Policy 1(c)

¹⁹ Ibid, Objective 3(b), policy 1(c). Note this direction is for Public Transport not just as it is currently, but as it is planned to be over a strategic (10-30 year) time period. This includes the significant improvement in PT anticipated in the Strategic Plan along the northern and western corridors in particular.

- Be in urban areas experiencing high demand²⁰;
- Deliver a variety of homes in terms of typology and price²¹;
- Enable Māori to express cultural traditions and norms²²;
- For business - enable a variety of sites that are suitable for different sectors²³.

To help clarify what the above enablement looks like, as part of delivering a well-functioning urban environment, Policy 3(d) seeks that within and adjacent to neighbourhood centre zones, local centre zones, and town centre zones, building heights and densities of urban form commensurate with the level of commercial activity and community services²⁴.

For the application site, the IHP recommendations confirm that the site retains its existing place in the centre hierarchy. Recommended built form rules for the relabelled Neighbourhood Commercial Zone are to be increased to enable an increase in commercial capacity, with height limits increasing to 14m (well above the 7m proposed), along with more enabling height to boundary (recession plane) controls. The recommendations likewise confirm the medium density status of the surrounding neighbourhood, with built form rules again liberalised to facilitate ongoing growth in an inner suburb that is in close proximity to the CBD and associated employment and service opportunities.

The proposal is consistent with the broad NPS-UD directions to facilitate intensification in an appropriate location (such as the CBD fringe), in an area experiencing high and growing demand for grocery retail, where accessible by a range of transport modes, and where the provision of additional services to support a rapidly growing population in a convenient manner. Policy 6(b) identifies that the planned urban built form anticipated by the NPS-UD may involve significant changes to an area, and that those changes *“may detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities, and future generations... and are not, of themselves, an adverse effect”*.

The Economic Assessment has identified a tangible need for additional commercial (grocery) retailing in the area at a scale to that proposed, and that such provision will not undermine the wider centre hierarchy or the functioning of other existing commercial centres beyond minor and temporal trade competition effects.

Overall, the proposal is considered to be consistent with the outcomes sought in the NPS-UD, namely the provision of capacity in the right locations to meet growth-generated demand and to support residential intensification in CBD fringe locations.

²⁰ Ibid, Objective 3(c). In my experience, this strategic direction is often overlooked or down-played in planning assessments. ‘In demand’ areas include market-attractive locations which tend to be those locations close to high levels of amenity (coastline, waterways, large parks), larger commercial centres, or activity hubs such as the University of Canterbury.

²¹ Ibid, Policy 1(a)(i)

²² Ibid, Policy 1(a)(ii)

²³ Ibid, Policy 1(b)

²⁴ Ibid, Policy 3(d), as amended by Cl.77S(2) of the Enabling Act

9.2 Canterbury Regional Policy Statement

The Christchurch District Plan was subject to a comprehensive review following the Canterbury earthquake sequence. As part of this review the District Plan was required to give effect to the Canterbury Regional Policy Statement ('CRPS'). As such, assessment is generally only required under the District Plan policy framework as this framework can be deemed to be giving effect to the higher order framework as set out in the CRPS. That said, the CRPS has yet to be comprehensively reviewed to ensure it fully gives effect to the more recent NPS-UD directions.

Whilst recourse to the CRPS is not typically needed for land use consent applications where the relevant District Plan has been prepared following the CRPS, there are two CRPS policies of particular relevance for informing an understanding of the associated District Plan policies regarding commercial centres.

Policy 6.3.6 seeks to ensure that the provision, recovery and rebuilding of business land in Greater Christchurch maximises business retention, attracts investment, and provides for healthy working environments. Of particular relevance to this application, such provision is to be provided for in a manner that promotes:

- (1) *The utilisation and redevelopment of existing business land;...*
- (3) *Reinforces the role of the Central City, as the city's primary commercial centre, and that of the Key activity centres; and*
- (4) *Recognises that new commercial activities are primarily directed to the Central City, Key Activity Centres and neighbourhood centres where these activities reflect and support the function and role of those centres; or in circumstances where locating out of centre, will not give rise to significant adverse distributional or urban form effects;...*

The proposal is considered to achieve these matters. It constitutes rebuilding on a site that is predominantly zoned for business, thereby attracting investment. It does not threaten the role of the City Centre, KACs, or other centres and the Economic Assessment has concluded that the proposal will not come close to the CRPS threshold of 'significant adverse distributional effects'. Simply, the proposal reinforces the role and function of an anticipated commercial centre in this location by providing convenience retail and access to grocery needs for a growing and intensifying proximate catchment. It does this without diminishing the role and function of the surrounding centres network, including Edgware and the CBD.

Policy 6.3.8 relates to the regeneration of brownfield land, and is therefore also of particular relevance given the brownfield nature of the application site. This policy seeks to encourage and provide for the recovery and regeneration of existing brownfield areas through new comprehensive residential, mixed-use or business developments, provided such activities will ensure the safe and efficient functioning of the transport network and will not have significant adverse distributional or urban form effects on the Central City, Key Activity Centres and neighbourhood centres, or give rise to significant reverse sensitivity effects.

The proposal again readily achieves this policy direction. As set out in the introduction to this application, the site has sat in its current somewhat derelict condition for some twenty years, following the uplifting of an unwanted designation, the relocation of a works depot, and the associated stormwater servicing and contamination constraints associated with the site.

The proposal seeks to complement the Mike Greer residential development in the northern half of the block with the provision of an appropriately scaled commercial development. As noted

above, the proposal will not give rise to significant adverse distributional effects, or the safe and efficient functioning of the transport network.

The proposal is therefore considered to sit comfortably within the CRPS framework, noting that this higher order framework is given effect to through the below District Plan provisions.

9.3 Christchurch District Plan

The Objective and Policy framework in the District Plan is a hierarchy. The Strategic Objectives in Section 3 establish the sustainable management matters to be addressed within individual sections of the Plan, of which Objectives 3.3.1 and 3.3.2 have relative primacy. That hierarchy is identified in the Interpretation at Section 3.3 of the CDP.

For the purposes of preparing, changing, interpreting and implementing this District Plan:

1. *All other objectives within this Chapter are to be expressed and achieved in a manner consistent with Objectives 3.3.1 and 3.3.2; and*
2. *The objectives and policies in all other Chapters of the District Plan are to be expressed and achieved in a manner consistent with the objectives in this Chapter.*

An assessment, interpretation and application of the subsequent District Plan objectives and policies is set out below, with these provisions methods for giving effect to the various objectives in the Strategic Directions chapter. Whilst a detailed assessment against the Strategic Directions is not therefore required, the key provisions in this chapter are summarised below.

9.4 Strategic Directions

Objective 3.3.1 Objective – Enabling recovery and facilitating the future enhancement of the district

This Objective has primacy within the hierarchical structure of the Plan and sets out that in order to achieve the purpose of the Resource Management Act, that *the expedited recovery and future enhancement of Christchurch as a dynamic, prosperous and internationally competitive city* was the overarching outcome that the District Plan, in a manner that: meets community needs for housing, economic development, and social and cultural wellbeing; fosters investment certainty; and sustains important qualities and values of the natural environment.

Assessment

The proposal seeks to progress commercial development within a Commercial Local zone, on a site that has been vacant for some time. The proposal will establish a new local centre to meet the needs of the surrounding and intensifying residential community, by providing retail and community facilities.

Objective 3.3.5 Objective – Business and economic prosperity

The critical importance of business and economic prosperity to Christchurch's recovery and to community wellbeing and resilience is recognised and a range of opportunities provided for business activities to establish and prosper.

Assessment

The proposal enables business activities including retail and community activities to establish on a site where commercial development is anticipated to occur. The proposal is intended to serve the local residential community, and is located largely within a Commercial Local zone where such development is provided for.

Objective 3.3.6 Objective – Natural Hazards

The relevant clause in this Objective is (a)(ii) which seeks to ensure that new subdivision and development is undertaken in a manner that ensures that the risks of natural hazards to people, property, and infrastructure are appropriately mitigated.

Assessment

The proposal site is zoned for residential and commercial uses, with such development considered to be appropriate subject to any necessary mitigation. Portions of the site are located within a Flood Management Area and a Liquefaction Management Area. The proposed buildings will be constructed to minimise damage from flooding, and the proposed earthworks will not exacerbate any potential flood risk. Foundation design in relation to appropriately managing liquefaction risks are well understood, with proven solutions able to be confirmed through the Building Consent process.

Objective 3.3.7 Objective – Urban growth, form and design

This Objective seeks a well-integrated pattern of development that respects environmental context and manages development accordingly; improves accessibility and connectivity; maintains and enhances the commercial centres hierarchy; and supports the redevelopment of brownfield sites for residential, business and mixed-use activities.

Objective 3.3.10 Commercial and industrial activities

This objective seeks the recovery and stimulation of commercial and industrial activities in a way that expedites recovery and long-term growth, including by enabling rebuilding of existing business areas.

Assessment

The proposal facilitates the development of an integrated local centre that provides convenience services and community facilities to St Albans residents through the rebuilding of a vacant site that is largely commercially zoned and brownfield in nature.

9.5 Commercial Zone Policy Framework

The suite of commercial objectives and policies seek to maintain a centres-based approach to commercial development within the city and to ensure that new development in commercial centres is of high quality and appropriate to its context.

Both **Objective 15.2.2** and associated **Policy 15.2.2.1** seek to focus commercial activity within a hierarchical network of centres to meet the needs of both the community and business. The objective seeks that development is consistent with the role of each centre and supports a compact urban form that integrates commercial activity with community and residential activities in locations accessible by a range of modes of transport.

Table 15.1 describes the role of the various centres in the hierarchy. Local centres are to comprise of a small group of primarily convenience shops and in some instances community facilities; are to be accessible by walking, cycling, and potentially a bus route; and can also include

stand-alone supermarkets servicing the surrounding residential community. Their size is described as being up to 3,000m², although importantly this size guide explicitly excludes 'standalone supermarket based centres'. Neighbourhood centres in contrast are to function as a destination for weekly and daily shopping needs and may offer a broader range of activities including comparison shopping, entertainment, small scale offices, and be anchored by a supermarket and/or department store. The size of such centres ranges from 3,000m² up to 30,000m².

Policy 15.2.2.4 provides the key guidance on how the growth of centres is to be managed. Growth in commercial activity is to be focussed within existing commercial centres, and any outward expansion of a commercial centre must:

- *Ensure the expanded centre remains commensurate with the centre's role within a strategic network of centres, while not undermining the function of other centres;*
- *Be integrated with the provision of infrastructure, including the transport network;*
- *Be undertaken in such a manner that manages adverse effects at the interface with the adjoining zone; and*
 - *responsive to the anticipated increase in population in the surrounding catchment while continuing to support intensification targets in and around centres; and (B) consistent with revitalising the Central City as the primary community focal point; and*
- *Ensure the centre is coherent in form; and*
- *Ensure large format activities proposed within 400m does not have a significant adverse effect on the function and viability of the centre.*

Assessment

The Plan's commercial framework has a clear focus on enabling commercial development to meet both the needs of business, and the community. This proposal does exactly that through the provision of a new local centre on a site that is largely zoned in anticipation for such use. The function of the proposed centre is considered to remain consistent with the role and function of a local centre, which is to provide for the convenience needs of the local community. It is important to emphasise that the inclusion of a stand-alone supermarket is fully anticipated as being within the ambit of a local centre as described in Table 15.1.

Whilst the total size of the proposed centre is over the 3,000m² guide in the policy, the key to the policy is the role of the centre, rather than a narrower focus on floorspace, especially as reference to the floorspace guide includes an explicit exclusion for 'standalone supermarket based local centres'. The 'standalone' reference is taken to differentiate supermarkets that are not integrated within larger mall complexes. The reference to 'based' means that the centre can include additional shops i.e. the centre can be more than solely a supermarket. The role and function of the proposed centre will nonetheless need to remain commensurate with that of a local centre. As noted in the Economic Assessment, there are a number of local centres that are larger than the proposal.

It is important to emphasise that Policy 15.2.2.4 anticipates that centres can grow and expand beyond their current zone boundaries. Given that centres are most commonly bordered by residential zones, it is implicit that such expansion into adjacent residential zones is contemplated, provided the criteria set out in the policy are able to be met.

The proposal is consistent with the centre growth directions contained in Policy 15.2.2.4. The proposal is focussed on an existing zoned local centre, and therefore constitutes the intensification of activity within this zone. The elements of the proposal that result in outward expansion (primarily loading bay, access, parking and cafés) are all consistent with the criteria for such expansion, namely such expansion is not at a scale where the centre's role changes; is integrated with infrastructure and the transport network; manages zone interface issues; supports residential development on the balance of the block and indeed the surrounding RMD zone by the provision of convenient facilities; is responsive to a clear anticipated increase in population in the surrounding catchment; will not adversely affect the role and function of the City Centre, and has a coherent urban form.

Objective 15.2.4 'Urban Form, Scale and Design Outcomes' seeks that the scale of development be consistent with the role of the centre it occurs within, and which contributes to a visually attractive, safe and accessible environment. The objective importantly recognises that the built form needs to recognise the functional and operational requirements of activities.

Policy 15.2.4.1 Seeks that the scale and form of development reflects the anticipated scale and function of the centre, and manage adverse effects on the surrounding environment. For local centres a low-rise built form is anticipated, to respect and integrate into the residential suburban context.

Policy 15.2.4.2 requires new development to be well designed and laid out. This includes encouraging pedestrian activity, providing strong connections to the surrounding area, and facilitating movement within the site for all modes of transport; providing street facing facades with visual interest, to achieve an attractive setting when viewed from the street; incorporating low impact design and reflecting CPTED principles.

Assessment

The proposal is consistent with the scale of development anticipated within the CL zone (and is markedly less than that recommended by the IHP on PC14), and will be appropriate within the context of the wider environment, which is characterised by residential development at medium densities. The proposed buildings will be consistent with the height of other buildings in the surrounding area, which are generally two storey and around 8m. The street facing building facades have been designed to provide active frontages, and a high level of visual interest, noting that the policy outcome is focussed on the design of street-facing facades rather than requiring buildings to be built up the road frontage. Landscaping along the road frontages and within the site will soften the appearance of the car park and vehicle circulation area. Overall, the site will have a high-quality appearance and will be visually attractive when viewed from the street and from the residential properties opposite.

The site will have access from Madras street in a safe and convenient manner. The proposed accesses provide for both pedestrians and vehicles, and provision has been made for cycle parking within the site.

9.6 Residential Zone Policy Framework

Objective 14.2.7 provides for new, comprehensively developed, mixed use commercial and residential development on brownfield sites. Related **Policy 14.2.7.1** is to support and incentivise brownfield redevelopment where:

- i. *natural hazards can be mitigated;*

- ii. adequate infrastructure services and capacity are available;*
 - iii. reverse sensitivity effects on existing industrial areas are managed;*
 - iv. the safety and efficiency of the current and future transport system is not significantly adversely affected;*
 - v. there is good walking and cycling access to public transport routes, commercial and community services, and open space;*
 - vi. if necessary, contaminated land is remediated in accordance with national and regional standards; and*
 - vii. the redevelopment does not impact on the vitality and strategic role of commercial centres.*
- a. Ensure the redevelopment is planned and designed to achieve:*
- i. high quality urban design and on-site amenity; and*
 - ii. development that is integrated and sympathetic with the amenity of the adjacent neighbourhoods and adjoining sites.*

Assessment

The term ‘brownfield’ where it occurs in this objective and associated policy is defined as meaning “*abandoned or underutilised commercial or industrial land, or land no longer required by a requiring authority for a designated purpose*”.

As set out in the background section above, the site history is that of a roading designation that blighted the western portion of the site and then was subsequently uplifted by the requiring authority. The balance of the site was used for industrial purposes as a works depot and has since been left in an abandoned state. As such it is considered to fall squarely within the definition of ‘brownfield’ as applied to the residential policy framework. Indeed, it is difficult to identify another large block of residentially zoned land in the City that would better meet this definition than the application site. Even if the entire site had a RMD zoning, significant redevelopment for a mix of uses is anticipated as being acceptable, and indeed is something to be facilitated.

Objective 14.2.7 and Policy 14.2.7.1 seek to both provide for, support, and incentivise, the comprehensive redevelopment of brownfield sites for commercial, residential, and mixed use activities. The language of these provisions is both directive and strongly enabling of brownfield redevelopment. It is important to emphasise that Objective 14.2.6 which provides separate direction on the management of non-residential activities includes a note that “this objective and subsequent policies do not apply to brownfield sites”. The brownfield provisions therefore provide a distinctly different policy pathway to that which would otherwise apply under Objective 14.2.6 relating to non-residential activities in general.

The proposal is to establish a comprehensively designed mixed use commercial development on the application site, which complements the medium density residential development occurring in the northern half of the brownfield site, such that in combination - a mixed-use redevelopment of a brownfield block is delivered.

The site is within a flood management area, and the proposed buildings have been designed to mitigate the risk of flood damage by constructing floor levels to meet minimum height requirements.

The Servicing Assessment has confirmed that there are design solutions available, and the proposal includes on-site stormwater tanks to control increased runoff from the site.

The proposal will not result in adverse effects on existing industrial areas, as the surrounding area is residential.

The proposal will not have any significant effects on the transport system, and the vehicle accesses have been designed to operate in a safe and efficient manner.

The site provides for pedestrian and cycle access, and is located a short walk from a bus route along Barbados Street.

Contaminated land within the site will be remediated.

The proposal will not impact on the vitality or strategic role of other higher order commercial centres.

The proposal will result in a high quality local centre, with a high level of on-site amenity, which is well integrated into the surrounding residential neighbourhood.

The proposal therefore achieves and indeed furthers Objective 14.2.7.1 and related Policy 14.2.7.1 that seek to support and incentivise brownfield redevelopment. Objective 14.2.6 and associated policies are not assessed in accordance with the direction provided in that objective that they are not applicable to brownfield sites. For this site, the residential brownfield policy dovetails with the commercial centre expansion policy, with the proposal meeting the policy criteria for both centre expansion and brownfield regeneration.

9.7 Contaminated land

Objective 4.2.2.1 seeks to manage contaminate land to protect human health and the environment, and to enable the land to be used in the future. Related **Policy 4.2.2.1.1** is to require any proposal to develop contaminated land to apply a best practice approach to investigating and remediating contamination. **Policy 4.2.2.1.2** seeks that remediation of contaminated land should not pose a more significant risk to human health or the environment than if remediation had not occurred.

Assessment

Investigation in the form of soil testing as part of a DSI has been carried out using best practice methods. The proposal includes remediating the contaminated land on-site in accordance with a SMP/RAP in order to protect human health and the environment. The proposal is therefore consistent with this objective and related policies.

9.8 Natural hazards and Earthworks

Strategic **Objective 3.3.6** relates to the management of natural hazards. It seeks that new development is avoided where the risks are unacceptable, and otherwise is undertaken in a manner that ensures the risks of natural hazards are appropriately mitigated. This approach of avoiding development subject to unacceptable risk and otherwise managing that risk to acceptable levels is reflected in **Policies 5.2.2.1.1** and **5.2.2.1.2**. **Policy 5.2.2.1.4** seeks to ensure that development does not transfer natural hazard risk to other people or property.

Policy 5.2.2.2.1 relates specifically to managing flood hazard risk. This policy seeks first to map that risk through the identification of Flood Management Areas. It seeks to maintain the flood storage capacity and function of natural floodplains and ponding areas, seeks to ensure that filling in urban areas does not transfer flood risk to neighbouring properties, and seeks to reduce potential damage through requiring new habitable buildings to meet minimum floor levels.

Earthworks **Objective 8.2.4** and **Policy 8.2.4.3** both recognise that earthworks are necessary for facilitating development and the recovery of the District. **Policy 8.2.4.4** seeks to ensure that, once completed, earthworks do not result in any significant shading, visual impact, loss of privacy, or other significant detracting from the amenity values enjoyed by those living in the locality.

Objective 8.2.5 seeks that people and property are protected during and after earthworks with **Policy 8.2.5.2** seeking to ensure that earthworks avoid more than minor adverse effects on the health and safety of people and their property and do not generate continuous or persistent noise, vibration, dust or odour nuisance.

Assessment

The proposed buildings have been designed to meet with finished floor level requirements, as a key tool for mitigating flood risk. An integrated stormwater solution has been designed to ensure that stormwater is appropriately managed both in terms of quantity and quality.

The Plan contains strong policy recognition that earthworks are a necessary component of the development and recovery of the District. The proposal will not result in any significant long-term (post-construction) effects on privacy and amenity given the separation distances of the facility from residential neighbours and the modest extent of the additional height sought through this application which do not extend beyond foundation works associated with civil construction. The Plan likewise recognises that during the construction phase, earthworks may result in minor nuisance effects. The construction phase needs to be managed to ensure that effects are not more than minor on the amenity of neighbours. With appropriate conditions, combined with the relatively short construction time period, and the site's location in the middle of a large block with few existing residential neighbours, it is considered that the earthworks associated with the construction of the centre will achieve the Plan's policy direction.

9.9 Transport

Objective 7.2.1 – Integrated Transport System for Christchurch

The objective seeks an integrated transport system for Christchurch City that is safe and efficient for all modes; is responsive to existing and future needs and enables economic development; is integrated with landuse and promotes public and active transport.

Supporting Policies include those associated with ensuring appropriate management of high traffic generating activities (**Policy 7.2.1.2**) and specific matters relating to the provision of vehicle access and design (**Policy 7.2.1.3**), requirements for car parking and loading (**Policy 7.2.1.4**) and the design of such areas (**Policy 7.2.1.5**). **Policy 7.2.1.6** seeks to promote public transport and active modes, including through ensuring new road corridors provide sufficient space and facilities to promote safe walking, cycling and public transport, in accordance with the road classification where they contribute to the delivery of an integrated transport system.

Assessment

These matters are addressed in detail in the Integrated Transport Assessment. The proposed comprehensive development can be achieved in a manner that will not adversely affect the function, capacity, and safety of the adjacent road network and furthers the outcomes sought within the policy framework, specifically those elements of Objective 7.2.1 and Policy 7.2.1.6 which seek to promote active transport modes.

9.10 Overall summary and Plan Integrity

The proposal constitutes the development of a zoned local centre / brownfield site for a standalone supermarket based local centre.

The Plan provides strong, enabling direction that such development in Residential Zones is to be enabled, provided for, and incentivised. Such direction aligns with the direction to *‘encourage and provide for’* brownfield regeneration in the higher order CRPS. The proposal meets the criteria for such development in that infrastructure, transport, natural hazard risks, and amenity outcomes are all suitably managed.

The Commercial provisions dovetail with those in the residential chapter. Commercial development is to be focussed on existing commercial zones, as is the case here where the bulk of the proposed commercial activity is located within a Commercial Local zone. Outward expansion of existing zoned centres is likewise anticipated, especially where such expansion is responsive to anticipated growth in the catchment.

The proposed expansion is of a scale such that the centre remains in keeping with its role and function in the centres hierarchy. The economic assessment has confirmed that the proposal will not adversely affect the role of other centres or the City Centre. The expansion beyond the zone boundary is modest and is comprised largely of supermarket loading, access, parking, and café/food outlets, noting that such activities are to be provided for in residential brownfield contexts, along with community facilities such as preschools and medical centres. The expansion of the existing centre enables a more logical, contemporary, safe, and practical site layout than that sought in the ODP.

The proposed development has been carefully designed to deliver an appropriate urban design outcome for a local centre, whilst concurrently delivering the functional outcomes required for supermarkets to operate safely. The supermarket is oriented toward the road with glazing and a clearly legible front entrance, reached by safe and direct pedestrian routes. Local shops are located on the Madras Street frontage to provide activation and overlooking and to facilitate a welcoming local community hub.

Transport, stormwater, and acoustic matters have been addressed, along with the appropriate treatment and disposal of contaminated soil and the associated remediation of the site.

Overall, the proposal is considered to be consistent with the policy outcomes sought by the District Plan and will facilitate the timely redevelopment of a large derelict brownfield site in a strategic location.

10 Consultation/Notification

Under the provisions of the amended RMA there is now no presumption in favour of notification (section 95A). The requirement for the Council to be *“satisfied”* that the effects *“will be minor”* before proceeding on a non-notified basis has been removed. Instead, public notification is only required if the Council *“decides”* that the activity:

... will have or is likely to have adverse effects on the environment that are more than minor.

There are a number of rules that are to be processed on the basis that they are not to be limited or publicly notified, as set out in the compliance table. The below table summarises these rules, along with the rules that are subject to a notification assessment. It is accepted that the bundled nature of the non-compliances meant that an overall s95 notification assessment is open to Council, however the explicit non-notified direction in a number of rules, and in particular those relating to supermarket size and the bespoke St Albans centre GFA, are a material consideration in reaching an overall assessment.

Not anticipated by District Plan to be limited or publicly notified	May be limited or publicly notified in accordance with District Plan
Size of the supermarket	Layout not in accordance with the ODP
Overall quantum of commercial floorspace located within the Commercial Local Zone	Day-time noise standards
Building to the road frontage in the CL zone	Recession planes and internal boundary setbacks
Landscaping in the RMD zone	Landscaping in the CL zone
Urban design matters in the RMD zone	Café, park, and supermarket loading/parking areas in the RMD zone
	Transport rules relating to trip generation and access
	All earthworks rules
	Signage
	NES Soil Contamination

The adverse effects of the proposal including effects associated with the non-compliances have been discussed above and have been found to be less than minor on immediate neighbours, noting that the future owner of Lots 3 and 4 has provided their written approval (**Appendix 14**) and the applicant retains ownership (for the time-being) of Lot E. Adverse effects are no more than minor on the wider area, with effects overall being positive in terms of brownfield regeneration and the provision of convenience access to a new local centre.

s95A Public Notification	
Step 1: Does the application fall within the criteria for mandatory public notification under s95A(3)?	No
Step 2: Does the application fall within the criteria for precluding public notification under s95A(5)?	No

Step 3: Does the application fall within the criteria for public notification under s95A(8) & s95D?	No
Step 4: Are there special circumstances that would warrant public notification under s95A(9)?	No, the proposal is to develop and expand a Commercial Local Centre where there is a clear consenting pathway provided by the District Plan.
s95B Limited Notification	
Step 1: Are there certain affected groups and affected persons who must be notified under s95B(2)-(3)?	No
Step 2: Does the application fall within the criteria for precluding limited notification under s95B(6)?	No
Step 3: Does the application fall within the criteria for other affected persons to be notified under s95B(7)-(8) and s95E?	No
Step 4: Are there special circumstances that would warrant limited notification under s95B(10)?	No

11 Conclusion

The application site comprises one of the largest, and longest-standing, brownfield industrial sites in the City. It currently presents as a large vacant site bounded by security fencing and as such makes no contribution to the amenity or services available to the surrounding neighbourhood. The proposal seeks to regenerate this site through the development of a supermarket based local centre to support the growing needs of a suburb that has experienced rapid population growth through intensification and is likely to continue to experience high rates of growth into the future. The centre will not threaten the viability or amenity of other centres or the CBD, and will continue to sit comfortably within the existing and anticipated centre hierarchy, noting that stand alone supermarket-based centres are anticipated within the 'local centre' category.

The site layout has been carefully considered to deliver the functional requirements of a modern supermarket, whilst also delivering a new community hub with food outlets set around a village green open space. The main supermarket building is recessed into the rear corner of the site, with the publicly facing western and northern elevations sleeved in small format retail or glazing/ entrance foyer elements. The store architecture is complemented by a landscape plan that prioritises the provision of landscaping around the site perimeter where the contribution of planting to both the Madras streetscape and the interface with adjacent landholdings is able to be maximised.

The proposal will not adversely affect the safe and efficient functioning of the transport network and provides for modal choice and active transport options. Servicing solutions are

available for the site, with stormwater attenuation to be delivered via storage tanks screened to the rear of the building.

Overall the proposal is considered to be consistent with the outcomes sought by the District Plan in terms of both brownfield regeneration and centre growth, in a manner that supports the ongoing residential intensification of the surrounding neighbourhood in line with the wider urban form outcomes sought for CBD fringe suburbs in the NPS-UD, CRPS, and District Plan policy frameworks.

APPENDIX 1:

Records of Title

APPENDIX 2:

Architectural Plans and Design Statement

Appendix 3:

Landscape Plans

Appendix 4:

PC31 Outline Development Plan

Appendix 5:

Operative Plan Outline Development Plan

Appendix 6:

E-mail correspondence with CCC Policy Team

Appendix 7:

District Plan Compliance Assessment

Appendix 8:

Urban Design Assessment

Appendix 9:
Economic Assessment

Appendix 10:
Transport Assessment

Appendix 11:
Acoustic Assessment

Appendix 12:

NES Soil Contamination Assessment

Appendix 13:

Civil and Servicing Assessment

Appendix 14:

Affected Party Approval