

**Before the Hearings Panel appointed by
the Christchurch City Council**

Under

the Resource Management Act
1991 (**Act**)

And

In the Matter of

an application under section 88 of
the Act for land use consent to
establish and operate a new
supermarket and associated small
scale retail including signage,
servicing, access, carparking and
landscaping

**Legal Submissions
for Woolworths New Zealand Limited**

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Lane Neave
141 Cambridge Terrace
PO Box 2331
Christchurch 8140
Solicitors Acting: Joshua Leckie and Sarah
Anderton
Email: joshua.leckie@laneneave.co.nz /
sarah.anderton@laneneave.co.nz
Phone: 03 409 0321

lane neave.

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INTRODUCTION

1. These legal submissions are presented on behalf of Woolworths New Zealand Limited (**Applicant**).
2. The Applicant seeks resource consent to establish and operate a new supermarket and associated small scale retail including signage, servicing, access, carparking and landscaping (**Proposal**) at 476-494 Madras Street, St Albans (**Site**).¹ The Proposal regenerates a long vacant brownfield site which is subject to significant development constraints.
3. The Proposal is necessary to address a significant shortfall in the provision of supermarket services to meet the needs of the surrounding community. St Albans has grown rapidly through intensification and its population is projected to continue to grow. The area currently has no full-service supermarkets available and residents must therefore travel elsewhere to access weekly supermarket needs.
4. Importantly the majority of the Site supports commercial activity. The Site sits within the Neighbourhood Centre Zone (**NCZ**) and Residential Medium Density Zone (**RMDZ**) in the Christchurch District Plan (**District Plan**). At a more strategic level, the District Plan provides for commercial activity by applying a hierarchy of centre zones. The appropriate interpretation and application of the centres hierarchy is the key point of difference between the Applicant and the Christchurch City Council (**Council**).
5. The Applicant submits that the Proposal is consistent with the centres hierarchy. This is due to two key reasons. Firstly, the size of centres within the hierarchy is not rigid and current centres demonstrate that there is significant overlap between centre types. Secondly, a mechanism for outward expansion of centres is provided where that is commensurate with the role of the centre within the network and there are not significant effects on the function of other centres.
6. In determining whether the Proposal is consistent with the centres hierarchy, an effects-based analysis is required, as provided for in the policy framework of the District Plan. When considering the effects on other centres, all experts agree that there are no significant adverse retail distribution effects arising from the Proposal. Rather, the Proposal will complement the existing Edgware Centre by providing a different function. The Proposal will not detract from that existing centre, and, while at the larger end of the scale for a Neighbourhood Centre, will not result in any effects which would render it inconsistent with the centres hierarchy approach.

¹ Legally described as Lot 1-2 DP 606636 (Lots 1-2 of approved subdivision RMA/2024/1031), Lots 60-62 and 64-65 of DP 953, Pt Lots 33-34 DP 1212 and Lot 1 DP 77018.

7. Other effects arising from the Proposal have been appropriately addressed by the Applicant, including through amendments to the Proposal in response to the Section 42A Report.
8. The Proposal will result in significant positive effects for the community.
9. Overall, the effects of the Proposal are appropriate and we submit that consent should be granted.

THE APPLICANT

10. The Applicant is one of New Zealand's leading supermarket brands. Nationwide, the Applicant operates over 180 supermarkets and employs over 20,000 people across its stores and support offices.² The Applicant has a long history of working with communities and councils to deliver developments that enable community wellbeing, while also ensuring that its supermarkets are functional and successful in the communities in which they are located.³

THE SITE AND RECEIVING ENVIRONMENT

Background

11. The Site sits within St Albans to the north of central Christchurch, within a block bounded by Madras Street, Packe Street, Purchas Street and Canon Street.
12. The Site has a long planning history as outlined in Mr Clease's evidence, having previously being used as an industrial works depot, with a motorway designation applying along the Madras Street frontage.⁴ Industrial use of the Site ceased in the late 1990s and the designation was uplifted in 2008.⁵ The Site has remained vacant and somewhat derelict ever since.⁶ The Site is now a significant brownfield parcel of land sitting within an otherwise residential neighbourhood.
13. A previous owner of the Site before the Canterbury earthquakes introduced a particular zoning layout to the Site with an Outline Development Plan (**ODP**) applying to reflect the development intentions at the time.⁷ The subsequent earthquakes impacted the appropriateness of the ODP and current site zonings.⁸ Fragmentation of ownership and subsequent development has prevented the ODP from being able to be implemented, with no recent developments on the block

² Statement of Evidence of Daniel Shao, 18 July 2025 at [9].

³ At [9].

⁴ Statement of Evidence of Jonathan Clease, 18 July 2025 at [18]-[19].

⁵ At [20].

⁶ At [20].

⁷ At [21].

⁸ At [22].

implementing any part of the ODP.⁹ As a result, the ODP is no longer commercially feasible or the most appropriate urban form provision in the context of the surrounding local community.

14. As part of the wider plan review which followed the earthquakes, the boundaries of the existing residential and commercial zones which applied to the Site were rolled over into the new plan without substantive discussion being recorded on the appropriateness of that zoning or the ODP.¹⁰ Only the southern half of the ODP was included in the updated plan although the reasons for this are unknown.¹¹
15. The Site is currently vacant and bound by high security fencing. The Site includes areas of hardstanding, some grassed spaces, weeds and self-sown trees.
16. The past industrial activities have resulted in soil contamination across much of the Site. There is also a poor stormwater drainage network in and around the Site and parts of the Site are subject to Flood Management Area and Liquefaction Management Area overlays. These characteristics of the Site somewhat limit the development potential of the Site.

Surrounding and Anticipated Environment

17. The surrounding area is predominantly residential with an increasing presence of newer medium density town house development. St Albans has experienced significant residential growth in recent times through central and local government directed intensification.¹² Further intensification is expected to be ongoing given the neighbourhood's close proximity to the city centre and the enabling RMDZ zoning.
18. The changing nature of the receiving environment is relevant when considering how the Proposal will sit within the surrounding environment. The High Court in *Frost v Queenstown Lakes District Council* has held that:¹³

It would be entirely artificial to assess effects without considering what exists and what is anticipated in the zone.

19. Beyond what currently exists on the Site, the Panel must also turn its mind to what is realistically anticipated in the environment in the future by the District Plan.¹⁴ This includes increased residential intensification.

⁹ At [22].

¹⁰ Statement of Evidence of Jonathan Clease, 18 July 2025 at [23] and Planz Consultants, Assessment of Environmental Effects, November 2024 at 6.

¹¹ Statement of Evidence of Jonathan Clease, 18 July 2025 at [23].

¹² At [13].

¹³ *Frost v Queenstown Lakes District Council* [2021] NZHC 1474, (2021) 22 ELRNZ 844 at [68].

¹⁴ At [68].

20. On the Site, while there is no formal permitted baseline relevant to the Proposal, the District Plan provides for Neighbourhood Centres as being “*up to 3,000m² (excluding standalone supermarket based centres)*”. The rules relating to the St Albans NCZ, expressly provide for a greater maximum Gross Leasable Floor Area (GLFA) being 3,500m². Commercial activities of up to 3,500 m² GLFA are therefore anticipated for the Site in accordance with the District Plan.
21. This anticipated environment is a relevant consideration when taking into account the effects of the Proposal.

Community Need for a Full-Service Supermarket

22. The rapidly growing population within the St Albans area¹⁵ has generated a strong and increasing demand for a full-service supermarket and other convenience retail.¹⁶ That demand is expected to continue to increase as further residential intensification occurs.
23. The only current supermarket supply in the local area is the small FreshChoice supermarket in the Edgware local centre. This store functions mainly as a “*top-up*” grocery store and does not fulfil “*full-order*” supermarket shopping needs.¹⁷ This has resulted in those supermarket shopping needs being directed out of the area to other more distant full-service supermarkets as the primary catchment is substantially under-served.¹⁸
24. This increasing population has resulted in the current zoning provision being insufficient to meet demand.¹⁹ There is therefore a misalignment between the zone provision and the market context given what is commercially viable in this location.²⁰
25. Mr Heath on behalf of the Council agrees that there is an unmet demand for supermarket retail in St Albans under the existing centre network.²¹

THE PROPOSAL

26. The Proposal includes a full-service supermarket, sleeved by small-format retail on the ground floor, provision for a modest amount of commercial (non-retail) activities on the first floor and a village green pocket park.²² The Proposal includes associated

¹⁵ Statement of Evidence of Natalie Hampson, 18 July 2025 at [30].

¹⁶ At [14].

¹⁷ At [15].

¹⁸ At [15].

¹⁹ At [54]-[57].

²⁰ At [54]-[57].

²¹ Christchurch City Council, Section 42A Report, RMA/2024/3209, 26 June 2025, Appendix D, Addendum at 5.

²² Statement of Evidence of Jonathan Cleave, 18 July 2025 at [29].

signage, stormwater attenuation, access, car parking and landscaping.²³ The total gross floor area proposed is 5,303m².

27. The Site was identified for the Proposal as a result of demand indicating a need for a full-service supermarket in St Albans.²⁴ There are no other sufficiently large and vacant sites elsewhere in St Albans/Edgeware (regardless of zoning) and no realistic alternatives for amalgamation of other sites.²⁵
28. The main supermarket building on the Site is proposed to be recessed into the rear corner of the Site, as is typical for developments of this kind,²⁶ with the street facing elevation sleeved in small format. The store architecture is complemented with 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.²⁷
29. Key elements of the ODP are retained through including the pocket park and small format retail although, as outlined above, complete implementation of the ODP is no longer practical, feasible or appropriate in the context of the surrounding local community.²⁸
30. The Proposal addresses the on-site constraints including contamination, liquefaction risks and poor stormwater network, provide a comprehensive solution to these challenges.²⁹

Changes post-lodgement

31. The Applicant has made a number of changes to the Proposal to address the recommendations in the Section 42A Report. In particular the Applicant has:
 - (a) Addressed Mr McGonigal's concerns as shown on the site access alterations plan attached to Mr Rossiter's evidence which includes:
 - (a) Reduction of the northern vehicle access in width from 16.5m to 11.5m at the boundary. This will be achieved through modifications

²³ Statement of Evidence of Jonathan Clease, 18 July 2025 at [29].

²⁴ Statement of Evidence of Natalie Hampson, 18 July 2025 at [30]-[34].

²⁵ Statement of Evidence of Daniel Shao, 18 July 2025 at [18], footnote 1; Statement of Evidence of Jonathan Clease, 18 July 2025 at [47] and [49].

²⁶ Statement of Evidence of Mark Brown 18 July 2025 at [16].

²⁷ Statement of Evidence of Mark Brown 18 July 2025 at [16] and Statement of Evidence of Jonathan Clease 18 July 2025 at [14].

²⁸ Statement of Evidence of Tim Church, 18 July 2025 at [39], Statement of Evidence of Natalie Hampson, 18 July 2025 at [56]-[56] and Statement of Evidence of Jonathan Clease, 18 July 2025 at [22]-[23].

²⁹ Statement of Evidence of Liam Jagvik, 18 July 2025 at [17], [19], [27], [28] and Statement of Evidence of Jonathan Clease, 18 July 2025 at [120]-[121] and [128].

to the internal circulation route, resulting in an increased queuing space for exiting vehicles, and an increase in landscaped area.

- (b) Changes to access configuration to provide opportunities for enhanced landscaping at the northern access and an increase in the number of carparks from 223 to 228.
 - (c) Amending the southern entry by increasing the number of dedicated staff carparks adjacent to this entrance to improve queue space and reduce the potential for conflict.
 - (d) Amending the Madras Street lane-marking to show a painted median to facilitate right-turn movements with retention of the existing cycle lane widths on the eastern side of Madras Street.
- (b) Responded to Mr Head's recommendations by incorporating the following into the revised landscape plan attached to Mr Brown's evidence:³⁰
- (a) inclusion of planting spacings;
 - (b) inclusion of annotated cross sections of the carpark planting strips showing the arrangement of tree planting and proposed tree pit soil volumes;
 - (c) increased numbers and species of trees in the carpark;
 - (d) 7.5m spacings of the kowhai at the southern boundary of the Site;
 - (e) inclusion of a continuous line of bronze flax brush and dwarf mountain flax along the Madras Street frontage;
 - (f) addition of native trees at 5m spacing along the Madras Street frontage;
 - (g) addition of trees in islands near the Madras Street pedestrian frontage;
 - (h) changes to specified plant species; and
 - (i) amendments to all new and existing fencing along the south and east boundaries.
- (c) Addressed Mr Hattam's urban design report as set out in Mr Church's evidence by:

³⁰ Statement of Evidence of Mark Brown, 18 July 2025 at [52].

- (a) reduction of the main pylon sign from 9.m to 7.5m in height and from 3.3m to 2.75m in width; and
 - (b) minor changes to the internal carpark layout and trolley bay configuration to enable the provision of 6 larger specimen trees through the middle of the carpark.
32. The elevations have also been updated to show the new height limits and recession planes confirmed through Plan Change 14 (**PC14**). These show that the proposed building is readily compliant with these rules (noting our weighting comment below regarding PC14). An updated set of architectural plans is attached to Mr Clease's evidence reflecting this amendment.

STATUTORY FRAMEWORK

Section 104

33. Section 104 of the Resource Management Act 1991 (**RMA**) outlines the matters that the Panel must, subject to Part Two, have regard to when considering the Proposal. These matters include:
- (a) the environmental effects of the proposed activities;
 - (b) the relevant provisions of the regional and district plans and higher order planning documents; and
 - (c) any other matter the Panel considers relevant and reasonably necessary to determine the Proposal.
34. In making this assessment, the Panel must not have any regard to trade competition or the effects of trade competition or effects on any person who has provided their written approval.³¹
35. In accordance with s 104B, the Panel may grant or refuse the application and may impose conditions under s 108.

Activity Status

36. The overall activity status of the Proposal under the District Plan is discretionary due to the inclusion of commercial activity within the portion of the Site that is zoned RMDZ.³²

³¹ Resource Management Act 1991, section 104(3)(a).

³² Statement of Evidence of Jonathan Clease, 18 July 2025 at [31].

37. Consent is also required for a restricted discretionary activity under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (**NES-CS**).
38. The applicable rule triggers are set out in the evidence of Mr Clease.³³

Plan Change 14

39. PC14 implements the Medium Density Residential Standards (**MDRS**) and gives effect to the National Policy Statement on Urban Development 2020 (**NPS-UD**) in the District Plan. The Council's decisions on PC14 adopted the majority of the Independent Hearing Panel's recommendations regarding intensification within and around urban commercial centres. These decisions have been incorporated into the District Plan.³⁴
40. However, the Council is yet to make a decision on the Independent Hearings Panel's recommendation that the RMDZ portion of the Site be rezoned to High Density Residential.³⁵ The Resource Management (Consenting and Other System Changes) Amendment Bill which is progressing through Parliament effectively proposes to remove this requirement. As such, we submit that little weight can be afforded to the Independent Hearings Panel's recommendation in this regard.

PLANNING CONTEXT

Centres Hierarchy

41. The Canterbury Regional Policy Statement (**CRPS**) and District Plan establish a centres hierarchy for the development of commercial centres in Christchurch.
42. This approach was introduced in the post-earthquake context to enable the recovery of centres commensurate with their role.³⁶ Mr Clease notes that the use of centre hierarchies as a tool was especially relevant at that time given that a number of centres experienced significant damage and their ability to continue to deliver their role and function was at risk if commercial growth relocated elsewhere.³⁷
43. The CRPS states in Policy 6.3.6(4) that:

³³ Statement of Evidence of Jonathan Clease, 18 July 2025 at [30]-[31].

³⁴ The ePlan was updated on 19 June 2025 to incorporate all of the decisions on Plan Change 14 for Policy 3 areas, with the exception of some rules relating to the Chapter 14B residential pathway.

³⁵ Statement of Evidence of Jonathan Clease, 18 July 2025 at [27].

³⁶ At [50].

³⁷ At [59].

New commercial activities are primarily to be directed to the Central City, Key Activity Areas, and neighbourhood centres³⁸ 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.

44. This direction expressly identifies that new development should be located in those centre locations although some activities may be required to locate outside of centres, and that this is appropriate where the “*significant*” effect threshold for distributional or urban form effects is not reached.
45. The District Plan provides for primacy to be given to the City Centre, followed by Town Centres, Local Centres and Neighbourhood Centres.
46. Each of the centres contained within the hierarchy are described in the District Plan as follows:³⁹
 - (a) CBD as the principal employment and business centre for the City and wider region providing for the widest range and greatest scale of activities available in centres.
 - (b) Town Centre as a major retail destination for comparison and convenience shopping and a focal point for employment, community activities and community facilities, entertainment activities, food and beverage and visitor accommodation.
 - (c) Local Centre as a destination for weekly and daily retailing needs as well as for community facilities. A wide range of activities are anticipated, including some small-scale comparison shopping, food and beverage outlets, entertainment, recreation activities, offices and visitor and residential activities. These centres are anchored principally by a supermarket(s) and in some cases, with a second or different anchor store. These centres primarily serve the immediately surrounding suburbs. The anticipated size is stated as being 3,000m² to 30,000m² gross floor area (**GFA**).
 - (d) Large Format Centre as a standalone retail centre, comprising stores with large footprints, including yard-based suppliers, trade suppliers and vehicle oriented activities.
 - (e) Neighbourhood Centre as “*a small group of primarily convenience shops and, in some instances, community facilities*”. This is expressly stated as including standalone supermarkets serving the surrounding residential

³⁸ Noting this Neighbourhood Centre reference is pre-National Planning Standards (so now known as Local Centres in the Christchurch context).

³⁹ Policy 15.2.2.1 and associated Table 15.1.

community. The anticipated size is up to 3,000m² (excluding standalone supermarket based centres).

47. The key objectives and policies relating to this approach are as follows:

- (a) Objective 3.3.11 which seeks the recovery and stimulation of commercial and industrial activities and that the critical importance of centres:

“for people and the economy is recognised in a framework that primarily directs commercial activity into centres, consistent with their respective roles; and any commercial activities proposing to locate outside these centres will not give rise to significant adverse distributional or urban form effects.”

- (b) Objective 15.2.2 which provides that commercial activity should be focused within a network of centres to meet the wider community’s and businesses’ needs in a way and at a rate that (amongst other things), supports intensification within centres, enables the efficient use and continued viability of the physical resources of commercial centres and promotes their success and vitality, and provides for the integration of commercial activity with residential activity.

- (c) Policy 15.2.2.4 which states that: *“any outward expansion of a commercial centre beyond commercial zone boundaries... must”*:

- (a) ensure the expanded centre remains commensurate with the centre’s role within a strategic network of centres, while not having significant adverse effects on the function of other centres;
- (b) be integrated with the provision of infrastructure, including the transport network;
- (c) be undertaken in such a manner that manages adverse effects at the interface with the adjoining zone;
- (d) be responsive to the anticipated increase in population in the surrounding catchment while continuing to support intensification targets in and around centres;
- (e) be consistent with revitalising the City Centre as the primary community focal point; and
- (f) ensure the centre is coherent in form.

48. It is the case for the Applicant in reliance on Mr Clease's evidence that the District Plan provisions make it clear that the key purpose of a centres hierarchy approach is to maintain the role and function of centres further up the hierarchy.⁴⁰ Where new centres do not give rise to retail distribution effects on centres further up the hierarchy and therefore do not materially reduce the role and function of other centres, then they do not undermine the purpose of the hierarchy.⁴¹ The District Plan recognises this through its provision (as reflected in Policy 15.2.2.4) for an effects-based approach to implementing the centres hierarchy.
49. This need for some flexibility within the centres hierarchy was also recognised by the Council during the Replacement Plan process. In legal submissions, Simpson Grierson for the Council noted that there needed to be a *"release valve to enable expansion, as and when proven to be appropriate"* in the District Plan.⁴² This confirms that the centres are not intended to provide a rigid approach, but rather are intended to ensure that centres are developed in a manner which ensures that there are no significant retail distribution effects on larger centres. This provides the necessary flexibility so that centres within the hierarchy can continue to exist within a spectrum and evolve overtime to remain consistent with the commercial environment.

Brownfield Regeneration

50. Another key enablement of the planning framework as it applies to the Site is the clear direction for the regeneration of brownfield sites. Mr Clease and Mr Blair agree that the Site meets the District Plan definition of *"brownfield"* site.⁴³ The CRPS and District Plan provide that regeneration of brownfield sites is to be encouraged and provided for, identified and supported, and incentivised as follows:

- (a) CRPS Policy 6.3.8 seeks to encourage and provide for the regenerating of existing brownfield areas through new comprehensive 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."

⁴⁰ Statement of Evidence of Jonathan Clease, 18 July 2025 at [59] and [61].

⁴¹ At [59].

⁴² Christchurch City Council, Legal Submissions, 8 May 2015 at [4.8].

⁴³ Statement of Evidence of Jonathan Clease, 18 July 2025 at [88]-[90] and Christchurch City Council, Section 42A Report, RMA/2024/3209, 26 June 2025, Appendix V.

- (b) Strategic Direction Objective 3.3.7 on urban growth seeks, amongst other matters, to *“identify opportunities for, and support, the redevelopment of brownfield sites for residential, business or mixed use activities”*.
- (c) Objective 14.2.7 seeks to *“on suitable brownfield sites, provide for new mixed use commercial and residential developments that are comprehensively planned so that they are environmentally and socially sustainable over the long term.”*
- (d) Policy 14.2.7.1 implements Objective 14.2.7 by seeking to support and incentivise the comprehensive redevelopment of brownfield sites for commercial activities where development is appropriately serviced and designed.

51. This planning framework therefore expressly encourages the regeneration of the Site which is a brownfield site.

APPLYING THIS PLANNING FRAMEWORK

52. In summary, our case is that the planning framework discussed above requires:

- (a) enabling of commercial development to take place in centres to support urban development;
- (b) that development provides for the integration of commercial activity with residential activity;
- (c) that the regeneration of brownfield land is supported;
- (d) promotion of the success and vitality of centres;
- (e) integration with the provision of infrastructure;
- (f) management of adverse effects at interfaces with adjoining zones;
- (g) responsiveness to population increases;
- (h) consistency with revitalising the City Centre;
- (i) coherent form;
- (j) the adoption of an effects-based consideration for determining whether the Proposal is consistent with the centres hierarchy; and
- (k) consideration of whether there are *“significant”* retail distribution effects or urban form effects arising from the Proposal.

Expansion Outside the Neighbourhood Centre Zone

53. The Proposal includes land zoned NCZ together with land zoned RMDZ in the District Plan. The need to enable expansion outside of the zoned area for commercial development in some situations is provided for in the above policy framework, including particularly Policy 15.2.2.4. The Proposal meets the criteria in Policy 15.2.2.4 as it:
- (a) Ensures that the expanded centre remains commensurate with the role of the centre. This is discussed further below.
 - (b) Enables coherent and integrated development with land zoned NCZ.
 - (c) Is integrated with the provision of infrastructure, including amendments to the transport environment, discussed further below.
 - (d) Has been designed to ensure an appropriate interface with the adjoining zone. Appropriate height to boundary controls are achieved,⁴⁴ and landscape strips of varying depths are provided along all Site edges.⁴⁵
 - (e) Is responsive to the increase in population in the surrounding catchment, including the projections that resident household growth in the primary catchment could increase by another 2,010 dwellings or 43% from 2023 to 2043.⁴⁶
54. The need for a full-service supermarket to be provided in this location is unable to be met elsewhere as there are no other appropriately zoned sites of a sufficient size in the area to accommodate the Proposal. This is extensively traversed in the evidence of Mr Cleese and Ms Hampson. It is therefore appropriate that residential land which adjoins an area already zoned for commercial development is used to provide the additional land required to meet the community need.

Consistency with the Centres Hierarchy

55. Supermarkets are expressly provided for within the NCZ, including supermarkets which are larger in size than the general size indicated for other commercial activities.
56. Mr Heath identifies that the report that determined the original size of the NCZ, which was produced by his firm in 2006, is *“clearly out of date and not fit for purpose of a retail impact assessment today given the significant changes in the market since*

⁴⁴ Statement of Evidence of Tim Church, 18 July 2025 at [56].

⁴⁵ At [45].

⁴⁶ Statement of Evidence of Natalie Hampson, 18 July 2025 at [31].

2006.⁴⁷ Ms Hampson agrees that there is misalignment between the development outcome the planning provisions anticipate for the St Albans centre (without triggering a consent) and the market context in this location.⁴⁸

57. The evidence of Mr Clease establishes that at least 20 existing Neighbourhood Centres have a zoned area well in excess of the 3,000m² set out in the policy framework.⁴⁹ Table 1 contained within the evidence of Mr Clease sets out the approximate land areas of various NCZ land, together with the five smallest Local Centre Zone areas in the District Plan.⁵⁰ That table clearly demonstrates that the Site is consistent with the size range of other Neighbourhood Centres within the District Plan, and that there is some fluidity in the size of centres, with some Neighbourhood Centres being larger in size than Local Centres. In addition, the GFA (as opposed to zoned area) of a number of other Neighbourhood Centres is also significantly larger than the 3,000m² indicated within the plan policy section, with the largest NCZ (being Blenheim/Acheron) containing approximately 10,350m² GFA.⁵¹
58. This supports the conclusion that the centres hierarchy is not intended to create rigid categories, but will enable some flexibility at the extents of each centre classification in order to meet local needs. Further support for this is provided through the fact that the size indication is included in the policy section of the District Plan, rather than set out as a rule.
59. In determining whether a proposal is appropriate within the centres hierarchy, size is therefore not the determinative factor. Rather, the policy framework requires an effects-based consideration. This focuses principally on whether there are “*significant*” retail distribution effects associated with the Proposal. These potential effects are explored in detail in the following section of these submissions.
60. Council’s opposition to the Proposal on the basis of the centres hierarchy appears to be based on a planning policy concern, as the economic report prepared by Mr Heath for the Council does not provide any basis for centre hierarchy concerns as a result of retail distribution effects. Council’s conclusion that the Proposal will not maintain the centres hierarchy does not therefore appear to be supported by any technical evidence.

⁴⁷ Christchurch City Council, Section 42A Report, RMA/2024/3209, 26 June 2025, Appendix D, Addendum at 5.

⁴⁸ Statement of Evidence of Natalie Hampson, 18 July 2025 at [57].

⁴⁹ Statement of Evidence of Jonathan Clease, dated 18 July 2025 at [66].

⁵⁰ At [67].

⁵¹ At [72].

ASSESSMENT OF EFFECTS

61. This assessment of effects focuses on the key effects arising from the Proposal being:
- (a) positive effects;
 - (b) economic/retail distribution effects;
 - (c) transport effects;
 - (d) landscape effects; and
 - (e) urban design effects.
62. All other effects are accepted by all experts before the Panel to be less than minor and are therefore not discussed in these submissions.
63. The owners and occupiers of adjacent Lot 3 and Lot 4 have provided affected party approval to the Proposal.⁵² As a result, effects on those neighbours must be disregarded when undertaking the assessment of effects.⁵³

Positive Effects

64. The Proposal will result in significant positive effects including:
- (a) Provision of a full-service supermarket to meet the community needs.
 - (b) Providing for the integration between land uses by locating commercial land uses in proximity to the residential communities that they serve. The Proposal will address the substantial leakage in grocery retail spend beyond the catchment as residents currently have to travel further to access grocery services with an associated increased trip time and cost.⁵⁴
 - (c) The regeneration of a long vacant brownfield site, improving the amenity of the Site and surrounding area.
 - (d) Providing for the regeneration of a site with very specific constraints in relation to stormwater, liquefaction and contamination, on which there are no other remediation or engineered solutions proposed.⁵⁵

⁵² Form 8A, Written approval of affected persons, Dragon Win Investments Ltd, 23 October 2024.

⁵³ Resource Management Act 1991, section 104(3)(a)(ii).

⁵⁴ Statement of Evidence of Natalie Hampson, 18 July 2025 at [130].

⁵⁵ Statement of Evidence of Jonathan Clease, 18 July 2025 at [107].

- (e) The investment into the Site will deliver both construction-phase employment opportunities and ongoing employment associated with the operation of both the supermarket and the associated small format retail. Once a supermarket is developed and operational, it provides 80-100 full-time and part-time employment opportunities.⁵⁶
- (f) The Proposal will deliver a new centre in a location where a centre (including a supermarket) has been intended for around 15 years.⁵⁷
- (g) The supermarket component of the Proposal will ensure a more efficient urban form by reducing travel to more distant full-service supermarkets, thereby providing for economic and social wellbeing.⁵⁸
- (h) Providing improvements in the road transport network including through enhanced accessibility for the wider community to goods and services by a range of transport modes.⁵⁹

Economic / Retail Distribution Effects

- 65. While the RMA provides that a consent authority must not have regard to trade competition or the effects of trade competition when considering a resource consent application,⁶⁰ the Supreme Court has determined that retail distribution effects can be taken into account when those effects become significant and have wider flow on effects on the viability of a centre.⁶¹
- 66. The Supreme Court has placed a high threshold on when it is appropriate to consider retail distribution effects.⁶² To reach this threshold, the relevant effects need to impact amenity values to such an extent that this affects people and communities and the social, economic and cultural wellbeing of those people or the environment.⁶³ This would include, for example, a downturn in business in an existing shopping centre or dilution of a retail centre, known as the tumbleweed scene.⁶⁴
- 67. This is also consistent with the wording provided in the policy framework discussed above which requires that a proposal must not have “*significant*” adverse retail distribution impacts.

⁵⁶ Statement of Evidence of Daniel Shao, 18 July 2025 at [14].

⁵⁷ Statement of Evidence of Jonathan Cleave, 18 July 2025 at [177].

⁵⁸ Statement of Evidence of Natalie Hampson, 18 July 2025 at [20].

⁵⁹ Statement of Evidence of Chris Rossiter, 18 July 2025 at [23]-[31].

⁶⁰ Section 104(3)(a)(i) of the RMA.

⁶¹ *Westfield (New Zealand) Limited v North Shore City Council* [2005] NZSC 17, [2005] 2 NZLR 597.

⁶² Blanchard J at [119]-[120].

⁶³ Blanchard J at [119]-[120].

⁶⁴ Blanchard J at [119] and *Westfield New Zealand Ltd v Upper Hutt City Council* ENC Christchurch W44/2001, 23 May 2001, [2001] ELHNZ 198 at [306].

68. Ms Hampson and Mr Heath both agree that the Proposal will have no significant adverse retail distributional effects on existing centres.⁶⁵ In particular, the Proposal will not result in economic effects that would lead to a decline of Edgware Centre and will not have any adverse economic effects on the revitalisation of the city centre.⁶⁶ In accordance with the case law addressed at paragraphs 65-66 and paragraphs 98-99 as economic and social effects of the Proposal do not meet the threshold of “*significant adverse retail distributional effects*” they cannot be considered by the Panel.
69. Ms Hampson finds that FreshChoice Edgware provides a “*top-up*” shop service whereas the Proposal will mainly satisfy demand for weekly grocery shopping that is not currently met in the area.⁶⁷ Conversely, residents who shop at the Proposal will, because of its limited number and choice of stores, still need to shop at Edgware and other higher-order centres to meet their wider household needs.⁶⁸ Ms Hampson therefore concludes that the Proposal will complement the larger and more diverse Edgware centre, and therefore meet the goal of the centres hierarchy.⁶⁹
70. This implements the centres hierarchy with neighbourhood centres complementing local centres and spreading demand across the different tiers of the centre hierarchy commensurate with the different levels of functional amenity that they provide.⁷⁰
71. The Commerce Commission’s recent Market Study into the grocery sector found that there is a lack of suitable sites for development of retail grocery stores in New Zealand and that planning laws and their implementation by local authorities can affect the availability of land for sites.⁷¹ The Commerce Commission identified restrictive planning controls as a key barrier to the establishment and expansion of supermarkets.⁷²
72. This has implications for consumers including by impacting affordability as consenting costs incurred by providers is a contributing factor to the ultimate cost of food for consumers.⁷³ The Commerce Commission recommended specific changes to ensure that the planning system better promotes competition and ensures suitable sites are made available for retail grocery store development. These recommendations include:⁷⁴

⁶⁵ Statement of Evidence of Natalie Hampson 18 July 2025 at [19].

⁶⁶ At [19].

⁶⁷ At [113]-[118].

⁶⁸ At [72].

⁶⁹ At [153].

⁷⁰ At [72].

⁷¹ Commerce Commission, “*Market study into the retail grocery sector*”, 8 March 2022 at [6.59]-[6.65].

⁷² At [9.25]-[9.27].

⁷³ At 189].

⁷⁴ At [9.35].

- (a) District Plans should include sufficient land that is zoned to enable choice in sites for the development of retail grocery stores;
 - (b) sufficient spare capacity should be provided to enable choice in sites for the development of retail grocery stores;
 - (c) a minimum proportion of urban land should be zoned for retail grocery stores;
 - (d) decision-makers' discretion should be limited regarding the approval of retail grocery stores;
 - (e) positive outcomes of trade competition should be able to be considered; and
 - (f) retail grocery store development should not be able to be declined on the basis of adverse retail distribution effects on existing commercial centres.
73. The present application process, and specifically the Council's recommendation to refuse consent notwithstanding the fact that its District Plan anticipates a supermarket at this location, and its own economic evidence concluding both the need for, and the lack of effect of, the proposed development, perfectly illustrates the challenges of establishing a new supermarket in practice.

Transport

74. Mr Rossiter and Mr McGonigal for Council agree that the Proposal will not give rise to any unacceptable effects on the wider transport network or the safe and efficient functioning of nearby intersections.⁷⁵ Mr Rossiter has responded to specific points raised by Mr McGonigal as follows.⁷⁶
- (a) In response to Mr McGonigal's concerns regarding the width of the northern access to the Site which will be used by heavy goods vehicles, Mr Rossiter has redesigned the internal aisle layout, confirming that the access width at the road boundary can be reduced to 11m and that the access will function safely.⁷⁷
 - (b) To address concerns regarding internal queuing space, Mr Rossiter has revised the design of both accesses to include further staff parks to reduce the turnover of these spaces and associated risk of queuing eventuating.⁷⁸

⁷⁵ Statement of Evidence of Chris Rossiter, 18 July 2025 and Christchurch City Council, Section 42A Report, RMA/2024/3209, 26 June 2025, Appendix G at [34]-[36].

⁷⁶ Christchurch City Council, Section 42A Report, RMA/2024/3209, 26 June 2025, Appendix G.

⁷⁷ Statement of Evidence of Chris Rossiter, 18 July 2025 at [96].

⁷⁸ At [91].

The connection between the western aisle and northern aisle has also been removed to provide the 18m of queue space sought by Mr McGonigal.

- (c) Mr Rossiter has recommended a shift from a right-turn bay to a 2m wide painted median, thereby enabling the retention of the existing cycle lane widths.⁷⁹
- (d) Mr Rossiter confirms that a pedestrian access to Packe Street is not feasible and that proposed pedestrian routes are sufficient.⁸⁰ Due to the low speed environment of a car park, Mr Rossiter considers that it is not necessary to provide separate cycle facilities or additional pedestrian facilities, through the internal carpark.⁸¹

Landscape Effects

- 75. Mr Brown provides that the form and layout of the proposed landscape design has been created to accommodate as much planting as feasible while balancing the operational requirements of a retail supermarket environment.⁸² Planting is focused to the perimeter of the Site which will provide visual and physical filtering and softening of views both into and out of the Site.⁸³ Mr Brown concludes that proposed landscaping will meet the relevant District Plan provisions and that the Proposal exceeds the relevant minimum boundary setbacks.⁸⁴ Mr Brown considers that the proposed pocket park area will contribute to a high amenity landscape response which is unique to the Proposal and adds to its overall quality.⁸⁵ Overall, Mr Brown concludes that the Proposal will provide a high level of amenity that will be a significant improvement when compared to the existing site condition.⁸⁶
- 76. Mr Head and Mr Blair generally agree with the landscape design for the Proposal, although Mr Head has recommended some amendments.⁸⁷ Mr Brown has confirmed that most of these amendments are able to be made and the Applicant has incorporated many of these changes as identified above.

⁷⁹ At [99].

⁸⁰ At [101]-[102].

⁸¹ At [103].

⁸² Statement of Evidence of Mark Brown, 18 July 2025 at [24].

⁸³ At [25].

⁸⁴ At [38].

⁸⁵ At [35].

⁸⁶ At [44].

⁸⁷ Christchurch City Council, Section 42A Report, RMA/2024/3209, 26 June 2025 at [103]-[105] and Appendix E.

Urban Design Effects

77. Mr Church provides that the redevelopment of the Site offers a valuable opportunity to introduce a vibrant, mixed-use centre into the neighbourhood.⁸⁸ Mr Church expresses that the Proposal is acceptable from an urban design perspective in supporting the outcomes sought through strategic planning initiatives and adequately addresses relevant matters of discretion to manage potential adverse urban design effects at a local level.⁸⁹
78. Mr Hattam disagrees with some aspects of Mr Church's assessment. A key point of difference is that Mr Hattam disagrees that the current state of the Site is an important consideration.⁹⁰ This fails to recognise the existing environment as the starting point for an assessment of effects and we accordingly submit that Mr Church's evidence should therefore be preferred.
79. Mr Hattam's report also provides alternative concepts for site layout.⁹¹ In our submission, these alternative concepts are of limited assistance to the Panel and present potential scope issues. The layout sought by the Applicant must be assessed by the Panel on its merits, considering the evidence on behalf of the Applicant which provides that the proposed site layout is optimal and that the Proposal is acceptable from an urban design perspective.⁹²
80. Despite that, some targeted amendments to the Proposal have been made to address issues raised by Mr Hattam as set out above.

Precedent Effects

81. Precedent effects are a relevant but not mandatory consideration under s 104(1)(c) of the RMA.⁹³ They are not an effect on the environment but rather a concern about the influence of allowing an activity on the consideration of subsequent application for similar activities. When considering precedent effects, the focus is on whether a proposal will result in a proliferation of "*like for like*" applications.⁹⁴
82. Ms Hampson's evidence outlines the unique factors attributable to the Site and the Proposal which mean that the Proposal would be difficult to replicate. Ms Hampson provides that vacant zoned centres in existing urban areas are rare and that vacant (brownfield) medium density residential land adjacent to vacant zoned centres in

⁸⁸ Statement of Evidence of Tim Church, 18 July 2025 at [20(a)].

⁸⁹ At [113].

⁹⁰ Christchurch City Council, Section 42A Report, RMA/2024/3209, 26 June 2025, Appendix F at [2.2].

⁹¹ Appendix F at [3].

⁹² Statement of Evidence of Tim Church, 18 July 2025 at [20(b)].

⁹³ *Dye v Auckland Regional Council* CA86/01, 11 September 2001, [2002] 1 NZLR 337; *Feron v Central Otago District Council* ENC Christchurch C075/09, 11 September 2009, NZEnvC C075/09 at [49].

⁹⁴ *Rodney District Council v Gould* HC Auckland CIV2003-485-2182, 11 October 2004, (2004) 11 ERLNZ 165.

existing urban areas are even more rare.⁹⁵ She has reviewed all Neighbourhood Centres in Christchurch and found that none are of a scale or dimensions that would, even with adjoining vacant land expansion opportunity, provide a site suitable for a full-sized supermarket.⁹⁶ Ms Hampson therefore considers the risk of the Proposal creating a precedent effect to be negligible.⁹⁷

DISTRICT PLAN ASSESSMENT

83. A full analysis of the District Plan objective and policy framework is provided in Mr Clease's evidence and the AEE. Mr Clease provides that the Proposal is consistent with the policy framework.⁹⁸ We have also provided our submissions on the key centres objectives and policies relating to the centres hierarchy regime above.
84. In summary:
- (a) The Proposal aligns with Objective 3.3.11 as it enables a commercial activity which serves the surrounding residential community and which is therefore expressly provided for in a NCZ. All experts agree that the Proposal does not result in significant adverse retail distribution effects.
 - (b) The Proposal addresses the limbs of Policy 15.2.2.4 as discussed above.
 - (c) The Proposal gives effect to Strategic Direction Objective 3.3.7 by supporting the redevelopment of a brownfield site.
 - (d) The Proposal implements Objective 14.2.7 and Policy 14.2.7.1 by providing for a comprehensively planned development on a long vacant brownfield site in a manner which is environmentally and socially sustainable over the long term.
 - (e) Policy 14.2.7.1 implements Objective 14.2.7 by seeking to support and incentivise the comprehensive redevelopment of brownfield sites for commercial activities where development is appropriately serviced and designed.
85. The Proposal is therefore consistent with the objectives and policies set out in the District Plan.

⁹⁵ Statement of Evidence of Natalie Hampson, 18 July 2025 at [142].

⁹⁶ At [143]-[145].

⁹⁷ At [145].

⁹⁸ Statement of Evidence of Jonathan Clease, 18 July 2025 at [16].

HIGHER ORDER PLANNING DOCUMENTS

Canterbury Regional Policy Statement

86. The relevant objectives and policies of the CRPS are addressed in detail in Mr Cleese's evidence and the AEE.
87. As outlined above, the CRPS requires an effects based consideration in determining whether the Proposal is appropriate within the centres hierarchy. The Proposal is consistent with Policy 6.3.6(4) as it will not *"give rise to significant adverse distributional or urban form effects"* as agreed by Ms Hampson and Mr Heath.⁹⁹ The Proposal will also ensure a more efficient urban form by reducing supermarket shopping travel and providing for the economic and social wellbeing of the St Albans community.¹⁰⁰

National Policy Statement on Urban Development

88. The Proposal aligns with the broad NPS-UD direction for the provision of additional services to support growing populations in a convenient manner. Objective 3 and Policy 1(c) of the NPS-UD encourage commercial activities which serve the needs of the community to be located in areas which are close to housing and to contribute to a well-functioning urban environment with good accessibility for people between housing and community services.
89. The Proposal will achieve the outcomes sought by the NPS-UD as it is located within the catchment it services, is accessible by public and active transport,¹⁰¹ and responds to the growing demand for housing in the area.¹⁰²

PART TWO

90. The Court of Appeal in *RJ Davidson Family Trust v Marlborough District Council* has clarified that, when considering resource consent applications, decision-makers must have regard to Part Two *"when it is appropriate to do so"*.¹⁰³ If the relevant planning document has been competently prepared under the RMA, a decision-maker can feel assured not to refer to Part Two. Without such assurance, or if in doubt, it will be *"appropriate and necessary"* to refer to Part Two.¹⁰⁴

⁹⁹ Statement of Evidence of Natalie Hampson 18 July 2025 at [19].

¹⁰⁰ At [20].

¹⁰¹ Statement of Evidence of Chris Rossiter, 18 July 2025 at [28]-[29], [31]-[32], Statement of Evidence of Tim Church, 18 July 2025 at [21]

¹⁰² Statement of Evidence of Natalie Hampson, 18 July 2025 at [31].

¹⁰³ *RJ Davidson Family Trust v Marlborough District Council* [2018] NZCA 316, (2018) 20 ELRNZ 367 at [47].

¹⁰⁴ At [75].

91. Mr Clease provides that the District Plan policy framework properly gives effect to Part Two as it balances the need for communities to meet their social and economic needs with the need to not concurrently adversely undermine those same goals by inappropriately enabling new centres in locations that would result in a significant decline in the function of existing centres.¹⁰⁵
92. In our submission, Council's planning interpretation of the centres hierarchy cannot be considered to give effect to Part Two and the promotion of sustainable management as it does not support the use of land in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural wellbeing. A large brownfield site containing commercial zoning in a central Christchurch location remaining vacant does not represent sustainable management, particularly where the Proposal provides a productive means of addressing the clear demand for a full-service supermarket in the area, while also addressing some of the Site's key soil, stormwater and liquefaction constraints. Recommending a decline of consent where there is no effect on the integrity of the centres hierarchy cannot be a correct application of Part Two.¹⁰⁶

RESPONSE TO SUBMISSIONS

93. 102 submissions were received, with 24 submissions in support.¹⁰⁷
94. Very few of the submitters raising issues in relation to the Proposal are immediate neighbours to the Site, with only 19 submitters in opposition within 600m of the Proposal (an area containing around 5,500 households).¹⁰⁸ This suggests that there are relatively few concerns regarding the Proposal in the immediate surrounding area.
95. Rather, most issues raised in submissions relate to wider neighbourhood concerns such as potential effects on the vitality of the Edgware Centre and effects on the surrounding road network rather than immediate amenity, noise or shading issues. These effects have already been discussed above.

Trade Competition

96. A number of the submissions raise effects which are related to trade competition rather than resource management concerns.
97. Section 104(3)(a)(i) of the RMA prevents a consent authority from having regard to trade competition or the effects of trade competition when considering a resource

¹⁰⁵ Statement of Evidence of Jonathan Clease, 18 July 2025 at [192].

¹⁰⁶ Statement of Evidence of Natalie Hampson, 18 July 2025 at [80].

¹⁰⁷ Including late submissions.

¹⁰⁸ Statement of Evidence of Jonathan Clease, 18 July 2025 at [35].

consent application. Section 308B limits submissions in relation to trade competition. Section 308F prohibits trade competitors from using surrogates to bring an appeal or be a party to an appeal for trade competition purposes.

98. Submission points from trade competitors can only be considered by the Panel when either a submitter is directly affected by an effect that does not relate to trade competition, or in relation to trade effects when the adverse effects become significant and have wider flow on effects on the viability of a centre.¹⁰⁹
99. While a consent authority may consider retail distribution effects if they meet the threshold of “*significant*”,¹¹⁰ that is, effects that have “*a greater impact on people and their communities than would be caused simply by trade competition*”,¹¹¹ all experts agree that there are no significant retail distribution effects arising from the Proposal.
100. We submit that there are a number of submission points which must not be had regard to by the Panel as a result of s 104(3)(a)(i). We agree with the Council that this includes the majority of submission points contained in the submissions lodged by Fresh Choice Edgware and Stephen Anderson which relate to trade competition and therefore cannot be considered by the Panel.¹¹² Of the points raised which do not relate to trade competition, identified in the Section 42A Report as being traffic impact and threat to community safety,¹¹³ there is no evidence to demonstrate that these are direct effects which would impact these submitters.

Submitter Evidence

101. Evidence in relation to transport and urban design matters has been received on behalf of Juanita O’Connell and Daniel Stedmond, who appear to be tenants or occupants of the property addresses identified in their submissions. Their evidence raises concerns primarily in relation to the lack of connections to Packe Street and Purchas Street, and the width of the Madras Street flush median.
102. While the potential for future alternative connections is noted, the Applicant does not own the land required to deliver such connections, and these are not part of the Proposal under consideration. The application must be assessed on its merits as lodged,¹¹⁴ and the Applicant cannot be compelled, by conditions or otherwise, to enter into commercial negotiations with or acquire land owned by third parties.

¹⁰⁹ *Westfield (New Zealand) Ltd v North Shore City Council* [2005] NZSC 17, (2005) 11 ELRNZ 346, Blanchard J at [119]-[120].

¹¹⁰ Blanchard J at [119]-[120].

¹¹¹ Blanchard J at [119].

¹¹² Christchurch City Council, Section 42A Report, RMA/2024/3209, 26 June 2025 at [43]-[50].

¹¹³ At [46].

¹¹⁴ *Glentarn Group Ltd v Queenstown Lakes District Council* ENC Christchurch C010/09, 18 February 2009, [2009] ELHNZ 37 at [21].

103. The Applicant acknowledges the submitters' desire for improved permeability through the block, but notes that such connections, while potentially desirable, cannot be delivered through this consent process.
104. Expert evidence provided by Mr Rossiter, Mr Church and Mr Clease confirms that the transport and access arrangements proposed are appropriate, safe, and support a well-functioning urban environment. In the absence of any identified adverse effects of sufficient magnitude, there is no basis upon which consent could reasonably be declined.

CONDITIONS OF CONSENT

105. The Applicant has offered conditions of consent addressing a full suite of matters including construction, landscaping, signage, transport, lighting, noise, engineering and servicing. A full set of proposed conditions is attached to Mr Clease's evidence.

EVIDENCE

106. Evidence in support of the Proposal has been filed in advance of the hearing by:
- (a) Daniel Shao (corporate);
 - (b) Chris Rossiter (transport);
 - (c) Mark Brown (landscape);
 - (d) Tim Church (urban design);
 - (e) Natalie Hampson (economic);
 - (f) Jeremy Trevathan (acoustic);
 - (g) Liam Jagvik (servicing); and
 - (h) Jonathan Clease (planning).

CONCLUSION

107. The Proposal will provide significant benefits by regenerating a long vacant brownfield site and addressing growing demand for a full-service supermarket in St Albans. The lack of opposing submissions within the vicinity of the Site reflects public recognition of these benefits.
108. Consideration of the Proposal against the centres hierarchy requires an effects based assessment. All experts before the Panel agree that the Proposal will not

result in significant retail distribution effects. The Proposal is therefore consistent with the role of a Neighbourhood Centre and will sit appropriately within the existing centres hierarchy.

109. We respectfully submit that the Proposal should be granted consent, subject to the conditions attached to the evidence of Mr Clease.

Dated this 6th day of August 2025

A handwritten signature in blue ink, appearing to read 'Joshua Leckie'.

**Joshua Leckie / Sarah Anderton /
Laura Brown**
Counsel for Woolworths New
Zealand Limited