

**BEFORE THE INDEPENDENT COMMISSIONER
CHRISTCHURCH**

UNDER the Resource Management Act 1991

IN THE MATTER of a publicly notified Resource Consent Application
RMA/2018/2029

BETWEEN **FOODSTUFFS SOUTH ISLAND LIMITED**
Applicant

AND **CANTERBURY REGIONAL COUNCIL**
Submitter

**STATEMENT OF EVIDENCE OF JOANNE MAREE STAPLETON ON
BEHALF OF THE CANTERBURY REGIONAL COUNCIL
26 November 2019**

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Introduction

- 1 My full name is Joanne Maree Stapleton.
- 2 I have been employed by the Regional Council for 9 years beginning in 2005 in various roles. I initially worked for 3 years as a Resource Management Planner. After time at other organisations I returned to the Regional Council in 2011 as a Senior Planner. I have been involved in both the Waihao River and Orari River environmental flow regimes, the South Canterbury Coastal Streams and Waimakariri water flow and nutrient allocation regimes as part of the Land and Water Regional Plan. My current role is part of the Regional Integration Team in which I have provided submissions on plan changes and publicly notified consents and contributed to regeneration planning.
- 3 Prior to my role as Senior Planner at the Regional Council I worked at the Department of Conservation for 18 months as the Resource Management Planner for the West Coast Conservancy. I have also worked for the Environment Agency in the United Kingdom for 18 months as an Environment Planner.
- 4 I hold a Master of Science with Honours majoring in Geography from the University of Canterbury.
- 5 Although this is a Council level hearing, and not a hearing under the Resource Management Act 1991, I confirm that I have read and am familiar with the Code of Conduct for expert witnesses contained in the Environment Court Practice Note 2014. I agree to comply with that code. Other than where I state I am relying on the evidence of another person, my evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

Scope of Evidence

- 6 I am giving evidence in relation to the Regional Council's submission on the publicly notified resource consent application RMA/2018/2029 Address: 171&165 Main North Road; 7, 7A & 7B Northcote Road (supermarket application).
- 7 My evidence will focus on the following matters:

- (a) The centres-based framework of the Canterbury Regional Policy Statement (**CRPS**) and the Christchurch District Plan (**CDP**);
 - (b) Public Transport issues; and
 - (c) Recommended conditions should the application be granted.
- 8 I have reviewed the following documents in preparing my evidence:
- (a) The consent application prepared by Foodstuffs
 - (b) The Regional Council's submission on the proposed application;
 - (c) The Canterbury Regional Policy Statement (**CRPS**);
 - (d) The Canterbury Regional Land Transport Plan 2015-2025
 - (e) Canterbury Regional Public Transport Plan 2018-2028
 - (f) Land use Recovery plan (**LURP**)
 - (g) Greater Christchurch Urban Development Strategy
 - (h) Our Space 2018-2048: Greater Christchurch Settlement Pattern Update (**Our Space**)
 - (i) The Christchurch District Plan (**CDP**)
 - (j) Section 42A Officer's Report
 - (k) Len Fleete's statement of evidence.
 - (l) David Smith's statement of evidence
 - (m) Joseph Durdin's statement of evidence
 - (n) James Colegrave's statement of evidence
 - (o) Mark Allan's statement of evidence
 - (p) Rebecca Parish's statement of evidence
 - (q) Roger Davidson's statement of evidence
 - (r) Economics Assessment of Property Economics
 - (s) Transport Planning Report of Mark Gregory
 - (t) Joint Expert Witness Statements - Transport
 - (u) Joint Witness Statement - Planning Policy

- (v) Quality Transport Planning Peer Review of Traffic Modelling
 - (w) Transport Planning Report- Addendum
 - (x) Addendum to S42A Report
- 9 I participated in the Planning Policy conferencing on 21 October and signed the Joint Witness Statement: Planning Policy on 30 October 2019.
- 10 Mr Fleete participated in the Transport conferencing on 16 October 2019.
- 11 Prior to conferencing, CRC staff also attended the following meetings with Foodstuffs representatives Dave Smith (Abley consulting) and Rebecca Parish (Foodstuffs):
- (a) Meeting on 11 September 2019 to discuss CRC's submission points relating to transport concerns; and
 - (b) Meeting on 21 October 2019 to discuss the transport modelling.

Reasons for Canterbury Regional Council's opposition to this application

- 12 The CRC has lodged a submission opposing this application as it is concerned about the location of the proposed development and that it does not fit with the centres-based framework of the CRPS which is now implemented in the CDP. It is also concerned about the public transport issues resulting from the proposed development, specifically the effects on bus users of having an additional set of traffic lights, a shift in the location of the bus stop, a disruption to the bus priority lane through vehicles crossing it and the narrowing of the bus lane to 3.2m wide.

CRPS Centres-based framework

- 13 In the Joint Witness Statement for Planning Policy dated 30 October 2019 we agreed that, as relevant to the current application, the CDP has given effect to the CRPS pursuant to s75(3) of the Resource Management Act 1991 (RMA) and that, accordingly, assessment of the proposal against the provisions of the CRPS is not required.
- 14 Whilst it is not necessary to assess the proposal against the provisions of the CRPS, it is useful to refer to the CRPS to provide some further context for the CRC's involvement in this application. The CRPS sets out objectives, policies and methods to resolve the significant resource

management issues facing the Canterbury region. The recovery and rebuilding of Greater Christchurch are one of these significant issues. This includes integrated management between different agencies to ensure that a holistic approach to development is achieved.

- 15 To resolve this issue the CRPS directs development to specific areas to enable efficient and effective public investment in strategic, network and social infrastructure. Without certainty and forward planning, recovery for identified Key Activity Centres could be inefficient and incur unnecessary costs for local authorities.
- 16 The key instruments that manage urban development and the recovery and rebuilding of Christchurch District within Greater Christchurch are the CRPS, Our Space 2019, The Urban Development Strategy 2018, Recovery Strategy, Land Use Recovery Plan (**LURP**), the CDP and resource consents. The higher order documents and strategies set out the direction and location of development and the CDP manages zoning and the effects of land use activities.
- 17 The key CRPS objectives relating to this proposal are in Chapter 6 of the CRPS. They relate to the development of Key Activity Centres and transport effectiveness.
- 18 As highlighted in CRC's submission, there are a suite of relevant issues, objectives, and policies outlined in the CRPS in relation to Key Activity Centres. These are listed below:

Objective 5.2.1 Location, design and function of development (Entire Region)

Issue 6.1.1 Enabling recovery, rebuilding and development

Issue 6.1.2 Adverse effects arising from development

Issue 6.1.3 Transport effectiveness

Objective 6.2.1 Recovery framework

Objective 6.2.4 Integration of transport infrastructure and land use

Objective 6.2.5 Key activity and other centres

Objective 6.2.6 Business and land development

Policy 6.3.1 Development within the Greater Christchurch Area

Policy 6.3.4 Transport effectiveness

*Policy 6.3.6 Business land**Policy 6.3.8 Regeneration of Brownfield land*

- 19 This suite of provisions generally provides the framework for the location and type of development that is to take place. They promote integrated land use planning and reduced dependency on private motor vehicles while avoiding and/or mitigating adverse effects arising from development. Territorial authorities implement the CRPS by providing more detailed locational provisions. This is discussed below in relation to key activity and other centres and the centres-based framework as set out in the CDP.

The Christchurch District Plan – Commercial Activities

- 20 As this is a commercial activity seeking to establish (or relocate) within the industrial zone and a small portion of the commercial local zone, it is necessary to consider the policy framework of both the commercial and industrial chapters of the CDP.
- 21 Chapter 15 of the CDP provides a framework for commercial activities that seeks to manage commercial activity in the City through a ‘centres-based’ approach. The hierarchy of centres comprises the Central City, District Centres, Neighbourhood Centres, Local Centres and Large Format Centres. It gives primacy to the Central City and recognises the specific roles of each of the other centres. The centres, size and roles are set out in Table 15.1 (Appendix A). These defined roles are integral to understanding the policy framework for commercial activity.
- 22 I summarise the roles of each centre below:
- (a) *Central Business District* - This is the central city area and is the principal employment and business centre for the region. A wide range of activities are provided for including shopping, and entertainment, accommodation, high density residential, recreation activities, community and cultural facilities and is the focus for transport services.
 - (b) *District Centre - Key Activity Centre* - Major retail destination anchored by large retailers such as supermarkets and by a range of transport modes, including multiple bus routes. Community facilities and entertainment such as movie theatres and restaurants are provided for along with medium density housing.

Northlands Mall and Riccarton Mall are examples of these District Centres- Key Activity Centres. These centres are zoned Commercial Core Zone with a size greater than 30,000m².

- (c) *Neighbourhood Centre* - A destination for weekly and daily shopping needs and some community facilities. Some offer entertainment, residential activities and small scale offices and other commercial activities. Anchored principally by supermarkets and serves immediate suburbs and visitors from wider area. This type of centre is accessible by a range of transport modes including one or more bus services. Examples include Merivale and Ferrymead with a size of 3,000 to 30,000m².
- (d) *Large Format Centre* - A standalone retail centre comprising stores with large footprints including yard based suppliers. Other commercial activities and residential and community uses is limited. Serves large areas of the city and is primarily accessed by car with limited public transport. These centres are Moorhouse Avenue, Shirley Homebase and Tower Junction.
- (e) *Local Centre* - A small group of convenience shops and some community facilities. Accessible by walking or cycling and sometimes on a bus route. Standalone supermarkets to serve the surrounding residential community. The Local Centre is the Commercial local zone and is a size of up to 3,000m².

23 Of particular relevance to this application for CRC is the clear direction provided through Objectives 15.2.1 and 15.2.2 and Policies 15.2.2.1, 15.2.2.4 and 15.2.4.1 as to the roles of the varying centres, the maintenance of those roles and the limits on any outward expansion of those centres.

24 There appears to be disagreement between the applicant and Mr Harris for the Christchurch City Council (**CCC**) as to whether the proposed activity is a commercial activity locating outside of a centre or whether it is an expansion of the neighbouring local centre. I agree with Mr Harris that the proposal is an expansion of the local centre. I address this further below.

25 Objective 15.2.1- Recovery of commercial activity provides:

15.2.1 Objective- Recovery of commercial activity

- a. *The critical importance of commercial activity to the recovery and long term growth of the City is recognised and facilitated in a framework that supports commercial centres.*

26 This Objective is clear in outlining the importance of commercial activity fitting within the centres-based framework. This is supported by Objective 15.2.2 which sets out this Centres based framework for commercial activities.

15.2.2. Objective-Centres-based framework for commercial activities

- a. *Commercial activity is to be focussed within a network of centres (comprising the Central City, District Centres, Neighbourhood Centres, Local Centres and Large Format centres) to meet the wider community's and businesses' needs in a way and at a rate that:*
 - i. *supports intensification within centres;*
 - ii. *enables the efficient use and continued viability of the physical resources of commercial centres and promotes their success and vitality, reflecting their critical importance to the local economy;*
 - iii. *supports the functions of District Centres as major focal points for commercial activities, employment, transport and community activities, and Neighbourhood Centres as a focal point for convenience shopping and community activities.*
 - iv. *Gives primacy to the Central City, followed by District centres and Neighbourhood centres identified as Key Activity Centres.*
 - v. *Is consistent with the role of each centre as defined in 15.2.2.1 Policy-Role of centres Table 15.1*
 - vi. *Supports a compact and sustainable urban form that provides for the integration of commercial activity with community activity, residential activity and recreation activity in locations accessible by a range of modes of transport;*
 - vii. *Supports the recovery of centres that sustained significant damage or significant population loss from their catchment, including the central city, Linwood and Neighbourhood Centres subject to 15.2.4.3 Policy Suburban centre master plans;*
 - viii. *Enhances their vitality and amenity and provides for a range of activities and community facilities;*

- ix. *Manages adverse effects on the transport network and public and private infrastructure;*
 - x. *Is efficiently serviced by infrastructure and is integrated with the delivery of infrastructure and; and*
 - xi. *Recognises the values of and manages adverse effects on sites of Ngai Tahu cultural significance identified in Appendix 9.5.6 and natural waterways (including waipuna).*
- 27 Objective 15.2.2 of the CDP is clear in terms of where commercial activity is to be located and the way in which it needs to be provided. In my view, the proposal finds little support from the matters listed in the objective and rather is inconsistent with several of the matters outlined in Objective 15.2.2.
- 28 Whilst the economic evidence suggests that the proposed activity will promote the success and vitality of the existing local centre that is currently underutilised, the proposal does not support intensification within centres as it is an expansion of a local centre.
- 29 Objective 15.2.2 (a)(v) provides that any commercial activity should be consistent with the role of each centre as defined in Policy 15.2.2.1, Table 15.1. It is my view that a major anchor supermarket development is not appropriate for a local centre. The role of a district centre and neighbourhood centre specifically refers to being anchored by a supermarket(s). However, this reference is notably absent from the role of a local centre. This supermarket will be large (6,888m²), will serve further afield than just the surrounding residential community, and is larger in size (6,888m²) than what a local centre provides for (3000m²).
- 30 New commercial activities are to be located firstly in the Central City, then in District Centres and Neighbourhood Centres. Whilst Mr Durdin for the applicant contends that this is not a relocation of an activity, both Property Economics and Mr Colegrave refer to the proposal effectively being a relocation of the Pak n Save supermarket from Northlands Mall. I do not consider this to give primacy to District Centres and Neighbourhood Centres identified as Key Activity Centres or support the function of Papanui/Northlands Mall as a major focal point for commercial activities and Neighbourhood Centres as a focal point for convenience shopping.

31 With regard to Objective 15.2.2 (a)(ix), commercial activities need to manage any adverse effects on the transport network and public infrastructure. As stated in Mr Fleete's evidence this development will slow down the public transport bus route along Main North Road, through the addition of traffic lights and through vehicles crossing the priority bus lanes to enter and exit the development.

32 Policy 15.2.2.1 implements Objective 15.2.2 and provides further direction on the role of centres. This policy is set out below:

15.2.2.1 Policy- Role of centres

a. *Maintain and strengthen the Central City and commercial centres as the focal points for the community and business through intensification within centres that reflects their functions and catchment sizes, and in accordance with a framework that:*

i. *Gives primacy to, and supports the recovery of the Central City; and*

ii. *supports and enhances the role of District Centres; and*

iii. *maintains the role of Neighbourhood Centres, Local Centre and Large Format Centres as set out in Policy 15.2.2.1, Table 15.1- Centre's role*

33 This policy provides further direction in terms of the role that the different centres play. It states very clearly that the Central City and commercial centres are to be maintained and strengthened through intensification within centres that reflects their functions and catchment sizes in accordance with a framework in which all three matters need to be met to achieve the policy. Policy 15.2.2.1(ii) is about development that supports and enhances the role of District Centres. In my view the proposed development does not do this, rather it moves an anchor supermarket away from a District Centre-Key Activity Centre, where multiple bus routes converge, to a local centre. This development does not support the Papanui/Northlands Mall District Centre-Key Activity Centre, nor the intent of having a public transport hub located at Northlands Mall as stated in Mr Fleete's evidence.

34 In relation to policy 15.2.2.1(iii) this development does not maintain the role of a Local Centre as set out in Table 15.1 (Appendix A) and summarised earlier in this evidence. Local Centres are zoned

commercial local and not commercial core. Their role is to provide a small group of convenience shops which I would expect to house such stores as a dairy, hairdresser, or bakery-even maybe to the extent of a small metro type supermarket. According to the CDP the Local Centre role does not include a large anchor supermarket development.

- 35 I agree with Mr Harris' assessment regarding Policy 15.2.2.1 in that the proposal will result in expansion of the Local Centre beyond its current boundaries and change its role beyond what is anticipated for Local Centres.

15.2.2.4 Policy- Accommodating growth

a. Growth in commercial activity is focussed within existing commercial centres.

b. Any outward expansion of a commercial centre must:

i. 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;

ii. be integrated with the provision of infrastructure, including the transport network;

iii. be undertaken in such a manner that manages adverse effects at the interface with the adjoining zone; and

iv. be consistent with:

A. the scale of increasing residential development opportunities to meet intensification targets in and around centres, and

B. revitalising the Central City as the primary community focal point.

- 36 The proposed development is not focussed within the existing commercial centre. It expands outside of this centre as only a small portion of the proposed site is zoned as commercial local. Because of this, it is clear the proposal is inconsistent with 15.2.2.4(a).

- 37 Policy 15.2.2.4(b) states that if there is any outward expansion of a commercial centre then it must ensure that a list of criteria is met. Under 15.2.2.4(b)(i) any outward expansion must ensure that the expanded centre remains commensurate with the centre's role in the strategic network of centres. In my view a large anchor supermarket will move

the centre beyond a convenience style centre and I agree with the Property Economics Peer Review that the proposed development will elevate the existing local centre's status, role and hierarchy from a local to neighbourhood centre. If the proposal is granted it will not remain commensurate with the role of the Local Centre.

- 38 I also share the concerns of Mr Harris that if granted, a precedent could be set that leads to the undermining of the centres based framework.
- 39 Turning to the transport concerns of the CRC, I also consider that the proposed development does not meet the criteria in 15.2.2.(b)(ii) that the proposal be integrated with the transport network. As set out in the evidence of Mr Fleete, there are concerns that the proposal does not fully integrate with the existing public transport network.
- 40 Objective 15.2.4- Urban form, scale and design outcomes, promotes a scale, form and design of development that is consistent with the role of a centre. This is implemented in Policy 15.2.4.1 with respect to the centres-based framework:

15.2.4.1 Policy- Scale and Form of Development

- a. *Provide for development of a significant scale and form in the core of District Centres and Neighbourhood Centres, and of a lesser scale and form on the fringe of these centres.*
- b. *The scale and form of development on centres shall:*
 - i. *reflect the context, character and the anticipated scale of the zone and centre's function;*
 - ii. *increase the prominence of buildings on street corners;*
 - iii. *for Local Centres, maintain a low rise built form to respect and integrate with their suburban residential context;*
 - iv. *for Key Activity Centres and Large Format Centres, enable larger floor plates while maintaining a high level of amenity in the centre; and*
 - v. *manage adverse effects on the surrounding environment, particularly at the interface with residential areas, sites of Ngai Tahu cultural significance identified in appendix 9.5.6 and natural waterways.*

- 41 Policy 15.2.4.1 seeks that development of significant scale is to be located in the core of District Centres and Neighbourhood Centres and

of a lesser scale and form on the fringe of these centres. Clause (b)(i) identifies that the scale is to reflect the zone and the centre's function. In my view, the scale of this proposal does not fit within the context of a Local Centre.

- 42 Overall, this development does not fit well within the centres-based framework as set out in Chapter 15 of the CDP. I agree with Mr Harris in that it will result in the expansion of the centre beyond its local role. As discussed earlier if this proposal were to be granted, it would not be consistent with the centres-based approach as set out in the CDP.

Christchurch District Plan - Industrial

- 43 Chapter 16 of the CDP provides for industrial activities throughout Christchurch. The majority of the development site is zoned Industrial General.
- 44 The applicant proposes that the application is consistent with the policies in the Industrial General Zone. My view is outlined below:

16.2.1.4 Policy- Activities in industrial zones

- a. *Maintain and support the function of industrial zones, while subject to Clauses (b) and (c), providing for limited non-industrial activities that*
- i. are ancillary in scale (subject to Clause (d)) : and on the same site as a permitted or consented activity;*
 - ii. are not appropriate in more sensitive environments due to their potential noise, odour or other environmental effects;*
 - iii. comprise yard based supplier or trade suppliers on the Industrial General Zone;*
 - iv. provide an emergency service and/or provide for community activities;*
 - v. support the needs of workers and businesses in the zone including food and beverage outlets, commercial services and the care of children;*
 - vi. meet the convenience needs of residents, workers and businesses in the Industrial General Zone (Waterloo Park) in a Local Centre;*
 - vii. are rural activities associated with the irrigation of food processing wastewater in the identified area of the Industrial Heavy Zone*

(South West Hornby)(Appendix 16.8.8) that is integral to the ongoing operation of an established industrial activity...

...(c) Avoid the use of industrial zones for non-industrial activities that could adversely affect the strategic role of the Central City, District Centres and Neighbourhood Centres as focal points for commercial activities, community activities, residential activities and other activities.

- 45 This policy provides for limited non-industrial activities to occur within industrial zones. The activity has to meet a specific set of requirements as shown above in Policy 16.2.1.4 (a) (i-vii). These are subject to avoiding the use of industrial zones for non-industrial activities that could adversely affect the strategic role of the Central City, District Centres and Neighbourhood Centres as the main centres for commercial, community and residential activities.
- 46 In my view, the proposed development could adversely affect the strategic role that this centres-based hierarchy provides and which needs to be adhered to under 16.2.1.4.(c). Anchor supermarkets are to be located within the Central City or within the District Centres-Key Activity Centres or Neighbourhood Centres, not within an industrial zone. Removing a major supermarket from the Key Activity Centre of Papanui/Northlands Mall and relocating it to a Local Centre does undermine the strategic direction of what activities are best placed in each centre.
- 47 The economic evidence provided states that the proposal will not undermine the existing centres with regard to profit and vitality, however the centres based hierarchy needs to be maintained. A shift away from the different roles of centres could lead to a lack of consolidation of development around Key Activity Centres and reduce their role as the focal points for commercial, community and service activities. Integration of transport infrastructure is also likely to be compromised as Public transport is also focused towards Key Activity centres. Ultimately disregard of the centres based framework would result in less integrated, adhoc planning, providing less certainty for both the public and developers.
- 48 If this consent is granted, it could create a precedent for other anchor supermarkets currently located at Key Activity Centres to relocate to an area less suitable. This causes major concern for the CRC as urban

development throughout the region is to be focused around these Key Activity Centres and the zoning in place by the territorial authorities.

- 49 It must also be noted that the word “Avoid” is used in this Policy. This is a very certain and directive word. A recent Environment Court decision- *Rogers vs CCC*¹ dealt with the weight to be given to directive policies in the CDP. The applicable policy in that case was Policy 17.2.2.5 which provides that establishing industrial and commercial activities that are not dependent on or directly related to the rural resource unless they meet all of a list of specified requirements must be avoided. The Court gave significant weight to the direction in the policy to “avoid...unless”. Therefore, if the requirements cannot be met, then the activity must be avoided. On the evidence before it, the Court found that there was no “strategic or operational need” in this case to locate car storage facilities on rural land as there was other suitable zoned land available for the purpose, albeit at a higher cost.
- 50 After taking account of the positive effects of the proposal, the Court found that although the benefits deserve some weight, they “do not outweigh the Plan’s very directive policies or strategic objectives which the policies ultimately implement”.
- 51 The provisions in the CDP in relation to the centres based framework are very clear and directive. In my view, the positive effects of the proposal put forward by the Applicant do not outweigh this very directive policy.

Public transport

- 52 The effects of this development on the public transport system have been identified by Mr Fleete and are summarised below:
- (a) Additional traffic lights are likely to disrupt the existing bus infrastructure and add to travel time on the core blue line services.
 - (b) Public transport priority infrastructure that is focussed towards the Key Activity Centres is likely to be disrupted.

¹ Decision No. [2019] NZEnvC 119 *John and Allison Rogers (ENV-2018-CHC-185) and the Christchurch City Council.*

- (c) The proposal will cut across existing bus priority infrastructure slowing travel time and reducing its effectiveness.
 - (d) It will be more difficult to cater for multi-purpose journeys.
 - (e) Public transport customers will need to take two buses if they want to make use of the services at Northlands mall and then shop at Pak n Save, 1km down the road.
- 53 These effects are of a concern to CRC in maintaining and enhancing an integrated and efficient public transport system for its users.

Christchurch District Plan – Public Transport

- 54 The CDP contains a suite of transport provisions. Those that are most relevant to public transport are Objective 7.2.1- Integrated transport system for Christchurch District and Policies 7.2.1.2 High trip generating activities and 7.2.1.6 Promote public transport and active transport. These implement the provisions in the CRPS.

7.2.1 Objective- Integrated transport system for Christchurch District

a. An integrated transport system for Christchurch District:

- i. that is safe and efficient for all transport modes;*
 - ii. that is responsive to the current recovery needs, future needs and enables economic development, in particular an accessible Central City able to accommodate projected population growth;*
 - iii. that supports safe, healthy, liveable communities by maximising integration with land use;*
 - iv. that reduces dependency on private motor vehicles and promotes the use of public and active transport;*
 - v. that is managed using the one network approach*
- 55 This Objective focusses on an integrated transport system for the District and one that is safe and efficient for all transport modes. I refer to the evidence of Mr Fleete where he considers that the proposed location of the supermarket together with signalised intersection will not be efficient for public transport. Further, the proposed activity will likely promote the use of motor vehicles rather than reduce dependency on them. As the proposal will have the effect of relocating a supermarket away from a Key Activity Centre, an area to which multiple bus lines connect to,

customers will now need to take two buses to get to the new location rather than the one bus they might have previously had to take to get to Northlands Mall. I address this further below in the context of the relevant policy.

7.2.1.2 Policy- High trip generating activities

a. Manage the adverse effects of high trip generating activities within the Central City, on the transport system by assessing their location and design with regard to the extent that they are:

i. are permitted by the zone in which they are located;

ii. are located in urban areas and generate additional vehicle trips beyond what is already established or consented, unless the already established or consented vehicle trips are specifically included in rule thresholds;

iii. are accessible by a range of transport modes and encourage public and active transport use;

iv. do not compromise the safe, efficient and effective use of the transport system;

vi. maximise positive transport effects

vii. avoid significant adverse transport effects of activities where they are not permitted by the zone in which they are located;

viii. mitigate other adverse transport effects, such as effects on communities, and the amenity values of the surrounding environment, including through travel demand management measures;

ix. provide for the transport needs of people whose mobility is restricted; and

x. integrate and coordinate with the transport system, including proposed transport infrastructure and service improvements.

56 Whilst the proposal by the applicant to install way finding and an electronic messaging board in the supermarket foyer to advise customers of bus services and arrival times will assist bus users, overall I consider that the use of public transport will not be encouraged due to

the nature of the activity and its location outside of a district or neighbourhood centre.

- 57 Mr Fleete's evidence details the important interrelationship between public transport and Key Activity and other centres. Public transport routes throughout Christchurch are focussed towards having several bus routes converge at the key centres. By focussing a range of commercial, retail and community needs at a Key Activity centre it means that public transport users can take one trip to a location that caters for banking, shopping, health, library and other needs. This proposal does not provide an opportunity for combined trips to one location. For those visiting Northlands Mall, the relocation of the supermarket would create the need to take another bus trip to reach the proposed supermarket location further along the road. This would occur additional time and monetary penalties of having to take another trip. In my view, the proposal is unlikely to encourage the use of public transport, rather have the opposite effect.
- 58 As set out by the applicant, this proposal will generate a high number of trips especially over peak time. This is the time that bus users want a direct route to their destination with as few time barriers as possible. The proposal will not maximise positive transport effects (vi) as stated in Mr Fleete's evidence as a result of an additional set of traffic lights and the movement of additional high traffic volumes across the designated peak bus priority lane will both cause delays for bus users.
- 59 The proposal does not integrate well with the transport system (matter x) as a whole for the reasons identified above and in Mr Fleete's evidence. I agree with Mr Harris that the proposal is inconsistent with Policy 7.2.1.2 and I agree that there is the potential that the proposal could result in more than minor transport effects. As set out in Mr Fleete's evidence and the Canterbury Regional Public Transport Plan, "*The integration of public transport and land use planning is key to creating communities and a more liveable city*".

7.2.1.6 Policy- Promote public transport and active transport

a. promote public and active transport by:

- i. ensuring new and upgrades to existing, 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;*
- ii. ensuring activities provide an adequate amount of safe, secure, and convenient cycle parking and, outside the Central city, associate end of trip facilities;*
 - iii. encouraging the use of travel demand management options that help facilitate the use of public transport, cycling, walking and options to minimise the need to travel; and*
 - iv. requiring new District Centres to provide opportunities for a public transport interchange.*
 - v. encouraging the formation of new Central City lanes and upgrading of existing lanes in the Central City, where appropriate, to provide for walking and cycling linkages and public spaces.*
 - vi. developing a core pedestrian area within the Central City which is compact, convenient and safe, with a wider comprehensive network of pedestrians and cycle linkages that are appropriately sized, direct, legible, prioritized, safe, have high amenity, ensure access for the mobility impaired and are free from encroachment.*

Advice note:

1. Policy 7.2.1.6 also achieves Objective 7.2.2.

60 In my view I consider that this proposal is inconsistent with Policy 7.2.1.6 for the same reasons as identified for Policy 7.2.1.2. The proposal does not promote public and active transport. It will create time and monetary barriers to bus users, with an additional set of traffic lights and the supermarket entrance cutting across a major bus priority lane. This is likely to disincentivise the use of public transport. The narrowing of the road corridor for public transport along Main North Road could potentially limit the future possibilities of rapid transport opportunities as set out in the RPTP. This would not be an upgrade to existing road corridors as identified in clause (i).

Precedent and plan integrity

61 I agree with Mr Harris that it is appropriate to have regard to the issue of precedent, as well as the effect of granting consent upon the integrity of the District Plan and public confidence in its consistent administration. I

share his concern that there is a risk if this application is granted, that it could set a precedent, resulting in similar commercial activities seeking to be located outside of commercial centres or seeking to expand commercial centres beyond their intended role. This would undermine the achievement of the objectives and policies of the CDP.

62 I also agree with Mr Harris' comments regarding the granting of a consent that has been assessed as being contrary to the commercial and industrial objectives and policies could, in itself, undermine public confidence in the administration of the plan.

Resource consent conditions

63 For the reasons set out above I consider that the application for resource consent be declined.

64 If the consent is granted, I consider it necessary to incorporate conditions relating to:

- Bus jump priority lights
- Bus shelter upgrades- solar energy and covered
- Involvement of CRC in the determination of the most appropriate location of the bus stop.

Conclusion

66 The legislative framework and policy in Canterbury provides a platform for the integrated management of development between the Regional Council and territorial authorities. The proposal does not align with the objective and policies as set out in the CRPS and the CDP in relation to the Commercial (Chp 15), Industrial (Chp 16) and Transport (Chp 7) Chapters.

67 The effects are seen as being more than minor with regard to the location and public transport. If the proposal were to be granted by the Panel, then it is likely to set a precedent and the whole centres-based framework is likely to be undermined.

68 If the panel decide to grant consent, then CRC would like to work with the CCC and the applicant to determine appropriate conditions.

Joanne Maree Stapleton

26 November 2019

Appendix A - Table 15.1

Table 15.1 - Centre's role

	Role	Centre and size (where relevant)
A	<p>Central Business District</p> <p>Principal employment and business centre for the City and wider region and to become the primary destination for a wide range and scale of activities including comparison shopping, dining and night life, <u>entertainment activities</u>, <u>guest accommodation</u>, <u>events</u>, <u>cultural activities</u> and tourism activities.</p> <p>Provides for high density <u>residential activity</u>, <u>recreation activities</u> and <u>community activities</u> and <u>community facilities</u> (including health and social services) as well as civic and cultural venues/ facilities (including museums, art galleries).</p> <p>Serves the district's population and visitors.</p> <p>The focus for the district, sub-regional and wider transport services with a central <u>public transport interchange</u>, providing access to large areas of the district and the surrounding districts of Selwyn and Waimakariri.</p>	<p>Centre: <u>Central City</u></p>

Role	Centre and size (where relevant)
<p>B. <u>District Centre - Key Activity Centre</u></p> <p>Major retail destination for comparison and convenience shopping and a focal point for employment (including <u>offices</u>), <u>community activities</u> and <u>community facilities</u> (including <u>libraries</u>, <u>meeting places</u>), <u>entertainment</u> (including <u>movie theatres</u>, <u>restaurants</u>, <u>bars</u>), and <u>guest accommodation</u>.</p> <p>Medium density housing is contemplated in and around the centre.</p> <p>Anchored by large retailers including <u>department store(s)</u> and <u>supermarket(s)</u>.</p> <p><u>Accessible</u> by a range of modes of transport, including multiple bus routes. <u>Public transport facilities</u>, including an interchange, may be incorporated.</p> <p>The extent of the centre:</p> <ol style="list-style-type: none"> a. is the Commercial Core Zone and Commercial Retail Park Zone at Hornby, Belfast/ Northwood and Papanui/Northlands; and b. is the Commercial Core Zone in all other <u>District centres</u>; and c. includes <u>community facilities</u> within walking distance (400 metres) of the commercial zone. 	<p>Centres: Riccarton, Hornby, Papanui/Northlands, Shirley/Palms, Eastgate/Linwood, Belfast/ Northwood, North Halswell (emerging)</p> <p>(All <u>Key Activity Centres</u>)</p> <p>Size: Greater than 30,000m²</p>

Role	Centre and size (where relevant)
<p>C. <u>Neighbourhood Centre</u> A destination for weekly and daily shopping needs as well as for <u>community facilities</u>. In some cases, <u>Neighbourhood Centres</u> offer a broader range of activities including comparison shopping, entertainment (cafes, <u>restaurants and bars</u>), <u>residential activities</u>, <u>small scale offices</u> and other <u>commercial activities</u>. Anchored principally by a <u>supermarket(s)</u> and in some cases, has a second or different <u>anchor store</u>. Serves the immediately surrounding suburbs and in some cases, residents and visitors from a wider area. Medium density housing is contemplated in and around the centre. <u>Accessible</u> by a range of modes of transport, including one or more bus services. The extent of the centre:</p> <ol style="list-style-type: none"> a. is the Commercial Core Zone in the identified centres, Commercial Local Zone at Wigram and Beckenham and Commercial Banks Peninsula Zone at Lyttelton and Akaroa; and b. <u>Community facilities</u> within walking distance (400 metres) of the centre. 	<p>Centres: Spreydon/ Barrington (<u>Key Activity Centre</u>), New Brighton (<u>Key Activity Centre</u>), Bush Inn/Church Corner, Merivale, Bishopdale, Prestons (emerging), Ferrymead, Sydenham (Colombo Street between Brougham Street and Moorhouse Avenue); Addington, Avonhead, Sumner, Akaroa, Colombo/Beaumont (Colombo Street between Devon Street and Angus Street), Cranford, Edgware, Fendalton, Beckenham, Halswell, Lyttelton, Ilam/Clyde, Parklands, Redcliffs, Richmond, St Martins, Stanmore/Worcester, Sydenham South (Colombo Street between Brougham Street and Southampton Street), Wairakei/Greens Road, Wigram (emerging), Woolston, Yaldhurst (emerging), West Spreydon (Lincoln Road), Aranui, North West Belfast. Size: 3,000 to 30,000m2.</p>
<p>D. <u>Large format centre</u> Standalone retail centre, comprising stores with large footprints, <u>yard-based suppliers</u>, <u>trade suppliers</u> including building improvement centres, and other vehicle oriented activities. Provision of other <u>commercial activities</u> and residential and community uses is limited. This includes limiting <u>offices</u> to an <u>ancillary function</u>, and at Tower Junction, providing for a limited amount of <u>commercial services</u>. Serves large geographical areas of the city. Not necessarily connected to a residential catchment. Primarily accessed by car with limited public transport services. The extent of the centre is the Commercial Retail Park Zone.</p>	<p>Centres: Moorhouse Avenue, Shirley Homebase, Tower Junction.</p>

Role	Centre and size (where relevant)
<p>E. <u>Local centre</u> A small group of primarily convenience shops and, in some instances, <u>community facilities</u>. <u>Accessible</u> by walking, cycling from the area served and on a bus route in some instances. Also includes standalone <u>supermarkets</u> serving the surrounding residential community. The extent of the centre is the Commercial Local Zone, except Wainoni and Peer Street where the Commercial Core Zone applies.</p>	<p>Centres: Wainoni (174 Wainoni Road), Upper Riccarton (57 Peer Street), both zoned Commercial Core, All other <u>commercial centres</u> zoned Commercial Local.</p> <p>Size: Up to 3,000m² (Excluding Wainoni and Upper Riccarton)</p>