

UNDER of the Resource Management Act 1991 ("**RMA**")

AND

IN THE MATTER of Proposed Plan Change 14 to the Operative
Christchurch District Plan ("**PC14**")

**STATEMENT OF EVIDENCE OF VAUGHAN ARTHUR SMITH FOR SCENTRE
(NEW ZEALAND) LIMITED**

20 SEPTEMBER 2023

1. SUMMARY

- 1.1 The planning instruments that guide Christchurch's development utilise a centres-based approach to accommodating growth, requiring new development to be primarily focussed on an existing hierarchy of centres.
- 1.2 Policy 15.2.2.4 is the key policy in the District Plan that supports a centres-based approach and addresses the way growth in commercial activity is to be accommodated in Christchurch.
- 1.3 The policy is consistent with both the RPS and the Strategic Directions Objectives of the District Plan.
- 1.4 In giving effect to the NPS-UD, the Council is required to intensify areas within and adjacent to particular types of centres, to a degree that is commensurate with the level of commercial activity and community facilities within them. As a result, PC14 provides for the realignment of the commercial centres framework in the District Plan to the framework of centres set out under the NPS-UD.
- 1.5 The NPS-UD provides that each individual centre should be identified as one of the following on a tiered basis: City Centre, Metropolitan Centre, Town Centre, Local Centre and Neighbourhood Centre. The focus of intensification begins with the City Centre and is to be consistent with each centre's role in the centre hierarchy.
- 1.6 In the National Planning Standards, a Metropolitan Centre is defined as:

Areas used predominantly for a broad range of commercial, community, recreational and residential activities. The zone is a focal point for sub-regional urban catchments.
- 1.7 There are several Town Centres identified in PC14, three of which – Riccarton, Papanui and Hornby – are classified as “larger” Town Centres. There is a gap in the hierarchy envisaged by the National Planning Standards as no Metropolitan Centres have been identified. This would be expected in a small city not large enough for sub-regional catchments to be identified, but in the Christchurch context, it is clear that Riccarton and Papanui (in particular) address large sub-regional catchments.
- 1.8 It is my view that Riccarton meets the criteria for Metropolitan Centres in the National Planning Standards, given its size, function and the catchment it serves. Further, I consider it is appropriate for Riccarton to be identified as

a Metropolitan Centre as that status recognises the centre's important role in the centres' hierarchy, anticipates and enables ongoing growth and intensification both within and adjacent to the centre, enables the improvement of public transport services, and supports an increased height limit.

- 1.9 Amending the height limit to 50m at Riccarton would provide for a clear legible form, and ensure that the centre is permitted to undertake further intensification to provide increased density as required under the Housing Supply Act and the NPS-UD. This would also provide the opportunity for development of a mixed use nature above the existing centre.
- 1.10 I do not consider that a rule limiting the floor area of offices is justified in the centres classified as large Town Centres or Metropolitan Centres. Tenancies over 500m² GLFA will not challenge the primacy of the City Centre because of the limited size of the Town Centre (or Metropolitan Centre) zones and the superior amenity available in the City Centre. However, if the rule limiting the size of tenancies is maintained, an exclusion should be made for shared space tenancies.

2. INTRODUCTION

- 2.1 My full name is Vaughan Arthur Smith. I am a sole practitioner resource management consultant.

Qualifications and experience

- 2.2 I hold the qualifications of Master of Planning Practice (First Class Honours) and Bachelor of Engineering (Civil) from the University of Auckland, obtained in 2004 and 1976 respectively.
- 2.3 My experience as a planner has encompassed a wide range of projects with an emphasis on the preparation of resource consent and plan change applications for retail and mixed-use development.
- 2.4 I have been a full member of the New Zealand Planning Institute since 2007 and am a member of Auckland Council's panel of independent hearing commissioners.
- 2.5 Before entering the planning profession, I had approximately 15 years' experience in the construction and development sectors of the property industry.

2.6 A large proportion of my development and planning experience has been associated with major shopping centres and town centres.

Code of conduct

2.7 I confirm I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023 and I agree to comply with it. My qualifications as an expert are set out above. I confirm that the issues addressed in this brief of evidence are within my area of expertise, except where I state I am relying on the evidence of another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

3. SCOPE OF EVIDENCE

3.1 My evidence relates to the submission of Scentre (New Zealand) Limited ("**Scentre**") which sought the following amendments to PC14:

- (a) Identification of Riccarton as a Metropolitan Centre, and any consequential changes to the Operative Christchurch District Plan ("**District Plan**");
- (b) Amendment of Rule 15.4.2.2 to increase the maximum building height in Riccarton to 50m;
- (c) Amendment of Rule 15.4.1.1 to provide for permitted activity status for office tenancies of any size in Metropolitan Centres (or the larger Town Centres); and
- (d) Removal of sub-chapter 6.10A or amendments to provide for incentives rather than penalties to encourage tree canopy cover of at least 10% on commercially zoned greenfield or brownfield sites, and to expand the definition of 'tree canopy cover' to include living green walls and roofs.

3.2 Ms Hansbury has pointed out in her s42A report that the proposal in the draft version of PC14 to impose the tree canopy financial contributions on commercially zoned land was not carried through to the notified version of the plan change.¹ The provision now only relates to residential zoned land. Scentre's primary interest is with commercially zoned land and does not wish

¹ Planning Officer's Report of Anita Hansbury (section 42A) at [6.11.3].

to proceed with that submission point. Accordingly, I have not provided evidence on that matter.

3.3 In preparing this evidence, I have had regard to:

- (a) National Policy Statement on Urban Development 2020 (Updated May 2022) (**NPS-UD**).
- (b) National Planning Standards November 2019.
- (c) Canterbury Regional Policy Statement 2021 (**RPS**).
- (d) Plan Change 14 Section 32 Evaluation.
- (e) Planning Officer's Report of Sarah Jane Oliver (section 42A) - Strategic Overview, Strategic Directions Chapter 3, Qualifying Matters relating to Strategic and City Infrastructure and Coastal Hazards.
- (f) Planning Officer's Report of Kirk Joseph Lightbody (section 42A) – Intensification within Commercial and Industrial Zones outside the Central City.
- (g) Planning Officer's Report of Anita Wieslawa Hansbury (section 42A) – Part A - Tree Canopy Cover and Financial Contributions.
- (h) Statement of Primary Evidence of Rebecca Anne Foy on behalf of Christchurch City Council – Social Impacts.
- (i) Statement of Primary Evidence of Timothy James Heath on behalf of Christchurch City Council – Property Economics.
- (j) Statement of Primary Evidence of Dr Kirdan Lees on behalf of Christchurch City Council – Economic Demand (Commercial and Industrial).
- (k) Statement of Primary Evidence of Chris Morahan on behalf of Christchurch City Council – City-wide Qualifying Matters: City Spine Corridor and Airport Noise Contour.
- (l) Statement of Primary Evidence of Nicola Helen Williams on behalf of Christchurch City Council – Urban Design: Commercial Centres – Central City (excluding CCZ) and Suburban.

(m) Statement of Evidence of Douglas Fairgray for Scentre (New Zealand) Limited.

4. PLANNING OVERVIEW

4.1 The planning instruments that guide Christchurch's development utilise a centres-based approach to accommodating growth, requiring new development to be primarily focussed on an existing hierarchy of centres. This is especially important for Christchurch because of the imperative to rebuild and revitalise the Central City and other areas of the city damaged in the Canterbury earthquakes.

4.2 Secondary considerations include providing for new centres to serve parts of the city undergoing expansion with increased residential activity, and limited out-of-centre development subject to assessment on a case-by-case basis.

4.3 The benefits of the centres-based approach include the recognition and retention of the economic investment in existing centres, the benefits of scale such as the optimisation of the use of existing services infrastructure and community facilities, and the efficiencies of the co-location of multiple uses including accessibility and transport efficiencies. The evidence of Dr Fairgray expands on this in further detail.

4.4 I support the centres-based framework as expressed in the District Plan and it is my opinion that opportunities should be provided in centres for development to occur, commensurate with the role of the centre.

Canterbury Regional Policy Statement 2021

4.5 Chapter 5 of the RPS identifies issues, objectives and policies in relation to land use and infrastructure in the Canterbury region, while Chapter 6 (inserted following the Canterbury earthquakes) addresses the recovery and rebuilding of Christchurch specifically. One of the RMA issues identified in Chapter 6 is the potential for development outside of the CBD to undermine the role and function of the Central City and Key Activity Centres, together with the investment made in these centres.

4.6 Key Activity Centres are defined in the RPS as:²

Key existing and proposed commercial centres identified as focal points for employment, community activities, and the

² Canterbury Regional Policy Statement at p. 249.

transport network; and which are suitable for more intensive mixed-use development.

- 4.7 All of the Town Centres in the District Plan are listed as Key Activity Centres in the RPS. Neighbourhood Centres are not defined in the RPS and there is no differentiation between the roles or sizes of the various Town Centres.
- 4.8 Greater intensification is anticipated in the City Centre and the Key Activity Centres, with development and enhancement of those areas to be enabled and enhanced. The objectives in Chapter 5 include the maintenance of the function and role of those areas.

National Policy Statement on Urban Development

- 4.9 PC14 proposes to implement the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 ("**Housing Supply Act**") and the NPS-UD.
- 4.10 Objectives 1, 3 and 4 of the NPS-UD are directly relevant to Scentre's submission on PC14:

Objective 1: New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.

...

Objective 3: Regional policy statements and district plans enable more people to live in, and more businesses and community services to be located in, areas of an urban environment in which one or more of the following apply:

- a) the area is in or near a centre zone or other area with many employment opportunities
- b) the area is well-serviced by existing or planned public transport
- c) there is high demand for housing or for business land in the area, relative to other areas within the urban environment.

Objective 4: New Zealand's urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities, and future generations.

Operative Christchurch District Plan (as modified by PC14)

Strategic Directions Objectives

- 4.11 Chapter 3 of the District Plan provides a long-term vision for Christchurch and the overarching direction for the District Plan. It identifies resource management issues and opportunities and sets out high level objectives. Those objectives have primacy over the objectives and policies in other chapters.³
- 4.12 Of particular relevance to Scentre's submission on PC14 and to development in Town Centres:
- (a) Part 3.2.5 (Supporting recovery and the City's future) states that the District Plan plays an important role by:
- ... providing certainty about where and how development will occur, and making integrated provision for the community's immediate and longer term needs for housing, business, infrastructure and community facilities.
- (b) Objective 3.3.5 recognises the critical importance of business and economic prosperity and the need to establish a range of opportunities for business activities to be established and to prosper.
- (c) Objective 3.3.7 (introduced by PC14) provides that the urban form is to comprise:
- The pre-eminence of the City Centre;
 - Clustering of development in and around Commercial Centres commensurate with the role of the centre; and
 - The largest scale and density of development, outside of the City Centre, provided within and around Town Centres.
- (d) Objective 3.3.8 (as modified by PC14) provides that:
- Increases in housing development opportunities are to be provided in and around the Central City, Key Activity Centres, Town Centres, larger Local Centres, and nodes of core public transport routes; and

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District Plan Objective 3.1.a.ii.

- The City Centre, Key Activity Centres, Town Centres and Local Centres are to be maintained and enhanced as community focal points.

(e) In relation to commercial and industrial activities specifically, Objective 3.3.11 provides that existing centres are to be revitalised and the District Plan is to ensure that there is sufficient and suitable capacity for land development. Plan Change 5A added to this objective by providing for the recognition of the critical importance of centres and the direction of commercial activity into centres (consistent with their roles).

Centres Hierarchy

- 4.13 Chapter 15 of the District Plan gives effect to the strategic objectives in Chapter 3 related to commercial and community activities, and seeks to manage the establishment of commercial activity through a centres-based approach. As stated previously, I support this centres-based approach.
- 4.14 Objective 15.2.1 addresses the centres-based framework adopted in the District Plan. Within this framework, primacy is given to the City Centre, followed by Town Centres.
- 4.15 The roles of the various centres are elaborated on in Table 15.1 of the District Plan. For Town Centres, this includes being a major retail destination and focal point for employment (including offices), community activities, entertainment and guest accommodation. High density housing is also contemplated in and above ground floor level.
- 4.16 With the Riccarton centre, the extent of business zoning is identical to that in the former Christchurch City Plan which indicates that the zone boundaries have been carried over to the District Plan without adjustments to recognise demand for development opportunities.
- 4.17 Policy 15.2.2.4 is the key policy in the District Plan that supports a centres-based approach and addresses the way growth in commercial activity is to be accommodated in Christchurch.
- 4.18 This policy is consistent with both the RPS and the Strategic Directions Objectives of the District Plan in that it requires growth to be focussed within

existing commercial centres. Outward or upward (beyond the height limits) expansion of those centres is to be:

- (a) commensurate with the centre's role and not have significant adverse effects on the function of other centres;
- (b) integrated with the provision of infrastructure;
- (c) undertaken such that adverse effects at the interface with the adjoining zone are managed;
- (d) responsive to the anticipated increase in population in the surrounding area and consistent with revitalising the Central City as the primary community focal point; and
- (e) coherent in form.

5. SCENTRE'S SUBMISSION POINTS

Metropolitan Centre

- 5.1 In PC14 Riccarton centre is identified as a Town Centre and there are no Metropolitan Centres proposed for the District Plan.⁴ I consider that Riccarton qualifies as a Metropolitan Centre given its sub-regional role in Christchurch and that this should be recognised in the District Plan.
- 5.2 In giving effect to the NPS-UD, the Council is required to intensify areas within and adjacent to particular types of centres, to a degree that is commensurate with the level of commercial activity and community facilities within them. As a result, PC14 provides for the realignment of the commercial centres framework in the District Plan to the framework of centres set out under the NPS-UD. The NPS-UD provides that each individual centre should be identified as one of the following on a tiered basis: City Centre, Metropolitan Centre, Town Centre, Local Centre and Neighbourhood Centre. The focus of intensification begins with the City Centre and is made commensurate to each centre's role in the centre hierarchy.
- 5.3 The definitions of City Centre, Metropolitan Centres and Town Centre are found in the National Planning Standards ("**Planning Standards**").

⁴ District Plan, Policy 15.2.2.1 (as amended by PC14).

5.4 City Centre is defined as:

Areas used predominantly for a broad range of commercial, community, recreational and residential activities. The zone is the main centre for the district or region.

5.5 Metropolitan Centre is defined as:

Areas used predominantly for a broad range of commercial, community, recreational and residential activities. The zone is a focal point for sub-regional urban catchments.

5.6 Town Centre is defined as:

Areas used predominantly for: ... [in larger urban areas], a range of commercial, community, recreational and residential activities that service the needs of the immediate and neighbouring suburbs.

5.7 It is clear that (as anticipated by the District Plan), the Christchurch City Centre fulfils its role as the main centre for the Christchurch district and for the Canterbury region. Its catchment is regional rather than sub-regional.

5.8 There are several Town Centres identified in PC14, three of which – Riccarton, Papanui and Hornby – are classified as “larger” Town Centres. There is a gap in the hierarchy envisaged by the Planning Standards as no Metropolitan Centres have been identified. This would be expected in a small city not large enough for sub-regional catchments to be identified, but in the Christchurch context, it is clear that Riccarton, Papanui and Hornby address large sub-regional catchments.

5.9 In terms of the Planning Standards definitions, a Town Centre serves the needs of the immediate and neighbouring suburbs while a Metropolitan Centre is the focal point for sub-regional urban catchments.

5.10 In my opinion, Riccarton serves a much wider area than the “immediate and neighbouring suburbs”. The centre incorporates the Westfield Riccarton shopping centre, which is currently the largest shopping centre in Christchurch and one of the largest in New Zealand.⁵ Shopping centres of that size cannot rely on a neighbourhood catchment for its viability. It is necessary for it to draw from a much wider, sub-regional area.

5.11 The evidence of Dr Douglas Fairgray on behalf of Scentre describes Riccarton’s catchment.

⁵ Only Westfield Newmarket and Sylvia Park shopping centre in Auckland are bigger.

- 5.12 Of course, the Riccarton centre is more than just the retail component, incorporating offices, cafés and restaurants, medical-related facilities, community facilities and visitor accommodation. It is also very accessible by public transportation and private vehicles (which enables access from its extensive catchment), and by bicycle and walking (due to the large adjacent residential population).
- 5.13 It is my view that Riccarton meets the criteria for Metropolitan Centres in the Planning Standards, given its size, function and the catchment it serves. Further, I consider it is appropriate for Riccarton to be identified as a Metropolitan Centre as that status recognises the centre's important role in the centres' hierarchy, anticipates and enables ongoing growth and intensification both within and adjacent to the centre, enables the improvement of public transport services, and supports an increased height limit. This better gives effect to the NPS-UD and the Housing Supply Act by providing for further intensification in and around the centre.
- 5.14 Specifically, Riccarton's role and structure demonstrate that it meets the criteria set out under the Planning Standards definition on the following basis:
- (a) Riccarton is a substantial and diverse centre, with important roles in Christchurch's retail and hospitality sectors, business services, financial services, property services, administrative and support services, and health services.
 - (b) Riccarton is at the next level in the commercial centres' hierarchy, below the CBD, and has a well-established sub-regional role, which is a key feature in the Planning Standards definition. Riccarton's sub-regional role has been confirmed through ongoing research into the number and range of business units, the level of employment, and its contribution to the Christchurch economy (GDP), as well as through consumer research into both shopping patterns and the wider roles of centres. Importantly, the research shows Riccarton's steady development and growth, in line with underlying population and demand growth in its main service area, and across urban Christchurch (and hinterland).
- 5.15 Accordingly, I consider that it is appropriate for Riccarton to be explicitly recognised in the District Plan as a Metropolitan Centre, in line with the Planning Standards definition.

- 5.16 This will necessitate consequential amendments to Chapters 3 and 15 of the District Plan and I consider that the provisions attached to the submission of Kainga Ora would be suitable as the basis for those changes.

Building height

- 5.17 Under Rule 15.4.2.2, PC14 sets a maximum building height of 20m for Town Centres (generally), and 22m for Riccarton, Hornby and Papanui.
- 5.18 In my opinion, 22m is an inadequate maximum building height limit for Riccarton because a 20m height limit already applies to the centre and therefore there is very little provision for increased intensification for Riccarton under PC14, despite the requirement for intensification being focussed within and on areas surrounding commercial centres.
- 5.19 In keeping with the provisions of the District Plan, it is my view that the increase in height at Riccarton should be consistent with the centre's status relative to other centres and support the development of a legible urban form with commercial centres having greater height than the residential areas surrounding them.
- 5.20 Scentre's submission sought an increase in the height limit to 50m for Riccarton. I support that height for buildings in the Riccarton centre because it provides differentiation between the height of buildings in the City Centre, and in the surrounding residential area. In my opinion, amending the height limit in this manner would provide for a clear legible form, and ensure that the centre is permitted to undertake further intensification to provide increased density as required under the Housing Supply Act and the NPS-UD. This would also provide the opportunity for development of a mixed use nature above the existing centre.
- 5.21 In his s42A report, Mr Lightbody has recommended acceptance of a maximum permitted height of 32m at Riccarton, Papanui and Hornby, stating that this would "achieve both intensification commensurate to the centres while not undermining the primacy of the City Centre Zone".⁶ I consider that a height of 50m would provide for even more intensification and make multilevel development more viable than with a lower height limit applying, while still providing differentiation with the City Centre where there is a 90m maximum height.

⁶ Planning Officer's Report of Kirk Joseph Lightbody (section 42A) at [8.3.4].

Office tenancies

- 5.22 In the District Plan, Rule 15.4.1.1 identifies office tenancies under 500m² as permitted activities. While this is not a new provision, I am of the view that the exclusion of office activities over 500m² as permitted activities does not align with the increased intensification required under the NPS-UD.
- 5.23 Scentre seeks permitted activity status for office tenancies of any size in Metropolitan Centres (or the larger Town Centres) and I agree with that submission.
- 5.24 Mr Lightbody points out that the provisions limiting the size of office tenancies were introduced to limit the potential adverse effects of dispersed large scale office activity on the regenerating Central City.⁷
- 5.25 In my opinion, the existing and future role of Metropolitan Centres or the larger Town Centres (irrespective of which classification is applied to Riccarton) justifies permitted activity status for offices of any size, which will provide locational choice for larger commercial tenancies. I do not consider that this will challenge the primacy of the City Centre because of the limited size of the Town Centre (or Metropolitan Centre) zones and the superior amenity available in the City Centre.
- 5.26 One of the recent trends in office tenancies is a shared space whereby areas of various sizes (from a small-medium tenancy to a desk within an open-plan area) are leased or licensed to individual tenants. In the case of a tenancy within a building, leased or licensed to multiple sub-tenants, a restriction of 500m² per tenancy would limit the size of the primary tenancy.
- 5.27 This form of office accommodation is most suitable to suburban locations (such as Riccarton) where residents in the neighbouring area can access their office on foot or by bicycle (or micromobility mode) without the need to utilise public transport or a private motor vehicle. The combination of this mode of working and access by active modes of travel is consistent with the themes of integrating land use with transport, and limiting greenhouse gas emissions.
- 5.28 I do not consider that a rule limiting the floor area of offices is justified in the centres classified as large Town Centres or Metropolitan Centres. However, it is my view that, if the rule is maintained, an exclusion should be made for

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Planning Officer's Report of Kirk Joseph Lightbody (section 42A) at [8.5.8].

shared space tenancy. This could be accomplished by simply adding the following words to the rule:

In the case of a tenancy being sublet to multiple individual sub-tenants (e.g. "shared space") this floor area limitation shall apply to the sub-tenants, not to the primary tenancy.

Vaughan Arthur Smith

20 September 2023