
**RECOMMENDATIONS REPORT: PART 7- REZONING REQUESTS AND SPECIFIC
PURPOSE ZONES**

Table of Contents

1.	Scope of this Part.....	5
2.	Summary of Recommendations of this Part	6
3.	Issues	7
4.	Contested Requests for Changes to Zones.....	9
	NHL Properties Limited.....	9
	PC 14 as Notified.....	9
	Submissions and Section 42A Recommendation.....	10
	Findings and Evaluation	10
	Wigram Lodge	11
	PC 14 as Notified.....	11
	Submissions and Section 42A Recommendation.....	12
	Findings and Evaluation	13
	Christchurch Casinos Limited	13
	PC 14 as Notified.....	13
	Submissions and Section 42A Recommendations.....	13
	Findings and Evaluation	14
	Foodstuffs South Island Limited and Foodstuffs (South Island) Properties Limited ..	15
	PC 14 as Notified.....	15
	Submissions and Section 42A Recommendations.....	15
	Findings and Evaluation	18
	Miles Premises Ltd	19
	PC 14 as Notified.....	19
	Council Section 42A Report Recommendations	19
	Findings and Evaluation	21
	Woolworths New Zealand Limited.....	22
	PC 14 as Notified.....	23
	Submissions and Section 42A Recommendations.....	23
	Findings and Evaluation	23
	PC 14 as Notified.....	24
	Submissions and Section 42A Recommendations.....	24
	Findings and Recommendations.....	24
	LMM Investments 2012 Limited	25
	PC 14 as Notified.....	25
	Submissions and Section 42A Recommendations.....	25
	Findings and Evaluation	26
	Metropolitan Centres	27
	Town Centres	27
	Greg Olive	28

Submissions and Section 42A Report Recommendations	28
Findings and Evaluation	28
The Glenara Family Trust.....	29
Future Urban Zone – requests for rezoning	30
PC 14 as Notified.....	30
Submissions and Section 42A Report Recommendations	30
Findings and Evaluation of ODP RNN Zoned Land.....	31
Case and Crozier.....	32
PC 14 as Notified.....	32
Submissions and Section 42A Report Recommendations	32
Findings and Evaluation	33
Danne Mora Limited	33
PC 14 as Notified.....	33
Submission and Section 42A Recommendations.....	33
Findings and Evaluation	34
Cashmere Land Developments Limited	35
PC 14 as Notified.....	35
Submissions and Section 42A Recommendations.....	36
Findings and Evaluation	36
Cashmere Park Ltd, Hartward Investment Trust and Robert Brown.....	37
PC 14 as Notified.....	37
Submissions and Section 42A Recommendations.....	37
Findings and Evaluation	38
25 KBR Limited.....	38
PC 14 as Notified.....	38
Submissions and Section 42A Report Recommendations	38
Findings and Evaluation	39
Red Spur Ltd	40
PC 14 as Notified.....	40
Submissions and section 42A Recommendations	40
Findings and Evaluation	43
Ryman Health Care Limited.....	44
PC 14 as Notified.....	44
Submissions and Section 42A Recommendations.....	44
Findings and Evaluation	44
5. Specific Purpose Zones	44
Summary of Recommendations.....	45
‘Uncontested’ Specific Purpose Zones.....	46
SPZ (Defence Wigram) – Chapter 13.1	47

SPZ (Cemetery) – Chapter 13.2	47
SPZ (Airport) – Chapter 13.3	47
SPZ (Styx Mill Road Transfer Station) – Chapter 13.4	48
SPZ (Hospital) – Chapter 13.5.....	48
SPZ (Schools) – Chapter 13.6	48
SPZ (Tertiary Education) – Chapter 13.7	48
SPZ (Lyttelton Port) – Chapter 13.8.....	49
SPZ (Golf Resort) – Chapter 13.9.....	50
SPZ (Ruapuna Motorsport) – Chapter 13.10	50
SPZ (Flat Land Recovery) – Chapter 13.11	50
SPZ (Burwood Landfill and Resource Recovery Park) – Chapter 13.12.....	50
SPZ (Ngā Hau e Whā) – Chapter 13.13.....	50
SPZ (Ōtākaro Avon River Corridor) – 13.14.....	50
Contested Specific Purpose Zones.....	51
SPZ (Hospital) – 13.5	51
PC 14 as Notified.....	51
Submissions and Section 42A Report Recommendations	52
Findings and Evaluation	53
SPZ (School)	53
PC 14 as Notified.....	53
Submissions and Section 42A Report Recommendations	54
Submitter evidence and representations.....	54
Christ’s College, 21 Gloucester Street	54
Catholic Diocese, Sparks Road	55
Catholic Diocese, New Marian School Campus site, 2 Lydia Street.....	56
Overall findings on SPZ (School).....	56
6. Statutory Evaluation.....	56
Section 74, 75, 76 and 77G and N Requirements.....	56
Section 32AA Evaluation of Recommended Changes	57
7. Conclusion and recommendations	57

1. SCOPE OF THIS PART

[1] This part of the Panel's Report addresses submitter requests to:

- (a) rezone land, not proposed to be changed as part of PC 14, and
- (b) rezone land to a zone which differed to that proposed by the Council in PC 14 as notified.

[2] These include:¹

- (a) Non-residential to non-residential requests: This includes zone requests, for example, to change a proposed Mixed-Use Zone to City Centre Zone (CCZ), or Specific Purpose (School) Zone to Industrial General Zone.
- (b) Non-residential to residential requests: This includes zone requests, for example, to change an operative Specific Purpose (School) Zone to High Density Residential Zone (HRZ) or any other residential zone.
- (c) Residential to non-residential requests: This includes zone requests, for example, to change Medium Density Residential Zone (MRZ) to Local Centre Zone (LCZ).
- (d) Changes from one residential zone to another including:
 - (i) From MRZ to High Density Residential Zone (HRZ)
 - (ii) From HRZ to MRZ
 - (iii) From Future Urban Zone (FUZ) to MRZ
 - (iv) Operative District Plan (ODP) residential zone to MRZ, HRZ or FUZ
 - (v) MRZ or HRZ to ODP residential zone.
- (e) Requests to change rural zoned land to FUZ, MRZ, HRZ or a non-residential urban zone.

[3] This part of the Report also addresses Specific Purpose Zone changes, including changes requested to underlying residential zones where applicable.

¹ [Council Reply, 17 May 2024](#), attachment 4 Tables 1-4

2. SUMMARY OF RECOMMENDATIONS OF THIS PART

[4] In relation to the submissions listed in Part 8, Appendix H tables 1-4 of the Report:

- (a) We have recommended the Council return all rural zoned land (including Rural Urban Fringe (RUF)), that the Council proposed to be rezoned FUZ in PC 14, to its operative rural zone on the basis it is out of scope of an Intensification Planning Instrument (IPI). It is not a relevant residential zone nor a non-residential urban zone.
- (b) We have recommended that the Council zone all operative Residential New Neighbourhood Zones (RNN) zones to MRZ (or in some cases HRZ) subject to our recommendations in Parts 3, 4 and 5 of this Report. The Council's proposal to rezone some RNN areas FUZ, is recommended to be rejected on the basis that it falls foul of *Waikanae*.
- (c) We have in Appendix H (Tables 1-4) recorded our recommendations in response to the various submissions seeking changes to zones.
- (d) We recommend changes to zone boundaries on planning maps that are as a consequence of the Panel's recommendations in relation to:
 - (i) Removing some QMs that were proposed by PC 14 to retain the ODP zone to now show as MRZ or for the reasons in Part 5 of the Report.
 - (ii) Amending the HRZ and MRZ zone boundaries as a consequence of the Panel recommending that the Policy 3(c)(ii) walkable catchment and Policy 3(d) commensurate catchment are to be reduced/or otherwise amended for the reasons given in Part 3 and 4 of the Report.
 - (iii) Changes to non-residential zones that the Panel recommends be accepted or rejected as set out in Table 1 and 4 in Part 8 of the Report, Appendix H.
 - (iv) Changes to the boundaries of Specific Purpose Zones or the relevant underlying zones, as set out in Section 5 below.

[5] The mapping changes are recorded in Part 8, Appendix I. We have directed the Council to attend to these changes and submit an updated set of planning maps for the Panel approval as explained in Part 1 at [210] of the Report.

3. ISSUES

- [6] In the first instance we have considered whether there is scope to make changes requested by a submitter by applying our findings on ‘scope’ as set out in Part 1 of the Report at [210].
- [7] Secondly, where we find we have scope to do so (applying the steps outlined in Part 8 Appendix E)², we have considered the merits of submitter requests for:
- (a) a different zone to that proposed by PC 14.
 - (b) a different relevant residential or non-residential urban zone from that in the ODP.
- [8] We asked the Council to provide a consolidated list of rezoning requests as part of their reply to assist the Panel review these to ensure that both the Council’s approach, and our own, to the extent we differ is consistent with regard to the different categories of rezoning requests and the factual matrix of issues that are to be considered.³ The Council provided four tables as Attachment 4 to the Reply.⁴ The tables record the operative, notified PC 14 and submitters’ requested alternative zone, then provide a recommendation on scope, where that is an issue, recommendation on the merits, and an overall recommendation.
- [9] Due to the number of submissions seeking zone changes, the Panel has recorded our recommendations in an additional column on Tables 1-4 and included these in Part 8 Appendix H as the basis for recording its findings. The tables are supplemented by additional discussion in this part of the Report, where we received submitter evidence and presentations which challenged the Council notified or s42A recommended zones. We have also cross-referenced Part 1, 3, 4 and 5 of the Report as is applicable in the tables.

Table 1 Non-residential Zones

- [10] The Council summarised in the Reply Table 1 (Table 1) the requests for changes to non-residential zones.

² Part 8 of the Report, Appendix E *Colonial Vineyards* tests

³ Panel Request #37

⁴ We note they have not been grouped according to the reasons for recommending they be accepted or rejected. We understand that is in part due to the useability of the database the Council used to record the submissions and recommendations, which did not enable the categories to be resorted in different groupings. In the time available we have not been able to do that ourselves, so we have recorded our findings using the same format as supplied by the Council.

[11] For those matters in Table 1 we have recorded whether we:

- (a) agree with the Council position on scope and merit, in which case the Panel adopt the Council right of reply recommendation and reasoning
- (b) disagree with the Council's position on scope, but the Panel may have rejected a submission on scope applying its findings in Part 1 of the Report at [210]
- (c) disagree with the Council's position on scope and record our recommendation on the merits of the request by either accepting or recommending the Council's recommendation on merits. Where the Panel has reached a different recommendation, we set out our reasons by cross referencing other parts of the Report.

Tables 2 and 3 Residential Zones

[12] In terms of the Reply Tables 2 and 3 (Tables 2 and 3), many of the submissions are not all 'site specific' in the sense that they apply to requests for zone changes on a broader basis, including particular locations, sub-urban areas, or proximity to centres, or the whole of the City, or are 'by default' a request for a zone change because the submitter is generally opposed to the incorporation of MDRS. We have considered the recommendations of s42A authors and the evidence of submitters for the various categories of requests and cross checked these by:

- (a) confirming that all relevant residential zones have incorporated the MDRS and applied the required nearest equivalent nomenclature from NPS.
- (b) applying our findings on the appropriate height and density of urban form requirements of NPS-UD Policy 3(c)(ii) and (d) as the Panel has found them to be in Part 3 and 4 of the Report, and adjusting the zones accordingly by upzoning or downzoning as the case requires;
- (c) our recommendations in Tables 2 and 3 are limited to the request for a zone change, and need to be read in conjunction with any recommended QMs as set out in Parts 3, 4 and 5 of the Report;
- (d) undertaking any further evaluation under RMA s32AA where a change is being recommended, proportionate to the significance of the change; and then.

- (e) cross checking our findings to ensure we have not removed status quo development rights (*Waikanae* issues) in accordance with its findings in Part 1 of the Report at [210] and made any necessary adjustments to the zone or to the rules and/matters of control or discretion to avoid that occurring.

Table 4 Other Zone Requests

[13] The Panel has considered the scope and merits of requests and applied the same approach as outlined for Tables 2 and 3 with all necessary modifications, to reflect the 'other' zone types. We note that for the most part Reply Table 4 (Table 4) duplicates findings elsewhere, but we have accepted that was to some extent unavoidable due to the way the Council summarised some submissions seeking a range of outcomes for different reasons.

4. CONTESTED REQUESTS FOR CHANGES TO ZONES

[14] In this part of the Report, the Panel address rezoning requests where a submitter attended the hearing and presented evidence, and a s32/32AA evaluation in support of their requests. This section supplements the findings recorded in Tables 1-4 in Part 8 Appendix H. In the event of any inconsistency between our findings recorded in this part and that recorded in Tables 1-4, this section prevails.

NHL Properties Limited

NHL Properties Limited (#706) 132-136 Peterborough Street, 137-151 Kilmore Street, Wigram Lodge 152-158 Peterborough Street and 327-333 Manchester Street (Forte site)

PC 14 as Notified

[15] The Forte site is zoned Residential Central City (RCC) in the ODP and is proposed to be HRZ (subject to the Central City Residential Precinct) in PC 14 being the nearest equivalent zone for the purposes of the NPS.

Submissions and Section 42A Recommendation

- [16] The submitter requests rezoning to CCMUZ. The Panel has accepted that the request is on the plan change and there is scope to consider the merits.⁵
- [17] The submission identifies the site as forming part of the Forte Health hospital activity, which is otherwise zoned CCMUZ. The titles proposed to be zoned HRZ form part of the carpark for the Forte hospital. The submitter considers that the existing activity status (as non-complying) under the HRZ rules unnecessarily complicates future maintenance, improvement work, or expansion of the private hospital into the existing car park. NHL Properties is of the view that rezoning the site and surrounding land to CCMUZ would provide an appropriate zone that reflects the current use while better enabling future activities on the site.
- [18] The submitter called expert evidence from Ms Collie (planning)⁶ and Mr Compton-Moen (urban design)⁷. Ms Collie considered the surrounding land use pattern and the aspirations of the submitter, along with the actual and potential effects of extending the CCMUZ, and the potential range of land uses that might enable. Ms Collie provided a s32AA evaluation as part of her evidence to support the submitters preferred outcome. Ms Collie concluded that the most appropriate outcome, bearing in mind the ODP and PC 14 objectives, and higher order directives of the National Policy Statement on Urban Development 2020 (NPS-UD) was an extension of the CCMUZ to that part of the site proposed to be zoned HRZ.
- [19] Ms Gardiner for the Council held a different view (aside from the issue of scope) she considered the notified PC 14 zoning to be most appropriate. Ms Gardiner's concern was the potential incompatibility with the HRZ within the block to the east and across Peterborough Street. She relied on NPS-UD Policy 3(c)(ii) to demonstrate that the HRZ provided the required intensification response.

Findings and Evaluation

- [20] In general terms the Panel find that the alternatives assessed by both Ms Gardiner and Ms Collie to be finely balanced and either would fulfil the requirements of NPS-UD Policy 3(c)(ii).

⁵ Part 1 of the Report at [210]

⁶ [Statement of Evidence of Anita Collie, 20 September 2023](#)

⁷ [Statement of Evidence of David Compton-Moen, 20 September 2023](#)

[21] The Panel has considered the relative effectiveness and efficiency of the alternatives of either the notified HRZ and the CCMUZ. We find that although both zone options provide for increased housing choice and are well located within a walkable distance to the CCZ, they are essentially spot zone changes, and provide limited opportunity for an integrated assessment of the wider area, which is essentially a patchwork of mixed use, higher density residential and other commercial activity provided for via resource consent.

[22] Overall, the Panel has reached the view that the notified zone pattern should be maintained because it found that the boundaries proposed by the submitter, whilst in response to the existing land use on the balance of the site, raised the question of where the zone boundary ought to be drawn as between the surrounding residential and mixed-use zoning. We asked ourselves why the zone boundary should stop where the submitter has requested it, or should we consider a further extension for the full block, or adjacent blocks. We have concluded, that if further zone changes are to occur, then there should be a comprehensive review of the balance between HRZ and CCMUZ in this locality by a future plan change. The risk of responding to individual submissions, in the context of this targeted IPI process is that outcome is further fragmentation of the zoning pattern and unanticipated effects on adjoining HRZ residential amenity. The risk of not rezoning the site is to impact the future development aspirations of the submitters. Currently the submitters land use aspirations are addressed through an existing resource consent, which includes bespoke conditions to address the interface with the surrounding land use environment. The Panel find that on balance that PC 14 notified zone provides the most appropriate response to the risks, costs and benefits of either option.

[23] The Panel recommend that the submission be rejected.

Wigram Lodge

Wigram Lodge (#2001) and E and J Harris (#817) 850-862 Colombo Street and 139 Salsbury Street

PC 14 as Notified

[24] The property is zoned RCC in the ODP and is proposed to be HRZ (subject to the Central City Residential Precinct) in PC 14 being the nearest equivalent zone for the purposes of the NPS.

Submissions and Section 42A Recommendation

- [25] The submitter has intentions to undertake a comprehensive redevelopment of the entire site, which could comprise a mix of commercial and residential activities. The submitter notes that both southern corner sites at this intersection are in the CCMUZ, and that the northwestern corner of the intersection contains a large-scale community facility (the Salvation Army). Overall, the submitter considers that the character of the area is transitory between more commercial land uses to the south and residential areas to the north of Salisbury Street.
- [26] The site is approximately 5,930m² in area, bound by Salisbury Street to the south and Colombo Street to the west. Part of the site is developed with unit type housing dating from around the 1930s and part of the site is vacant. The site is located in an area that is largely redeveloped and has a mixed character comprising commercial, community and residential land uses, including a retirement village, townhouse residential developments, the Carnmore Hotel, a mixed-use development with commercial spaces on the ground floor and residential activities on upper floors, commercial activities, the Salvation Army community facility, two motels and a medical practice.
- [27] The submitter called expert evidence from Ms Collie (planning)⁸ and Mr Compton-Moen (urban design)⁹. Ms Collie considered the surrounding land use pattern and the aspirations of the submitter, along with the actual and potential effects of extending the CCMUZ, and the potential range of land uses that might enable. Ms Collie provided a s32AA evaluation as part of her evidence to support the submitters preferred outcome. Ms Collie concluded that the most appropriate outcome, bearing in mind the ODP and PC 14 objectives, and higher order directives of the NPS-UD was an extension of the CCMUZ to that part of the site proposed to be zoned HRZ.
- [28] Ms Gardiner for the Council held a different view (aside from the issue of scope) she considered the notified PC 14 zoning to be most appropriate. Ms Gardiner's concern was the potential incompatibility with the HRZ on the balance of the block to the east and north. She relied on NPS-UD Policy 3(c)(ii) to demonstrate that the HRZ provided the required intensification response.

⁸ [Statement of Evidence of Anita Collie, 20 September 2023](#)

⁹ [Statement of Evidence of David Compton-Moen, 20 September 2023](#)

Findings and Evaluation

[29] The Panel has reached the conclusion that the zone for the site should remain as notified in PC 14 for the same reasons it has expressed for the submission by NHL Properties Limited. Accordingly, the Panel recommend the submission be rejected.

Christchurch Casinos Limited

Christchurch Casinos Limited #2077, 56-72 Salisbury Street and 373 Durham Street North

PC 14 as Notified

[30] The site is zoned RCC in the ODP and is proposed to be HRZ in PC 14 being the nearest equivalent zone for the purposes of the NPS.

Submissions and Section 42A Recommendations

[31] The submission seeks to rezone 6,170m² of land at 56 to 72 Salisbury Street and 373 Durham Street North, Christchurch Central, Christchurch from HRZ to CCZ. The rectangular shaped site is bounded by Salisbury Street to the north and Durham Street north to the east. The site is currently operated as a temporary at-grade parking facility approved by resource consent until January 2028. The site forms part of a street block that is otherwise zoned CCZ.

[32] The general locality has a mixture of commercial business and residential zoning, which the submitters consider makes development on the site challenging to the point that it has not been advanced, with the land currently being used for car parking. Adjacent land is zoned as CCZ to the south and west and land on the opposite side of Salisbury Street and Durham Street is zoned HRZ, land to the southeast is zoned CCMUZ.

[33] The submitter called expert evidence from Ms Collie (planner) and Mr Compton-Moen (urban design), who both supported the change in zoning to CCZ as being the most appropriate zone. Ms Collie provided a s32AA evaluation to support the change in zone.

[34] Section 42A Report author Ms Gardiner recommended the submission be rejected on scope and on merit. Ms Gardiner considered there was some merit in providing a logical extension to the CCZ in this area from a 'contiguous block' perspective, and that while the substantially larger site would enable a comprehensive development, she did not consider that a rezoning is appropriate in this case. She considered that internal

boundary transition between zones is generally preferable as this allows for mitigating measures at the zone interface such as boundary setbacks to separate buildings, landscaping, and noise insulation. Further, she was of the view that the well-established activities to the north and east of the site are of a strong residential character, with the motel and church being non-residential activities that are permitted in the HRZ, albeit with limitations on scale. Ms Gardiner was concerned about the effects that rezoning the site to CCZ would impose upon the existing and future residential coherence of this area. She referenced the fact that the land to the west of the site is zoned CCZ and the commercial land uses in this area are anticipated in that area.

Findings and Evaluation

[35] The Panel has considered the evidence of the submitter and Ms Gardiner. The Panel takes a different view on the issue of scope to the Council and applying Part 1 of the Report at [210], we find that we have scope to consider the submission on merit.

[36] The Panel has recommended that the submission be declined on merit. Although we consider that the interface issue between zones can be appropriately addressed through street separation, or built form standards, the issue does not turn on the ability to manage effects in this instance. The Panel's concern is that the ODP policy framework, and NPS-UD Policy 3 prioritise the role and function of the city centre. The Panel is concerned that site specific, spot rezoning of land at the peripheries of the CCZ has the potential to undermine the ability of the existing CCZ to maximise development capacity, particularly in light of the evidence we received regarding the number of vacant sites within the current CCZ footprint. We have had regard to the Central City Recovery Plan and the ODP strategic objectives and policies in Chapter 3 and 15, including the changes we have recommended in Part 3 of the Report. As we have identified elsewhere, the most appropriate process to rezone additional areas of land as CCZ, would be through wider plan change process so that the size and scale of the CCZ can be tested through a wider lens.

[37] The Panel recommends that the submission is rejected.

Foodstuffs South Island Limited and Foodstuffs (South Island) Properties Limited

Foodstuffs South Island Limited and Foodstuffs (South Island) Properties Limited #705 #2057 (Foodstuffs), 304 Stanmore Road, 172 Wainoni Road, 92 Lincoln Road, 159 Main North Road (Head Office), 171 Main North Road and 55 Peer Street

[38] The Panel deal with all six sites collectively in the following section.

PC 14 as Notified

[39] 304 Stanmore Road, 172 Wainoni Road, 92 Lincoln Road and 55 Peer Street are zoned Residential Suburban Zone (RSZ) in the ODP, and notified as MRZ in PC 14, being the nearest equivalent zone as required by the NPS.

[40] 159 Main North Road (Foodstuffs Head Office) is zoned Industrial General Zone (IGZ) in the ODP and is proposed to be HRZ by PC 14.

[41] 171 Main North Road is zoned a mix of Industrial General and Commercial Local Zone in the ODP and is proposed to be zoned Neighbourhood Centre Zone (NCZ) and Industrial General Zone in PC 14, as the nearest equivalent zones as required by the NPS.

Submissions and Section 42A Recommendations

[42] Foodstuffs was represented by legal counsel, Ms Booker¹⁰, and called three witnesses. Ms Parish (corporate representative)¹¹, Mr Allan (planning)¹², Mr Colegrave (economics)¹³.

[43] The submitter requested what is described as ‘tidy up’ changes to the zoning of parts of a number of their existing sites, to better align with the zoning and land uses on the main part of the site. In each of the following locations, part of a site, used in conjunction with main business activity (supermarket or office use), was notified as MRZ as being the nearest equivalent zone based on the ODP zoning, the submitter seeks the following changes:

¹⁰ [Legal Submissions of Foodstuffs South Island Limited and Foodstuffs \(South Island\) Properties Limited, 17 October 2023](#) and Appendix 1

¹¹ [Statement of Evidence of Rebecca Parish, 20 September 2023](#)

¹² [Statement of Evidence of Mark Allan, 20 September 2023](#) 20 September 2023.

¹³ [Statement of Evidence of Fraser Colegrave for Foodstuffs, 20 September 2023](#)

- (a) New World Stanmore– rezone 304 Stanmore Road (Lot 1 DP 44038 and Lot 2 DP 4845) from MRZ to Local Centre Zone(LCZ).
- (b) PAK'nSAVE Wainoni – rezone the accesses off Breezes Road serving 174 Wainoni Road (Section 2 SO 552969) and 204 Breezes Road (Lot 2 DP 25816) from MRZ to LCZ.
- (c) New World Lincoln Spreydon – rezone 92 Lincoln Road (Lot 1 DP 51902) from MRZ to LCZ.
- (d) Foodstuffs Head Office– rezone 159 Main North Road (Lot 2 DP 14400, part of Lot 1 DP 14400 and the access legs of Lots 7 & 9 DP 14400) from MRZ to Industrial General Zone (IGZ).

[44] In terms of the above 'tidy up' changes, the Council opposed the change for all except Head Office at 159 Main North Road for reasons of scope, on the basis that PC 14 only changed the name of the zone. The Council, however, would accept the changes on merit.

[45] In relation to Foodstuffs Head Office the Council accepted that there was scope to consider the request to rezone and recommended acceptance on merit because it better reflected activities on site and the recent Plan Change 5 decision. Generally, it was considered to be a 'correction' rather than a substantive change.

[46] The submitter also sought more substantive zoning changes for sites that are already used or intended to be used for supermarket activities at Papanui and Ilam.

PAK'nSAVE Papanui

[47] PAK'nSAVE Papanui, at the time of notification of PC 14, was under construction at 171 Main North Road and 3-7 Northcote Road, in accordance with a resource consent and subsequent variations granted by the Council. Mr Allan was of the opinion that the most appropriate zoning was to LCZ, to better reflect the existing environment than does the notified NCZ and IGZ.

[48] In addition, the submitter had recently purchased 9 Northcote Road, zoned MRZ in PC 14 for use as staff carparking. Mr Allan noted that the property displays no residential qualities or characteristics, being devoid of any residential activity and adjoins the supermarket. It is currently being used as a contractor yard (temporary site office and parking for construction workers) associated with construction of the supermarket.

The southern and eastern boundaries of 9 Northcote Road adjoin vehicle access and parking areas associated with the consented supermarket.

- [49] The submitter relied on Mr Colegrave's evidence, that LCZ will not have a detrimental effect on the function and role of the City's centres.
- [50] Mr Lightbody recommended that the request be refused on scope for reason PC 14 only proposed a name change. He, however, recommended acceptance on merit considering the location and proximity to the Papanui Large Town Centre. He concluded that Objective 15.2.2 anticipates commercial activity being focussed in centres in a way and at a rate that supports the function of Town Centres as a major focal point (clause (ii)), gives primacy to Key Activity Centres (clause (iv)) and that is consistent with the role of each centre as defined in Policy 15.2.2.1 (Clause v), which in turn gives effect to the Canterbury Regional Policy Statement (CRPS). Mr Heath has confirmed that no distributional effects would arise in relation to the Papanui KAC, or significant adverse effects on the function and vitality of other Local Centres, therefore he was satisfied the rezoning request has merit and can be accepted.¹⁴

New World Ilam

- [51] New World Ilam is located at 57 Peer Street and comprises the supermarket building, vehicle access to both Peer Street and Brodie Street, car parking, loading and landscaping. The notified LCZ reflects the lawfully established supermarket activities currently being undertaken on the site. Foodstuffs purchased 55 Peer Street for the express purpose of providing additional car parking associated with New World Ilam. The property currently contains a residential dwelling, which would be demolished to make way for an expanded car parking area served by the supermarket's existing vehicle accesses. Ms Parish confirmed that the shared driveway serving 49 Peer Street is fenced off from the supermarket activity, and is no longer requested to be rezoned LCZ (as originally sought in the submission)
- [52] Mr Colegrave's evidence is that rezoning 55 Peer Street LCZ to be consistent with the balance of the New World Ilam site will not have a detrimental effect on the function and role of the City's centres. Mr Allan noted that under LCZ, the conversion of 55 Peer Street into car parking would be subject to existing rules that manage the interface between commercial and residential environments, such as fencing, landscaping and

¹⁴ [s42A Report of Kirk Lightbody, 11 August 2023](#) Appendix 1 page 157-162

adherence to noise limits. He was comfortable that an appropriate interface and level of amenity will be achieved for the adjoining residential properties and concluded that rezoning 55 Peer Street LCZ would better reflect Foodstuffs intended parking use for this site than the notified MRZ, and would effectively integrate with the lawfully established New World Ilam.

[53] Mr Lightbody recommended the submission be rejected for reasons of scope, but accepted that on the merits the request to change was more appropriate and better reflected the current and future use of the site.

Findings and Evaluation

[54] In relation to New World Stanmore Road, Pak 'n Save Wainoni Road, New World Lincoln Road, New World Ilam Peer Street and Pak 'n Save Papanui 171 Main North Road, the Panel recommend that the submissions are rejected. This is on the basis they are outside of the scope of PC 14, as it has determined the scope to be in Part 1 of the Report at [210], and that the evidence does not establish any apparent relationship to the mandatory requirements of the MDRS or NPS-UD Policy 3 enablement, nor are they supportive of or as a consequence of the introduction of the MDRS or NPS-UD Policy 3(d). The Panel do not find that they can be pursued as being 'incidental or consequential' upon adjoining zone changes through PC 14, given the limitations of an IPI as confirmed by the High Court in *Waikanae*.

[55] To the extent that the Council has assessed that the 'tidy ups' have merit, then they can be pursued through a Schedule 1 Plan Change.

[56] In relation to the change sought for Foodstuffs Head Office at 159 Main North Road the Panel finds that the request is within the scope of PC 14, as it has determined the scope to be in Part 1 of the Report at [210], and recommend that the submission is accepted for the reasons outlined by Mr Lightbody and in the evidence of Mr Allan.

Miles Premises Ltd

*Miles Premises Ltd #883 #2050*¹⁵

- [57] Miles Premises Ltd (Miles) owns land located between Memorial Avenue, Russley Road and Avonhead Road, which is currently zoned Industrial Park Zone (Memorial Avenue). The majority of the Miles site is located between the operative 50 and 55 dBA Ldn Airport Noise contours, with a smaller area (generally towards Avonhead Road) located within the Airport Noise 55 dBA contour in the ODP.
- [58] Ms Eveleigh (legal submissions) explained that Miles seeks to rezone part of its land to MRZ, retaining the remainder of the Miles site as Industrial Park (Memorial Avenue). Ms Eveleigh also represented Equus Trust #2102 #2107 who shared a common interest in Christchurch International Airport Noise Influence Area QM (Airport Noise QM). However, although they too had aspirations for residential rezoning of the Equus Site in future, they chose not to pursue that rezoning through PC 14.¹⁶

PC 14 as Notified

- [59] PC 14 retained the ODP zoning.

Council Section 42A Report Recommendations

- [60] As the Panel understood the case for Miles, a change in zoning for approximately 8 hectares of the current Industrial Park (Memorial Avenue) zone to MRZ between the 50dBA and Ldn Airport Noise contour, is justified on the basis that the evidence on the airport noise contour, including the outcome of the Canterbury Regional Council Independent Expert Review, is that residential intensification is appropriate up to the 55dBA Ldn contour (putting aside for the moment, whether that is the operative or revised AA or OE contours).
- [61] Miles have also requested a broader range of commercial activity across the site.
- [62] The Miles submission relies primarily on the evidence of Professor Clarke¹⁷, who considers the Christchurch district plan should adopt the 55dBA Ldn noise contour as

¹⁵ Commissioner McMahon and Matheson disclosed conflicts of interest and recused themselves from hearing this matter. Commissioner Robinson disclosed previous professional involvement in planning issues related to the Miles Premises Land, and the parties consented to her involvement in hearing this matter as recorded in Minute 13.

¹⁶ [Legal Submissions of Miles Premises Limited and Equus Trust, 16 April 2024](#) at 8

¹⁷ [Statement of Evidence of Professor John-Paul Clarke, 20 September 2023](#)

the Outer Contour Boundary (OCB) for the purposes of land use planning which the Panel discuss in Part 5 of the Report.

- [63] Miles called evidence from Mr Blackburn¹⁸ regarding demand for housing in north and north-west Christchurch. His evidence demonstrated that housing development in the north and north-west suburbs is dominated by stand-alone homes within greenfield residential subdivisions. His view was that despite the drive toward greater housing intensification, there is still a significant demand for individual stand-alone family homes across the north and north-west suburbs and that the current rate of construction, the current capacity of developed greenfield subdivisions will be exhausted within the next four years.
- [64] Miles provided a statement of evidence from Mr Manns a Senior Director and Head of Strategic Advisory at global real estate services firm Jones Lang LaSalle (JLL).¹⁹ JLL had prepared a largely desktop market analysis report for Miles which looked at the residential and industrial land market for suburbs which fall within and overlap a 5km radius of the Miles site. The report concluded that the Study Area has experienced growth in population in the last 10 years, with little notable decline except during the Covid-19 pandemic. JLL concluded that there are good local amenities and proximity to the airport that well positions the suburb to support local employment growth and assuming consistent household size (2.9 people, as per 2018 Census), high-level demand forecasting shows a need for approximately 2,700 homes by 2048 to match anticipated population growth. When compared with the current development pipeline of 1,202 homes in the study area the report indicated (based on the desktop analysis) a projected undersupply of new properties. The JLL report also concluded that there was more than sufficient industrial land available such that the loss of the site to residential development was acceptable.
- [65] Christchurch International Airport Limited #852 #2052 (CIAL) opposed the submitter's requested rezoning, primarily through their case in support of the Airport Noise QM and the contested acoustics evidence in relation to the appropriate Outer Contour Boundary (OCB) for Christchurch, which are addressed in Part 4 of the Report at Section 6. Mr Sellars, for CIAL, also disputed Mr Blackburn's conclusions regarding demand and capacity for housing in north and north-west Christchurch.²⁰

¹⁸ [Statement of Evidence of Michael Blackburn, 25 September 2023](#)

¹⁹ [Statement of Evidence of Jonathan Manns, 26 September 2023](#)

²⁰ [Rebuttal Evidence of Gary Sellars, 9 October 2023](#)

- [66] During the presentation of Ms Aston’s planning evidence for the submitter she referred to an emailed memorandum providing additional commentary from a member of the Independent Expert Panel regarding the appropriateness of the outer envelope contour for land use planning purposes.²¹ Ms Appleyard, legal counsel for CIAL, objected to the introduction of the communication; on the basis it was not disclosed in Ms Aston’s primary evidence. Following an exchange with the Chair, we were provided with the correspondence. Ms Appleyard elected to respond by providing the Panel with evidence and submissions on this issue provided during hearings in the Selwyn District.²² Due to the conclusions we reached in relation to the Airport Noise QM for Christchurch we have not found it necessary to place any weight on the correspondence or the additional material from the Selwyn District hearings, as the author of the correspondence and Selwyn evidence are not available for questioning in our process. The outcome of the Independent Expert Review Panel is a matter for the review of the CRPS in due course.
- [67] In her s42A Report Ms Oliver²³ has recommended a regulatory framework of the ODP that relies on the 50dBA Ldn OCB be updated to refer to the Revised OE contour and has recommended the Panel accept the Airport Noise QM. Ms Oliver has also relied on the overall surplus of development capacity and recommends the Miles submission opposing the Airport Noise QM and updated noise contours is rejected. Mr Lightbody also assessed the request for enablement of additional commercial land uses and recommended that the submission be rejected for reason of potential commercial distributional effects and the importance of the centres hierarchy.

Findings and Evaluation

- [68] The Panel recommend that the Miles submission seeking a MRZ between the 50dBALdn and 55dbALdn noise contours be rejected for the following reasons.
- [69] Ms Aston’s planning evaluation was largely focused on the Airport Noise QM issues, which the Panel addresses in Part 5 of the report. The Panel asked Ms Aston if there had been a s32/32AA analysis of the requested rezoning as part of the submission for Miles. There was no single document, but Ms Aston relied on the information provided

²¹ Ms Aston corrected the footnote to her evidence to refer to the emailed memorandum.

²² Although we did not request it Ms Appleyard filed a supplementary statement from Mr Day rebutting the content of the memorandum. We have read Mr Day’s statement but place little weight on it as this is a matter for the review of the CRPS.

²³ [s42A Report of Sarah Oliver, 10 October 2023](#)

in the evidence and submissions during the hearing. Ms Aston filed a supplementary statement where she brought together the relevant matters in one place.²⁴

[70] We have reviewed that material and considered the views of s42A Reporting authors, and submissions in relation to the Airport Noise QM and its findings on those issues in Part 5 of the report. We have concluded that Ms Aston's s32AA evaluation does not support the rezoning of the site from Industrial Business Park to MRZ. Ms Aston has incorrectly assessed the requested relief as against a new objective being the submitters requested relief, rather than the objective of PC 14. To that extent the Panel has found the evidence does not support the conclusion that the relief the submitter seeks to be most appropriate for PC 14. Ms Aston has approached her evaluation as if the submission were a private plan change in its own right.

[71] The Panel's recommendations in relation the Airport Noise QM will enable additional residential capacity within existing relevant residential zones across the north and north-west of Christchurch between the 50dBA Ldn and 55dBA Ldn noise contour and within existing commercial centres to give effect to NPS-UD Policy 3. This will go some way to address the concerns expressed by Mr Blackburn and Mr Mann regarding undersupply of housing capacity in the north and north-west of Christchurch. The Panel find that enabling density within existing residential zones and adjacent to centres, is more efficient and effective to achieve the objective of PC 14, in a way that implements the mandatory requirements as set out in RMA s80E and gives effect to a well-functioning urban environment, than the option of rezoning the submitters land. Rezoning the submitters land to MRZ will result in a loss of additional industrial business land near the airport.

[72] The Panel recommend the submission of Miles Premises seeking rezoning of land for residential and commercial purposes be rejected.

Woolworths New Zealand Limited

Woolworths New Zealand Limited (#740) Halswell and St Albans.

[73] Woolworths New Zealand Limited (Woolworths) requested amendments to the zone and/or the outline development plan boundary for the commercial and residential mixed-use development at 201 Halswell Road.²⁵ Mr Bayliss²⁶ for the Council has accepted the

²⁴ [Supplementary Evidence of Fiona Aston, 30 April 2024](#)

²⁵ Approved by resource consent NZEnvC133 [2021]

²⁶ [s42A Report of Ian Bayliss, 11 August 2023...](#)

submission. We have considered the background to this matter and accept the change as appropriate given the outcome of the Environment Court consent order.

[74] Woolworths also seek an amendment to Policy 15.2.2.1/Table 15.2 to elevate the St Albans Centre to a Local Centre with no change to the retail thresholds or ODP requirements.

[75] The St Albans Centre, is zoned Commercial Local in the ODP and is subject to a bespoke development plan contained in Appendix 15.15.5 of the ODP.

PC 14 as Notified

[76] As notified the St Albans Centre is zoned as NCZ, which is the nearest equivalent zone to the ODP 'Commercial local' zoning as required by the NPS.

Submissions and Section 42A Recommendations

[77] Mr Bonis (planner) appeared for Woolworths and argued that the 'plan anticipated' St Albans Commercial Centre is more appropriately aligned with a LCZ than a NCZ based on the anticipated role and function of the St Albans Centre as shown in the development plan in the ODP Appendix 15.15.5. Mr Bonis was not proposing any change to the provisions that applied to the outline development plan, nor an increase in the retail thresholds.

[78] Mr Lightbody opposed the change, relying on issues of scope (there being no change to the zoning beyond a name change). Further he expressed concerns about the change in zone affecting the centres hierarchy, relying on Mr Heath's analysis.

Findings and Evaluation

[79] The Panel has found that the request by the submitter is within the scope of PC 14, for the reasons in Part 1 at [210] of the report. However, the Panel has recommended that the submission is rejected on its merits. That is because, the zone nomenclature is largely moot, as the nature of the activities within the zone are defined in the development plan, and associated rules in Appendix 15.15.5, which the submitter accepts and seeks no change to. The Panel accept the recommendation of Mr Lightbody on merit and retain the status quo equivalent zone as more appropriate.

Scenic Hotel Group Limited #809 (Scenic), Papanui Road/Holly Road

[80] The Scenic Hotel is located at 88 and 96 Papanui Road and includes a property located at 19 Holly Road. In the ODP 88 and 96 Papanui Road is zoned Residential Medium Density with an Accommodation and Community Facilities overlay. The property at 19 Holly Road is zoned Residential Suburban Density Transition (RSDT).

PC 14 as Notified

[81] 19 Holly Road is proposed to be zoned HRZ. The properties at 88 and 96 Papanui Road are also zoned MRZ, and the Accommodation and Community Facilities overlay was inadvertently left off the planning maps, and ought to be corrected.

Submissions and Section 42A Recommendations

[82] The submitter requests an alternative zone that provides for visitor accommodation and commercial activities. Ms Kealey (planner) gave evidence in support of the submission.²⁷

[83] Overall, the s42A Report author, Mr Ike Kleynbos recommends that the request is rejected, although he does accept that there is merit in extending the Accommodation and Community Facilities overlay to the Holly Road property, but on the Council analysis it would be outside of scope. Mr Klyenbos is concerned that the 19 Holly Road falls within the walkable catchment of the CCZ, and that a HRZ zone has been applied.

Findings and Recommendations

[84] Based on our findings in Part 3 of the Report, the CCZ walkable catchment is not recommended by the Panel to be extended beyond Bealey Avenue. Further the commensurate catchment for Merivale does not extend south as far as the submitter's property. We find no other justification to extend HRZ zoning to these sites. The Panel find that the request by the submitter for the extension of the overlay to 19 Holly Road has merit, and potentially an alternative zone may be appropriate to reflect the actual land use, but it is not a response to the mandatory implementation of the MDRS nor a NPS-UD Policy 3 response, therefore it considers the request to be outside of scope.

²⁷ [Statement of Evidence of Samantha Kealey, 20 September 2023](#)

[85] As a consequence of our recommendations in Part 3 and 4 of the report, 88 and 96 Papanui Road and 19 Holly Road will be zoned MRZ, with the Accommodation and Community Facilities overlay reinstated for the Papanui Road sites.

LMM Investments 2012 Limited

LMM Investments 2012 Limited #826 #2049 (LMM), 'Whisper Creek'

[86] This submission relates to land at 144 and 165 Turners Road and 240 Spencerville Road. The property is the Whisper Creek Golf Course and it lies on 132ha of land zoned Specific Purpose (Golf Resort) and Open Space Water and Margins Zone. It is located approximately 6km from the nearest commercial centre at Belfast (Northwood). The site is surrounded by rural and open space land. A number of ODP flood and hazard management overlays apply to the land, excluding the sites that the submitter seeks to be rezoned.

PC 14 as Notified

[87] PC 14 did not propose any change to the zone, on the basis it is not a response to NPS-UD Policy 3 nor is it a relevant residential zone.

Submissions and Section 42A Recommendations

[88] The submitter was represented by legal counsel, Ms Appleyard who provided submissions on the issue of scope and called planning evidence from Mr Clease.²⁸

[89] The Panel was unclear as to what relief LMM was seeking through PC 14. Ms Appleyard clarified the position in her Memorandum on scope issues of 1 May 2024 as follows:²⁹

19. The context is that LMM Investments' submission sought the rezoning of the subject site (the Whisper Creek Site) from Specific Purpose (Golf Resort) Zone (SP(GR)) to Medium Density Residential Zone (MRZ). Mr Clease's planning evidence for LMM Investments presented a "refined relief" option which involved the application of appropriate MDRS provisions to certain areas within the Whisper Creek Site (without corresponding rezoning to MRZ) and the retention of the current cap of a maximum number of 350 residential units that applies under the operative SP(GR) zoning.

20. We confirm that LMM Investments' final relief sought is:

20.1 the rezoning of the Whisper Creek Site to MRZ, as per its original submission;
and

²⁸ [Statement of Evidence of Jonathan Clease, 20 September 2023](#)

²⁹ [Memorandum of Counsel for Various Submitters on behalf of Chapman Tripp, 1 May 2024](#) at 19 – 23

20.2 a maximum 350 residential unit cap achieved by way of the application of site-specific qualifying matters.

21. The reason for the 350 residential unit cap is to account for possible servicing constraints, as outlined in Mr Andy Hall's infrastructure evidence. However, to align with the requirements of the Amendment Act (as discussed with Commissioner Munro at the hearing), the cap must necessarily be implemented by way of site-specific qualifying matters. To be clear, this is not a change of position by LMM Investments which requires new or amended evidence. The evidence for LMM Investments already establishes that the cap is necessary. We have simply now identified the proper mechanism under the Amendment Act for applying the cap, i.e. a qualifying matter under section 771(j) of the Amendment Act.

22. We note that the final relief sought also aligns with the current residential unit cap under the operative SP(GR) zoning but allows for a more appropriate housing typology mix, as supported by Mr Fraser Colegrave's economics evidence, in the context of the purpose and outcomes sought by the Amendment Act and the framework of the NPS-UD. In other words, it better achieves the imperatives of the Amendment Act and NPS-UD.

23. While this is the preferred relief sought, we consider it would be open to the IHP to alternatively accept the "reduced" relief proposed by Mr Clease in his evidence, which effectively achieves the same outcome in terms of housing provision but does not involve rezoning of the Whisper Creek Site.

[90] Mr Clease provided additional material showing the mechanics of how the provisions would operate.

[91] The Council s42A Reporting author Mr Klyenbos recommended that the submission is rejected on scope and on merit.

Findings and Evaluation

[92] On the issue of scope the Panel has considered Ms Appleyard's submissions, including her response in Memoranda on 21 December 2023 and on 1 May 2024.

[93] In applying its approach to scope as set out in Part 1 of the Report the Panel do not find that the relief requested to be in support or as a consequence of the mandatory requirements to include the MDRS into all relevant residential zones nor is it in response to implementing NPS-UD Policy 3. The Panel is not persuaded by Ms Appleyard's submission that it should give weight to the findings of Selwyn District Council Commissioners to rezone other land. The Panel has interpreted and applied the law as it understands it to be in the context of Christchurch. The Panel's approach is also consistent with the High Court findings on *Waikanae*.

[94] The Panel recommend that the submission is rejected on the basis of scope.

[95] The Panel has considered the merit of the submission and recommend the submission is rejected for the reasons set out in Mr Kleynbos' evidence.

Metropolitan Centres

Submissions seeking the zoning of Riccarton, Papanui and Hornby to a Metropolitan Centre

[96] The Panel has already addressed the submissions in Part 3 of its Report but note these here for completeness. Although we find there is scope to consider the submitters requests for rezoning of Large Town Centres to Metropolitan Centres, the Panel recommends the submissions are rejected on merit due to the potential impact on the centre hierarchy and lack of evidence to support consideration of an alternative planning framework. As part of this, we note that the centres framework in Christchurch is also a function of the CRPS and as far as we can ascertain has always been approached by both the Canterbury Regional Council and the Council as an overall network of related or complementary centres across the urban area (i.e., a centres hierarchy). Any changes in the role or function of some of these, such as creating a tier of Metropolitan Centres, could have numerous consequences and should be approached through a broad, strategic lens.

Town Centres

Submissions seeking the zoning of Key Activity Centres, proposed to be zoned Local Centres, to be upzoned to Town Centre Zone or downzoned to a Local Centre Zone

[97] For the reasons set out in Part 3 the Panel recommend those submissions are rejected on merit. We also adopt our reason from paragraph [96] above relating to how the overall centres hierarchy and roles of individual centres is informed by regional planning considerations and requires a broad, strategic 'whole of centres network' assessment.³⁰

³⁰ Submissions seeking upzoning: For example Kāinga Ora #834, Logan Clarke #678, Belfast Village Centre Limited #917 Submissions seeking downzoning: For example Alan Ogle, #876, Central Riccarton Residents' Association #638, RBKRA, #188, Tony Dale #674

Greg Olive

Greg Olive #2

[98] Mr Olive owns a 2-hectare property at 419 Halswell Junction Road which is zoned Residential New Neighbourhood, for the most part with a small area of Residential Suburban zoning in the ODP, and is proposed to be zoned MRZ in PC 14.

Submissions and Section 42A Report Recommendations

[99] Mr Olive requested a MUZ due to the complexity of the planning framework applying to the land. The property is subject to a number of planning constraints due to the proximity to the motorway, waterbody setback and an interface with an adjoining industrial zone. Mr Olive referenced the taking of land for the new motorway, and the inability to develop land in accordance with the density requirements of the ODP. He said it was uneconomic to develop for residential purposes. He found that there was no interest in the property for residential purposes due to the constraints and the capital value had declined by 70-80% due to the construction and operation of the roading infrastructure. He said there was no mitigation from these effects or remedy to his circumstances. Mr Olive appealed to us to recommend a zoning that would enable the land to be used for some purpose, as he considered it to be an 'absolute millstone'.

[100] The Council recommended removal of the water body setback but opposed the request to change the zone due to scope and on merit.

Findings and Evaluation

[101] The Panel take a different view on scope to the Council. As discussed previously we find that it is open to a submitter to request an alternative zone, provided it is justified on the basis of being in support of or consequential upon the mandatory requirement to implement the MDRS and/or give effect to NPS-UD Policy 3. Notwithstanding that, the Panel has arrived at the same point on merit as the Council because it is not clear that the request is linked in that way. Nor did we have a sufficient evidential basis to recommend a MUZ on the merits.

[102] The Panel does however wish to encourage the Council to look carefully at the circumstances that Mr Olive finds himself in due to the intersection of a number of planning constraints that appear, from what Mr Olive has explained, make the land unsuited to economic development for residential purposes, certainly not in the way in

which the MRZ enables. If that is so then the proposed MRZ, does not appear to provide any real opportunity to provide for residential intensification as contemplated by NPS-UD, and nor does it appear to us that residential development, in light of the constraints that apply could be considered part of a well-functioning urban environment. It may be that this land can be subject to a future plan change to provide for a more appropriate zone. The Panel stopped short of recommending what that might be but encourage further work to be done by Mr Olive and the Council to identify a more appropriate outcome.

The Glenara Family Trust

The Glenara Family Trust #671, 254, 256 Fitzgerald Avenue and 5 Harvey Terrace

[103] The Glenara Family Trust (the Trust) own properties on the corner of Fitzgerald Avenue and Harvey Terrace. Although the three properties have three street addresses and historic cadastral boundaries are shown on the planning maps they are one legal title being Lot 1 Deposited Plan 46513. For the Trust, Mr Mountford (planner) explained in his evidence that at the time of the earthquakes, on the property as a whole there were 20 flats, a number of carports, and shared vehicular to Harvey Terrace. Much of this development bore no relationship to the boundaries of the three historic property addresses. The significance of this is that under the ODP, the whole of the property is within the Specific Purpose Ōtākaro Avon River Corridor Zone (the SPOARCZ) but only part of it, approximately corresponding to 256 Fitzgerald Avenue, is recognised as having what are termed by the ODP as “pre-earthquake activities”. The ODP provides for an “alternative zone” and on-going opportunities for residential use and redevelopment, The balance of the property is simply in the SPOARCZ. Which creates a split zoning of a single property, all of which had pre-earthquake residential activity on it. The Trust had, until PC 14 was notified pursued a private plan change (Private Plan Change 11 – Harvey Tce and Fitzgerald Ave), to regularise the zone boundaries so as to enable the redevelopment of the site for residential purposes.

[104] As notified PC 14 zoned part of the site MRZ (notwithstanding that it was within the Council’s defined walkable catchment) due to geotechnical constraints. With the balance to be retained the SPOARZ zone.

[105] The Council supported the alternative zone for the sites being MRZ. Mr Mountford and Ms Hansbury discussed the appropriate provisions that would apply, and these have

been incorporated into the Reply version and are recommended to be accepted by the Panel.

[106] As a consequence of our findings in Part 3, we have reduced the CCZ walkable catchment to the four avenues, therefore we agree that the proposed alternative zone of MRZ is appropriate for the properties at 254 and 246 Fitzgerald Avenue and 5 Harvey Terrace.

[107] We note that the Council proposed the SPOARZ zone as a qualifying matter (QM). We have addressed that QM in Part 5 of the Report.

Future Urban Zone – requests for rezoning

PC 14 as Notified

[108] In the ODP a number of planned new residential areas were zoned RNN and most required the development of, or the implementation of an existing, outline development plan. The Council assessed the RNN zone as a best fit for the FUZ in the NPS. Therefore PC 14 proposed to rename land zoned RNN to FUZ in most instances and in some cases this included retaining the associated outline development plan. In areas where an operative RNN is either fully or substantially developed, or resource consents have been granted or are being implemented the Council proposed the land be rezoned MRZ, or HRZ where the Council was implementing NPS-UD Policy 3.

[109] The Council also proposed to use the FUZ for land zoned Rural Urban Fringe (RUF), and some residential hills land.

Submissions and Section 42A Report Recommendations

[110] The approach to RNN and use of FUZ and/or MRZ and HRZ attracted a number of submissions from landowners and developers within those areas. Some submitters sought the retention of the FUZ, or a return to FUZ from the Councils proposed MRZ or HRZ zoning and others sought the proposed FUZ to be zoned MRZ, HRZ and in some cases to also provide for LCZ.

[111] We deal with a number of specific submissions below, where the position of the Council and the submitter were at odds.

[112] Mr Bayliss was the author of the relevant s42A Report³¹. He identified the RNN or other residential land, that he considered to be now suited to be rezoned to MRZ, and to that extent we accept his recommendation as our own (subject to any further recommendations for specific submissions addressed below):

- (a) Halswell West
- (b) Richmond Hill
- (c) Hawthorndon Road
- (d) Kennedys Bush/Cashmere Road
- (e) Monks Spur
- (f) Cashmere, and
- (g) Worlsey.

[113] Mr Bayliss also recommended a number of requests from submitters be rejected on scope grounds, those being areas zoned Large Lot Residential or Rural Urban Fringe, where the submitter requested these be zoned MRZ. We agree with Mr Bayliss that the rezoning of land that is not a 'relevant residential zone' in the ODP, is outside the scope of an IPI as we found in Part 1 of the Report at [210]. The relevant submissions are recorded in Part 8 of the Report, Appendix H (Tables 1-4) as being recommended to be rejected by the Panel.

[114] One of the difficulties we found, however, was that Mr Bayliss had also recommended that land zoned RUF should be rezoned FUZ in PC 14. We recommend that proposal be rejected. Rural Urban Fringe land is not a relevant residential zoned as is outside of the scope of PC 14.

Findings and Evaluation of ODP RNN Zoned Land

[115] We have recorded our view in Part 1 of the Report at that the ODP RNN zoned land is a relevant residential zone and should have MDRS incorporated in all areas as a baseline. We are concerned that the Council, has by applying a FUZ to areas, where there is already a planning mechanism to develop the land for residential purposes (whether through an approved outline development plan/resource consent, or a pathway

³¹ [s42A Report of Ian Bayliss, 11 August 2023](#)

to obtain that approval), in effect disenabled development of that land, and falls foul of *Waikanae*.

[116] Therefore, we recommend that all land zoned RNN in the ODP be rezoned MRZ, or HRZ in accordance with our recommendations in Part 3, 4 and 5 of the report as a baseline, and that any upzoning be considered on a case by case basis. MRZ, is only to be modified to the extent necessary to accommodate a QM. We refer to Part 5 of our report which addresses City Wide QM matters.

[117] The Panel has either accepted, accepted in part or rejected submissions related to ODP RNN zones, as recorded in Appendix H (Tables 1 and 4).

[118] For land that is zoned Rural Urban Fringe in the ODP, and the Council proposes, or a submitter requests a change to FUZ, or MRZ we reject the changes and submissions on grounds of being outside of the scope of an IPI, as recorded in Part 1 of the Report at [210] and in Appendix H (Tables 1 and 4).

[119] We now address specific submitter requests where the submitter attended the hearings. We have however considered all requests for rezoning as identified in the Council's summary of submissions in Appendix H (Tables 1-4).

Case and Crozier

M Case #508 and RJ Crozier #511

[120] The Case and Crozier families own land at 60 Croziers Road and 340 Cranford Street, Mairehau. The land is zoned Residential New Neighbourhood (RNN) in the ODP and development is underway.

PC 14 as Notified

[121] The land is zoned in part MRZ and FUZ in PC 14, the Council having taken the view that is the nearest equivalent zone in terms of the NPS.

Submissions and Section 42A Report Recommendations

[122] The submitters seek MRZ for the full site. They attended the hearing in person with the support of Mr McCracken (planner). Both Mr Case and Mr Crozier spoke at length about

the planning history of the site. Mr McCracken provided us with the planning documentation to support that narrative.

[123] Mr Bayliss, the s42A Report author recommended that the relief may be out of scope of PC 14 but also recommended that the submission be rejected on merit. He noted that the FUZ was the Council's preferred choice for land subject to an outline development plan that was yet to be fully implemented.³²

Findings and Evaluation

[124] For the reasons set out above at [30] the Panel recommends the whole of the submitters land be zoned MRZ, modified only by any relevant QM that we have recommended apply in Part 5 of the Report.³³

Danne Mora Limited

Danne Mora Limited #903 and Milns Park Limited #916 #2073

[125] The submitter owns land which is subject to the North Halswell Outline Development Plan in Appendix 8.10.4 and Commercial Core Zone (North Halswell) Outline Development Plan in Appendix 15.15.3 in the ODP.

PC 14 as Notified

[126] PC 14 proposed HRZ zoning within a 400m walkable catchment of the North Halswell Town Centre.

Submission and Section 42A Recommendations

[127] The submitter Danne Mora Limited sought that the HRZ boundary stops at Manarola Road with all land to the south owned by Spreydon Lodge Limited to be zoned FUZ (submissions #903.10 and #903.11). A submission supporting the zoning of Lots 120 and 121 DP 514750 as FUZ was also made (submission 903.12). Milns Park Limited made submissions seeking that the FUZ be retained over 25-51 Milns Road (submission 916.1) and that Lot 500 DP 579587 at 32 Kearns Drive be rezoned to FUZ (submission 916.2)

³² East Papanui Outline Development Plan, ODP Appendix 8.10.30

³³ The Industrial Interface, High Flood Hazard Management Area and Flood Ponding Management Area QM's apply at the 340 Cranford Street end of the property

[128] Mr Kleynbos has recommended that the HRZ be extended to 600m walkable catchment in his s42A Report, a recommendation which the submitter is also opposed to.

[129] The submitters evidence was that the extent of HRZ proposed for the North Halswell Town Centre area was not the most appropriate zoning to give effect to the NPS-UD based on the following reasons:

- (a) zoning is unlikely to be commercially feasible.
- (b) the infrastructure is not available to sustain the proposed zoning. There is no expert infrastructure evidence before the Panel to suggest otherwise.
- (c) no analysis has been undertaken as to whether the level of HRZ proposed is commensurate with the level of commercial and community activity proposed for the North Halswell Town Centre.
- (d) the relief sought of a reduced HRZ combined with MRZ for the balance of the North Halsell outline development plan area was regarded as the most appropriate for the reasons stated in evidence on behalf of Danne Mora.

Findings and Evaluation

[130] The Panel has recommended that the submitters request to reduce the HRZ, response for North Halswell be accepted in part. This has in part been as a consequence of the Panel's interpretation and evaluation of NPS-UD Policy 3(d) and what is commensurate with regard to this centre and in part as a result of our recommendation that all RNN land be rezoned as MRZ, as the nearest equivalent NPS nomenclature, not FUZ.

[131] The Panel was concerned about the lack of infrastructure to support the notified and s42A recommended response to the HRZ in this location. During the hearing the Panel asked counsel for the submitters to provide supplementary submissions on whether NPS-UD Policy 3(d) requirement for commensurate 'building heights and densities of urban form' equated to development capacity, which is separately defined. The Panel discuss the meaning of development capacity and the need for it to be 'infrastructure ready' in Part 1 of the Report.

[132] Mr Cleary, Counsel for the submitters provided supplementary submissions on the issue.³⁴ We accept Mr Cleary's analysis that NPS-UD Policy 3(d) is also concerned with

³⁴ [Supplementary Legal Submissions on behalf of Danne Mora Limited and Milns Park Limited, 11 April 2024](#)

development capacity, and as defined in the NPS-UD, this includes the requirement to be 'infrastructure ready'.³⁵

[133] In response to the evidence and legal argument presented by the submitter we have firstly considered the commensurate catchment for potential increased density in accordance with the Panel findings in Part 3 of the Report. We have concluded that given the emergence of this new centre, and the intended policy outcomes that are provided for in the ODP, that North Halswell is quite different to the established Town Centre Zones (TCZs) elsewhere in the city. We agree that in this instance, despite the best fit 'TCZ' nomenclature, that the commensurate response outside of the boundaries of the centre itself is the MRZ, not HRZ. We note that within the centre itself, the ODP framework also provides for high density residential living in response to the exemplar development provided for in the ODP.

[134] The Panel has considered whether an additional QM is justified and find that it is not necessary to create a new QM. This is because the NPS-UD Policy 3(d) framework enables us to reach different conclusions as to the appropriate scale of development, it is not 'one size fits all'.

[135] We conclude that the zoning of Halswell North commercial centre to TCZ is the most appropriate outcome, and that the surrounding land should be rezoned MRZ as an appropriate commensurate response for the role and function of this zone. For the reasons we have set out in Part 4 of the Report, we do not consider that FUZ is appropriate.

Cashmere Land Developments Limited

Cashmere Land Developments Limited #257 and Alana Harper #36, Cashmere/Worsleys Road

PC 14 as Notified

[136] This area of land has a long planning history and is subject to an outline development plan in Chapter 8 Appendix 8.10.7 Cashmere and Worsleys Development Plan of the ODP. The operative zones are a mix of Rural Urban Fringe, Residential Hills and Residential Suburban (RS) zone, at various stages of development.

³⁵ Ibid at 1.10 – 1.20

[137] PC 14 proposed that the zoning be changed to a mix of FUZ and MRZ.

Submissions and Section 42A Recommendations

[138] Cashmere Land Development Limited's expert witness and Council witnesses attended a joint witness conference and produced a JWS.³⁶

[139] There was general agreement between the submitters and Council that the land proposed to be zoned FUZ, that had through consent requirements progressed to the point where the outline development plan was no longer needed to guide development could now be zoned MRZ. The remainder of the JWS considered the application of various QMs, which we address in Part 5 of the Report, and other matters that appeared to relate to the details of development within the site, rather than specifically arising out of the purpose of PC 14.

[140] As part of the Reply the Council recommended that the outcome for the outline development plan area was MRZ, and Suburban Hill Density and Residential Hills precinct. The Panel has addressed the suburban as above, in our discussion on the Low Public Transport Accessibility Area QM in Part 4 of the Report.

Findings and Evaluation

[141] On the issue of rezoning for the Cashmere/Worsley's outline development plan area we recommend that:

- (a) The outline development plan be retained in Chapter 8. On the basis of our findings in (d) below, it follows that we do not have scope to amend the outline development plan as agreed between Ms Jackson, Mr Kleynbos and Mr Bayliss.³⁷
- (b) That the zones for the outline development plan be updated to change the RSZ to MRZ as that is a qualifying residential zone under s77G of the Act.
- (c) That the areas that are zoned Rural Urban Fringe retain the operative zoning as we find that is not a qualifying urban zone.
- (d) For the Residential Hills Zone (RHZ), that is subject to the Outline Development Plan, these areas are to retain their operative zoning and existing enablement

³⁶ [Joint Witness Statement of Planning Experts - Cashmere Worsleys Outline Development Plan, 4 December 2023](#)

³⁷ [Rebuttal Evidence of Ian Bayliss, 9 October 2023](#) at 19 - 21

pending a review by the Council in accordance with our recommendations in Part 4 of the Report.

Cashmere Park Ltd, Hartward Investment Trust and Robert Brown

Cashmere Park Ltd, Hartward Investment Trust and Robert Brown #593 #2009, Hendersons Basin

PC 14 as Notified

[142] Cashmere Park Ltd, Hartward Investment Trust and Robert Brown's submission seeks rezoning of land from RNN, Rural Urban Fringe (RUF) and Future Urban Zone (FUZ) to MRZ.

[143] The site (22.8ha) is located within the Hendersons East Outline Development Plan area in Hoon Hay. Part of the site is zoned residential (RNN), with the land to the north and south zoned RUF. The site is surrounded by established residential development on three sides, with rural zoned (RUF) land to the west of the site.

Submissions and Section 42A Recommendations

[144] Mr Bayliss recommends that the rezoning be rejected on the basis of scope. We understand that this is Council's position in respect of both the RNN and undeveloped RUF parts of the site. However, the Council's recommendation seeks that the part of the RNN zone that has already been developed be zoned MRZ.

[145] For the reasons set out above and in Part 1 of the Report, we agree with the submitter that the part of the site that is zoned RNN in the ODP should be rezoned MRZ through PC 14, irrespective of the stage of development the site has reached.

[146] In relation to the balance of the land that was Rural Urban Fringe in the ODP, proposed to be renamed FUZ in PC 14, the submitter provided evidence from a suite of experts:

- (a) Ms McFarlane – urban design
- (b) Mr Whyte – flood modelling
- (c) Ms Pandrea – flooding/infrastructure
- (d) Mr Leckie – transport

- (e) Mr Nick Traylen – geotech
- (f) Ms Hampson – economics
- (g) Mr McGillan – planning

[147] Mr Bayliss, whilst acknowledging the merits of the request to rezone this greenfield site recommended the submission be rejected for reasons of scope.

[148] Counsel for the submitter Ms Eveleigh presented legal submissions on the issue of scope, arguing, as had a number of other submitters that the scope of s80E extended to rezoning land that was not a relevant residential zone or non-residential urban zone, so as to enable the implementation of the MDRS.

Findings and Evaluation

[149] We do not agree with Ms Eveleigh’s submissions on that point, and as we have done in the case of submissions of others we reject the request to rezone rural land to a relevant residential zone so as to enable the implementation of the MDRS. We have addressed our reasoning in this respect in Part 1 of the Report.

[150] We acknowledge the comprehensive planning case the submitter advanced to seek additional land to be zoned for residential purposes. This is a matter that can be pursued through a private plan change, or in the event the Council chooses to do so through a review of greenfield development opportunities in due course.

25 KBR Limited

25 KBR Limited #915 (KBR), 432 Sparks Road

PC 14 as Notified

[151] KBR own land at 432 Sparks Road (and the adjoining general area) which is zoned RNN in the ODP, proposed to be rezoned FUZ in PC 14.

Submissions and Section 42A Report Recommendations

[152] The submitter supports the proposed FUZ, but subject to an area of 7124m² within the property being rezoned for commercial/community use, as NCZ.

[153] Ms Harte (planner) appeared for the submitter and explained that the proposed commercial site is Stage 1 of greenfield subdivision fronting Sparks Road. The remaining stages 2, 3 and 4 provide for 22 residential lots which will be accessed from a road running along the southern boundary of the site that ultimately connects to Sutherlands Road. KBR have been planning for the establishment of a commercial/community development on the site for some time and have building and site plans, as well as number of keen tenants.

[154] Ms Harte was of the view that there had, until the recent Plan Change 5B, been the opportunity through a permitted activity (rule 14.12.1.1 P20) to establish small scale neighbourhood shopping and community services. Ms Harte believed the rule was inadvertently deleted. The submitter wishes to use the process through PC 14, to reinstate this flexibly into the proposed FUZ.

[155] It is not for the Panel to resolve the issue as to the removal of rule P20. We have considered the submission on the merits, based on the available information. At our request Ms Harte provided a s32AA evaluation of the requested relief following the hearing.

Findings and Evaluation

[156] As noted previously we find that all operative RNN land is a relevant residential zone and should incorporate the MDRS, principally through rezoning to MRZ, not FUZ.

[157] We have then considered, on the available information whether there is a case to include a small area of commercial zoning, or at least a rule to enable some flexibility for this development.

[158] Mr Lightbody, the Commercial s42A Report author, concludes that the commercial zoning requested by KBR is appropriate given its location and its ability to serve the growing residential community in the area. Mr Lightbody records that the site is located on Sparks Road and is within a short walking distance of Halswell Road, where an existing local centre is located (Corner Sparks and Halswell Road). The rezoning of the subject land provides an opportunity for meeting the day-to-day needs of residents in the surrounding area, having regard to the significant growth experienced through greenfield subdivision.

[159] Ms Harte provided a s32AA evaluation of the options that ranged from rezoning the area of land to a NCZ, or relying on a resource consent process. She found option 1 (to rezone the area to NCZ) to be the most appropriate.

[160] We accept her evaluation of the options and recommend that in light of her assessment and that of Mr Lightbody, the submitters request to include part of the site shown on Davie Lovell Smith Proposed Subdivision of Lot 1 DP 581607 (R5) as Stage 1 to NCZ be accepted.

[161] For completeness we note that s771(i) at least on the face of it provided an opportunity to consider providing for business activity as an acceptable method to qualify the MDRS. No one raised this with us, so we have not considered it further. In any event we find that s77G and N provide the appropriate pathway to consider the rezoning of a small area of a relevant residential zone to a non-residential urban zone, where in doing so it supports the incorporation of the MDRS into the operative RNN zone.

Red Spur Ltd

Red Spur Ltd #881 #2068

PC 14 as Notified

[162] Remund Spur, is an area of land located in the vicinity of Kennedy's Bush. The land is zoned Residential Hills in the ODP, with a set of bespoke density standards. The Council has proposed the Large Lot Residential (LLR) zone apply to the site in PC 14 along with the Low Passenger Transport Accessibility Qualifying Matter (LPTA QM).

Submissions and section 42A Recommendations

[163] The submitter considers that PC 14 has the effect of downzoning to LLR, which is contrary to the Housing Supply Amendment Act. We agree that it is not appropriate to provide a LLR 'non relevant residential zone' where that removed existing development enablements as that would fall foul of the principles in *Waikanae*.

[164] The submitter seeks two alternative forms of relief depending on whether or not the LPTA QM is retained. If the LPTA QM were retained the submitter accepts some limit or cap on the number of sections is appropriate for that reason. We note that the submitter did not specifically oppose the LPTA QM.

[165] We have already recommended in Part 4 of our report that the LPTA QM be deleted. We therefore only consider the relief that Red Spur Ltd seeks application of the MDRS through rezoning to MRZ. Ms Aston provided planning evidence for the submitter and her evidence was that there are no other matters that would preclude the incorporation of the MDRS into the operative RH zone at Redmond Spur.

[166] Mr Kleynbos addressed the issue in his s42A Report as follows:

10.1.4.52 Issue 5 of the Residential s32 Report discusses how operative density overlays should be considered as part of the plan change. It concludes that most of the density overlays are contrary to MDRS or cannot be considered as a QM under the requirements of s77I of the Act. However, there are three notable exemptions to this, being: Rural Hamlet (operative RS zone); 86 Bridle Path Road (operative RH zone); and Redmund Spur (operative RH zone).

10.1.4.53 The s32 report considered that these three sites, whilst the underlying zone was considered a relevant residential zone (as per s2 of the Act), could not be considered as a relevant residential zone when viewed a whole alongside applicable density overlays. To improve the clarity of scope, it was considered that the three areas be re-zoned as Residential Large Lot Zone, with Precincts for each area seeking to apply the same controls as operative controls – effectively a rehousing of existing controls. This is an approach I support.

10.1.4.54 Submitter #881 (Red Spur Ltd) has submitted in opposition to this approach, requesting that the Residential Hill Zone apply, as well as a variety of other changes to built form standards. The position put forward is that the proposed approach ‘downzones’ the area and is contrary to the Act. As above, I recommend that this request is rejected as the proposal simply intends to apply the same operative controls within a zone not considered to be a relevant residential zone.

10.1.4.55 However, should the Panel consider that these areas are within the residential scope, my alternative recommendation would be as follows: Area Zone / Precinct Rural Hamlet MRZ, with Suburban Density Precinct through applying the LPTAA QM. 86 Bridle Path Road & Redmund Spur MRZ, with Suburban Hill Density Precinct through applying the LPTAA QM.

[167] Red Spur is developing the Redmund Spur hill suburb at Halswell, comprised of a residential subdivision together with a neighbourhood commercial centre.

[168] The residential subdivision has an anticipated yield of around 400 sections of mixed densities, with lots ranging from 280m² up to 1500m². Ms Aston explained that this mix provides for a wide range of housing choices, including smaller more affordable housing. It also responds to the varying topography and site conditions within the subdivision area. In Ms Aston’s evidence Redmund Spur is particularly suited to some medium density development because it includes substantial areas of flatter north facing land.

[169] She explained that the first two stages of the Redmund Spur subdivision were developed under the former City Plan Living Hills A zone (minimum net site area 850m², minimum average 1500m²). The land in these first two stages is generally steeper than the later 'middle stages'. Subsequent stages have been developed under the Residential Hills Mixed Density Overlay which was introduced by the Replacement Christchurch District Plan. The site is an existing urban area so does not have an Outline Development Plan.

[170] The Residential Hills Mixed Density Overlay provides:

- (a) Minimum vacant lot size and built form standards for site density - minimum lot size of 650m², a minimum 30% of sites must be 1500m²+, and a maximum of 400 lots;
- (b) No minimum lot size for lots with existing or proposed buildings;
- (c) Site coverage –
 - (i) For sites greater than 1000m² – 25% or 250m² ground floor area, max 350m² floor area
 - (ii) For sites 450m² to 1000m² – 35%
 - (iii) For sites less than 450m² – 45%

[171] Ms Aston conceded that if an alternative QM is identified for other hill suburbs, it may be appropriate to consider whether it should also apply to Redmund Spur.

[172] Ms Aston also addressed a number of zoning 'tidy ups' for Redmund Spur to ensure that the zoning better fits the site topography than the existing zone boundaries which relate to existing fence lines and/or other non-topographical features. She requested that land currently zoned Residential Hills but which is topographically unsuited for residential development will be rezoned Rural Port Hills (2960m²) and land currently zoned RPH but which is suitable for residential development will be rezoned RH (Redmund Spur Precinct) or MRZ (Redmund Spur Precinct) (2100m²) slightly reducing the amount of land zoned for residential purposes. The need for these changes has been identified as more surveying work is undertaken as the later stages of the Spur development are planned, post the Replacement District Plan zoning process.

Findings and Evaluation

[173] The RHZ zone that operates as a standard suburban hill type zone in more established hill suburban areas. In those areas we accept that it is a ‘relevant residential zone for the purposes of the NPS. However, the ODP also uses a RHZ, in areas subject to outline development plans or overlays, where the land is located in areas that their topography, landscape values and other development constraints mean they do not function in the same way as the other RHZs. In the case of the Redmund Spur, the evidence establishes that the outline development plan the RHZ is much closer to a bespoke form of Large Lot Residential zone than a relevant residential zone. We have then considered what might constitute a Large Lot Residential zone and we find that in the same way that there are many different sub-categories of residential zones, there must be possibility for sub-categories of Large Lot Residential zone based on the specific characteristics of each locality. Following on from that, we find that when we look at the RHZ in the case of Redmund Spur it is effectively a LLRZ that allows a very low overall residential density, based on clustering of development in locations that have the greatest capacity for that. Having determined that the RHZ - in terms of the function of its provisions - is a form of LLRZ, although we recognise that its zone name does not reflect that, it follows that as a non-qualifying zone (it is not a ‘relevant residential zone’) it is not subject to PC14 and must remain in its operative form (this in turn removes any jurisdiction we might have had to re-name it to confirm this purpose (i.e., a ‘Large Lot Residential Hills Zone”).

[174] We note that the submitter did specifically seek as one part of its requested relief no loss of existing enablements, and our finding is inherently compatible with that.

[175] We find in the above respect that we accept the Council position in part, to the effect that the Redmund Spur outline development plan is a form of Large Lot Residential Zone, which the Council’s recommendations grappled with.

[176] The submitter also requested a series of boundary tidy ups as part of its submissions. Given our findings that the RH within the Redmond Spur outline development plan is not a relevant residential zone for the purposes of the IPI, we have not considered the changes further.

Ryman Health Care Limited

Ryman Health Care Limited #749

PC 14 as Notified

[177] The Ryman Health Care hold a resource consent to build a retirement village at 20 Radcliffe Road, Belfast. The property was zoned Commercial Core Zone and renamed as Town Centre Zone in PC 14.

Submissions and Section 42A Recommendations

[178] Ryman Health Care requested that the site be rezoned as HRZ. Mr Lightbody recommended the submission be rejected on grounds of scope, on the basis that the Council only proposed a name change to the zone. Aside from that Mr Lightbody recommended the submission be accepted on merit.

[179] The submitter appeared at the hearing represented by Mr Hinchey (Legal)³⁸ and provided planning evidence from Mr Turner.³⁹ Mr Turner noted that the retirement village is already under construction.

Findings and Evaluation

[180] The Panel takes a different view to scope from the Council, as outlined in Part 1 of the Report. We find that there is scope to consider the relief sought on the basis the land is a relevant non-residential urban zone, and the submitter seeks to rezone the site to a relevant residential zone.

[181] The submission has obvious alignment the NPS-UD Policy 1, and Policy 3. On the basis that the merit of the request was uncontested we accept it as being appropriate.

5. SPECIFIC PURPOSE ZONES

[182] This section of the report relates to the proposed changes to the Specific Purpose Zones (SPZ). There are fourteen (14) specific purpose zones within Chapter 13 of the ODP. PC 14 sought to amend most of these to a lesser or greater extent, with some not being

³⁸ [Legal Submissions on behalf of Retirement Villages Association of NZ and Ryman Healthcare Limited, 7 November 2023](#)

³⁹ [Statement of Evidence of Richard Turner, 20 September 2023](#)

relevant to PC 14. A summary of the degree of relevance/change for each zone, along with a comment as to whether it is considered further in this part of the Report, is set out below. However, it is only the SPZ (School) and SPZ (Hospital) that attracted submissions and hearing time in front of the Panel, and they are discussed further.

Summary of Recommendations

[183] The Panel recommends the following for the SPZ as indicated:

- (a) SPZ (Defence Wigram) - Rule 13.1.4.2.2 *Sunlight and outlook for neighbours*, change the '2.3 metres above the site boundary measurement' to be '4.0 metres above the site boundary measurement';
- (b) SPZ (Cemetery)
 - (i) Rule 13.2.4.2.4 *Daylight recession planes*, change the '2.3 metres above the site boundary measurement' to be '4.0 metres above the site boundary measurement' where the land surrounding the SPZ (Cemetery) is zoned MRZ or HRZ;
 - (ii) SPZ (Cemetery) - 13.2.4.2.4 *Daylight recession planes*, retain the '2.3 metres above the site boundary measurement' where the land surrounding the SPZ (Cemetery) is zoned RS or RSDT;
- (c) SPZ (Airport) – do not show the word "maturity" as a definition and revert to ODP version;
- (d) SPZ (Tertiary)
 - (i) Ara Institute of Canterbury (Madras Street site) - deletion of the 75m setback standard in Rule 13.7.4.2.3 *Minimum building setback from road boundaries* for the Area Institute from the Catholic Cathedral on Barbaboes Street;
 - (ii) SPZ (Tertiary) Ara Institute of Canterbury (Sullivan Avenue and Hassals Lane sites) - change to the underlying alternative zone for the campus sites at Sullivan Avenue and Hassals Lane in Appendix 13.7.4.2.3 to reflect the change in zoning around them;
 - (iii) University of Canterbury (Ilam Road site) - the 'alternative zone' for the Ilam campus is MRZ;

- (iv) University of Canterbury (Dovedale site) - the 'alternative zone' for the Dovedale site is MRZ;
- (e) SPZ (Lyttleton Port) – accept the change in zone name;
- (f) SPZ (Golf Resort) - do not show the word “maturity’ as a definition and revert to ODP version;
- (g) SPZ (Flat Land Recovery) – accept consequential renaming of zones and rule references;
- (h) SPZ (Ōtākaro Avon River Corridor) - accept consequential renaming of zones and rule references;
- (i) SPZ (Hospital) – the ‘alternative zone’ for the Christchurch Women’s Hospital site is HRZ and the provisions set out in the Council Reply for the SPZ (Hospital) are accepted;
- (j) SPZ (School)
 - (i) Christ’s College 21 Gloucester Street – amend the zoning from MRZ to HRZ;
 - (ii) Catholic Diocese Sparks Road – retain the MRZ zoning;
 - (iii) Catholic Diocese New Marion School Campus 2 Lydia Street – reject application of the Brownfields Overlay.

[184] In the following section of the Report, we address those Specific Purpose zones that were largely uncontested or simply require consequential changes due our recommendations in Parts 3, 4 and 5 of the Report. We then address the SPZ Hospital and School zones which were the subject of evidence at the hearings.

[185] Part 8 of the Report, Appendix I includes the direction to the Council to reflect the Panel’s recommendations regarding zones.

‘Uncontested’ Specific Purpose Zones

[186] The Panel refer to the Council’s legal submissions of the “Other Zones’ which focus on the Hospital, School and Tertiary SPZs⁴⁰, and include a summary of each of the Specific

⁴⁰ [Legal Submissions on behalf of Council, 16 November 2023](#) Su at 3.3 – 3.6.

Purpose Zones and the issues raised in relation to each. We accept that to be correct. For completeness we set out our recommendations below.

SPZ (Defence Wigram) – Chapter 13.1

[187] The Council proposed a consequential amendment to Rule 13.1.4.2.2 *Sunlight and outlook for neighbours*, to change the ‘2.3 metres above the site boundary measurement’ to be ‘3.0 metres’ in accordance with the Council’s proposed Sunlight Access QM (rather than the 4.0 metre MDRS standard).

[188] As a consequence of the Panel’s recommendation in Part 4 of the Report that the Sunlight Access QM be deleted and that the MDRS and MRZ apply to land surrounding the SPZ (Defence Wigram), the standard should be amended to “4.0 metres”.

[189] There were no submissions to this zone and accordingly it is not considered any further in this Report.

SPZ (Cemetery) – Chapter 13.2

[190] Council proposed a consequential amendment to Rule 13.2.4.2.4 Daylight recession planes, to change the ‘2.3 metres above the site boundary measurement’ to be ‘3.0 metres’ in accordance with the Council’s proposed Sunlight Access QM (rather than the 4.0 metre MDRS standard).

[191] Because of the Panel’s recommendation in Part 4 of the Report that the Sunlight Access QM be deleted and that the MDRS and MRZ now applies to land surrounding the SPZ (Cemetery) Zone. However, where the RS or RSDT zones are retained, as in the case of the Wastewater Constraints QM, and there are cemeteries adjoining those zones then the operative *status quo* ‘2.3 metre’ standard will apply. The Panel recommends that the Council identify the locations where this applies as part of the Mapping directions in Part 8 of the Report in Appendix I to determine if this situation arises and if it does that the rule be amended to provide for both situations.

[192] Part 5 of the Report addresses this zone as a QM.

SPZ (Airport) – Chapter 13.3

[193] Council proposes a change to the word “maturity” in Rule 13.3.4.22.4 *Visual amenity* (in parts a. *Outdoor Storage area* and c.v. *Trees*), by showing it as a defined term and

linking to the word “maturity” in Chapter 2 *Abbreviations and Definitions*. This change is understood to be a consequence of introducing new Chapter 6.10A *Tree Canopy Cover and Financial Contributions*.

[194] The Panel recommends that Chapter 6.10A be rejected in its entirety, which would include deletion of the definition of the term “maturity”. For this reason it is recommended that ODP version be reinstated. Irrespective of this recommendation, the Panel observe there is no reason to show the word as a definition as it has operated without the need to be defined since the District Plan became operative in 1997.

[195] Part 4 of the Report addresses Christchurch International Airport Noise Influence Area as a QM.

SPZ (Styx Mill Road Transfer Station) – Chapter 13.4

[196] No changes are proposed in PC 14.

SPZ (Hospital) – Chapter 13.5

[197] There were a number of submissions and hearing time devoted to the proposed changes, particularly in relation to the former Christchurch Women’s Hospital and ‘alternative zones’. This zone is discussed in more detail below.

SPZ (Schools) – Chapter 13.6

[198] There were a number of submissions and hearing time devoted to the proposed changes, particularly in relation to ‘alternative zones’ and greater enablement of development. This zone is discussed in more detail below.

SPZ (Tertiary Education) – Chapter 13.7

Ara Institute of Canterbury - Madras Street Site

[199] The Council proposed the deletion of the 75m setback standard in Rule 13.7.4.2.3 *Minimum building setback from road boundaries* for the Area Institute from the Catholic Cathedral on Barbaboes Street is in response to the amended height and density standards that apply to the alternative zone (CCMU). We note that the Cathedral has

been demolished⁴¹ so there is no need for the rule. There were no submissions on this change and the Panel recommends it be accepted.

Ara Institute of Canterbury - Sullivan Avenue and Hassals Lane Sites

[200] The Council proposed a change to the underlying alternative zone for the campus sites at Sullivan Avenue and Hassals Lane in Appendix 13.7.4.2.3 to reflect the change in zoning around them. There were no submissions and the Panel recommends that the alternative zone of MRZ be accepted.

University of Canterbury - Ilam Road Site

[201] The Council proposed that the Ilam Road site 'alternative zone' be changed from RSDT to MRZ to reflect the zoning around the campus. However, the submission from Christchurch International Airport Limited #852 #2052 (CIAL) sought that this be changed to reflect the application of the Christchurch International Airport Noise QM.

[202] Ms Piper (Council planner) set out in her summary statement⁴² that she accepted the changes proposed by the University of Canterbury #184 #2032.

[203] As set out in Part 4 of the Report, the Panel recommends that the RSDT zone the Airport Noise Influence Area QM be rezoned to MRZ, subject to bespoke rules controlling density within that zone for reasons related to the effects of airport noise.

[204] Accordingly, Panel recommends that the 'alternative zone' for the Ilam campus is MRZ, and that the submission of the University of Canterbury be accepted in part, and the submission of CIAL declined.

University of Canterbury - Dovedale Site

[205] No changes were requested to the notified alternate zone. The Panel recommends the 'alternative zone' of MRZ for the Dovedale site is accepted.

SPZ (Lyttelton Port) – Chapter 13.8

[206] The only change is to the zone name, which the Panel recommends is accepted.

⁴¹ See Part 5 of the Report regarding the delay with the de-listing of the Catholic Cathedral from the schedule of Heritage sites and Settings

⁴² [Summary Statement of Clare Piper, 21 November 2023](#) at 3.1 and 3.2

SPZ (Golf Resort) – Chapter 13.9

[207] As discussed above in relation to 13.3 SPZ (Airport), Council proposes a change to the word “maturity” by showing it as a defined term and linking to the word “maturity” in Chapter 2 *Abbreviations and Definitions*. This change applies to Rule 13.9.4.2.6 *Visual amenity adjoining the Groynes Open Space Natural Zone – Clearwater Golf Resort*.

[208] For the same reasons set out in relation to 13.3 SPZ (Airport), the Panel recommends that the word ‘maturity’ return to its ODP version.

[209] The submission from LMM Investments 2012 Limited #826 with regard to amending the provisions that apply to the Whisper Creek Golf Resort have been addressed above at [86].

SPZ (Ruapuna Motorsport) – Chapter 13.10

[210] No changes are proposed in PC 14.

SPZ (Flat Land Recovery) – Chapter 13.11

[211] The proposed amendments relate to consequential renaming of zones and rule references. The Panel recommends those amendments be accepted to the extent that they align with other recommendations.

SPZ (Burwood Landfill and Resource Recovery Park) – Chapter 13.12

[212] No changes are proposed in PC 14.

SPZ (Ngā Hau e Whā) – Chapter 13.13

[213] No changes are proposed in PC 14.

SPZ (Ōtākaro Avon River Corridor) – 13.14

[214] This zone has been addressed in Part 5 of the Report under the heading “Specific Purpose (Ōtākaro Avon River Corridor) Zone (including Fitzgerald Avenue Geotechnical Constraint) (‘SPOARC’)”. As set out in that part, the only consequential amendments recommended are to amend the wording in Rule 13.14.3 to clarify the application of the rules and to Rule 13.14.4.1.3 to provide for restricted discretionary activity status for non-compliance with built form standards. In addition, there are consequential changes

to zone names and rule referencing (refer to Part 8 of the Report Appendix G for details to SPZ (Ōtākaroa Avon River Corridor) Chapter 13.14).

Contested Specific Purpose Zones

[215] In this section we return to the SPZ (Hospital) and SPZ (School) zones which were contested during the hearings.

SPZ (Hospital) – 13.5

PC 14 as Notified

[216] The main changes proposed to the SPZ (Hospital) provisions related to the ‘alternative zone’ and their provisions, to change the ‘alternative zone’ to reflect the ‘upzoning’ surrounding hospitals in response to MRDS and Policy 3(a) NPS-UD directives. In summary, there were also changes proposed to:

- (a) Objective 13.5.2.1 *Enabling hospital development* to change ‘amenity values’ to just be ‘amenity’;
- (b) Policy 13.5.2.1.1 – *Comprehensive development* to recognise that the former Christchurch Women’s Hospital and Montreal House now adjoin the HRZ;
- (c) differentiate between ‘Large’ and ‘Smaller’ Inner Urban hospital sites in all of the policy, activity status and development standards;
- (d) removal of the St Georges Heaton Overlay.

[217] The s32 evaluation supporting the provisions⁴³ provided more detail and a broader rationale for the proposed changes.

[218] The key s32 conclusion was that the SPZ (Hospital) zone be retained with amendments to some of the HRZ rules (such as height modifications near site boundaries) to mitigate the potential effects of intensification. This was seen as producing a better environmental outcome than purely replicating the HRZ rules, whilst still implementing NPS-UD Policy 3(c)(ii) and (d).⁴⁴

⁴³ Plan Change 14 Specific Purpose School and Hospital zones – Section 32 Evaluation, part 3.8, paragraphs 3.8.1 – 3.8.4.

⁴⁴ Plan Change 14 Specific Purpose School and Hospital zones – Section 32 Evaluation, part 6.8, paragraph 6.8.1

Submissions and Section 42A Report Recommendations

[219] The relevant s42A report was authored by Ms Piper (planner). Mr Field (urban design) provided evidence in relation to the package of development standards and triggers for restricted discretionary activity assessment.

[220] A number of submissions sought changes to objective, policies, activity status and standards with regard to the former Christchurch Woman's Hospital. In summary, there were submissions in support and submissions in opposition that sought retention of the site for hospital purposes and therefore opposed the more enabling alternative zone provisions. Ms Piper concluded that the 'alternative zone' of HRZ as notified for the former Christchurch Woman's Hospital site be retained.⁴⁵ Ms Piper also recommended consequential changes to wording (such as to built form standards and activity status in relation to height and recession plane).⁴⁶

[221] The amended provisions that apply to St Georges Hospital were supported by the hospital and no changes to the notified provisions are required.⁴⁷

[222] Geoffrey Banks #918, Marjorie Manthei #237 and Robert Manthei #200 presented evidence setting out alternative points of view with respect to the options for the development of the former Christchurch Woman's Hospital site. We understood their concern was that the proposed HRZ would prevent the site from being returned to a hospital use. It appears that the submitters misunderstood the planning technique of providing Specific Purpose zones with an underlying or alternative zone, so as to enable, an alternative use or, development within the zone that was consistent with the surrounding zones.

[223] Ms Piper provided additional evidence in response to matters raised by the Panel.⁴⁸ This set out the zoning and standards that apply to the site in the Operative District Plan, s32 and as notified, and in the s42A report. Ms Piper confirmed her support for the HRZ alternative zone and the proposed site coverage rule to manage the adverse effects of built form on the surrounding community, which in her opinion enabled redevelopment for healthcare purposes that is appropriate for its location.

⁴⁵ [s42A Report of Clare Piper, 11 August 2023](#) at Section 8.6

⁴⁶ Ibid at 8.13, 8.14 and 8.15

⁴⁷ Ibid at 8.12

⁴⁸ [Response by Clare Piper for IHP - Specific Purpose Zones, 22 November 2023](#) at Section 6.

[224] Ms Piper confirmed her change in opinion that the proposed wording amendment to 'amenity values' in Objective 13.5.2.1 was incorrect and that the operative wording should be retained.

[225] In the Reply, the Council confirmed that it had not changed its position on the provisions (including the HRZ alternative zone and the 60% site coverage built form development standard) as presented at the hearing.⁴⁹

Findings and Evaluation

[226] The Panel has already found in Part 3 of the Report that the location of the Christchurch Women's Hospital is within the walkable catchment of the CCZ, therefore it is appropriate that the Christchurch Women's Hospital site 'alternative zone' is HRZ, and on that basis we prefer the evidence of the Council. The changes to the standards, to address amenity values of the surrounding zones are also appropriate for this locality.

[227] The Panel is satisfied that the proposed provisions set out in the Reply for the SPZ (Hospital) are within scope and do not raise any issues with regard to the *Waikanae* decisions by imposing more restrictive provisions than the ODP.

SPZ (School)

PC 14 as Notified

[228] As set out in the s32 report, the changes proposed relate primarily to the activity status and built form standards for the school zone and the relevant alternative zone, to recognise and be consistent with the more enabling provisions for the Residential and Commercial zones surrounding the schools. There are also minor changes proposed to Objective 13.6.2.1 in relation to 'amenity values'.⁵⁰

[229] The s32 report concludes that it still remains justifiable to retain some difference in the built form standards between the schools and the areas surrounding them (such as building coverage, setbacks and step ups in height from residential boundaries).⁵¹

⁴⁹ [Council Reply, 17 May 2024](#) at 11.13 – 11.17

⁵⁰ [s32 Part 8, Specific Purpose Zone - Schools and Hospitals](#) part 3.3, paragraphs 3.1.1 - 3.3.12

⁵¹ *Ibid* part 3.3, paragraph 3.3.12

Submissions and Section 42A Report Recommendations

[230] The relevant s42A report was authored by Ms Piper (planner). Mr Field (urban design) provided evidence in relation to the package of development standards. Ms Piper explained that there were nine submissions on the SPZ School zone provisions with one in support, five seeking changes and three opposed to the changes.

[231] Two of the submissions, Christ's College Canterbury #699 (Christ's College) and The Catholic Diocese of Christchurch #823 (Catholic Diocese), were considered by the Council to be out of scope. Christ's College had requested that their property at 21 Gloucester Street be rezoned from MRZ to SPZ (School), and the Catholic Diocese wished to rezone residential land adjacent to our Lady of Assumption School in Sparks Road, Hoon Hay as SPZ (School), with an underlying zone MRZ. We address these submissions and the issue of scope further below.

[232] Ministry of Education #806 (The Ministry) made an extensive submission seeking various wording changes to the provisions related to SPZ (School). Ms Piper responded to the various submission points in her s42A Report. The Ministry was not represented at the hearing.

[233] Ms Piper's s42A Report summarised the issues as being that the proposed changes to the provisions seek to provide a commensurate response to intensification of the residential zones that they are located within and as such changes to provisions are primarily providing increases in permitted building heights, balancing the mitigation of these increase along with consequential changes to account for the QMs that apply to the alternative residential zones.⁵²

Submitter evidence and representations

Christ's College, 21 Gloucester Street

[234] Christ's College was represented at the hearing by Ms Boulton who provided planning evidence. 21 Gloucester Street is zoned RCC in the ODP and is proposed to be MRZ in PC 14, on the basis that it was within the Council's proposed Residential Heritage Area QM (RHA QM). We have already recommended that the RHA QM be rejected in Part 5 of the Report, which has the consequence that the site would be zoned HRZ in

⁵² [Summary Statement of Clare Piper, 21 November 2023](#) at 2.1-2.6 and [Response by Clare Piper, 22 November 2023](#)

response to NPS-UD Policy 3(c)(ii), on the basis that the site is within the walkable catchment the Panel has identified in Part 3 of the Report. Part 4 of the Report addresses the relevant height limits that apply in this location. We understand the site is currently vacant and the requested rezoning would form a contiguous school zone boundary for Christ's College owned land.

[235] Ms Piper maintained her concern regarding scope but accepted that if the Panel considered there was scope to make the change, then Ms Boulton's evidence provided sufficient rationale for the change, which she would support on merit.⁵³

Findings on scope

[236] We have applied our approach to scope outlined in Part 1 of the Report at [210]. On that basis we find that although the site is a relevant residential zone, and the submitter requests a change to a non-residential urban zone to better accommodate its school purposes, that the proposed change does not support nor is it a consequence of the mandatory requirements to incorporate the MDRS, nor to implement NPS-UD Policy 3(c)(ii). On that basis we decline to recommend a change to SPZ (school) for reasons that it is outside of the scope of an IPI. We recommend that the site's notified zoning of MRZ be changed to HRZ.

Catholic Diocese, Sparks Road

[237] The Catholic Diocese sought amendments to the planning maps in order to rezone land adjoining Our Lady of Assumption school in Sparks Road as SPZ instead of MRZ for future school related activities. Mr Phillips, the planner representing The Catholic Diocese, summarised the issues and responded to Ms Piper's concerns regarding scope. In addition, Ms Appleyard, legal counsel, provided legal submissions on scope matters in her memoranda of 21 December 2023 and 1 May 2024.

[238] Ms Piper had indicated in her rebuttal evidence, having considered Mr Phillips' evidence that if the Panel found in favour of the submitter on scope matters she was supportive of the rezoning.

Findings on scope

⁵³ [Rebuttal Evidence of Clare Piper, 9 October 2024](#) at 16

[239] Having considered the submissions of the Catholic Diocese, and applying our approach to scope outlined in Part 1 of the Report at [210] we find that although the site is a relevant residential zone, and the submitter requests a change to a non-residential urban zone to better accommodate its school purposes, that the proposed change does not support nor is it a consequence of the mandatory requirements to incorporate the MDRS, nor to implement NPS-UD Policy 3(d). On that basis we decline to recommend a change to SPZ (School) for reasons that it is outside of the scope of an IPI.

Catholic Diocese, New Marian School Campus site, 2 Lydia Street

[240] The Catholic Diocese requested to have a Brownfields Overlay applied at 2 Lydia Street, Papanui. The Council recommended the submission be rejected on grounds of scope. Having considered the submissions of the Catholic Diocese, and applying our approach to scope outlined in Part 1 of the Report at [210] we find that although the site is a non-residential urban zone the proposed change does not support nor is it a consequence of the mandatory requirements to incorporate the MDRS, nor to implement NPS-UD Policy 3(d), as it is not within a commensurate catchment of a commercial centre zone, as we have defined it in Part 3 of the Report. On that basis we decline to recommend a change to include a Brownfields Overlay over this site for reasons that it is outside of the scope of an IPI.

Overall findings on SPZ (School)

[241] Having considered the submissions, evidence and recommendations of the s42A Report author we are satisfied that the changes recommended by Ms Piper are appropriate and we adopt her evaluation and conclusions on them, except where we express our findings on scope matters in a different way to the Council, we also accept her recommendations with regard to the rezoning requests and find them to be out of scope of an IPI.

6. STATUTORY EVALUATION

Section 74, 75, 76 and 77G and N Requirements

[242] We have considered the submissions and evidence presented in relation to each of the rezoning requests in relation to PC 14, we have considered them in the context of the statutory directives to consider related and higher order planning documents as outlined in Part 1 of the Report as are relevant to the issues raised.

Section 32AA Evaluation of Recommended Changes

[243] We have considered the Council's s32 Reports, further s32AA Reports and the s32AA evaluations provided by submitters, which have informed our consideration of the options for the various requests to rezone land as part of PC 14. We draw on our findings in Part 1-5 and 7 of the Report and conclude that our recommendations are the most appropriate response.

7. CONCLUSION AND RECOMMENDATIONS

[244] The Panel have referred to our recommendations at the start of this Part of the Report, and to the recommended mapping changes in Part 8 of the Report, Appendix I.