

Before the Independent Hearings Panel
Appointed by the Christchurch City Council

Under the Resource Management Act 1991

In the matter of a hearing on submissions on the Housing and Business Choice
Plan Change (PC14) to the Christchurch District Plan

Scenic Hotel Group Limited

Submitter 809

Summary Statement of Samantha Leeanne Kealey

8 November 2023

Introduction

- 1 My full name is Samantha Leeanne Kealey. I have provided a statement of evidence relating to relief sought by Scenic Hotel Group Limited¹ (**Scenic Hotel**). My qualifications and experience are outlined in my statement of evidence dated 20 September 2023. I reconfirm compliance with the Code of Conduct for expert witnesses contained in the Environment Court of New Zealand Practice Note 2023.
- 2 This summary statement provides a summary of my evidence. I provided one brief of evidence:
 - (a) In relation to the submission from Scenic Hotel seeking reintroduction of the Accommodation and Community Facilities Overlay of 88 Papanui Road and 96 Papanui Road and the extension of the overlay to 19 Holly Road, Christchurch.

Accommodation and Community Facilities Overlay

- 3 Under the operative Christchurch District Plan, the Submitter's Site at 88 Papanui Road and 96 Papanui Road is zoned Residential Medium Density zone, with an Accommodation and Community Facilities Overlay. The Submitter's site at 19 Holly Road is zoned Residential Suburban Density Transition zone without the Accommodation and Community Facilities Overlay (the **Overlay**). Under PC14 as notified, the site in its entirety was proposed to be rezoned High Density Residential Zone. The Overlay provisions are specific to the Medium Density Residential Zone and so these were not carried over.
- 4 The s42A report of Mr Ike Kleynbos states that the removal of the overlay was not an intended outcome and was an error in the notified proposal and should have been carried over². Mr Kleynbos and I agree that the Overlay should apply to 88-96 Papanui Road. I consider that removal of the Overlay from 88-96 Papanui Road would reduce the Submitter's existing development rights on that part of the site.
- 5 The only remaining point of disagreement is whether the extension of the Accommodation and Community Facilities overlay to include 19 Holly Road can be undertaken through PC14. Mr Ike Kleynbos states in his rebuttal evidence that he is supportive of the merits of an extension to include 19 Holly Road³ he has also gone on to state that he does not anticipate that adverse effects on residential coherence and amenity would be anticipated on Holly Road, given both the established nature of the activity and the large scale HRZ response in the area that would ultimately redefine residential occupation and amenity throughout the area.⁴ I agree with this statement.

¹ Submitter 809

² Section 42 Report Final of Mr Ike Kleynbos, page 58, para, 6.1.113

³ Rebuttal Evidence of Ike Kleynbos, page 14, para 65

⁴ Rebuttal Evidence of Ike Kleynbos, page 14 and 15, para 66

Expansion of Overlay to 19 Holly Road

- 6 The matter of scope has been raised in regard to the extension of the Accommodation and Communities Facility Overlay to neighbouring sites request and if the extension can be facilitated through PC14.
- 7 In my opinion, the requested relief is within the scope of the plan change for the following reasons:
- (a) The purpose of PC14 is to implement the MDRS and give effect to Policy 3 of the NPS-UD.
 - (b) The site is within a walkable catchment of the city centre zones and Policy 3(c) applies.
 - (c) The council proposed changes to the zoning provisions on the Submitter's Site and so PC14 applies to the site.
 - (d) NPS-UD Policy 3 gives effect to Objective 3 which seeks to enable more people to live in, and more businesses and community services to be located in, an urban environment near a centre zone where there are many employment opportunities and is well serviced by public transport.⁵ The proposal is consistent with this direction.
- 8 The reintroduction and extension of the Overlay to the proposed High-Density Residential Zoning of PC14 reflects the operations that are current on the site and have been present since the late 1980's early 1990's.

Merits of the proposal

- 9 The sites are located on the periphery of the Central City, as defined in the District Plan, and are adjacent to other existing accommodation facilities and commercially operated land. The proposal is consistent with the District Plan Objectives and Policies seeking to increase housing supply, near large commercial centres whilst providing for community facilities, and visitor accommodation and allowing existing establishments to expand, redevelop or intensify⁶. The Sites are all currently occupied by the Scenic Hotel and operated as a visitor accommodation facility.
- 10 Therefore, I conclude that the reintroduction of the overlay will not undermine the provision of at least sufficient housing development capacity as required by Policy 2 of

⁵ NPS-UD Objective 3.

⁶ Objectives 14.2.1 (housing supply), 14.2.9 (Non-residential activities), 14.2.11 (Visitor Accommodation in Residential Zones), Policies 14.2.9.4 (Existing non-residential activities), and 14.2.11.2 (Existing visitor accommodation), (PC14 numbering).

the NPS-UD. The Proposal will add land that can be developed for accommodation purposes whilst also providing for community facilities, meeting the expected demand which is considered to be the most efficient and effective means of achieving the objectives of PC14 by providing for an overlay that reflects the current uses of the land and provides for development in the future in a suitable location, providing increased development choice, while appropriately maintaining the amenity of surrounding residential zones and contributing to a well-functioning urban environment.

- 11 In summary, I consider the reintroduction and extension of the accommodation and community facilities overlay will give effect to the NPS-UD and are the most appropriate, efficient and effective means of achieving the purpose of the RMA, and the relevant objectives of CDP PC14.

Samantha Leeanne Kealey

8 November 2023