

BEFORE THE INDEPENDENT HEARINGS PANEL

UNDER the Resource Management Act 1991

IN THE MATTER of proposed Plan Change 14: Housing and Business Choice to the Christchurch District Plan

AND

IN THE MATTER of Woolworths New Zealand Ltd (Submitter 740)

SUMMARY OF EVIDENCE OF MATTHEW BONIS ON BEHALF OF WOOLWORTHS NEW ZEALAND LTD 26 October 2023

Introduction

1. My full name is Matthew William Bonis. I provided the Planning Evidence relating to the submission from Woolworths New Zealand (Sub #740) on PC14 as dated 15 September. My qualifications, experience and confirmation of the Code of Compliance are identified in my evidence. I maintain that compliance in this Hearings Summary
2. I thank the Panel for accommodating my request to be heard. I have confirmed that matters associated with Tree Canopy as raised in my evidence will be heard in Week 9.
3. Accordingly, this summary is confined to the following matters:
 - a. Amendments to the zone / ODP boundary for the commercial and residential mixed-use development at 201 Halswell Road (NZEvc133 [2021]). Mr Bayliss¹ for the Council has accepted the submission. This matter is not discussed further.
 - b. Amendment to **Policy 15.2.2.1 / Table 15.2** to elevate the St Albans Neighbourhood Centre to Local Centre (retail thresholds and the ODP are not sought to be amended).
 - c. Deletion of the amendments to **Policy 15.2.4.2** which seek to introduce additional directive outcomes governing urban design matters for new development in commercial zones.

St Albans Centre as a local centre

4. I consider that the 'plan anticipated' St Albans commercial centre is more appropriately aligned as a *Local centre* rather than *Neighbourhood centre*.
5. I reach that view based on the plan anticipated role and function of the St Albans centre with its spatial extent of 1.1ha including Plan provisions to enable a Supermarket, controls of commercial activity floor area, and requirements for integration and open space.
6. The resultant-built form, and role in my view is a Supermarket and 'five friends'. This aligns more with both the National Planning Standards and the existing Plan framework for Local Centres.
7. Mr Lightbody² recognises the tension between retaining the Neighbour Centre classification, given that the existing rule framework provides for a larger commercial tenancy whereas the orthodox Neighbourhood centre provisions do not.

¹ S42A Bayliss [8.7, 8.7.6, 8.7.7(c)]

² S42A Lightbody [8.1.53 – 8.1.54]

8. Furthermore, **Policy 15.2.2.1 / Table 15.2** identifies a threshold floorspace of up to 3,000m² for Neighbourhood centres whereas the operative provisions for the St Albans Centre provides for 3,500m².
9. Rebuttal evidence is provided from Mr Heath³. He recommends rejection on the basis of: 'potential distribution effects'; no accompanying economic evidence; and that any reclassification should be based on merit of consequent development.
10. I consider with respect to Mr Heath, the issue is a planning matter and not an economic one.
11. As identified in my evidence, rules on retail thresholds, zone extent and floorspace are not challenged. There are no implications regarding actual or potential distribution effects. I also disagree that the zone should be informed retrospectively from development.
12. The Plan is to provide certainty as to role and function of centres in advance of investment and development. The purpose of the submission is discrete, it simply identifies that a Local Centre is likely the more appropriate place in the centres hierarchy for St Albans as contained in **Policy 15.2.2.1 / Table 15.2** given the (albeit modest) tensions identified by both Mr Lightbody and I.

Policy 15.2.4.2(a)

13. PC14 as notified contained additional and prescriptive changes to **Policy 15.2.4.2(a)**. The Woolworths submission identified that:
 - a. The provisions relate to activities in most commercial zoned areas including the Central City and the Centres zone hierarchy;
 - b. the amendments in clause (a) and clauses (a)(x)(xi), and (xii) do not adequately recognise the functional requirements of the full range of commercial developments, and would provide an inappropriate policy hurdle particularly in terms of supermarket (and large anchor) development which are, by virtue of function and operation of a particular form and design.
14. Ms Gardner⁴, except for the clause relating to heat islands (*as being too subjective*) recommends the submission be rejected. The basis for the rejection is that whilst she agrees that Supermarkets will not be of a fine grain or human scale, the functional and operational requirements of such are able to be reconciled through **Policy 15.2.4.2(b)**.
15. As outlined in my [88 – 91] I disagree. **Policy 15.2.4.2(a)** and (b) establish a hierarchy, the design elements in clause (a) '*are required*', whereas functional and operation matters in clause (b) are to '*recognised*'. Accordingly, I consider that the additional policy clauses would lead to tensions in terms of s104(1)(b)(vi); are unnecessary as the additional elements matters are largely contained in existing urban design assessment matters⁵ and would not be appropriate for a substantial proportion of commercial development⁶.
16. As outlined, I recommend that the additional matters in (a)(vii), (x), (xi) and (xii) as introduced through PC14 be deleted.

Matt Bonis

26 October 2023

³ Rebuttal Heath [30 – 33]

⁴ S42A Gardiner [85]

⁵ EIC Bonis [Table 2]

⁶ EIC Bonis [Table 1]