



PlanCreative

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## **UNDER THE RESOURCE MANAGEMENT ACT 1991**

<b>BEFORE THE</b>	Waimakariri District Council (Planning Authority)
<b>IN THE MATTER OF</b>	Proposed Plan Change 31 – Rolleston Industrial Developments Limited
<b>SUBMISSION OF</b>	Mandeville Village Limited Partnership
<b>SITE</b>	535 Mill Road, Ohoka

## **STATEMENT OF RAYMOND JOHN EDWARDS**

<b>DATE</b>	9 August 2023
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## **Introduction**

1. My name is Ray Edwards. I am a planning and traffic engineering consultant practicing from Christchurch. My qualifications and experience are provided in **Appendix A** to this statement.
2. This statement is in support of the submission lodged by Mandeville Village Limited Partnership (MVLVLP). My former company, Urbis TPD Limited (Urbis), lodged a submission on behalf of the MVLVLP that partially supported the Plan Change, particularly from a residential capacity perspective, but opposed the nature and scale of commercial zoning sought by RCP031 within that development. Traffic issues relating to the ability of the road network to accommodate RCP031 were also raised. This submission is attached as **Appendix B** to this statement.
3. Today I primarily want to discuss the rationale behind the Partnership's opposition to the scale of retailing proposed under RCP031 and how what is proposed by the Applicant is inconsistent with the hierarchy of centres identified in the proposed District Plan and subsequently inconsistent with the objectives and policies of the proposed District Plan (which are very similar to the operative District Plan so the same principles apply). I will only briefly discuss traffic issues in this statement.
4. The Partnership's concerns relating to potential retail effects would be resolved if there is a rule set that recognises:
  - a) A maximum centre floor area that is less than what could be developed on the expanded Mandeville Village site;
  - b) A maximum tenancy floor area no greater than the 200m<sup>2</sup> allowed for by the currently proposed Neighbourhood Centre Zone (NCZ) rules, and;
  - c) That the development of any commercial floor space on the RCP031 be staged relative to residential development on that site in order to protect to ongoing vitality and hierarchy of the proposed Local Centre Zone (LCZ) at Mandeville Village.
5. I am happy to answer any questions at the end of presenting this statement.



## **Background**

6. Key points of the Urbis submission were that:

- a) The Mandeville Village centre established following a plan change process (Plan Change 33) undertaken during 2014-2015 that created the operative Business 4 zoning of the site;
- b) The plan change introduced the relevant objectives and policies for the Mandeville North Business Zone (16.1.3) which outline the role for the area to appropriately provide commercial services to meet the needs of the combined Mandeville, Ohoka and Swannanoa catchment;
- c) Site-specific rules for any development within the Mandeville North Business 4 Zone were incorporated into the Rule 31.2.1 of the operative District Plan. Rule 31.2.1 j) limits the amount of gross retail floor area within the Village development to 1,700m<sup>2</sup>. Note that the gross floor area could be larger than this;
- d) The current village site has subsequently been fully developed through a series of resource consent approvals and investment of several million dollars. I attach a plan of the current development on the original Village site in **Appendix C** and the Village is shown in Figure 1 on the next page.
- e) The as-built village development contains 461m<sup>2</sup> of retail floorspace versus the permitted retail floor space of 1,700m<sup>2</sup>. So, there is considerable scope for further growth, however the current commercially zoned land area does not provide for this growth. The lack of land area has created issues with both meeting current parking demand and meeting the permitted retail floor area. It is readily apparent that the amount of land originally rezoned for business purposes was inadequate to properly provide for the scale of commercial development anticipated by Plan Change 33;
- f) Accordingly, MVLP purchased the immediately adjacent site (468 Mandeville Rd) with the intent of developing additional car parking and growing the village to satisfy demand and meet the intent of the village as contemplated under PC33 (and the Operative and proposed District Plans) and its role within the hierarchy of commercial centres throughout the District;



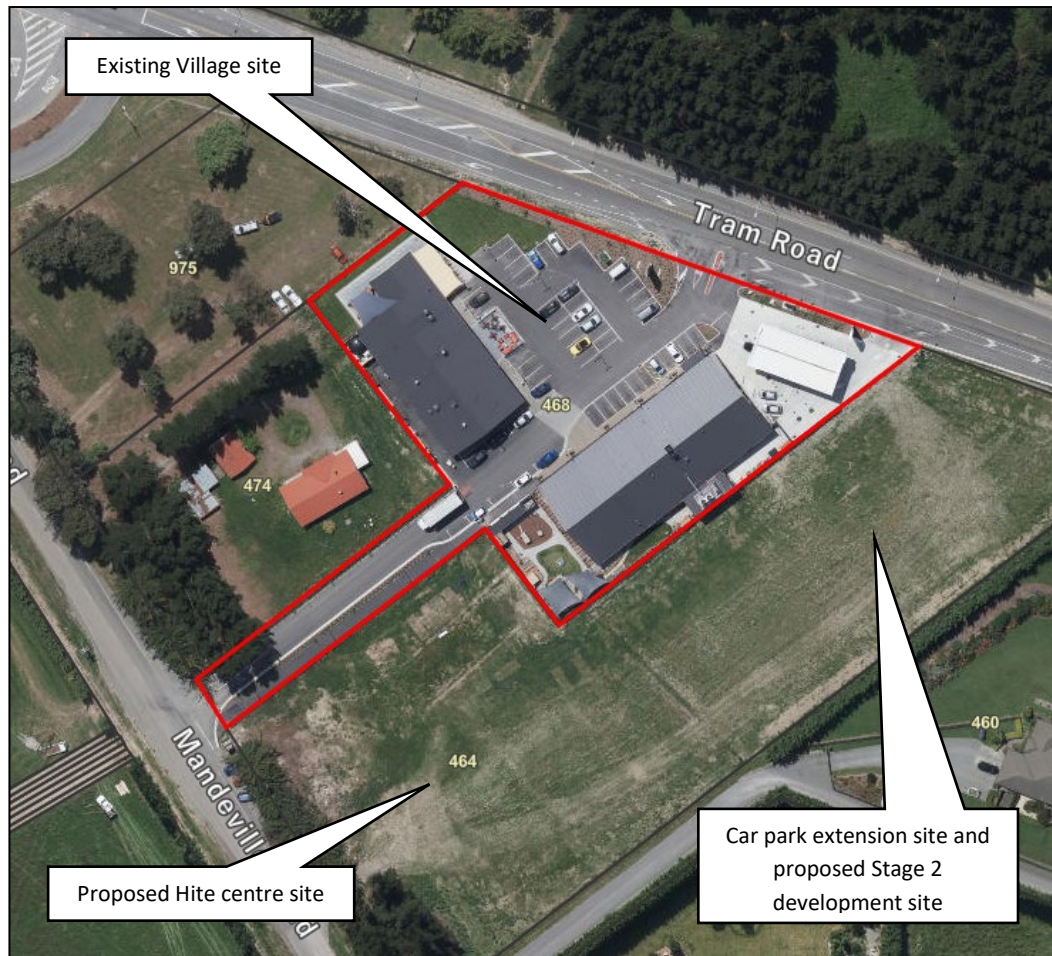


Figure 1: Existing Mandeville Village Development

- g) The most recent resource consent approval (RC205387) provides for the recently constructed car park expansion onto the neighbouring site at 468 Mandeville Road. I attach a plan of the approved car park expansion in **Appendix D**.
  - h) The notified proposed District Plan provides for an expanded commercial zoning onto 468 Mandeville Road to provide for commercial activity at a scale anticipated by the operative District Plan rules. The proposed zoning of the enlarged Village site is for a 'local centre'. I attach a concept plan of how the expanded local centre could look in **Appendix E**.
7. I now add that my research of the submissions to the District Plan review has not found any submissions opposing the rezoning of 468 Mandeville Road for commercial purposes. It follows that considerable weight can now be given to this proposed rezoning.

8. In relation to growth, the key issues from all the above is that:
- a) Both the operative and proposed District Plan rules provided for a significantly greater scale of commercial development than what exists at the village site at present;
  - b) The Council, through its identification of 468 Mandeville Road for the proposed local centre zoning, concurs with the MVLP's view that this location remains the most appropriate location for commercial activity to service the Mandeville, Ohoka and Swannanoa catchments, and;
  - c) RC205387 shows clear intent for the long-term expectations of Mandeville Village as the main commercial hub for the catchment and is readying itself now in anticipation of further growth, including capacity to support the growth contemplated by RCP031.
9. It is clear from all the above that the Village has developed in accordance with a series of Council approvals that have always recognised the Village site as being the most appropriate site within the wider locality to provide for what is now being categorised as a local centre zone (LCZ) in the proposed District Plan. These approvals have included the design of site access from Tram Road that specifically considered the future development of the 468 Mandeville Road site.
10. This does not mean that the MVLP is opposed to further residential development in the wider locality, nor is it opposed to some commercial development occurring within the RCP031 site. However, the relief we sought was that any commercial development at RCP031 is in line with the objectives, policies, and rules for the 'Neighbourhood Centre' zone as notified under the Proposed District Plan to ensure Mandeville Village, with its specifically designed direct site access from an appropriate arterial road, remains the primary commercial precinct of the wider area.

### **Hierarchy of Centres**

11. I will not discuss the operative District Plan provisions in this statement because:
- a) The proposed District Plan adopts a very similar hierarchical approach to the provision of commercial centres as the operative District Plan;
  - b) The District Plan review has completed the further submissions process and, as far as I can tell, the proposed local centre zoning for the enlarged village site is unopposed, and;



- c) The proposed RCP031 development, if approved, would be developed under the controls of the proposed District Plan so it is more relevant to contemporary thinking.
12. Considering the provisions of the proposed District Plan, this continues with a hierarchal approach for the planned differing scale and function of the various commercial zones. I have listed these zones in order of projected scale and function from top to bottom as follows:
- a) Town Centre Zone (TCZ);
  - b) Mixed Use Zone (MUZ);
  - c) Large Format Retail Zone (LFRZ);
  - d) Local Centre Zone (LCZ), and;
  - e) Neighbourhood Centre Zone (NCZ).
13. This above ranking is in accordance with general Objectives CMUZ-01 and CMUZ-02 which state (with my emphasis):

**CMUZ-01      Commercial development and location.**

*Sustainable and self-sufficient commercial economic development occurring in a hierarchical network of consolidated commercial centres*

**CMUZ-02      Urban form, scale and design.**

*A scale, form and design of development in all Commercial and Mixed Use Zones that*

- 1. recognises and enhances the centre's role and function and the overall centres hierarchy;*
- 2. supports achieving a good quality urban environment;*
- 3. recognises the functional and operational requirements of activities and the existing built form; and;*
- 4. manages adverse effects on the surrounding environment.*



14. The above objectives are reinforced by the following policies applicable to all commercial zones (again with my emphasis):

**CMUZ-P1 Centre function, role and hierarchy**

*Ensure commercial growth and activities are focused within a hierarchy of commercial centres to support a compact urban form, consistent with their role and function that supports and maintains:*

- 1. town centres as the District's principal employment and commercially focused areas, and the primary focal point for community and other activities at the highest density of development;*
- 2. local centres which provide for a range of activities to meet the daily/weekly shopping needs of residential or nearby rural areas, while protecting the role and function of the town centres;*
- 3. neighbourhood centres which provide for a range of small scale activities to meet the mainly convenience needs of immediate residential neighbourhoods, while protecting the role and function of the town and local centres; and*
- 4. the existing commercial centre within Belfast/Northwood in the Christchurch District.*

**CMUZ-P3 New Local and Neighbourhood Centres**

*Provide for new Local and Neighbourhood Centres in identified development areas as specified on ODPs, where these:*

- 1. support the role and function of Town Centres, and do not undermine investment in public amenities and facilities in Town and Local Centres;*
- 2. achieve the Local or Neighbourhood Centre's identified function, scale and role; and*
- 3. provide a safe and efficient transport system which is integrated with the centre.*

**CMUZ-P4 Centre expansion**

*Enable the expansion of the Town Centre Zone, Local Centre Zone and Neighbourhood Centre Zone only where the expansion:*





1. adjoins the existing centre zone and includes a clear zone boundary to demarcate the zone edge;
2. improves access to the range of facilities, goods and services in a convenient and efficient manner;
3. enhances or consolidates the centres' function and role as identified in CMUZ-P1, TCZ-P1, TCZ-P2, LCZ-P1 and NCZ-P1;
4. supports the efficient use of investment in public amenities and facilities in the Town Centre;
5. maintains or mitigates the amenity values of adjoining Residential Zones at the interface; and
6. supports a safe and efficient transport system which can be integrated with the centre.

**CMUZ-P5      Scale and form of development in all Commercial and Mixed Use Zones**

Support the function, role and character of all Commercial and Mixed Use Zones by enabling:

1. the largest scale of built form including larger floor areas and building heights, and concentration of activities in the Town Centre Zone;
2. medium scale development in the Local Centre Zone and Mixed Use Zone;
3. small scale activities and a low rise-built form in the Neighbourhood Centre Zone that respects and integrates with the suburban residential context; and
4. larger floor areas in the Large Format Retail Zone.

15. And policies specifically in relation to the LCZ such as Mandeville Village:

**LCZ-O1      Local Centre Zone activities**

Local Centres:

1. Are the focal point for a range of commercial, community and service activities at a smaller scale than Town Centres to provide for the daily/weekly shopping needs of the local residential or nearby rural area, including enabling a range of convenience activities;





2. activities do not adversely affect the role and function of Town Centres; and
3. amenity values are managed within the zone and at the interface with adjacent residential zones.

16. And policies specifically in relation to the NCZ:

**NCZ-O1 Neighbourhood Centre Zone activities**

*Within Neighbourhood Centres:*

4. provide for a range of activities and scale that directly support the immediate or nearby residential neighbourhood;
5. do not adversely affect the role and function of Town and Local Centres, nor undermine investment in their public amenities and facilities; and
6. amenity values are managed within the zone and at the interface with adjacent Residential Zones.

17. The rules that enable development within the LCZ and NCZ support the above objectives and policies through having identified limits on scale through imposing maximum permitted floor areas as shown in Table 1 below:

Activity Type	Local Centre Zone		Neighbourhood Centre Zone	
	Rule	Permitted Limit	Rule	Permitted Limit
Retail	LCZ-R4	Mandeville = maximum retail floor area of 2700m <sup>2</sup> , other sites = 300m <sup>2</sup>	NCZ-R4	Max 200m <sup>2</sup> GFA
Commercial Services	LCZ-R5	No maximum	NCZ-R5	Max 200m <sup>2</sup> GFA
Offices	LCZ-R6	Max 300m <sup>2</sup> GFA	NCZ-R6	Max 200m <sup>2</sup> GFA
Gymnasium	LCZ-R7	No maximum	NCZ-R7	Max 200m <sup>2</sup> GFA
Food and beverage	LCZ-R16	Max 300m <sup>2</sup> GFA	Not permitted	
Entertainment	LCZ-R17	Max 300m <sup>2</sup> GFA	Not permitted	
Drive through restaurant	LCZ-R18	No maximum	Not permitted	
Service station	LCZ-R19	No maximum	Not permitted	



Table 1: Proposed District Plan Permitted Floor Limits in the LCZ and NCZ

18. The key point from all this information on objectives, policies and rules is that the proposed District Plan provides very clear direction that:
- a) A LCZ provides for the daily/weekly shopping needs of a wide area;
  - b) A NCZ should not undermine the commercial viability of, and investment in, a LCZ, and;
  - c) The commercial centre needs to provide an appropriately designed connection to a frontage road that has an appropriate classification within the overall road network.
19. Further, in relation to the proposed (and seemingly unopposed) expansion of the Mandeville Village onto 468 Mandeville Road, I note that:
- a) It adjoins an existing commercial zone consistent with CMUZ-P4 (1);
  - b) It is at a scale no greater than what is permitted under operative District Plan rules, and will be no greater than what is permitted under proposed District Plan rules consistent with CMUZ-O2 (1) and Rules LCZ-R4 to LCZ-R19 as identified in Table 1 above;
  - c) It achieves the Local or Neighbourhood Centre's identified function, scale, and role consistent with CMUZ-P3 and LCZ-01;
  - d) Safe site access has been very carefully considered and approved by Council engineering staff consistent with CMUZ-P3 (3) and CMUZ-P3 (6). Here I note that Tram Road has the appropriate arterial road classification to provide for site access for a LCZ type of development and that Tram Road is readily able to accommodate additional traffic growth;
20. Given this, the position of the MVLP is that:
- a) MVLP is generally in support of the Plan Change, particularly from a residential capacity perspective;
  - b) The Village location remains the most appropriate central location for commercial activity to service the target Mandeville, Ohoka and Swannanoa catchments;



- c) RC205387 shows clear intent for the long-term expectations of Mandeville Village as the main commercial hub for the catchment and is readying itself now in anticipation of further growth, including capacity to support the growth contemplated by RCP031;
- d) That steps are already in place to provide for a commercial centre to provide for the convenience needs of the wider area, in a location that is directly accessed from the appropriate primary arterial road through the area;
- e) The submitter does support localised bars and restaurants as well as limited retail activity within the RCP031 commercial areas consistent with the scale otherwise permitted within Neighbourhood Centre zones, and;
- f) Any commercial floor space provided within RCP031 should not undermine the planned function of, and investment in, the Village site. Floor area controls consistent with staged residential development within the RCP031 site should be imposed. This is important in order to preserve the hierarchy of commercial areas sought under the proposed District Plan and to preserve the primacy of town centres as the key commercial hubs throughout the district.

### **What is Actually Proposed?**

- 21. The preceding analysis of proposed District Plan objectives, policies and rules demonstrate that, if consistency is to be achieved, then any commercial centre within the RCP031 site should be of a relatively small scale. However, under RCP031 as notified, the proposed commercial area within the subdivision will provide for approximately 5,700m<sup>2</sup> to 6,900m<sup>2</sup> of commercial floor space and associated vehicle parking.
- 22. The proposed changes sought to the operative District Plan as relevant to this submission are discussed in the copy of our original submission provided in Appendix A. The key point is that the proposed RCP031 commercial zone is to (again with my emphasis):

*INSERT NEW POLICY*

*Policy 16.1.1.12*



*Provide for retail and business activities in the Ohoka Business 4 Zone, in a way that:*

- a) maintains the characteristics of the Ohoka settlement as set out in Policy 18.1.1.9; and*
- b) provides for limited business activities to provide for day-to-day convenience needs of the local community, is designed to achieve high quality urban design principles and a high standard of visual character and amenity.*

23. The underlined text is consistent with:

- a) Proposed District Plan CMUZ-P1 *“neighbourhood centres which provide for a range of small scale activities to meet the mainly convenience needs of immediate residential neighbourhoods”* and;
- b) CMUZ-P5 *“small scale activities and a low rise-built form in the Neighbourhood Centre Zone”* and NCZ-01 *“provide for a range of activities and scale that directly support the immediate or nearby residential neighbourhood.”*

24. It is critical to note that, despite a NCZ being required by the District Plan to be subservient to the LCZ and Mandeville Village, what is proposed for RCP031 is more than twice the size of the proposed floor area cap applicable to the Village site. Even at this stage of consideration, it is not possible for what is proposed by the applicant to be considered consistent with what is anticipated by the hierarchal commercial centres framework of the District Plan.

25. It follows that any commercial activity proposed at the RCP031 site should be designed to specifically provide very localised amenity only – and not undermine the viability, or adversely affect the role and function, of the specifically designated commercial precincts of Local Centre zones elsewhere. Nor should it affect the planned function of the road network by introducing traffic volumes inconsistent with the planned function of the road network.

### **What is the Position on Potential Retail Effects?**

26. The development of out-of-zone commercial areas is usually required by Councils to provide a retail impact assessment. These are then usually reviewed by an appropriate technical expert on behalf of



the Council, and the applicant can then respond to that review either as further information lodged with the Council or as expert evidence at any hearing. This process has been followed with RCP031 and I attach in **Appendix E** to this statement a summary of the position taken by the relevant retail experts. The key findings of these reports are:

- c) RCP031, as lodged with the Council, did not provide sufficient evidence on the economic impacts of having two commercial centres with a total GFA of 5,700-6,500m<sup>2</sup>;
- d) The Council's assessment of the plan change proposal (dated 15 June 2023) is that a neighbourhood centre with up to 2,700m<sup>2</sup> GFA would be acceptable. Any GFA greater than this may give rise to adverse effects on existing centres, and particularly the LCZ at Mandeville;
- e) Ms Hampson's evidence on behalf of the applicant (dated 6<sup>th</sup> July 2023), states there is a need for a commercial area within Ohoka to support the proposed development and to ensure that Mandeville is not overburdened. She recommends a smaller scale commercial area than originally proposed, at 2,500m<sup>2</sup> to 3,000m<sup>2</sup>, with the potential for a future area should there be sufficient evidence for its need.

27. The Council's S42a report was made available on 26 June 2023 (i.e., before the Hampson evidence) and was prepared by Mr Willis on behalf of the Council. The S42a report accepts that a commercial centre is required for RCP031 to support the proposed community however, given the absence of information within the RCP031 documentation on commercial distribution matters at the time the S42a report was prepared, Mr Willis considers that there was insufficient evidence provided at the time to support the extent of two commercial areas (Mandeville and RCP031) in this locality.
28. It is the overall position of Mr Willis that RCP031 should be declined however, should the Council choose to approve RCP031 then his Appendix 1 provides recommended amendments. The following is stated in relation to Mandeville and the commercial area.

*"Amendments are required to the rules and policies covering the new Business 4 zone to include a retail cap to consider impacts on the Mandeville and Kaiapoi centres".*

This no doubt led to Ms Hampson proposing a 2,500-3,000m<sup>2</sup> cap on behalf of the applicant. The average of this range is akin to the 2,700m<sup>2</sup> cap recommended by Formative Limited on behalf of the



Council. I understand that there is now agreement between the applicant and the Council on a 2,700m<sup>2</sup> cap however, even with this agreement, MVLP are unclear on how the hierarchical framework of the District Plan is being followed given that the proposed District Plan applies a 2,700m<sup>2</sup> limit on the Mandeville village NCP. Unless these areas are very carefully defined, there is a risk that the RCP031 commercial floor space could be larger than what could occur at the Mandeville Village LCZ. This is a situation contrary to the objectives and policies of the District Plan.

29. The MVLP does not propose to call further expert evidence on the retail issue for now. Noting that the MVLP is supportive of the RCP031 proposal *per se*, and noting the apparent agreement between the applicant and the Council on a circa 2,700m<sup>2</sup> cap, we consider a more productive approach is to develop some ideas for possible RCP031 specific rules to provide suitable commercial floor area controls being in place.
30. To this effect, and noting that:
- d) The applicant is clearly anticipating any sort of commercial area within RCP031 being a NCZ;
  - e) The proposed District Plan objectives and policies are very clear that any NCZ must be subservient in function and therefore area to a LCZ;
  - f) That Mandeville Village is the already identified LCZ for the wider locality and has plans in place for further expansion;

Then there needs to be a rule set that recognises:

- g) A maximum centre floor area that is notably less than what could be developed on the expanded Mandeville Village site;
- h) A maximum tenancy floor area no greater than the 200m<sup>2</sup> allowed for by the currently proposed NCZ rules, and;
- i) That the development of any commercial floor space on the RCP031 be staged relative to residential development on that site in order to protect the ongoing vitality of the proposed LCZ at Mandeville Village.



## **Conclusion**

31. It is the submitter's opinion that while the proposed plan change will provide additional, high quality residential development which will improve the wider area, this locality already provides for a commercial hub which is consistent with the hierarchy of commercial centres required throughout the district. Any commercial activity proposed within RCP031 needs to respect this hierarchy of commercial activity, and therefore a Neighbourhood Zone is the only logical designation.
32. If the applicant is indeed proposing a NCZ then, if the hierarchy of commercial centres is to be followed and consistency with objectives and policies of the proposed District Plan is to be achieved, then any new NCZ must be subservient in function and therefore floor area to the Mandeville Village LCZ.
33. Any additional commercial activity beyond small scale convenience activities which are expected within Neighbourhood Centre zones is unnecessary and could potentially undermine the role of the established village as the pre-eminent area for commercial activity, and is therefore inconsistent with objectives and policies of the proposed District Plan.

**Ray Edwards**

On behalf of the Mandeville Village Limited Partnership.

9 August 2023





## **APPENDIX A - Ray Edwards - Qualifications and Experience**

Ray Edwards holds the qualifications of a New Zealand Certificate in Civil Engineering, and a Certificate of Transport Planning, Management and Control from the University of New South Wales. He is also an accredited RMA Commissioner.

Mr Edwards has 37 years employment in the field of civil engineering, transportation planning and resource management related planning including:

- 6 years (1886 to 1992) being employed by the Christchurch City Council initially as a road engineering officer, then as assistant area traffic engineer;
- 2 years (1992-1994) being employed by the Christchurch City Council as a transportation planner;
- 2 years (1994-1996) being employed by Davie, Lovell-Smith Limited as a traffic engineer and transportation planner;
- 9 years (1996-2004) being employed by the Christchurch City Council as their senior transportation planner including involvement with resource consent applications for over 3,000 land development projects;
- 18 years (2004-2022) as the Director of Urbis TPD Limited (Urbis) which is a Christchurch based consultancy that provided resource management, transportation planning and traffic engineering related advice to government agencies, local authorities, and private land developers.

During the 1992-2022 time period Mr Edwards provided expertise in relation to over 5,000 land development projects.

Mr Edwards has subsequently established Plan Creative Limited in 2022 to provide more focused planning and transportation planning advice in relation to predominantly commercial land development projects, as well as providing traffic engineering design advice relating to subdivisions, road layouts, cycleways and privately initiated land developments.

Over the last 37 years Mr Edwards has gained extensive experience acting as an expert witness on issues associated with land use development, as well as the preparation and implementation of District Plans. His experience also includes many appearances before the Environment Court.



## **APPENDIX B – Original Submission of the Mandeville Village Limited Partnership**

Waimakariri District Council,  
215 High Street  
Private Bag 1005,  
Rangiora, 7440

Via email: [developmentplanning@wmk.govt.nz](mailto:developmentplanning@wmk.govt.nz)

12 August 2022

To Whom it May Concern,

**RE: SUBMISSION IN PARTIAL SUPPORT OF PRIVATE PLAN CHANGE 31 - RCP031, 511, 531, 535 AND 547 MILL ROAD AND 290 AND 344 BRADLEYS ROAD, OHOKA**

The following is a submission in partial support to the proposed Plan Change at 511, 531, 535 and 547 Mill Road and 290 and 344 Bradleys Road (PC 31). This submission has been prepared by Urbis TPD Ltd on behalf of Mandeville Village Limited Partnership who are the owners of the Mandeville Village development.

### **Background to the Mandeville Village Development**

The history of the Mandeville Village development, including a previous plan change and the subsequent resource consent applications is summarised as follows:

#### **The Original Plan Change**

A plan change was undertaken in 2014-2015 to rezone an area of land at the intersection of Mandeville Road, McHugh's Road and Tram Road from a rural zoning to a Business 4 and Residential 4A zoning (Plan Change 33). The purpose of the plan change was to provide for a commercial centre for the wider Mandeville / Ohoka / Swannanoa area. The Business 4 Zone enables site-specific areas of retail and business activity located outside of the Kaiapoi and Rangiora town centres.

Site-specific rules for any development within the Mandeville North Business 4 Zone were incorporated into the District Plan (Rule 31.2.1). The plan change also introduced the relevant objectives and policies for the



Mandeville North Business Zone (16.1.3) which outline the intention for the area to be able to appropriately provide commercial services to meet the needs of the Mandeville / Ohoka / Swannanoa catchment. Of partial relevance to this submission, Plan Change 33 discussed how growth in the surrounding area was expected to increase as more rural-residential development, such as that proposed by Plan Change 31, occurred. Retail assessments prepared by both RCG and Property Economics were presented as evidence for the Plan Change by both the Council and submitters which outlined the relevant primary and secondary catchments and its predicted growth.

### Resource Consent Approvals

Resource consent was subsequently granted in December 2016 for a retail centre development at 468 Mandeville Road (Council reference: RC165330). Relevant features of the approved development included:

- a) Two buildings that contain a supermarket, restaurants, takeaways, a childcare centre, a hair salon and a self-service petrol station. The total retail floor area within the development (as defined by the operative District Plan) is around 460m<sup>2</sup>;
- b) A childcare centre for 75 children and 10 staff, operating between 7am-6pm Monday-Friday (except public holidays),
- c) Two separate Tram Road accesses, with the eastern access providing left-turn entry only, and the western access providing full turns. There is a third site access, also with full turns, to Mandeville Road.
- d) 67 car parking spaces provided on the site in accordance with site specific rules,
- e) Signage and extensive landscaping.

A variation to the resource consent was approved in August 2017 (Council references: RC175202 and RC175203) for a variety of building design changes, a change in the car parking supply and a revised internal circulation design.

A new resource consent was approved in 2018 for a revised access arrangement (Council reference: RC175352). This involved the western Tram Road access becoming a full-turns access, and associated revisions to markings, islands etc within the road reserve.



Subdivision consent was granted in August 2020 to subdivide the neighbouring site to the southeast, being 464 Mandeville Road into two allotments of 4500m<sup>2</sup> (Lot 1) and 5635m<sup>2</sup> (Lot 2), and then amalgamate the north-eastern allotment (Lot 2) with the Mandeville Village site (Lot 1 DP 494992) (Council reference: RC205130). The southern allotment provides for the proposed hire centre (not owned by the Submitter). The subdivision process has been completed and the titles have been issued. This means that the land available for further development of the Mandeville Village is now in the ownership of the submitter.

For the land located immediately next door to the Village site, resource consent application was prepared on behalf of Rural Holdings Limited for an equipment hire yard on the southwestern portion of 464 Mandeville Road. This application was approved 2<sup>nd</sup> November 2021 with development involving a single building, surrounded by the equipment storage yard, along with landscaping and signage. It will be accessed via a single driveway from Mandeville Road.

#### The Existing Scale of Development

The existing development of the Mandeville Village, and the proposed hire centre site, as approved by the above consents, can be seen in Figure 1 below:

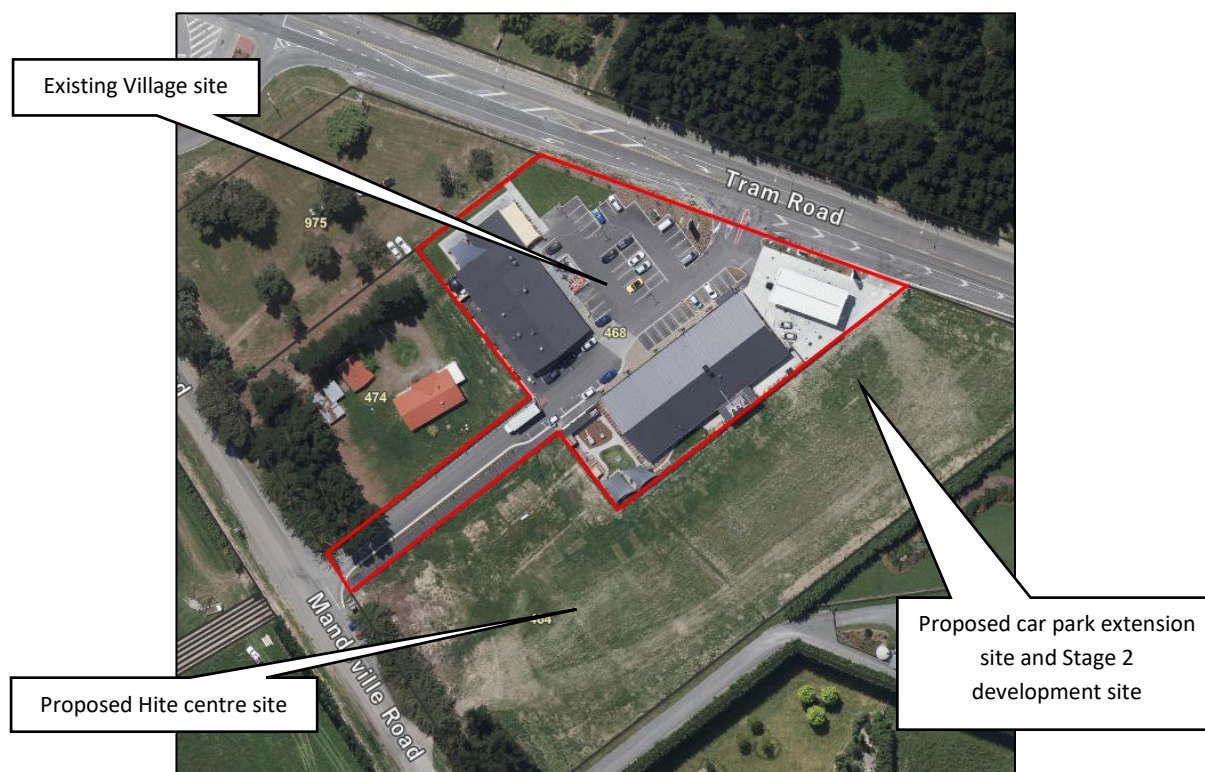


Figure 1: Existing Mandeville Village Development

Figure 1 confirms that the submitter has invested several million dollars investing in this site to provide for the scale of commercial development that works towards the outcomes anticipated by the operative District Plan to provide for a commercial centre for the wider area in this location.

#### Proposed Further Site Development

The Village has now been operating for several years and has been well received by the community. So much so, that it is now very apparent the amount of land originally rezoned to provide for the village is inadequate to provide for the amount of floor space and parking required by the site-specific District Plan rules. In particular:

- a) Rule 31.2.1 j) of the operative District Plan limits the amount of gross retail floor area within the Village development to 1,700m<sup>2</sup>. In comparison, the as-built village development has 461m<sup>2</sup> of retail floorspace. However, the existing Village site is fully developed, and there is no further room available within the site to provide for the additional 1,240m<sup>2</sup> of retail floor space as considered and approved under Plan Change 33;
- b) The Mandeville Village development is already operating above the levels estimated in both of these assessments and the predicted growth in the surrounding area can be expected to further outstrip the operational capacity of Mandeville Village – even at the scale anticipated by Plan Change 33.
- c) Since the Village was completed and began trading, it has become apparent that the success of the Village is such that the actual parking demand of the activity has exceeded expectations. Overflow on-street parking was occurring, and the neighbouring reserve land to the northwest of the site was also being used for informal parking.
- d) Additionally, the recent opening of the new northern arterial motorway can be seen as further increasing the demand profile of the catchment area from what both RCG and Property Economics reported for Plan Change 33.

It is readily apparent that the amount of land originally rezoned for business purposes was inadequate to properly provide for the commercial development anticipated by Plan Change 33. However, the location remains the most appropriate central location for this scale of commercial activity to service the target



Mandeville / Ohoka / Swannanoa catchment. Therefore, as an interim measure, and as an alternate parking supply option, resource consent for a permanent carpark at 468 Mandeville Road was recently granted under RC205387. This car park provides for 43 additional formed, sealed and marked parking spaces with a new left turn entry access from Tram Road. Its location is also shown in Figure 1 earlier. RC205387 shows clear intent for the long-term expectations of Mandeville Village as the main commercial hub for the catchment and is readying itself now in anticipation of further growth, including capacity to support the growth contemplated by PC 31.

### **The District Plan Review Process**

#### **The Notified Proposed District Plan**

The notified proposed District Plan review gives the Village site a '*Local Centre*' commercial zoning.

The Council has also proposed giving 468 Mandeville Road a '*Local Centre*' commercial zoning in order to properly provide for the expansion of the Village to a scale anticipated by the Plan Change 33 rules (here it is reiterated that the existing Mandeville Village Development contains around 460m<sup>2</sup> of retail floor area, whereas as the site-specific zone rules for the Village next door have a cap of around 1,700m<sup>2</sup> retail floor area).

The notified District Plan provides the following objectives and policies of relevance to this submission (bold text being our emphasis):

#### **LCZ-O1 – Local Centre Zone Activities**

##### *Local Centres:*

1. ***Are the focal point for a range of commercial, community and service activities at a smaller scale than Town Centres to provide for the daily/weekly shopping needs of the local residential or nearby rural area, including enabling a range of convenience activities;***
2. *activities do not adversely affect the role and function of Town Centres; and*
3. *amenity values are managed within the zone and at the interface with adjacent residential zones.*

#### **LCZ-P1 Design and integration**



*Within Local Centres:*

1. ***enable commercial, community, convenience and service activities that provide for the daily/weekly shopping needs of the local residential or nearby rural catchment and do not adversely affect the role and function of Town Centres, nor undermine investment in their public amenities and facilities;***
2. ***enable a range of Local Centres which, excluding the Woodend Local Centre, generally comprise 1,000m<sup>2</sup> to 4,000m<sup>2</sup> total floor space and up to 15 shops with a maximum retail tenancy of 350m<sup>2</sup> GFA;***
3. ***ensure Local Centres are integrated into the transport system to promote efficient safe and accessible modal choice, and manage adverse effects on the operation of the transport system; and***
4. ***adverse amenity effects are managed within the zone and at the interface with neighbouring more sensitive zones***

In the submitter's opinion, the proposed objectives and policies for the Local Centre Zone as notified will ensure that the future expansion of the Mandeville Village development will meet the needs of the surrounding environment. These needs being to provide daily and weekly convenience retail for the growing rural residential population surrounding Mandeville, Ohoka and Swannanoa.

Of note, the notified District Plan also provides for Neighbourhood Zones which are intended to provide for smaller-scale activities to meet the mainly convenience needs of immediate residential neighbourhoods, **while protecting the role and function of the town and local centres**. We make this point to show there is a clear hierarchy intent of commercial centres to support a compact urban form, consistent with their role and function.

Submission to the District Plan Review

The submitter has lodged a submission to the District Plan review process supporting this rezoning as it will properly provide for the scale of commercial development originally anticipated by Plan Change 33.

A plan showing a possible site layout for the expanded Village is provided in **Appendix A**. While this plan is only indicative it does show how Mandeville Village could be expanded in a way that will address any existing





design issues and retains the desired convenience-style commercial environment that Plan Change 33 intended, and is now also sought by the proposed (notified) District Plan. The common ownership of the sites will provide for a more contiguous master-planned commercial development with less fragmentation, more opportunity for complementary uses and activities, and a more accelerated delivery to meet the needs of the community.

The key point to note from all of this background is that steps are already in place to provide for a commercial centre to provide for the convenience needs of the wider area, in a location that is directly accessed from the primary arterial road through the area, and a location that already has the infrastructure in place to provide for it. This sets the expectations around commercial hierarchy.

### **Proposed Plan Change 31**

Under Plan Change 31 as notified the new commercial area (Business 4 Zone) within the subdivision will provide for approximately 5,700m<sup>2</sup> to 6,900m<sup>2</sup> of commercial floor space and associated vehicle parking. The proposed commercial areas are shown as red in Figure 2 below:



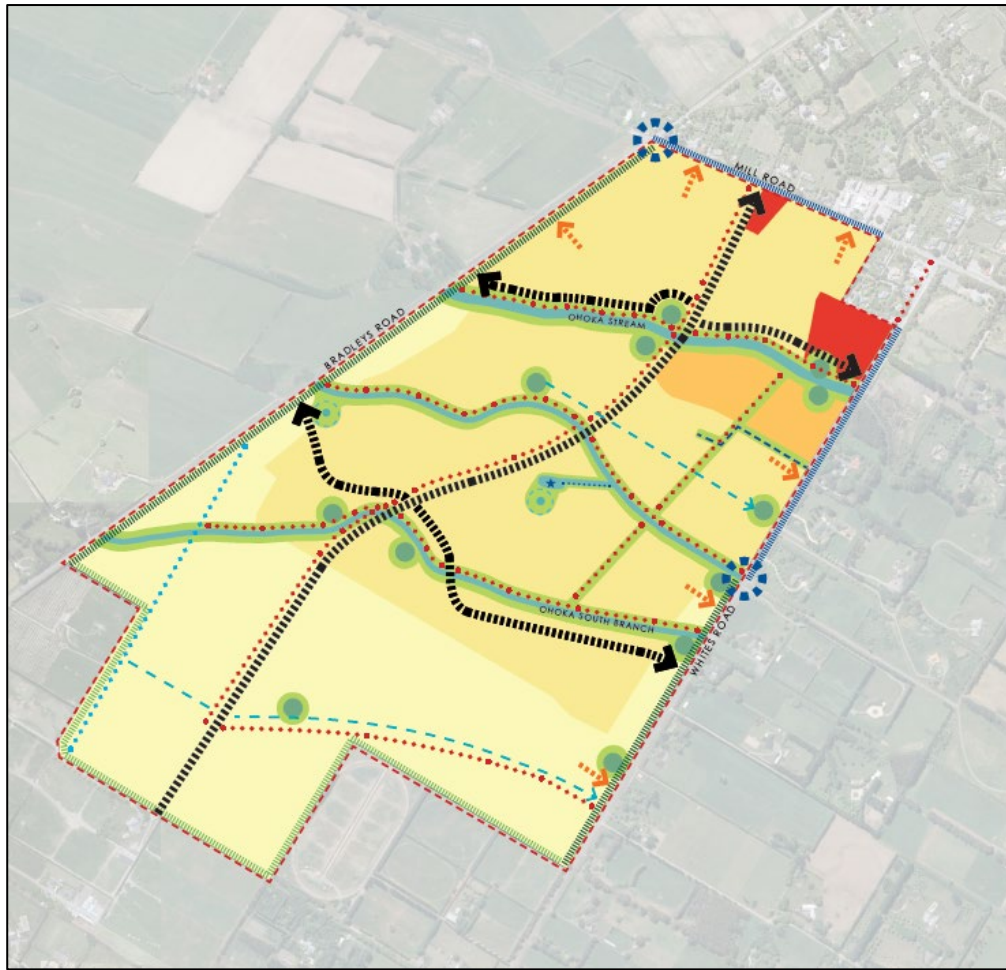


Figure 2: Proposed Mill Road Outline Development Plan

The proposed changes sought to the operative District Plan as relevant to this submission are as follows:

AMEND POLICY

*Policy 16.1.1.1...*

*Reason...*

*The Business 4 Zone provides for activities existing at 20 June 1998, and limited future expansion of retail and business activities with similar effects on the southwestern corner of Williams and Carew Streets in Kaiapoi (District Plan Maps 104 and 105), and the Lilybrook Shops on the corner of Percival Street and Johns Road, Rangiora (District Plan Maps 113 and 117). This zoning recognises the commercial zoning that these sites enjoyed under the Transitional District Plan. The Business 4 Zone also provides for a local community business zones at West Kaiapoi (District Plan Map 104), and*



*within the Mandeville North settlement (District Plan Map 182) and at Ohoka (District Planning Map 185).*

**INSERT NEW POLICY**

***Policy 16.1.1.12***

*Provide for retail and business activities in the Ohoka Business 4 Zone, in a way that:*

- c) maintains the characteristics of the Ohoka settlement as set out in Policy 18.1.1.9;*
- and*
- d) provides for limited business activities to provide for day-to-day convenience needs of the local community, is designed to achieve high quality urban design principles and a high standard of visual character and amenity.*

**AMEND**

***Principal Reasons for Adopting Objectives, Policies and Methods 16.1.4***

...

*The Business 4 Zone enables site-specific areas of existing retail and business activity located outside of the Kaiapoi and Rangiora town centres. The effects of activities are known for those already developed, including those impacting on adjoining residential areas. Activity and development standards constrain the scale and nature of possible future effects. A specific policy and rule framework exists for the Business 4 Zone in West Kaiapoi, ~~and the Business 4 Zone in Mandeville North~~ and Ohoka to ensure suitable scale and characteristics of any development within the zone and with regard to Mandeville North to recognise community desires.*

**Response to Plan Change 31**

**General Position**

Mandeville Village Limited Partnership (the submitter) is generally in support of the Plan Change, particularly from a residential capacity perspective, as it is the submitter's opinion that this area needs progressive development such as the proposal to ensure that Ohoka and surrounds continues to be a great place to live. The region has now grown to a point where it is a satellite town and a well-thought-out mixed



tenure/typology of housing density is critical to provide balance to the housing sector. The additional transport capacity provided by the new motorway ensures that the Mandeville/Ohoka area is a sensible place to focus residential growth for the north. As an example, the recent expansion of Rolleston shows how progressive development has helped improve the area, and helps fund important infrastructure to ensure its continued residential growth.

However, it is the submitters opinion that, in line with proposed District Plan objectives and policies, it is critical that the Mandeville North Business 4 Zone (MNB4Z) remains the key local centre for commercial activity within the wider area. This is important in order to preserve the hierarchy of commercial areas sought under the proposed District Plan and to preserve the primacy of Town Centres as the key commercial hubs throughout the district. Here it is reiterated that PC33, and the subsequent operative and proposed District Plan rules, provided for a significantly greater scale of commercial development than what exists at the village site at present, and the notified proposed District Plan provides for a commercial zoning of 468 Mandeville Road to provide for commercial activity at a scale anticipated by PC33 and the subsequent operative District Plan rules.

It seems clear that the PC31 Applicant is only anticipating a commercial precinct that has **limited business** activities to provide for **day-to-day convenience needs** of the local community. This description best suits a **Neighbourhood zone** under the proposed (notified) District Plan. For emphasis we repeat that definition and bold the wording that closely aligns to that of the Applicants wording for what's intended as part of PC31. *Neighbourhood Zones which are intended to provide for a range of **small-scale activities to meet the mainly convenience needs of immediate residential neighbourhoods**, while protecting the role and function of the town and local centres.*

#### Effects upon Existing Resources

It is noted that the plan change does not provide a retail impact assessment to assess the effects the proposed 5,700m<sup>2</sup> to 6,900m<sup>2</sup> of commercial floor space would have on the continued viability of the existing Mandeville village Centre, nor is there any recognition in the PC31 documentation of the Council's proposed expansion for this centre to cater for anticipated residential growth in the area. As noted earlier, the submitter provided a submission in support of this Local Centre rezoning as part of the District Plan review.



Under the Proposed Plan, Local Centres are designed to:

- Be the focal point for a range of commercial, community and service activities, at a smaller scale than Town Centres;
- To provide for the daily/weekly shopping needs of the local residential or nearby rural area, including enabling a range of convenience activities;
- Provide activities that do not adversely affect the role and function of Town Centres; and
- Ensure that amenity values are managed within the zone and at the interface with adjacent residential zones.

**The Mandeville Village development achieves these outcomes for the wider area.** However, additional commercial services at the proposed subdivision could undermine the intent of the Local Centre and the intended hierarchy of commercial zones under the Proposed Plan.

**It follows that any commercial activity proposed at the PC31 site should be designed to specifically provide very localised amenity only** – and not undermine the viability, or adversely affect the role and function, of the specifically designated commercial precincts of Local Centre zones elsewhere. It is submitted that there is only so much demand for critical business services (even with this proposed subdivision), and Mandeville Village is the designated and appropriate location for this purpose (as contemplated by PC 33 and the District Plan review). This is further supported by the arterial primacy of Tram Rd to the roading hierarchy, and the fact commercial centres should be serviced by infrastructure that can accommodate growth.

#### Consistency with the Proposed Objectives and Policies

The Objectives & Policies under both the operative and proposed District Plans outline the intention of the MNB4Z, being to provide for the daily and weekly convenience needs of the local area. The retail assessment, prepared as part of Plan Change 33, which resulted in the rezoning of MNB4Z, considered Mandeville, Ohoka, Swannanoa and surrounding areas as primary and secondary catchments for the MNB4Z, is included as **Appendix B** to this submission. Mandeville Village has been purposely developed to service these primary and secondary catchments, and the development already undertaken (car park) and further anticipated on the second stage of the Village further supports this – and is expressed in the Local Centre designation proposed as part of the notified District Plan.



It is the submitter's opinion that the proposed objectives and policies for the Local Centre Zone, as notified by Council, will ensure that the future expansion of the Mandeville Village development will meet the needs of the surrounding environment while not eroding the primacy of other commercial zones in larger settlements (particularly Town centres). These needs being to provide convenience retail for the growing residential population within the primary and secondary catchments identified as part of PC 33 – this includes being able to appropriately cater for the scale of residential activity as proposed by PC 31 (particularly with the extension of the Local Centre zone as proposed by Council).

Further, excessive commercial development as a result of PC31 could also potentially undermine the intended role of town centres by increasing the overall scale of commercial activities not within major centres.

The submitter does support localised bars and restaurants as well as limited retail activity within the PC31 commercial areas consistent with the scale otherwise permitted within Neighbourhood Centre zones under the proposed (notified) Waimakariri District Plan. This will preserve the integrity of the commercial hierarchy system anticipated by the proposed District Plan and will avoid unnecessary adverse effects on the existing Local Centre of Mandeville, and fragmentation of key commercial activities.

Plan Change 33 discussed how growth in the surrounding area was expected to increase as more residential development occurred. Comprehensive retail assessments were presented as evidence for the Plan Change by both the Council and submitters which outlined the predicted growth.

Even though the proposed subdivision will exceed these predictions, given the Mandeville Village development is already operating above the levels estimated in both of these assessments, plans to cater for increased development, including the scale as contemplated by the proposed development (PC 31) have already been put into place.

### Traffic

The potential effects of RCP031 on traffic is also an important consideration. The Mandeville Village has been carefully developed to ensure that the Village is integrated into the transport system to promote efficient safe and accessible modal choice, and manage adverse effects on the operation of the transport system. The



proposed development will obviously result in much higher vehicle movements, and likely result in road upgrades up Bradleys / Whites Rd etc.

However, it is considered that it is not necessary to place avoidable additional pressure on the infrastructure in this area. The commercial development within the MNB4Z has been appropriately designed to cater for increased traffic volumes along Tram Rd (the main arterial road in the area). This makes it logical to concentrate vehicle activity for commercial purposes at MNB4Z with the required infrastructure already being operational. As previously stated, this is further supported by the arterial primacy of Tram Rd to the roading hierarchy, and the fact commercial centres should be serviced by infrastructure that can accommodate growth.

The more recent approval process for the car park extension specifically included consideration of long-term site access options if further built form occurred in the area. This included consideration of the proposed traffic lights or roundabout at the nearby Bradleys/Tram/McHughs intersection (as proposed by Council, and as provided for in their long-term capital allocation plan).

The result of this is that any increase in the scale of the development will not require any further upgrade to the existing accesses and that any increase in traffic generation will not negatively impact the adjoining road network. Significant effort has been put into designing a village that can cater for significant residential growth such as proposed under the PC31.

The previously mentioned submission in support of the proposed expansion of the Local Centre at Mandeville concluded;

*“The existing Mandeville Village was developed under site specific rules considered and approved under the Plan Change 33 process. The subsequent Village operation has confirmed that the operative rules do not work in relation to issues such as scale of activity to meet existing and growing local demand, and parking provision. The success of the existing Village activity, combined with predicted future population growth means that more land is necessary, more building floor space is required and more parking is required. This can only be achieved with an expansion of the commercial zone, and the recent approval of the car park extension makes expanding the commercial zone onto 468 Mandeville Road logical”.*





The Village is already being developed to cater for the needs of growth, including catering for the scale of residential growth contemplated by PC 31.

The village has been granted consent for additional car parking to properly provide for the scale of commercial development originally anticipated by the rezoning required more land, and logically an extension of the zoning eastwards provides the necessary room to properly facilitate development of the Village. The Council clearly supports Mandeville Village being the main Local Centre for commercial activity in the wider area (Ohoka/Swannanoa/Mandeville etc) as demonstrated by the proposed rezoning of an additional 5,000m<sup>2</sup> of commercial land. The proposed (notified) District Plan also sets a clear hierarchy for commercial activity. This must be taken into account when determining the level of commercial activity at PC 31.

### **Conclusion**

It is the submitter's opinion that while the proposed plan change will provide additional, high quality residential development which will improve the area, this environment already provides a commercial hub which is consistent with the required hierarchy of commercial centres throughout the district. Any additional commercial activity beyond small scale convenience activities which are expected within Neighbourhood Centre zones is unnecessary and could potentially undermine the role of both the established village (proposed Local Centre zone) and potentially also Town Centres as suitable areas for commercial activity, and is therefore inconsistent with objectives and policies of both the operative and proposed District Plans.



### **Relief Sought**

In line with the objectives and policies for Local Centre zones this submission seeks to ensure that any commercial development at PC 31 is in line with the objectives, policies and rules for the 'Neighbourhood Centre' zone as notified under the Proposed District Plan.

### **Presentation of Submission**

We wish to be heard in support of this submission.

If others make similar submissions, we will consider presenting a joint case at any hearing.

Yours sincerely,



Callum Ross

Planner

**URBIS TPD LIMITED**



## **APPENDIX C: As-built Layout for Mandeville Village Stage 1**





## **APPENDIX D: Indicative layout for Mandeville Village Stage 2**







## **APPENDIX E - Summary of RCP031 Retail Assessments to Date**

The following assessments of economic effects have been prepared to date in association with RCP031:

Assessment of Economic Effects by Mike Copeland	<ul style="list-style-type: none"> <li>• This was the original economic assessment the applicant lodged with their proposed plan change.</li> <li>• Mandeville is not directly mentioned within this document and the effects of the proposed commercial areas on other centres is not directly addressed.</li> <li>• The assessment briefly mentions that the proposed commercial centres will have no effect on the viability of larger centres such as Rangiora but provides no substantiation.</li> <li>• This assessment mainly dealt with the economic benefits of the proposal in terms of providing for the growing Waimakariri District.</li> </ul>
Proposed Plan Change 31- Economic Review and Support by Formative Limited	<ul style="list-style-type: none"> <li>• This report was produced on behalf of the Council for their s42a assessment.</li> <li>• The report calculates the appropriate size of a commercial area in RCP031 that could be sustainably supported by the local community (and not reliant on an inflow of customers from outside the catchment) would be less than 2,700m<sup>2</sup>.</li> <li>• RCP031 as notified allows for a commercial floorspace of 5,700-6,500m<sup>2</sup>, well above what is sustainable from simply local convenience.</li> <li>• The Mandeville LCZ is the centre most likely to be affected by retail distribution impacts given the potential overlap in catchments.</li> <li>• The report does not quantify the scale of those potential impacts, however given the maximum permitted GFA in the Mandeville centre of 2,700m<sup>2</sup> (under PDP rule LCZ-R4) and the oversupply of commercial GFA in the proposed RCP031 centres (by 3,000m<sup>2</sup>) that RCP031 as notified would have the potential to generate material adverse retail distribution effects on the Mandeville LCZ.</li> <li>• The report agrees with the Mandeville Village submission in that there will be a continued growth in demand for space in Mandeville Village over time.</li> <li>• However, the report states that there would be sufficient local demand by the time RCP031 is fully built to accommodate both an expanded Mandeville centre and a local centre at Ohaka, provided the floor space is much smaller than outlined in the Development Plan.</li> <li>• Overall, the report concludes that the commercial centres proposed as part of RCP031 are significantly larger than what is required for the number of households that would live in the centre's catchment.</li> </ul>





	<ul style="list-style-type: none"> <li>• The report believes that the proposed scale may give rise to adverse effects on existing centres, in particular the LCZ at Mandeville</li> </ul>
Evidence of Natalie Dianne Hampson	<ul style="list-style-type: none"> <li>• This evidence was produced on behalf of the applicant to address the economic effects of RCP031.</li> <li>• Ms Hampson produced a model (the Gravity Model) which showed that no centre, including the Mandeville centre would suffer more than minor adverse effects on centre amenity, vitality and vibrancy based on the food, grocery and liquor store supply assumptions modelled for Ohoka.</li> <li>• Ms Hampson concludes that the distributional effects of a new centre which combines a range of convenience activities would not lead to any significant adverse effects on other centres in Waimakariri District.</li> <li>• However, she also supports a total gross floor area cap for Business 4 Zone land in RCP031 are of 2,500-3,000m<sup>2</sup>.</li> <li>• This is consistent with the Formative report produced for the Council.</li> <li>• In her response to submission of the Mandeville Village Partnership, Ms Hampson states that the RCP031 would change the residential landscape within the Mandeville, Ohoka and Swannanoa catchment, such that the greatest concentration of residential dwellings would be centred on Ohoka in the future and not Mandeville.</li> <li>• The report predicts that in the absence of including a new centre with RCP031 that over time, the Mandeville Centre may not have sufficient capacity to efficiently meet all catchment demand as RCP031 becomes fully developed.</li> <li>• Ms Hampson concludes that if a second area of commercial zoning is to be retained in RCP031, that it should be zoned at a lower level in the centre hierarchy (in the context of the PDP) and delivered within the same GFA cap for RCP031.</li> <li>• Its development should also be delayed until the large local centre is fully developed and could be subject to an assessment that demonstrates the economic performance and health of the Mandeville Centre.</li> </ul>

