

**BEFORE THE CHRISTCHURCH REPLACEMENT DISTRICT PLAN
HEARINGS PANEL**

IN THE MATTER of the Resource Management Act 1991 and the Canterbury
Earthquake (Christchurch Replacement District Plan) Order
2014

AND Stage 3 of the Christchurch Replacement District Plan

**SIXTH STATEMENT OF EVIDENCE OF ANDREW PETER HEWLAND WILLIS
ON BEHALF OF THE CROWN**

PROPOSAL 13: CENTRAL CITY PROPOSAL

Proposed re-zoning of 332 Oxford Terrace

Dated 14 January 2016

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1. INTRODUCTION

- 1.1 My full name is Andrew Peter Hewland Willis. I hold the position of Managing Director of Planning Matters Limited in Christchurch. I have held this position for three years.
- 1.2 I have been engaged by the Crown, through the Canterbury Earthquake Recovery Authority ("**CERA**"), to provide planning evidence relating to the Stage 3 Central City Proposal ("**the Proposal**").
- 1.3 This is the sixth statement of evidence I have prepared on the Christchurch Replacement District Plan ("**Replacement Plan**"). My first statement of evidence was provided in respect of the Stage 1 hearing for Proposal 5 (Natural Hazards) for the Crown.¹ My second statement of evidence was provided in respect of the Stage 2 hearing for Proposal 14 (Residential) for the Crown.² My third statement of evidence was in respect of the Memorial Business Park hearing (Stage 2) for the Crown.³ My fourth statement of evidence was in respect of Proposal 21 (Specific Purpose Hospital Zone) for the Canterbury District Health Board ("**CDHB**").⁴ My fifth statement of evidence was in respect of Proposal 4 (Papakāinga).⁵ I continue to hold the views expressed in each of those statements of evidence.
- 1.4 I have also prepared a statement of evidence for the CDHB for the Central City hearing with respect to the Specific Purpose Hospital Zone.
- 1.5 A summary of my qualifications, relevant past experience and involvement in the Replacement Plan process is set out at paragraphs 1.2 to 1.6 in Attachment A of my first statement of evidence.⁶
- 1.6 My experience with regard to the Central City Proposal has been formed through working in various planning roles. As a Christchurch City Council

¹ Statement of evidence of Andrew Willis for the Crown dated 20 February 2015. Available for download at <http://www.chchplan.ihp.govt.nz/hearing/chapter-5-natural-hazards/> under the headings "Hearing Documents", "Submitter evidence".

² Statement of evidence of Andrew Willis for the Crown dated 27 August 2015. Available for download at <http://www.chchplan.ihp.govt.nz/hearing/chapter-14-residential-part-stage-2/> under the headings "Hearing Documents", "Submitter evidence".

³ Statement of evidence of Andrew Willis for the Crown dated 3 September 2015. Available for download at <http://www.chchplan.ihp.govt.nz/hearing/private-plan-change-mail/> under the headings "Hearing Documents", "Submitter evidence".

⁴ Statement of evidence of Andrew Willis for the CDHB dated 15 October 2015. Available for download at <http://www.chchplan.ihp.govt.nz/hearing/chapter-21-specific-purpose-zones-stage-2/> under the headings "Hearing Documents", "Submitter evidence".

⁵ Statement of evidence of Andrew Willis for the Crown dated 5 November 2015. Available for download at <http://www.chchplan.ihp.govt.nz/hearing/chapter-4-papakainga-zone-stage-2/> under the headings "Hearing Documents", "Submitter evidence".

⁶ Statement of evidence of Andrew Willis for the Crown dated 20 February 2015. Available for download at <http://www.chchplan.ihp.govt.nz/hearing/chapter-5-natural-hazards/> under the headings "Hearing Documents", "Submitter evidence".

("Council") staff member I led the team that prepared the regulatory framework for the draft Central City Recovery Plan. I was then seconded to CERA to help prepare the Christchurch Central Recovery Plan, Te Mahere 'Maraka Ōtautahi' and Blueprint ("CCRP"). As a consultant, I was part of the team that drafted the Land Use Recovery Plan, Te Mahere Whakahaumanu Tāone ("LURP") which contains policy direction on residential and business development, including intensification within the central city. I also helped draft the Canterbury Regional Policy Statement ("RPS"), including Chapter 6, which contains regional policy guidance on residential and business development.

2. CODE OF CONDUCT

- 2.1 I confirm that I have read the code of conduct for expert witnesses as contained in the Environment Court's Practice Note 2014. I have complied with the practice note when preparing my written statement of evidence, and will do so when I give oral evidence before the hearings panel.
- 2.2 The data, information, facts and assumptions I have considered in forming my opinions are set out in my evidence to follow. The reasons for the opinions expressed are also set out in the evidence to follow.
- 2.3 Unless I state otherwise, this evidence is within my sphere of expertise and I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

3. SCOPE

- 3.1 I have been asked to provide planning evidence in relation to the zoning of 332 Oxford Terrace (the former Star and Garter site) ("**332 Oxford Terrace**") within the Proposal. My evidence addresses whether the relief sought by Carter Group Limited ("**Carter Group**") regarding the rezoning of 332 Oxford Terrace is consistent with the CCRP and other planning documents and is arranged in four parts:
- (a) The Crown's submission, and further submission on the submission by Carter Group Limited;
 - (b) Consistency of the relief sought with the CCRP;
 - (c) Consistency of the relief sought with the revised Replacement Plan provisions attached as Attachment A to Mr Stevenson's and Mr

Blair's evidence for the Council dated 16 December 2015 ("**the Revised Provisions**");⁷ and

- (d) Other statutory considerations.
- 3.2 A list of the documents and evidence I have drawn upon in forming my views is set out in **Attachment A** to this evidence.
- 3.3 I attended informal mediation for the site at 332 Oxford Terrace on behalf of the Crown on Friday 11 December 2015. Agreement was not reached on the zoning.
- 3.4 Subsequent to the informal mediation, I understand that Carter Group Limited no longer wishes to pursue its submission requesting a commercial zoning for 332 Oxford Terrace, but wishes to continue to pursue a guest accommodation zoning for the site. Notwithstanding this position, my evidence addresses the submission points seeking both commercial and guest accommodation zoning.
- 3.5 Tables detailing the resolution of the Crown's submission points, including those related to 332 Oxford Terrace, is attached as **Appendix 4** to Ken Gimblett's evidence for the Crown.⁸ In my opinion, the Council's Revised Provisions adequately address the Crown's submission points in respect of 332 Oxford Terrace.
- 3.6 I understand that the Central City hearing will consider the appropriate zoning of 332 Oxford Terrace, but the merits of Carter Group Limited's submission seeking scheduling of 332 Oxford Terrace for guest accommodation purposes will be considered as part of the General Rules and Procedures hearing later in the year. I intend to address the matter of scheduling in my evidence for the General Rules and Procedures hearing.

4. EXECUTIVE SUMMARY

- 4.1 Carter Group Limited lodged a submission seeking that 332 Oxford Terrace be zoned Central City Commercial or Central City Guest Accommodation; or be scheduled for guest accommodation. The Crown lodged a general submission seeking that the Proposal not be inconsistent with the CCRP, and a further submission in opposition to the submitted request for guest accommodation scheduling.

⁷ Mr Stevenson's evidence addresses, amongst other things, the commercial provisions for the Central City. Mr Blair's evidence addresses the Residential provisions for the Central City.

⁸ The tables relevant to my evidence are at Page 135 of Mr Gimblett's evidence for the Crown (Appendix 4).

- 4.2 332 Oxford Terrace is zoned Central City Residential Zone in the CCRP and in the Proposal. The CCRP states that providing for an increased residential population is important to the recovery and revitalisation of the Central City. The Replacement Plan seeks to enable a range of housing opportunities to support significant additional households in the Central City between 2012 and 2028.⁹
- 4.3 In my opinion zoning 332 Oxford Terrace for purposes other than residential would:
- (a) lead to the loss of residential zoned land in the Central City;
 - (b) be inconsistent with CCRP Policy 11.12.1; and
 - (c) not support achieving the Replacement Plan's additional household aspirations.
- 4.4 The objectives and policies in the CCRP for the Central City Business Zone seek to reinforce the Central City and the Central City Business Zone as the principal and consolidated focus for a diversity of business, accommodation, community and cultural activities.¹⁰ Consistent with the CCRP, Objective 13.1.1 in the Revised Central City Commercial Proposal provides for a range of commercial, community, cultural, residential and guest accommodation activities in the Central City and seeks to limit the extent to which retail and office activities can occur outside of the Business Zone in the Central City.
- 4.5 In my opinion, a commercial or guest accommodation zoning for 332 Oxford Terrace could compromise the role of the Central City Business Zone and the aim of consolidating this and the Central City Mixed Use Zone.
- 4.6 In my opinion, retaining the residential zoning for 332 Oxford Terrace would be consistent with the RPS as well as the intent of the LURP with respect to the location of commercial development and residential intensification within existing urban areas.

5. THE CROWN'S SUBMISSIONS ON THE NOTIFIED CENTRAL CITY PROPOSAL

- 5.1 Carter Group Limited lodged a submission seeking the following relief relating to 332 Oxford Terrace:

⁹ Strategic Directions Objective 3.3.8(c)

¹⁰ CCRP Appendix 1, Objective 12.2 and Policy 12.2.2.

- (a) to rezone the site Central City Commercial;¹¹ or
- (b) to rezone the site Central City Guest Accommodation;¹² or
- (c) to schedule 332 Oxford Terrace under Rule 13.14.5.4 for guest accommodation.¹³

5.2 The Crown sought that the notified Replacement Plan be not inconsistent with the CCRP in Part A of its originating submission.¹⁴

5.3 The Crown also lodged a further submission opposing the relief seeking scheduling of 332 Oxford Terrace for guest accommodation as it was considered to be inconsistent with the CCRP which anticipates residential activity on this site.

6. CONSISTENCY WITH THE CCRP

Residential Development within the Central City

6.1 The CCRP was released in July 2012. Since then it has been updated with the release of an additional chapter and addendums that replace parts of it or add to it. The "A Liveable City" addendum to the CCRP was gazetted in January 2015 and contains a vision and objectives for Central City living, together with several initiatives to stimulate development of housing communities. It contains changes to the Central City residential provisions of the CCC's operative District Plan ("**Operative Plan**").

6.2 The CCRP (and in particular the A Liveable City addendum) states that "*to help achieve the Christchurch Central Recovery Plan vision, residential development needs to be enabled and catalysed*"¹⁵ and that providing for an increased residential population is important to the recovery and revitalisation of the Central City as a whole and is key to defining a distinctive Central City.¹⁶

6.3 In order to maintain existing and enable further residential development within the Central City, the CCRP expressly zoned areas for residential development, denoting these as the Central City Residential Zone. The location of the Central City Residential Zone was based on the Operative Plan's identified Living Zones.

¹¹ Carter Group Submission, Number 3602.25 – 3502.31, Page 12

¹² Carter Group Submission, Number 3602.25 – 3602.31, Page 12

¹³ Carter Group Submission, Number 3602.136 – 3602.142, Page 22

¹⁴ Crown Submission 3721, see for example: Paragraph 3.1(a) Page 12 and Paragraph 9.2(a)(i) Page 22

¹⁵ Christchurch Central Recovery Plan, A Liveable City Addendum, January 2015, Page 6

¹⁶ Christchurch Central Recovery Plan, Page 103

- 6.4 For 332 Oxford Terrace, the existing Living zoning in the Operative Plan was carried over and accordingly the site is zoned Central City Residential Zone in the CCRP (and subsequently in the Proposal).
- 6.5 The CCRP also amended the relevant Operative Plan provisions, creating a new Central City Residential Zone that carefully balanced:
- (a) the need for flexibility in the way that a range of housing types can be designed and built; and
 - (b) the need to ensure the outcome (specifically the amenity) of such developments is sufficiently certain for current residents and to ensure that potential residents feel confident about moving into the area.¹⁷
- 6.6 The purpose of the Central City Residential Zone is to:
- “provide an environment within which the vision of the Recovery Plan can be realised: an exciting and sustainable central city that attracts permanent residents to live, work and play in an environment that is safe, accessible to everyone and responsive to future changes.”¹⁸*
- 6.7 In order to achieve the above stated outcomes, Policy 11.12.1 in the Appendix to the Liveable City addendum to the CCRP seeks:
- “To restore and enhance the Central City by:*
- (a) providing flexibility for a variety of housing types which are suitable for a range of individual housing needs;*
 - (b) providing for a progressive increase in the residential population of the Central City;*
 - (c) assisting with the creation of inner city residential neighbourhoods.”¹⁹*
- 6.8 In my opinion it is clear that the CCRP has placed significant importance on permanent residential development as a way to drive the recovery and revitalisation of the Central City. Zoning 332 Oxford Terrace for purposes other than residential would lead to the loss of residential zoned land in the Central City, and would be inconsistent with Policy 11.12.1, particularly clauses (b) and (c).

Commercial Development within the Central City

- 6.9 The objectives and policies in the CCRP for the Central City Business Zone seek to reinforce the Central City and the Central City Business Zone as the principal focus for a diversity of business, accommodation, community and

¹⁷ CCRP Liveable City Addendum, January 2015, Page 16

¹⁸ CCRP Liveable City Addendum, January 2015, Page 16

¹⁹ CCRP Liveable City Addendum, January 2015, Page 20

cultural activities.²⁰ They also seek to create a consolidated Central City Business Zone.²¹

- 6.10 Of key relevance is Policy 12.3.1 in Appendix 1 to the CCRP which seeks to:

“Ensure that retail and commercial activity maintains a primary function underpinning the vitality and viability of the Central City, by:
• *limiting the extent to which retail, offices and other commercial activities can occur within the Central City in areas outside of the Central City Business Zone;...*²²

- 6.11 Consistent with the commercial provisions, the Central City Residential Zone’s provisions limit non-residential activities in the zone. Policy 11.12.2 in the Appendix to the Liveable City addendum to the CCRP states:

“To ensure non-residential activities in the Central City Residential Zone:
(a) are of a small scale;
(b) are compatible with residential activities;
(c) do not compromise the role of the Central City Residential Zone or Central City Business Zone, or the aim of consolidating that area of the Central City or the Central City Mixed Use Zone;
*(d) meet the needs of the local residential community or would benefit from the high level of amenity inherent in the Central City Residential Zone*²³

- 6.12 Mr Stevenson addresses the merits of a commercial zoning of 332 Oxford Terrace in his evidence for the Council.²⁴ I agree with Mr Stevenson’s evidence where he considers a commercial zoning would enable commercial activity over an additional area, inconsistent with the CCRP which seeks to consolidate the areas for commercial activity. I agree with Mr Stevenson’s evidence where he states that a Guest Accommodation zoning would not support the consolidation of guest accommodation in the Business and Mixed use zones of the Central City.

CCRP consistency conclusions

- 6.13 The Replacement Plan must not be inconsistent with the CCRP.²⁵ As discussed above, the CCRP zones this site Central City Residential.²⁶ Zoning this site for purposes other than residential would, on the face of the CCRP, be inconsistent with the CCRP to some degree. To determine the

²⁰ CCRP Appendix 1, Objective 12.2

²¹ CCRP Appendix 1, Policy 12.2.2

²² CCRP Appendix 1, Policy 12.3.1

²³ CCRP Liveable City Addendum, January 2015, Page 20

²⁴ Evidence of Mark Stevenson, Attachment C, Para 10.2 to 10.4, Page 24

²⁵ Section 23 of the Canterbury Earthquake Recovery Act 2011.

²⁶ CCRP Liveable City Addendum, January 2015, Planning Maps, Map 1, Page 37

extent of the inconsistency, I have considered the policy framework and different outcomes likely to be achieved by the alternate rezoning requests.

- 6.14 In my opinion, there is a clear policy preference in the CCRP to:
- (a) provide for increased residential development within the Central City; and
 - (b) only provide for non-residential development in the Central City Residential Zone in limited instances, such as:
 - (i) when it would not compromise the role of the Central City Residential and Business Zones; or
 - (ii) to consolidate these zones and the Central City Mixed Use Zones.

6.15 In my opinion, zoning 332 Oxford Terrace for commercial or guest accommodation activities is inconsistent with the zoning and intent of the CCRP. This conclusion is shared by Mr Stevenson and Mr Blair.²⁷

7. REVISED PROVISIONS

7.1 The revised Central City commercial provisions are set out as Attachment A to Mr Stevenson's evidence. In my opinion, consistent with the CCRP, Objective 13.1.1 in the Revised Proposal provides for a range of commercial, community, cultural, residential and guest accommodation activities in the Central City to enhance its viability, vitality and the efficiency of resources.²⁸ Notably clause ii of Objective 13.1.1 seeks to limit the extent to which retail and office activities occur elsewhere [i.e. outside of the Business Zone] in the Central City.

7.2 I consider that a commercial zoning for 332 Oxford Terrace would undermine the Central City Business and Mixed Use zones. This would be contrary to Objective 13.1.1, because it would allow commercial activity to locate outside of these identified zones.

7.3 I note that 332 Oxford Terrace is an unusually large (3456m²) vacant site with significant potential to accommodate a comprehensively planned intensive residential development. In my opinion this increases the importance of this site in helping to achieve the identified residential target.

²⁷ Evidence of Mark Stevenson, Attachment C, Paragraphs 10.1 – 10.6, Page 24. Evidence of Scott Blair, Paragraphs 20.21 – 10.24, Page 60

²⁸ Evidence of Mark Stevenson, Attachment A, Page 18

In my opinion, a rezoning from residential to commercial will result in a loss of residential capacity and therefore reduce the likelihood of meeting the Replacement Plan's Central City residential growth aims set out in Strategic Directions Objective 3.3.8(c) which, in the Revised Provisions, states:

"A range of housing opportunities are ~~provided~~ enabled to support at least~~minimum~~ of 5000 ~~{additional}~~ households in the Central City between 2012 ~~by~~and 2028."²⁹

- 7.4 Mr Stevenson also concludes in his evidence that a change to a commercial zoning will result in a loss of residential capacity in the Central City Residential Zone inconsistent with Objective 3.3.8.³⁰
- 7.5 Mr Stevenson also addresses the merits of a Guest Accommodation zoning in his evidence.³¹ Mr Stevenson states that the purpose of the zone is to recognise and enable the on-going use of sites with an established guest accommodation activity, rather than for locations where guest accommodation may be appropriate but which has not previously existed. Mr Stevenson concludes that the relief sought would not reflect the purpose of the zoning.
- 7.6 The Replacement Plan does not contain a statement about the purpose of the Guest Accommodation Zone but the Operative City Plan, which the Replacement Plan Guest Accommodation Zone provisions are based on, does. The Operative City Plan states that *"the zone recognises the importance of existing establishments which provide travellers' accommodation within the city and the continued provision of these facilities for tourists to Christchurch."*³² There is no existing or recently existing guest accommodation on 332 Oxford Terrace. Presuming the purpose of the zone is as set out in the Operative Plan I agree with Mr Stevenson's conclusions on the purpose of the zone relative to the site.
- 7.7 I consider that guest accommodation, including ancillary activities such as restaurants, would be a more appropriate activity in the Central City Business and Mixed Use Zones, supporting the purpose of these areas as set out in Objective 13.1.1. Allowing guest accommodation at 332 Oxford Terrace would also remove an opportunity to provide additional households in the Central City, contrary to Strategic Directions Objective 3.3.8(c).

²⁹ Evidence of Mark Stevenson, Attachment A, Page 6

³⁰ Evidence of Mark Stevenson, Attachment C, Paragraphs 10.1 – 10.6, Page 24

³¹ Evidence of Mark Stevenson, Attachment C, Para 10.5, Page 24

³² Operative City Plan, Volume 3, Part 2, Clause 1.10 Zone Description and Purpose

8. OTHER STATUTORY CONSIDERATIONS – THE RPS AND LURP

- 8.1 In my opinion, retaining a residential zoning for 332 Oxford Terrace is likely to result in additional residential development within the Central City, potentially at a high density given its large size and vacant status which allows the site to be comprehensively developed. This will help to give effect to RPS Objective 6.2.2³³ and Policy 6.3.7³⁴ which seek to provide for rebuilding and recovery needs by providing for a prescribed mix of intensification within existing urban areas versus new greenfield development, with higher density living (50 households per hectare minimum) within the Central City.³⁵ An intensive residential offering at 332 Oxford Terrace could reduce demand for further greenfield development, consistent with Policy 6.3.7.
- 8.2 In my opinion, a commercial zoning for 332 Oxford Terrace would not give effect to RPS Policies:
- (a) 6.3.6(3) which seeks to reinforce the role of the Central City as the city's primary commercial centre; or
 - (b) 6.3.6(4) which recognises that new commercial activities are primarily to be directed to the Central City and other identified centres where these activities reflect and support the function and role of those centres or not give rise to significant adverse distributional or urban form effects.
- 8.3 While 332 Oxford Terrace is within the Central City as defined in the RPS, the CCRP and the Proposal have further identified the commercial areas within the Central City where commercial activity is to be directed to, to support the functioning of the Central City.
- 8.4 The LURP was gazetted by the Minister for Canterbury Earthquake Recovery in December 2013. In accordance with the Statutory Direction the LURP sets out a framework for the recovery of greater Christchurch. The LURP specifically states that it is consistent with the CCRP and does not make any changes to the CCRP.
- 8.5 While the LURP is focussed on areas outside of the Central City, it supports residential intensification, noting that this will support the recovery of the

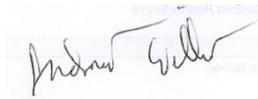
³³ RPS Objective 6.2.2 – Urban form and settlement pattern

³⁴ RPS Policy 6.3.7 – Residential location, yield and intensification

³⁵ RPS Objective 6.2.2(1) and (2)

Central City.³⁶ Consistent with the CCRP, commercial development is provided for and directed to existing commercial centres in order to support their recovery / revitalisation, provide for commercial activity needs and support rejuvenation, rather than occurring in other locations.³⁷

- 8.6 In my opinion, retaining the residential zoning for 332 Oxford Terrace will be consistent with the RPS as well as the intent of the LURP with respect to the consideration of the location of commercial development and residential intensification within existing urban areas.



Andrew Peter Hewland Willis

14 January 2015

³⁶ LURP, section 4.1.1, paragraph 2, page 17

³⁷ See for example LURP section 4.3.1, page 28

ATTACHMENT A – LIST OF DOCUMENTS AND EVIDENCE RELIED ON

- (a) The notified version of the Central City Proposal.
- (b) The notified section 32 evaluation report for the Central City Proposal.
- (c) The Recovery Strategy for Greater Christchurch: Mahere Haumanutanga o Waitaha.
- (d) The CCRP.
- (e) The LURP.
- (f) The RPS.
- (g) The Mahaanui Iwi Management Plan 2013.
- (h) The Statement of Expectations (“**SOE**”) in Schedule 4 of the Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014.
- (i) The decision of the hearings panel on Strategic Directions and Strategic Outcomes (and Relevant Definitions) dated 26 February 2015.
- (j) The statement of evidence of Mark Stevenson for the Council on the Proposal dated 16 December 2015.
- (k) The statement of evidence of Scott Blair for the Council on the Proposal dated 16 December 2015