

**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 the Christchurch Replacement District Plan -
Proposal 15

**STATEMENT OF EVIDENCE OF TIMOTHY CARR WALSH
ON BEHALF OF BEACH ROAD TYRE AND AUTO CENTRE LIMITED
(SUBMITTER 1077)**

the 24th day of April 2015

INTRODUCTION

1. My name is Timothy Carr Walsh. I am a resource management planner employed by Novo Group. Novo Group is a resource management planning and traffic engineering consulting company that provides resource management related advice.
2. I hold a Bachelor of Science (Honours) degree and a Master of Science degree from the University of Canterbury. I am also an Associate member of the New Zealand Planning Institute.
3. I have been employed by Novo Group as a Senior Planner for two months. Prior to my current role I was employed as a Senior Advisor in the Christchurch Central Development Unit at the Canterbury Earthquake Recovery Authority for 2 years.
4. I have approximately 9 years of experience as a resource management planner, working in local and central government, and as a consultant.
5. Relevant to this matter, I have experience in processing resource consent applications including preparing Section 42A reports and attending resource consent hearings on behalf of Queenstown-Lakes District Council. As a consultant planner I have experience in evaluating development projects, preparing resource consent applications and presenting evidence at Council resource consent and plan change hearings and the Environment Court.

Code of Conduct

6. I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2014. I have complied with it in preparing this evidence and I agree to comply with it in presenting evidence at this hearing. The evidence that I give is within my area of expertise except where I state that my evidence is given in reliance on another person's evidence. I have considered all material facts that are known to me that might alter or detract from the opinions that I express in this evidence.

Scope of Evidence

7. I have been engaged by Beach Road Tyre and Auto Centre Limited (**'Beach Road'**) to provide evidence in relation to properties located at 89-91 Beach Road, Christchurch which are proposed to be zoned Commercial Local in Proposal 15 of the Proposed Christchurch Replacement District Plan (**'Replacement Plan'**).
8. My evidence addresses the appropriateness of the proposed zoning.
9. The structure of my evidence is set out as follows:
 - a. current situation;
 - b. proposed zoning; and
 - c. options evaluation.
10. While recognising the statutory documents set out on pages 10-12 of the Panel's decision on Strategic Directions and Strategic Outcomes (and Relevant Definitions) dated 26 February 2015 (the **'Strategic Directions decision'**), my evidence specifically considers the degree of alignment with:
 - a. The statement of expectations in Schedule 4 of the Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014 (**'the Order'**), and in particular matters (a), (b) and (i) in Schedule 4; and
 - b. The Strategic Directions decision, and objectives 3.3.1 and 3.3.2 in particular; and
 - c. Section 32 of the Resource Management Act 1991 (**'the Act'**).
11. In addition to the above and Beach Road's submission, I have also considered the following documents in formulating my evidence:
 - a. Proposal 15 (Commercial) of the Replacement Plan (notified version and 8 & 13 April 2015 revisions);
 - b. the section 32 report;
 - c. the Order, particularly Schedule 4 – Statement of Expectations;
 - d. the Strategic Directions decision; and

- e. the evidence of Mr Mark Stevenson for Christchurch City Council ('Council').

Executive Summary

12. The Commercial Local zoning proposed for the site:
 - a. is consistent with the statement of expectations in Schedule 4 of the Order;
 - b. is consistent with the Strategic Directions decision, and objectives 3.3.1 and 3.3.2 in particular; and,
 - c. is the most appropriate way to achieve the relevant objectives of the Replacement District Plan.

STATEMENT

Current situation

13. The site is located at 89-91 Beach Road and contains a motor vehicle servicing business that was originally authorised in 1967.
14. For the sake of brevity, I do not repeat the particulars of the site and current zoning here, instead I refer the Panel to the Beach Road submission and my related Proposal 14 evidence at paragraphs 14-17.

Proposed zoning

15. The site was originally proposed to be zoned Residential Suburban in Proposal 14 but has been subsequently changed to Commercial Local.
16. The proposed Commercial Local zoning relates well to the activity which presently operates at 89-91 Beach Road and adequately provides for potential enhancements or redevelopment. To this end, I agree with the evidence of Mr Stevenson set out on pages 83 and 84 at his Attachment C.
17. Notwithstanding this, the planning maps attached to Mr Stevenson's evidence omits the western portion of the site that is legally described as Lot 12 DP 24374. I assume that this is a drafting error given there is no discussion within Mr Stevenson's evidence to suggest that this portion of the site is not suitable to be zoned Commercial Local.

18. For the sake of clarity, the proposed Commercial Local zoning ought to apply to the entire site which is legal described as Lot 12 DP 24374, Lot 2 DP 25521, Lot 1 DP 25521.

Evaluation of options against section 32, Statement of expectations and Strategic Directions Objectives

19. An evaluation of the proposed Commercial Local zoning against the statement of expectations in the Order, the objectives in the Strategic Directions decision, and section 32 of the Act is provided at **Attachment 1**.
20. Based on the evaluation at **Attachment 1**, I have concluded that the proposed Commercial Local zoning is consistent with the Order and the objectives in the Strategic Directions decision, and is the most appropriate method for achieving the relevant objectives.



Timothy Carr Walsh

24 April 2015

Attachment 1: Evaluation of options

Table 1: Evaluation of consistency with the statement of expectations in Schedule 4 of the Order

clearly articulates how decisions about resource use and values will be made	reduce significantly reliance on resource consent processes	reduce significantly the number, extent, and prescriptiveness of development controls and design standards in the rules, in order to encourage innovation and choice	reduce significantly the requirements for notification and written approval	objectives and policies that clearly state the outcomes that are intended	clear, concise language and is easy to use
<p>Yes</p> <p>Provides a clear framework for use.</p>	<p>Yes</p> <p>Reduces the need for resource consents in relation to future development / redevelopment of the site. It also negates the need to schedule the existing activity.</p>	<p>Yes</p> <p>Commercial Local zoning encourages innovation and choice for the land owner in terms of any further development / redevelopment of the site.</p>	<p>Yes</p> <p>Reduces the need for resource consents and thus the requirement for notification and written approval.</p>	<p>Yes</p> <p>Clearly expresses potential for further commercial development / redevelopment of the site.</p>	<p>Neutral</p>

Table 2: Evaluation of consistency with the relevant objectives of the Strategic Directions decision

Objective 3.3.1 Enabling recovery & facilitating future enhancement of the district	Objective 3.3.2 Clarity of language and efficiency	Objective 3.3.4 Housing capacity and choice	Objective 3.3.5 Business & economic prosperity	Objective 3.3.7 Urban growth, form & design	Objective 3.3.14 Incompatible activities
<p>Yes</p> <p>Appropriately provides for commercial use. Also 'fosters investment certainty' for Beach Road and provides for longer term needs for economic development.</p>	<p>Yes</p> <p>Minimises transaction costs (and notification requirements).</p> <p>Encourages innovation and choice in respect of the site.</p> <p>Provides clarity of outcome.</p>	<p>Yes</p> <p>Maintains the potential for additional housing capacity as residential activities are permitted above ground level subject to certain standards.</p>	<p>Yes</p> <p>Supports and provides opportunities for business activity and economic prosperity.</p>	<p>Yes</p> <p>The Commercial Local Zone contains provisions that provide for the maintenance of amenity of neighbouring residential properties.</p> <p>Promotes the re-use and redevelopment of buildings and land.</p>	<p>Yes</p> <p>Commercial Local Zone is an appropriate way to manage potentially incompatible activities. The Commercial Local Zone contains provisions that provide for the maintenance of amenity of neighbouring residential properties.</p>

Table 3: Section 32 evaluation

Is commercial zoning of the land the most appropriate way to achieve the objectives?					
Relevant objectives					
<ul style="list-style-type: none"> - Strategic directions objectives (see Table 2 above) - 15.1.1 Objective 2 - Focus of commercial activity - 15.1.2 Objective 3 - Urban form, scale and design outcomes 					
Other practicable options					
<ul style="list-style-type: none"> - Residential Suburban with the site scheduled for a service station activity 					
Method	Are provisions most appropriate way to achieve the objectives?	Effectiveness	Efficiency (Benefits)	Efficiency (Costs)	Risks of acting/not acting
Commercial Local zoning	<p>Yes</p> <p>See Table 2 above in respect of consistency with Strategic Directions objectives.</p> <p>15.1.1 Objective 2 - The site contributes to and supports the network of centres in the area and is consistent with the role of a Local Centre being small scale and servicing the needs of the local population. It is also located on a bus route and is accessible by bicycle or on foot from the immediate residential area.</p> <p>15.1.2 Objective 3 - The proposed Replacement Plan standards governing future development/redevelopment of the site will ensure appropriate urban design outcomes.</p>	<p>The provisions of the Commercial Local provide for appropriate further development or redevelopment of the site.</p>	<p><i>Environmental:</i></p> <p>Appropriately manages potential adverse effects associated with further commercial development or redevelopment of the site.</p> <p><i>Social:</i></p> <p>Provides neighbours with certainty as to how the site could be developed in the future and may in time provide for some of their everyday needs.</p>	<p><i>Economic:</i></p> <p>Efficient use of the physical land resource.</p> <p>Encourages innovation, further investment and development of the site.</p> <p>Reduces/eliminates time and cost associated with consenting any future commercial development or redevelopment of the site.</p>	<p>The risk of acting (i.e. approving the proposed Commercial Local zoning) is that neighbours of the site may be dissatisfied with the outcome given the site was first proposed to be zoned Residential Suburban under Proposal 14. This risk is mitigated by the fact that no neighbours lodged further submissions in opposition to the Beach Road submission on Proposal 14.</p>