

# Proposed Selwyn District Plan



## Section 42A Addendum Report

### Part A of Intensification Planning Instrument - Variation 1 to the Proposed District Plan

#### Report on Foodstuffs Further Submission

Part A: Lincoln

Vicki Barker

2 June 2023

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## List of submitters and further submitters addressed in this report

Submitter ID	Submitter Name	Abbreviation
V1-0055	AgResearch Limited	AgResearch
V1-0111	Foodstuffs South Island Limited and Foodstuffs (South Island) Properties Limited	Foodstuffs

Please refer to **Appendix 1** to see where each submission point is addressed within this report.

## 1. Purpose of report

- 1.1 This report is in response to the Directions of the Independent Hearings Panel in Minute 10, which requests Council to prepare a Section 42A Addendum Report to address the further submission of Foodstuffs<sup>1</sup> in relation to the original submission by AgResearch<sup>2</sup>. Foodstuffs are seeking to amend the Proposed District Plan (PDP) zoning of part of the AgResearch site located to the west of the existing New World supermarket at Lincoln, from Special Purpose Knowledge Zone(KNOZ) to Town Centre Zone (TCZ).
- 1.2 The Minute requests that the Section 42A Addendum Report address the merits of the outcome sought by Foodstuffs, including comment on whether the Panel has scope to address it as part of the Intensification Planning Instrument (IPI).

## 2. Scope

- 2.1 At the time of preparing the original s42A Report, the further submission by Foodstuffs was considered to be out of scope as the land which Foodstuffs are seeking to rezone is outside of the proposed AgResearch Outline Development Plan (ODP) and their original submission. The consideration of NCZ or an alternative commercial zoning as sought by AgResearch was only considered in relation to that portion of the proposed ODP shown as KNOZ, and the s42a Report recommends that this land not be rezoned NCZ, primarily as insufficient evidence was provided to support NCZ or any alternative commercial zoning. The s42a report did not make specific mention about the Foodstuffs submission being considered out of scope and should have made this interpretation clear.
- 2.2 Minute 10 notes this scope issue, the direction of section 77N(3)(a)<sup>3</sup>, and the powers under Clause 99(2)(b) of Schedule 1<sup>4</sup> of the Resource Management Act (RMA). The Foodstuffs legal submission acknowledges they are seeking a recommendation for the site that is likely beyond the scope of the AgResearch submission, but rely on 77N(3)(a), and 99(2) and 100(2)(b)<sup>5</sup> of Schedule 1 of the RMA.
- 2.3 The Foodstuffs legal submission states that the AgResearch submission refers to an alternative commercial zoning option of NCZ for its land, which includes the subject site<sup>6</sup>. As stated at paragraph 2.1, it is considered that the AgResearch submission does not refer to alternative zoning with respect to the subject site Foodstuffs are seeking to rezone. The subject site is currently owned by AgResearch, but it is clearly outside of the ODP and the 'balance land' to which AgResearch refer in their submission (which is the KNOZ component). Therefore it is not entirely agreed that it is reasonable to consider that a person who didn't submit on the Variation would not have become a submitter if it was understood the rezoning of the site to TCZ was possible.

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<sup>1</sup> V1-0111.FS001 Foodstuffs

<sup>2</sup> V1-0055.001 AgResearch

<sup>3</sup> The duty of territorial authorities to give effect to Policy 3 or Policy 5 of the NPS-UD in non-residential zones - a territorial authority may create new urban non-residential zones or amend existing urban non-residential zones.

<sup>4</sup> Independent hearings panel must make recommendations to territorial authority on intensification planning instrument – The recommendations made by the independent hearing panel are not limited to being within the scope of submissions on the IPI

<sup>5</sup> How independent hearings panel must provide recommendations – Each report must identify any recommendations that are outside the scope of the submissions made in respect of the provisions covered by the report.

<sup>6</sup> Paragraph 18 and that inference is made at paragraph 6.

- 2.4 The Council has not requested its own legal advice as to scope at this time, but should the Panel direct this, legal advice can be obtained. I will leave the full consideration of scope to the Panel and Council's legal advisors, where required, and have assessed the Foodstuffs further submission regardless as directed by Minute 10.

### 3. Foodstuffs (V1-0111.001)

#### **Introduction**

- 3.1 This section responds to the further submission point by Foodstuffs relating to the AgResearch submission.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0055	AgResearch	001	Support in part	Amend the zoning of land at 1365 Springs Road as follows and as shown in Attachment 2 of the submissions: Rezone approximately 4.7ha of the land from SPZ to MRZ; Retain the SPZ for the balance of the site, with a new Precinct notation provided on the planning maps; or rezone the same area to NCZ.
V1-0111	Foodstuffs	FS001	Support in part	Allow the submission point by rezoning the 'balance of the site' (or part thereof) to Town Centre Zone, being an appropriate zoning alternative to the Neighbourhood Centre Zone.

#### **Analysis**

- 3.2 Foodstuffs<sup>7</sup> are seeking to rezone the 'balance of the site' to TCZ, being an appropriate zoning alternative to the Neighbourhood Centre Zone (NCZ).
- 3.3 The Foodstuffs rezoning request relates to an area of the AgResearch site at 95A Gerald Street outside of the AgResearch proposed ODP, but which is still currently part of the AgResearch land holdings and wider site. The "balance land" the Foodstuffs further submission refers to is included in Appendix B to their further submission, and is that land outlined in green below.

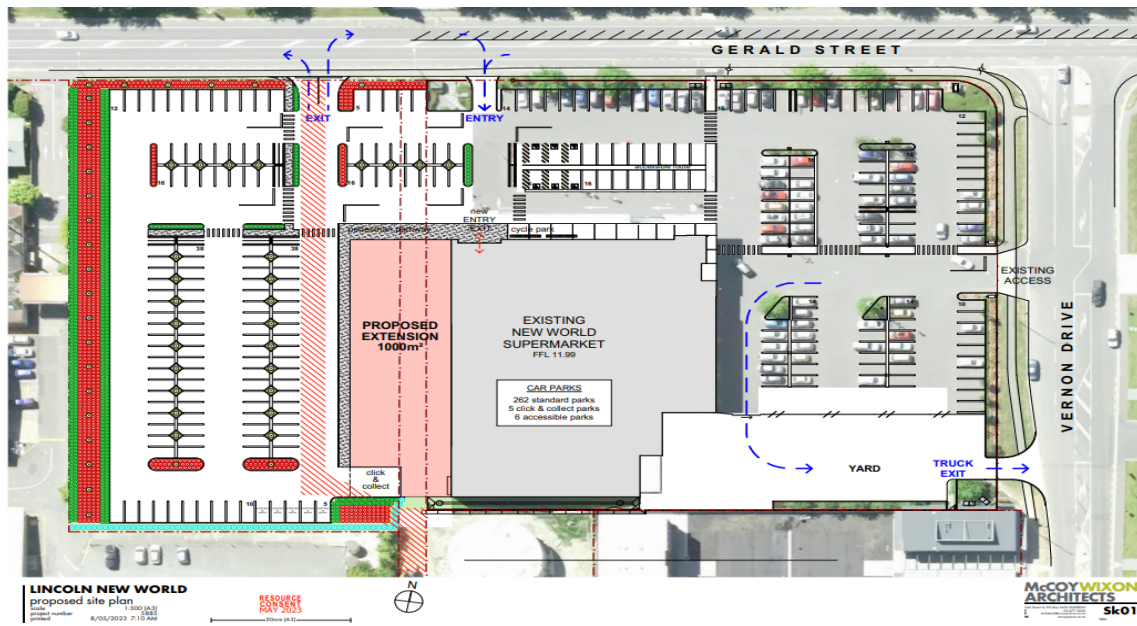
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<sup>7</sup> V1-0111.FS001 Foodstuffs

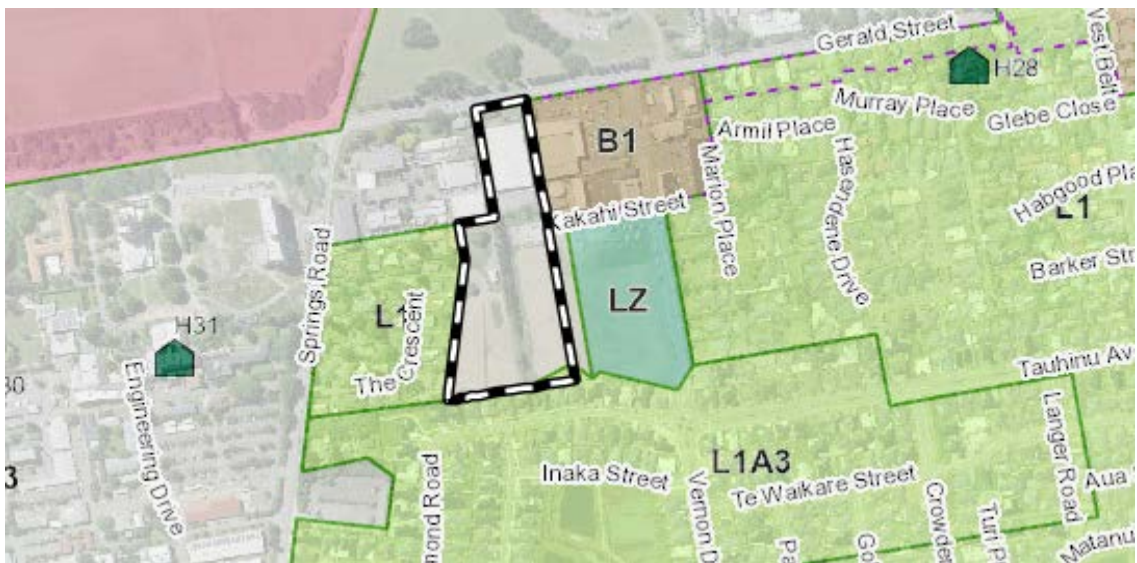


- 3.4 This area of land, herein referred to as the subject site, is understood to be approximately 6,000m<sup>2</sup> in area<sup>8</sup> and is part of a wider 3.2609ha site at 95A Gerald Street (Lot 3 DP 374333) owned by AgResearch. The Foodstuffs evidence states they have a conditional sale and purchase agreement with AgResearch to purchase the land.
- 3.5 The subject site is immediately adjacent to the Foodstuffs owned New World supermarket to the east at 77 Gerald Street (Lot 1 DP 420325). There is a Selwyn District Council drainage reserve (Lot 101 DP 523433) which extends between the subject site and 77 Gerald Street. This is currently an open stormwater drain. The subject site contains a large building approximately 3,300m<sup>2</sup> in area and setback approximately 30m from Gerald Street, which is currently occupied by Keraplast Manufacturing. The wider AgResearch site is located to the west and south, and the AgResearch rezoning proposal is addressed in the primary s42A report.
- 3.6 The Foodstuffs rezoning proposal is sought to support a specific land use proposal being the extension of the existing New World supermarket. Foodstuffs applied to Council for land use resource consent on 19 May 2023 to expand the existing New World supermarket onto the subject site (RC235267). Regional consents are also required from the Canterbury Regional Council.
- 3.7 The land use resource consent seeks to extend the western end of the existing New World supermarket by approximately 1,000m<sup>2</sup>, increasing the Gross Floor Area (GFA) from 2,95m<sup>2</sup> to 3,955m<sup>2</sup>. It is also proposed to relocate the customer entry/exit from the north eastern corner to a central northern location facing Gerald Street. The proposed height of the building extension is approximately 8.4m. An additional 93 car parking spaces are proposed which will increase on-site car parking from 180 to 273 spaces. The vehicle access arrangements are also proposed to change, including one-way egress only vehicle access to Gerald Street. A dedicated delivery yard is proposed. Landscaping is proposed around the western and northern perimeter of the proposed extension and within the car park. A copy of the resource consent application site plan is copied below.

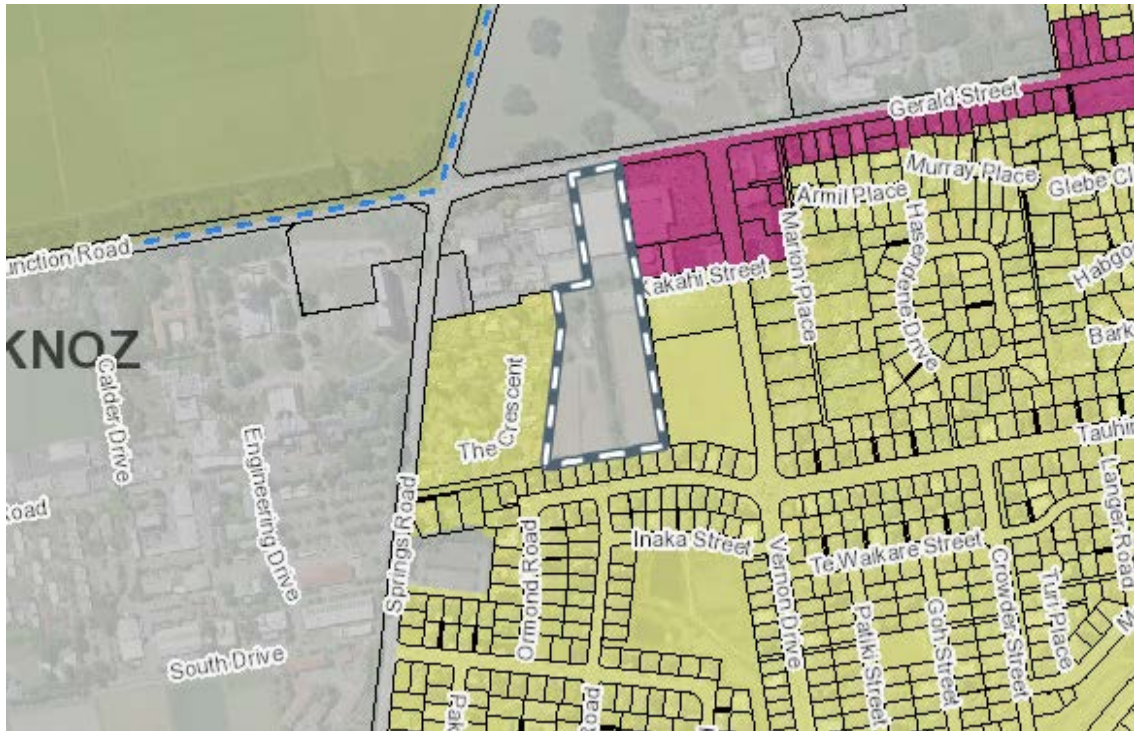
<sup>8</sup> Referred to as 6,223m<sup>2</sup> in RC235267



- 3.8 The subject site is currently zoned Business 3 under the Operative District Plan with no overlays or other identified constraints. The New World site to the east is zoned Business 1.



- 3.9 The subject site is zoned KNOZ under the PDP and is subject to the Plains Flood Management Overlay. The New World site is zoned TCZ and is subject to Lincoln KAC Precinct 5 (PREC5).



3.10 Foodstuffs have produced a range of evidence to support the request for rezoning to TCZ which is addressed below.

#### Transport

3.11 The submitter has provided Transport evidence prepared by Mr David Smith dated 19 May 2023. Mr Smith also reviewed the Integrated Transport Assessment (ITA) submitted with the resource consent application. Mr Smith has considered the effects of the rezoning on the surrounding transport network and concludes that the proposed expansion results in a positive effect due to:

- the proposed provision of a second access onto Gerald Street which reduces traffic volumes and congestion at the Gerald Street/Vernon Drive intersection and current Vernon Drive access;
- additional car parking provision which lessens the likelihood of spillover parking;
- a dedicated service delivery yard which improves customer safety;
- improved pedestrian connectivity across the car park to walking and cycling infrastructure and bus stops.

3.12 Mr Smith also considers the AgResearch proposed rezoning will be compatible with the proposed Foodstuffs rezoning of TCZ due to improved integration between the proposed MRZ and TCZ, reducing the number of vehicle movements, conflicts, and delays at the Vernon Drive/Gerald Street intersection.

3.13 Mr Mat Collins has peer reviewed Mr Smith's evidence and his report dated 1 June 2023 is attached at **Appendix 3**. Mr Collins has limited his review to the effects external to the site as the internal design of the site will be considered as part of the current or any future resource consent application.

Mr Collins agrees with Mr Smith that without a new vehicle access to Gerald Street, that congestion effects at the Gerald Street/Vernon Drive intersection would worsen. Mr Collins also considers that the supermarket expansion should provide connectivity to the AgResearch ODP area and at a minimum expects a pedestrian/cycle connection to the AgResearch site. Overall, Mr Collins is comfortable that the transport effects can be addressed through a resource consent process under the current Operative District Plan and the PDP provisions, but that connectivity needs to be enhanced by providing a connection on the western site boundary to the AgResearch site.

- 3.14 It is of note that the current land use resource consent application will be assessed under the Operative District Plan provisions as the PDP Transport rules are not yet in legal effect; however the PDP Transport objectives and policies are able to be considered. I agree with Mr Collins that the resource consent transport assessment has the scope to consider both the off-site and the detailed on-site transport effects relevant to the current specific development proposal, or any alternative or future proposal. However, based on Mr Collins comment about connectivity, it is considered that a pedestrian/cycle connection between the subject site and the AgResearch site to the west is required as part of the rezoning proposal to ensure connectivity and integrated concurrent planning with the AgResearch site, and a recommendation is made to this effect. A specific connection point has not been marked on the PREC5 plan, and instead it is recommended that Foodstuffs and AgResearch co-ordinate to ensure integrated planning.

#### Economic

- 3.15 The submitter has provided Economic evidence prepared by Mr Fraser Colegrave dated 19 May 2023. Mr Colegrave considers that current and projected food retail demand is expected to grow rapidly in Lincoln, and that the existing New World is relatively small and the only supermarket in Lincoln. Mr Colegrave has considered alternative locations in Lincoln and identified that the only vacant TCZ land is too small, does not have sufficient road frontage, or contains infrastructure that cannot be readily moved. Therefore establishment elsewhere could only occur via site amalgamation and redevelopment, resulting in high costs and complexity. Mr Colegrave concludes there are no technically or financially feasible alternatives to accommodate the store expansion other than the current proposal.
- 3.16 Mr Colegrave also analyses the impact on the TCZ and considers as the rezoning is an expansion of the existing TCZ that it will strengthen the KAC and help attract more people, and that the extension of the TCZ by approximately 6% is inconsequential from an economic perspective. The chance that the site is not used by New World is also considered slim given a sale and purchase agreement has been entered into and a resource consent application lodged. Overall, Mr Colegrave considers the rezoning will solidify the key anchor tenant and allow the growth to satisfy demand, improving the role, function, health, and vitality of the KAC.
- 3.17 Mr Colegrave also sets out the economic benefits and costs of the proposal. A key benefit includes enabling expansion of a key tenant in a cost-effective manner to meet demand and in turn drawing more people to the area. The primary economic cost of the proposal is that it reduces the supply of KNOZ land; however that is estimated at just over 0.5% of the total KNOZ land. Furthermore the site is discrete and is not part of the two large contiguous areas of KNOZ land to the west of Springs

Road and to the north of Gerald Street. Overall, Mr Colegrave considers extending the TCZ to be the most appropriate zoning outcome.

3.18 Mr Derek Foy has peer reviewed Mr Smith's evidence and his report dated 26 May 2023 is attached at **Appendix 3**. Mr Foy agrees with the assessment of market growth in Lincoln and that additional supermarket space requirements will at least double in the next 30 years. Mr Foy also agrees that expanding the existing New World is an efficient way of providing additional supply that is needed, and that there are no other real options for providing an equivalent amount of space elsewhere within the Lincoln TCZ. Mr Foy does consider that additional supermarket provision to accommodate the needs of PC69 households will be necessary in the future, but that will not be required until such time as PC69 development is sufficiently advanced.

3.19 Mr Foy considers that the proposed expansion of the New World represents a logical, efficient, and effective way of providing the additional supply that will be required in the near future and is unlikely to preclude the establishment and successful operation of a second supermarket in Lincoln at some point in the future. Mr Foy also accepts the submitters position that there is more than adequate KNOZ available. Overall, Mr Foy agrees that the TCZ is the most appropriate zone for the site.

#### Urban Design

3.20 The submitter has provided Urban Design evidence prepared by Mr Tony Milne dated 19 May 2023. Mr Milne considers that the proposal will enable a coordinated and complementary built form and landscape outcome. Mr Milne considers the landscape character effects to be very low as the site is bound by urban development, TCZ is consistent with the existing urban character, and appropriate interfaces between TCZ and the proposed MRZ are achievable and will result in a higher amenity outcome than that provided for in KNOZ. Furthermore, no adverse effects on visual amenity are anticipated.

3.21 Ms Gabi Wolfer has peer reviewed Mr Milne's evidence and her report is attached at **Appendix 3**. Ms Wolfer's key comments include:

- the proposed land development proposal will positively contribute to achieving a consolidated urban outcome within the township boundaries and will assist in strengthening the function of the town centre;
- the site provides a good level of connectivity with the Lincoln Township and the wider district but this could be enhanced with a pedestrian/cycle access mid-way along the western boundary;
- the site is accessible and well-integrated with public transport;
- the change from KNOZ to TCZ at this location can be seen as a positive change in terms of the amenity and quality of the receiving environment; i.e. TCZ has a lower permitted height limit compared to KNOZ;
- the proposed north-south road within the AgResearch ODP, combined with landscaping and fencing within the subject site, will provide separation between the sites and mitigate amenity effects;

- there will be positive amenity and outlook effects associated with commercial activity at this location fronting Gerald Street.

3.22 Overall, Ms Wolfer is supportive of the proposed TCZ rezoning from an urban design perspective given it is a controlled expansion of the town centre with positive effects for the town centre's activity and vitality. However, Ms Wolfer recommends that a pedestrian/cycle access mid-way along the western boundary of the subject site is included to enable integration of the proposed TCZ with adjoining neighbourhoods. This access is to link with the north-south indicative primary route proposed as part of the AgResearch ODP to provide a connection for cyclists and pedestrians accessing the site from the west. It is of note that this will also necessitate a consequential amendment to the AgResearch proposed ODP to ensure alignment of such a connection.

#### Geotechnical

3.23 No geotechnical conclusions can be drawn at this stage in the absence of any Geotechnical evidence or resource consent Geotechnical Report. However it is anticipated that geotechnical matters will be addressed at the resource consent and/or building consent stages, and if any geotechnical constraints are identified, these matters can be addressed via these land development processes.

#### Contaminated Land

3.24 The Foodstuffs resource consent application identifies the potential presence of HAIL activity (A17 Storage tanks or drums for fuel, chemicals, or liquid waste) within the immediate western and southern parts of the building within the subject site. Therefore, the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESC) need to be taken into consideration due to the proposed soil disturbance and change in land use.

3.25 No Detailed Site Investigation (DSI) has been provided with the resource consent application and therefore resource consent is sought under Regulation 11 of the NESC as a discretionary activity. Foodstuffs have stated in their application that they are agreeable to soil sampling investigations being undertaken and it is expected that a DSI will be required and mitigation measures imposed via the resource consent process prior to any land disturbance occurring.

#### Servicing

3.26 An Infrastructure Report has been submitted with the resource consent application which will be reviewed by Council and conditions of consent imposed to manage infrastructure provision and operation should consent be granted. The resource consent application also states that Foodstuffs and SDC have agreed in principle to realign and pipe the SDC open stormwater drain where it extends along the western boundary of the subject site. The relocation and piping design will be the subject of further detailed design during the building consent stage. The site currently has an urban zoning and it is not anticipated that the proposed change of use will generate any additional pressure on existing services than that which could otherwise occur with the KNOZ. Furthermore, no significant servicing constraints have been identified in relation to other sites within Lincoln seeking

to rezone and therefore it is anticipated that servicing in relation to this site can be appropriately dealt with as part of any resource and building consent processes.

### Hazards

3.27 The site is identified as being within the Plains Flood Management Overlay subject to the PDP. The site is not within a high hazard area. There is PDP natural hazard policy which guides development outside of high hazard areas and requires appropriate floor levels and earthworks to be managed to ensure flooding is not exacerbated (NH-P10 and NH-P12). The current land development proposal and any other commercial development proposal will need to address the flooding hazard and mitigate accordingly. Overall, flooding hazard is expected to be able to be readily mitigated.

### Planning

3.28 It is agreed with Mr Allan that TCZ is more appropriate for the site than KNOZ primarily due to the clear intentions to expand the existing supermarket and the lack of feasible alternative TCZ sites.

3.29 In terms of the effectiveness of the TCZ provisions to manage the effects of activities compared to KNOZ, it is agreed that these provisions will effectively manage any future commercial activities once the rules are in legal effect which would be beneficial for Foodstuffs in terms of any future upgrades or alternative commercial development. However; until the PDP rules have legal effect any land use development proposals are assessed against the Operative Selwyn District Plan, as is the current resource consent application. Therefore, the PDP rules have no legal effect with respect to the current proposal, but will align the land use activity if granted with the underlying zoning in due course should TCZ be accepted as appropriate.

3.30 Based on the evidence, the risks of the intended supermarket expansion development not proceeding are low, however fundamental consideration needs to be given to whether TCZ is still appropriate should the proposed supermarket expansion not proceed (although that development underpins this rezoning request).

3.31 In my view there is robust transport, economics, and urban design evidence to support the TCZ expansion regardless of the current land use consent proposal, but the rezoning request is strengthened by the current proposal. It is agreed with Mr Allan that the site is similar in size to 12 Vernon Drive, which is also sought to be rezoned TCZ, and that the sites are also comparable in terms of their proximity to the existing TCZ, with clear economic evidence to support demand for additional TCZ. The proposed site expansion will not create a new town centre, and instead is a discrete and logical geographic extension of TCZ and KAC PREC5 and is logical from an urban design, perspective. Overall it is agreed that rezoning would improve the role, function, health and vitality of the KAC, and not detract from it.

3.32 The transport network capacity has also been found to be sufficient with respect to a commercial land use and detailed transport matters can be assessed as part of any land use consent under either the Operative Selwyn District Plan or the PDP.

3.33 TCZ is also considered to better integrate with the proposed future development to the west within the AgResearch site than should it remain as KNOZ, which can be further enhanced by a

recommended pedestrian/cycle connection to the AgResearch ODP. Urban design detail specific to a proposal can also be considered as part of any land use consent under the Operative District Plan and under the PDP TCZ provisions in the future.

#### Extension of PREC-5

- 3.34 The submitter also proposes that KAC PREC5 be extended over the site.<sup>9</sup> It is agreed that the site if rezoned TCZ needs to be included within KAC PREC5 in recognition of the site forming part of the TCZ as all TCZ's are KAC's TCZ encompasses the main commercial centres in the District providing for a range of commercial activities.

#### Rezoning Framework

- 3.35 The submission did not consider the rezoning framework, but the submitter has addressed most matters covered in the framework in evidence. I have assessed the proposal against the Business Framework (based on rezoning from KNOZ to TCZ) as contained in the Rezoning Framework s42A.

<b>Business Framework</b>		
<b>Criteria</b>	<b>The request, at a minimum:</b>	<b>Assessment</b>
Provides a diverse range of services and opportunities.	Demonstrates different floorspace or yard space options and business and transport access.	TCZ would provide for the same range of services already provided for by the adjacent TCZ. This rezoning is to support a specific development proposal being the New World supermarket expansion and therefore would support this commercial activity, or an alternative commercial activity.
The request responds to the demographic changes and social and affordable needs of the district.	Outlines what household or business need this responds to.	The economic evidence demonstrates there is demand for additional supermarket supply and TCZ more generally in Lincoln and the subject site is considered to be the most efficient option in that it would enable expansion of an existing established supermarket in the TCZ.

Is consistent with the Activity Centre Network.	<p>Outlines how the increase in floorspace or yard space impacts the township total floorspace and the relationship with other townships.</p> <p>Outlines any potential retail distribution effect on the relevant Town Centre</p>	The economic evidence demonstrates that TCZ is consistent with the KAC.
The location, dimensions, and characteristics of the land are appropriate to support activities sought in the zone.	Outlines how the design supports anticipated activities.	The evidence supports the location as being appropriate for TCZ.
An ODP is prepared.	Provides an outline development plan.	No ODP has been prepared with respect to the proposed TCZ or is considered necessary as the site is discrete and small. However amendment to PREC5 is recommended to show a pedestrian/cycle connection, with consequential amendment to the AgResearch ODP to ensure this link.
Does not affect the safe, efficient, and effective functioning of the strategic transport network?	Demonstrates how it connects with the wider transport network and addresses any potential impact on the network.	The transport evidence demonstrates that TCZ will not affect the safe, efficient, and effective functioning of the strategic transport network.
Achieves the built form and amenity values of the zone sought	Outlines how it is consistent with the objectives, policies, rules, and standards of the zone the re-zoning is seeking.	Urban design evidence demonstrates that TCZ will achieve the built form outcomes anticipated for Lincoln.
Creates and maintains connectivity through the zoned land, including access to parks, commercial areas and community services	<p>Demonstrates connectivity through the rezoning as well as with adjoining land.</p> <p>Demonstrates where parks, commercial and community spaces are and how accessible they are.</p>	Connectivity through the site can be addressed via the detailed resource consent design and connectivity between the proposed TCZ and proposed AgResearch ODP and wider

		neighbourhood is achieved by way of a recommended pedestrian and cycle connection.
Promotes walking, cycling and public transport access	Demonstrates where these routes could be.	Accessibility to public transport and walking and cycling connectivity is achieved.
Does it maintain a consolidated and compact urban form?	Demonstrates how it connects to the current urban boundary. Outlines how it broadly maintains an urban form concentrically around the township	TCZ will result in a slightly elongated urban form but overall the urban form will be compact and consolidated.
Is not completely located in an identified High Hazard Area, Outstanding Natural Landscape, Visual Amenity Landscape, Significant Natural Area, or a Site or Area of Significance to Māori?	Demonstrates that there are no identified sites within the requested area or that they are appropriately avoided.	The site is not located in any of these areas.
The loss of highly productive land	Outline the total loss of highly productive land and what elements were considered to protect it.	The site is not subject to the NPS-HPL given that it is already zoned for urban purposes.
Preserves the rural amenity at the interface through landscape, density, or other development controls	Demonstrates what mitigating factors are being used at the rural interface to preserve the rural amenity.	The site does not have a rural interface.

### ***Recommendations and amendments***

3.36 Subject to the relief sought being within scope of the IPI, I recommend, for the reasons given above, that the Hearings Panel:

- a) Amend the zoning of that part of 95A Gerald Street (Lot 3 DP 374333) shown in the Foodstuffs further submission as “Balance Land”, being approximately 6,000m<sup>2</sup> in area, from KNOZ to TCZ.
- b) Amend TCZ-PREC5 to include that part of 95A Gerald Street (Lot 3 DP 374333) shown in the Foodstuffs further submission as “Balance Land”, being approximately 6,000m<sup>2</sup> in area, and to include a pedestrian/cycle access along the western boundary of the proposed site to enable integration of the proposed TCZ with adjoining neighbourhoods. This access is to link

with the north-south indicative primary route proposed as part of the AgResearch ODP and is recommended to be developed in co-ordination with AgResearch.

- c) Make a consequential amendment subject to clause 16(2) to the AgResearch ODP to include a pedestrian/cycle access to integrate with the connection recommended by clause b).

3.37 The amendments recommended to the planning maps and TCZ-PREC5 are set out in a consolidated manner in **Appendix 2**.

3.38 It is recommended that submissions and further submissions are either accepted, accepted in part, or rejected as shown in **Appendix 1**.

#### ***Section 32AA evaluation***

3.39 Mr Allan's planning evidence includes a s32AA assessment which concludes that TCZ is the most appropriate zone, that the benefits will outweigh any costs, and the rezoning is an appropriate, efficient and effective means of achieving the purpose of the RMA<sup>10</sup>. Having reviewed this assessment in the context of the outcomes sought by the higher order directions, I agree with these conclusions and adopt the submitter's s32AA evaluation.

## **4 Conclusion**

4.1 For the reasons set out in the Section 32AA evaluations and included throughout this report, I consider that the recommended amended provisions will be efficient and effective in achieving the purpose of the RMA, the relevant objectives of this plan and other relevant statutory documents.

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<sup>10</sup> [Evidence of Mark Allan](#) – Pages 10-11 and Appendix 1

## Appendix 1: Table of Submission Points

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested	Recommendation	Section of Report
V1-0055	AgResearch Limited	001	MRZ	Support In Part	Amend the zoning of land at 1365 Springs Road as follows and as shown in Attachment 2 of the submissions: Rezone approximately 4.7ha of the land from SPZ to MRZ; Retain the SPZ for the balance of the site, with a new Precinct notation provided on the planning maps; or rezone the same area to NCZ.	Accept in part	9 (Original s42a Report)
V1-0111	Foodstuffs	FS001	MRZ	Support In Part	<i>Allow the submission point by rezoning the 'balance of the site' (or part thereof) to Town Centre Zone, being an appropriate zoning alternative to the Neighbourhood Centre Zone.</i>	<i>Accept (subject to scope)</i>	<i>3 (Addendum s42a Report)</i>

## Appendix 2: Recommended amendments

The following spatial amendments are recommended to PDP Planning Maps:

Map Layer	Description of recommended amendment
PDP Planning Map	<p>Amend the planning map to zone that part of 95A Gerald Street (Lot 3 DP 374333) shown in the Foodstuffs further submission as “Balance Land” in the diagram below, being approximately 6,000m<sup>2</sup> in area, from KNOZ to TCZ.</p> 
TCZ-PREC5	<p>Amend TCZ-PREC5 to include that part of 95A Gerald Street (Lot 3 DP 374333) shown in the Foodstuffs further submission as “Balance Land”, being approximately 6,000m<sup>2</sup> in area, and to include a pedestrian/cycle access along the western boundary of the proposed site to enable integration of the proposed TCZ with the AgResearch ODP. This access is to link with the north-south indicative primary route proposed as part of the AgResearch ODP.</p> <p>The submitter will need to provide an amended TCZ-PREC5 map in co-ordination with AgResearch for consideration by the Panel in their decision-making.</p>

## Appendix 3: Supporting Technical Reports