

Before the Independent Commissioner  
Appointed by the Selwyn District Council

Under the Resource Management Act 1991

In the matter of a hearing on submissions to the Partially Operative Selwyn District Plan, Variation 2: Levi Road rezoning

**Foodstuffs (South Island) Properties Limited**

Applicant

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**Summary Statement of Mark David Allan**

24 March 2025

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## Introduction

- 1 My name is Mark David Allan. My qualifications and experience are set out in in my primary evidence.
- 2 I have prepared a statement of evidence dated 7 March 2025 in support of Foodstuffs (South Island) Properties Limited (**Foodstuffs**) request to rezone 157 Levi Road, Rolleston (the **Site**) from Medium Density Residential Zone (**MRZ**) to Large Format Retail Zone (**LFRZ**), and insert a new Outline Development Plan (**ODP**) replacing DEV-RO1 – Variation 2 to the Partially Operative Selwyn District Plan (**PDP-V2**).
- 3 I have also participated in planner conferencing with Craig Friedel in relation to the proposed amendments to the District Plan, as per the Commissioner's Minute 2 (18 March 2025). Our Joint Witness Statement (**JWS**) dated 20 March 2025 records those matters on which we agree and disagree.
- 4 I provide a brief summary of my evidence below.
- 5 I confirm that I have read the Code of Conduct for expert witnesses contained in the Environment Court of New Zealand Practice Note 2023 and that I have complied with it when preparing my evidence.

## Summary

- 6 The NPS-UD is directly applicable to the Proposal and, as the higher order document in the statutory hierarchy, is particularly influential in this case. The NPS-UD requires that the CRPS and District Plan enable more businesses to locate in areas of an urban environment where there is high demand for business land and housing. The respective authorities are expected to provide, at all times, at least sufficient development capacity to meet expected demand for business land.
- 7 The NPS-UD requires that decisions that affect urban environments are responsive to proposals that would supply significant development capacity and contribute to well-functioning urban environments. "Well-functioning" in this context includes having a variety of sites that are suitable for different business sectors in terms of location and site size, with good accessibility. The Proposal does achieve this.
- 8 The Greater Christchurch Spatial Plan has been adopted by the Council as its Future Development Strategy to satisfy the requirements of the NPS-UD. Rolleston is identified as a "*major town*" with the purpose of "*focusing employment and service functions...to improve the productivity and growth of economic activity, attract additional business investment...and better leverage and integrate economic assets*". This reinforces the NPS-UD's directive on the provision of sufficient business development capacity to meet expected demand.

- 9 The Site is well-positioned in the context of frontage arterial roads, current and planned urban development and roading improvements, and proximity to the town centre and resident catchment. The Site and receiving environment are experiencing significant transition, attributed to the consented and under-construction PAK'nSAVE and a character shift from low density residential and rural activity to MRZ-enabled residential densities.
- 10 The Proposal more appropriately reflects the environment as characterised by the PAK'nSAVE and provides for a complementary trade retail and trade supply activity to also establish on the Site. Company evidence for Foodstuffs and Mitre 10 describes the synergies between the two operations.
- 11 The evidence presented for Foodstuffs has informed my view that the Proposal is well integrated with the established and evolving urban environment, specifically:
- (a) it is well-aligned with the significant growth that has occurred and is projected to continue in Rolleston and the District;
  - (b) additional business supply capacity needs to be enabled as soon as possible to keep pace with the strong and sustained growth in demand for business land that cannot be met by that provided for in the District Plan.
  - (c) it will increase business capacity in a location and manner that will support the existing and plan-enabled development patterns in Rolleston, maintaining a compact and consolidated urban form within the existing urban area and good connectivity;
  - (d) the PAK'nSAVE and future trade retail and trade supply store on the Site will collectively meet the needs of the community and achieve good internal and external urban design outcomes;
  - (e) effects on landscape character, amenity values and the transport network will be acceptable in the context of consented development and anticipated urban growth in the area. The PAK'nSAVE is illustrative of the manner in which commercial development can be appropriately accommodated on the Site and integrated with its setting; and
  - (f) LFRZ tailored for the Site provides the appropriate framework for proper consideration of future development on the Site through subsequent resource consent processes. The Proposal ensures the most efficient, effective and appropriate provisions are in place to assess a specific LFRZ-enabled development and achieve the objectives of the District Plan.
- 12 I consider the development outcome enabled by LFRZ in accordance with the ODP and the proposed amendments to the District Plan provisions will, like the PAK'nSAVE, be consistent with a well-functioning urban environment; provide much-needed development capacity; achieve consolidated, well designed and

sustainable growth in an existing urban area; enable the community to provide for its social and economic wellbeing and health and safety; and avoid significant adverse effects on the function and viability of the town centre and other commercial centres. Considering these aspects collectively, the Proposal gives effect to the NPS-UD and the key urban development outcomes anticipated by the CRPS and the District Plan in a more effective and efficient way than MRZ.

- 13 The Proposal has attracted very little adverse attention from the general public, and notably limited opposition from adjacent properties. The concerns expressed by submitters have been addressed by the relevant subject matter experts for both Foodstuffs and the Council. There is broad fundamental agreement between the experts as to the appropriateness of the Proposal.
- 14 The JWS records Mr Friedel and I agree with the proposed amendments to the District Plan (as set out in Attachment 1 of my statement of evidence), many of which the Applicant has accepted in response to the Officer Report. There remains some disagreement between us as to the need for additional provisions (i.e. ODP notations and “permitted activity prerequisites”) recommended by Council’s experts.
- 15 As recorded in the JWS and set out in my statement of evidence, I consider the District Plan’s resource consent triggers and matters of discretion (both operative and as proposed to be amended) provide adequate direction and opportunity for detailed consideration of landscaping, CPTED, noise and transport matters. I do not think it necessary, or good practice, to “layer up” the District Plan with site-specific requirements when a development proposal will be afforded the appropriate assessment and discretion through the subsequent resource consent process. This is no different to how any new development in the District is considered in the context of ODPs, zone standards and district-wide provisions.

## **Conclusion**

- 16 Overall, I consider the Proposal has merit and is the most appropriate outcome for the Site. It is a more efficient and effective representation of the existing environment than MRZ. LFRZ with site-specific amendments and an ODP that reflects the PAK’nSAVE and a future trade retail store provides certainty that the LFRZ-enabled outcome is appropriate and anticipated on the Site.
- 17 In the context of the identified shortfall of available business land at Rolleston, the long-standing recognition of future growth in this location, and the directives of the NPS-UD, the Proposal is the most efficient and effective means of giving effect to the NPS-UD and the CRPS and achieving consistency with the relevant objectives and policies of the District Plan.

Mark David Allan