

Before the Hearings Panel
appointed by Waimakariri District Council

Under the Resource Management Act 1991

In the matter of a hearing on submissions on the proposed Waimakariri District
Plan

Hearing Stream 9: Commercial

Ravenswood Developments Limited

Submission Number: 347

Legal submissions on behalf of Ravenswood Developments Limited

22 January 2024

Submitter's solicitors:

Sarah Eveleigh | Sarah Schulte

Anderson Lloyd

Level 3, 70 Gloucester Street, Christchurch 8013

PO Box 13831, Armagh, Christchurch 8141

P: + 64 3 379 0037

E: sarah.eveleigh@al.nz | sarah.schulte@al.nz

**anderson
lloyd.**

May it please the Commissioners

- 1 These submissions are provided on behalf of Ravenswood Developments Limited (**RDL**, Submission: 347), on the proposed Waimakariri District Plan (**PWDP**), Stream 9: Commercial hearing.
- 2 RDL has presented legal submissions in Streams 1, 2 and 5 of the PWDP process.
- 3 To recap, RDL is a subsidiary of Infinity Investment Group Limited, an established and leading developer of master-planned communities across the South Island, including Ravenswood.
- 4 Ravenswood is located north of the existing Woodend Township, and west of the State Highway roundabout that also leads to Pegasus Town. Ravenswood comprises approximately 150ha of largely flat land, which contains an emerging town centre and a fast-growing residential community of approximately 1,350 existing and planned residential sections.
- 5 RDL was the proponent of private plan change 30 (**PC30**) to the operative Waimakariri District Plan, providing for the expansion of the Ravenswood commercial area. PC30 became operative on 26 June 2023.
- 6 At the time RDL made submissions on the PWDP, PC30 was still being processed. RDL's position in respect of some of its submission points on the PWDP has been amended by the resolution reached on PC30.
- 7 RDL's focus in the PWDP hearings is to translate the approved PC30 outcome into the PWDP. As a result, RDL is no longer pursuing, or has reduced its relief, in respect of some of its PWDP submission points, to ensure consistency with the PC30 outcome.
- 8 In the Stream 9 section 42A report, the Officer recommends, and RDL agrees, that the below submission points be dealt with in Stream 12, being more appropriately dealt with in the context of the rezoning:
 - (a) definition for "Key Activity Centre";¹
 - (b) definition for "Principal Shopping Street";²
 - (c) TCZ-R1;³
 - (d) TCZ-P2;⁴

¹ Submission 347.2

² Submission 347.3

³ Submission 347.79

⁴ Submission 347.78

(e) CMUZ-MD3⁵.

9 In respect of the remaining submission points, these submissions:

- (a) Confirm RDL's support for accepted submission points in the s42A report;
- (b) Comment on RDL's submission on TCZ-P1 which is no longer pursued; and
- (c) Seek that remaining submission points, relating to trade suppliers and built form standards, be considered on a Ravenswood site specific basis as part of the Stream 12 hearing.

10 RDL will present its evidence in support of the rezoning at the Stream 12 hearing and considers that it will be more useful for the Panel to hear RDL's evidence in relation to the provisions for trade suppliers and built form in context at that time.

Accepted submission points

11 The Officer has recommended that a number of RDL's submission points be accepted. RDL supports the Officer's recommendations on these points, in particular in respect of the provisions set out in the Table **attached** as Appendix 1.

TCZ-P1

12 RDL's submission⁶ sought the deletion of TCZ-P1, which recognises that Rangiora and Kaiapoi are the District's principal town centres, and that North Woodend is a new emerging centre.

13 RDL does not pursue this submission point as it has reached agreement with Waimakariri District Council (**WDC**) through PC30 about the status of Ravenswood as an emerging KAC and the need to maintain the roles and functions of the KACs at Kaiapoi and Rangiora.

14 RDL now agrees with the description of Ravenswood as an "emerging KAC",⁷ to distinguish it from long established KACs like Kaiapoi and Rangiora. This status recognises that Ravenswood will develop over time to achieve the KAC / TCZ outcomes (including in relation to the type and intensity of activity and urban form) anticipated by objectives and policies.

⁵ Submission 347.85

⁶ Submission 347.77

⁷ Objective 15.1.2; policy 15.1.2.1, WDP

- 15 TCZ-P1 is consistent with the approved PC30 outcome. The PWDP provisions that RDL will promote for the Ravenswood TCZ through the Stream 12 hearing will also achieve TCZ-P1.

Submission points for consideration through Stream 12: Rezoning

Provisions for trade suppliers

- 16 RDL's submission⁸ sought to amend the activity status of TCZ-R24 for trade suppliers from restricted discretionary to permitted.
- 17 RDL proposes to reduce its relief sought, seeking that the permitted activity status for trade suppliers apply only to Ravenswood, not the wider TCZ. It will address this through the Stream 12 hearing within evidence as to Ravenswood TCZ proposal, however we provide the following summary for context.
- 18 The PC30 proposal anticipated a mix of commercial activities within the Ravenswood centre, appropriate to a modern greenfield centre that will develop over time. Trade suppliers have always been an anticipated part of the Ravenswood TCZ and are part of the retail mix assessed through PC30 from an economic, urban design and transport perspective.
- (a) From an economic perspective, PC30 includes a rule capping permitted core retail activity to ensure that there are no significant retail distribution effects on Rangiora or Kaiapoi. Core retail activity does not include trade suppliers. Accordingly, restricting trade suppliers within Ravenswood will not enable more core retail activity (as this development would exceed the retail cap) and would remove an anticipated component of the PC30 development;
 - (b) Traffic generated by trade supplier activity has been accounted for in the transport assessments undertaken for PC30, which confirm that transport effects will be acceptable; and
 - (c) Urban design provisions have been developed to enable appropriate assessment and management of urban design considerations within the Ravenswood centre, having regard to the greenfield nature of the development and the anticipated activity mix, including trade suppliers. As discussed further below, all development within the Ravenswood town centre requires resource consent as a restricted discretionary activity, with matters of discretion relating to built form and urban design. This means that although the trade supplier activity would not require resource consent, the building in which it occurs would.

⁸ Submission 347.80

- 19 Evidence presented at the Stream 12 hearing will support the suitability of trade suppliers and their contribution to the emerging KAC.
- 20 In respect of the matters of discretion for trade suppliers, RDL's submission⁹ sought to delete the references to trade suppliers in CMUZ-MD1 (trade suppliers and yard based suppliers), on the basis that desired urban design outcomes can be more appropriately managed through TCZ-R1 (permitted buildings) and CMUZ-MD3 (urban design).
- 21 On the basis that RDL seeks that trade suppliers remain a permitted activity within the Ravenswood TCZ, RDL does not pursue this submission point. In the event that any further assessment matters are considered necessary to address effects of trade suppliers within the Ravenswood TCZ, RDL proposes that this be addressed through the Stream 12 hearing.

Built form standards

- 22 RDL made submissions¹⁰ in respect of the following TCZ built form standards:
 - (a) TCZ-BFS1 – Height (retain as notified);
 - (b) TCZ-BFS6 – Road boundary landscaping (retain as notified); and
 - (c) TCZ-BFS7 – Road boundary setback, glazing and verandahs (amendments sought).
- 23 As discussed above, operative PC30 includes a rule requiring restricted discretionary consent for all buildings within the Ravenswood TCZ. RDL proposes that this approach be carried over to the PWDP, as the most appropriate approach for development of a greenfield centre which may not be subdivided into individual building sites. This approach enables consideration of not only built form and landscaping, but also integration of various elements within the centre, including roads, pedestrian and cycle linkages, car parking and public open space.
- 24 This would mean that rule TCZ-R1 and the related TCZ built form standards for permitted buildings would not apply to Ravenswood. For this reason, RDL does not pursue its submission in respect of the built form standards.
- 25 Management of built form, landscaping and urban design within the Ravenswood TCZ will be addressed through evidence for the Stream 12 hearing.

⁹ Submission 347.84

¹⁰ Submission 347.81

Conclusion

- 26 RDL requests that the submission points set out in Appendix 1 be accepted, in accordance with the Officer's recommendations.
- 27 RDL agrees with the Officer's recommendation that submission points 347.2¹¹, 347.3¹², 347.79,¹³ 347.78,¹⁴ and 347.85¹⁵ be dealt with in Hearing Stream 12.
- 28 Similarly, RDL respectfully asks that the panel considers submission points for trade suppliers (347.80¹⁶ and 347.84¹⁷) and built form standards (347.81¹⁸, 347.82¹⁹ and 347.83²⁰) and in the context of the case for the rezoning, and with the benefit of evidence in support in Stream 12.

Dated 22 January 2024



Sarah Eveleigh / Sarah Schulte
Counsel for Ravenswood Developments Limited

¹¹ Definition for "Key Activity Centre"

¹² Definition for "Principal Shopping Street"

¹³ TCZ-R1

¹⁴ TCZ-P2

¹⁵ CMUZ-MD3

¹⁶ TCZ-R24

¹⁷ CMUZ-MD1

¹⁸ TCZ-BFS1

¹⁹ TCZ-BFS6

²⁰ TCZ-BFS7

Appendix 1

Submission point	Decision sought	Officer's recommendation	RDL's position
347.59	<p>CMUZ – General Objectives and Policies</p> <p>Retain CMUZ-O1 as notified.</p>	Accept	Support
347.60	<p>CMUZ – General Objectives and Policies</p> <p>Retain CMUZ-O2 as notified</p>	Accept	Support
347.61	<p>CMUZ – General Objectives and Policies</p> <p>Delete CMUZ-P1 clause (4), which seeks to protect the existing commercial centre within Belfast/Northwood.</p>	Accept	Support
347.62	<p>CMUZ – General Objectives and Policies</p> <p>Amend CMUZ-P2 to ensure consistency and improve clarity. Town centres should not be capitalised as they are not defined.</p>	Accept	Support
347.63	<p>CMUZ – General Objectives and Policies</p> <p>Amend CMUZ-P4 (5) to:</p> <p>“maintains, or <u>otherwise appropriately mitigates adverse effects on</u>, the amenity</p>	Accept	Support

Submission point	Decision sought	Officer's recommendation	RDL's position
	values of adjoining Residential Zones at the interface; and”		
347.64	CMUZ – General Objectives and Policies Retain CMUZ-P5 as notified	Accept	Support
347.65	CMUZ – General Objectives and Policies Retain CMUZ-P6 as notified.	Accept	Support
347.66	CMUZ – General Objectives and Policies Retain CMUZ-P7 as notified.	Accept	Support
347.76	TCZ – Objectives Retain TCZ-O1 as notified.	Accept ²¹	Support acceptance of RDL's submission ie no change to TCZ-O1

²¹ Note: The Table in Appendix B, Part 1, at page 12 states that the Officer's recommendation is "Accept in part" and refers to the body of the section 42A report (no reference provided) for the assessment. At paragraph 168 of the Officer's Report, the Officer recommends that RDL's submission point be accepted. At paragraph 169 of the Officer's report, the Officer recommends no changes to TCZ-O1.

Further submissions				
Original submission	RDL further submission	Relief sought	Officer recommendation	RDL's position
<p>Foodstuffs #267.9 Amend TCZ-BFS9</p> <p>1. Any outdoor storage or parking areas shall be screened by 1.8m high solid fencing or dense hedge landscaping from any adjoining site in Residential Zones, Rural Zones, Open Space and Recreation Zones or Commercial and Mixed Use Zones or the road boundary.</p>	Support (RDL #79)	Accept the submission	<p>Accept</p> <p>Amend TCZ-BFR9 as follows:</p> <p>TCZ-BFS9 Outdoor storage areas</p> <p>Any outdoor storage or parking areas shall be screened by 1.8m high solid fencing or dense hedge landscaping from any adjoining site in Residential Zones, Rural Zones, Open Space and Recreation Zones or Commercial and Mixed Use Zones or the road boundary.</p>	Support