

**OFFICER'S REPORT FOR:**

Hearings Panel

**SUBJECT:**

Proposed Waimakariri District Plan: Whautua  
Motuhake - Special Purpose Zone - Kaiapoi  
Regeneration ('SPZ(KR)')

**PREPARED BY:**

Shelley Milosavljevic

**REPORT DATED:**

19 January 2024

**DATE OF HEARING:**

Hearing Stream 10 (19 February 2024)

## Executive Summary

1. This report considers submissions received by the Waimakariri District Council in relation to the relevant provisions of the Proposed Waimakariri District Plan (PDP) as they apply to the Special Purpose Zone – Kaiapoi Regeneration ('SPZ(KR)') chapter. The report outlines recommendations in response to the issues that have emerged from these submissions.
2. There were a small number of submissions and further submissions received on the SPZ(KR) chapter. The key issues in contention relate to:
  - The appropriateness of certain activities within the SPZ(KR); and
  - The interface between the SPZ(KR) and adjoining Natural Open Space Zone.
3. This report addresses each of these matters, as well as any other matters raised by submissions.
4. I recommend one amendment in response to matters raised in submissions – amend SPZ(KR)-BFS3 to require a 20m building setback from internal boundaries for buildings adjoining the Natural Open Space Zone to improve this zone interface.
5. Having considered all the submissions and reviewed all relevant statutory and non-statutory documents, I recommend that the PDP should be amended as set out in section **Appendix A** of this report.
6. For the reasons set out in the Section 32AA evaluation and included throughout this report, I consider that the proposed objectives and provisions, with the recommended amendments, will be the most appropriate means to:
  - achieve the purpose of the RMA where it is necessary to revert to Part 2 and otherwise give effect to higher order planning documents, in respect to the proposed objectives, and
  - achieve the relevant objectives of the PDP, in respect to the proposed provisions.

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## Interpretation

7. This report utilises a number of abbreviations for brevity as set out in **Table 1** and **Table 2** below:

**Table 1: Abbreviations**

Abbreviation	Means
CRPS	Canterbury Regional Policy Statement
GFA	Gross Floor Area
NOSZ	Natural Open Space Zone
Operative Plan	Operative Waimakariri District Plan
PDP	Proposed Waimakariri District Plan
RMA	Resource Management Act 1991
Recovery Plan	Waimakariri Residential Red Zone Recovery Plan
SPZ(KR)	Whautua Motuhake - Special Purpose Zone – Kaiapoi Regeneration

**Table 2: Abbreviations of Submitters' Names**

Abbreviation	Means
Clampett	Clampett Investments Limited
GS Sharp and DL Brandish	Graeme Stevenson Sharp and Diane Lindsay Brandish
KR Scott	Karen Ronda Scott
RIDL	Rolleston Industrial Developments Ltd

# 1 Introduction

## 1.1 Purpose

8. The purpose of this report is to provide the Hearings Panel with a summary and analysis of the submissions received on the SPZ(KR) chapter and to recommend possible amendments to the PDP in response to those submissions.
9. This report is prepared under section 42A of the RMA. It considers submissions received by the Waimakariri District Council in relation to the provisions relating to the SPZ(KR) chapter in the PDP.
10. This report discusses subtopics arising within the submissions and further submissions received, makes recommendations as to whether those submissions should be accepted (in full or in part) or rejected, and concludes with a recommendation for amendments to the PDP provisions.
11. This report is provided to assist the Hearings Panel in their role as Independent Commissioners. The Hearings Panel may choose to accept or reject the conclusions and recommendations of this report and may come to different conclusions and make different recommendations, based on the information and evidence provided to them by submitters.

## 1.2 Author

12. My name is Shelley Catherine Milosavljevic. My qualifications and experience are set out in **Appendix C** of this report. My role in preparing this report is that of an expert planner.
13. I was involved in the preparation of the PDP. I have read the Section 32 Evaluation Report: Special Purpose Zone – Kaiapoi Regeneration<sup>1</sup> (SPZ(KR) s32 Report).
14. Although I am generally familiar with the zone, I visited the SPZ(KR) on 30 October 2023 and 27 November 2023 for a more detailed site inspection and to see the specific matter raised in submission relating to setbacks.
15. Although this is a District Council Hearing, I have read the Environment Court's Code of Conduct for Expert Witnesses Practice Note (2023 version). I have complied with that Code when preparing my written statement of evidence and I agree to comply with it when I give any oral evidence.
16. The scope of my evidence relates to SPZ(KR) chapter and related defined terms. I confirm that the issues addressed in this statement of evidence are within my area of expertise as an expert policy planner.
17. Any data, information, facts, and assumptions I have considered in forming my opinions are set out in the part of the evidence in which I express my opinions. Where I have set out opinions in my evidence, I have given reasons for those opinions.
18. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

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<sup>1</sup> [https://www.waimakariri.govt.nz/data/assets/pdf\\_file/0033/98268/29.-SPZ-KAIAPOI-REGENERATION-S32-REPORT-DPR-2021.pdf](https://www.waimakariri.govt.nz/data/assets/pdf_file/0033/98268/29.-SPZ-KAIAPOI-REGENERATION-S32-REPORT-DPR-2021.pdf)

### 1.3 Background of Special Purpose Zone – Kaiapoi Regeneration

#### 1.3.1 Waimakariri Residential Red zone

19. The 2010-2011 Canterbury Earthquake sequence caused severe and widespread damage within parts of Kaiapoi, The Pines Beach, Kairaki, and Christchurch. Rebuilding on land within these residential areas was considered unfeasible as the necessary land remediation would take years to complete, was expensive, and required the demolition of most houses and relocation of residents.
20. Consequently, the Crown decided to 'red zone' this land, thereby identifying this residential land as unfeasible to be rebuilt on, and instead to give residents the ability to relocate to land that could be rebuilt on immediately. The Crown acquired a vast majority of this land through voluntary buyouts and consequently cleared the area.
21. The Waimakariri Residential Red Zone comprised approximately 100ha within Kaiapoi, The Pines Beach and Kairaki, which was over a fifth of the total residential area. This had a profound impact on the communities, businesses, infrastructure, and environment of these areas.

#### 1.3.2 Waimakariri Residential Red Zone Recovery Plan

22. Following the 'red zoning' of this land, technical investigations and community engagement then determined the most suitable land uses. The Recovery Plan (2016) separated the Waimakariri residential red zone into five 'regeneration areas' - Kaiapoi West, Kaiapoi South, Kaiapoi East, The Pines Beach, and Kairaki. It set out recommended long-term uses to facilitate recovery and support regeneration. These included land uses such as rural, mixed use business, sport and recreation reserve, memorial garden, recreation and ecological linkage, heritage and mahinga kai, private lease, utility, stormwater management, as shown in **Figure 1** below.
23. The Recovery Plan was developed and gazetted under the Canterbury Earthquake Recovery Act 2011 and Greater Christchurch Regeneration Act 2016. Section 23 of the Canterbury Earthquake Recovery Act 2011 required district plans to 'not be inconsistent with' a recovery plan. The Canterbury Earthquake Recovery Act 2011 was repealed 19 April 2016. The Greater Christchurch Regeneration Act 2016 was repealed on 30 June 2021. Therefore, the Recovery Plan ceased to have legal effect on 30 June 2021, which was just before the PDP was notified in September 2021. As such, the Recovery Plan is now a plan that the PDP 'shall have regard' to under s74(2)(b)(i) of the RMA.
24. The Recovery Plan identified two areas for rural land use. These are located within the Kaiapoi South Regeneration Area and Kaiapoi East Regeneration Area, as shown by **Figure 1** below. The SPZ(KR) comprises these two 'rural' areas.

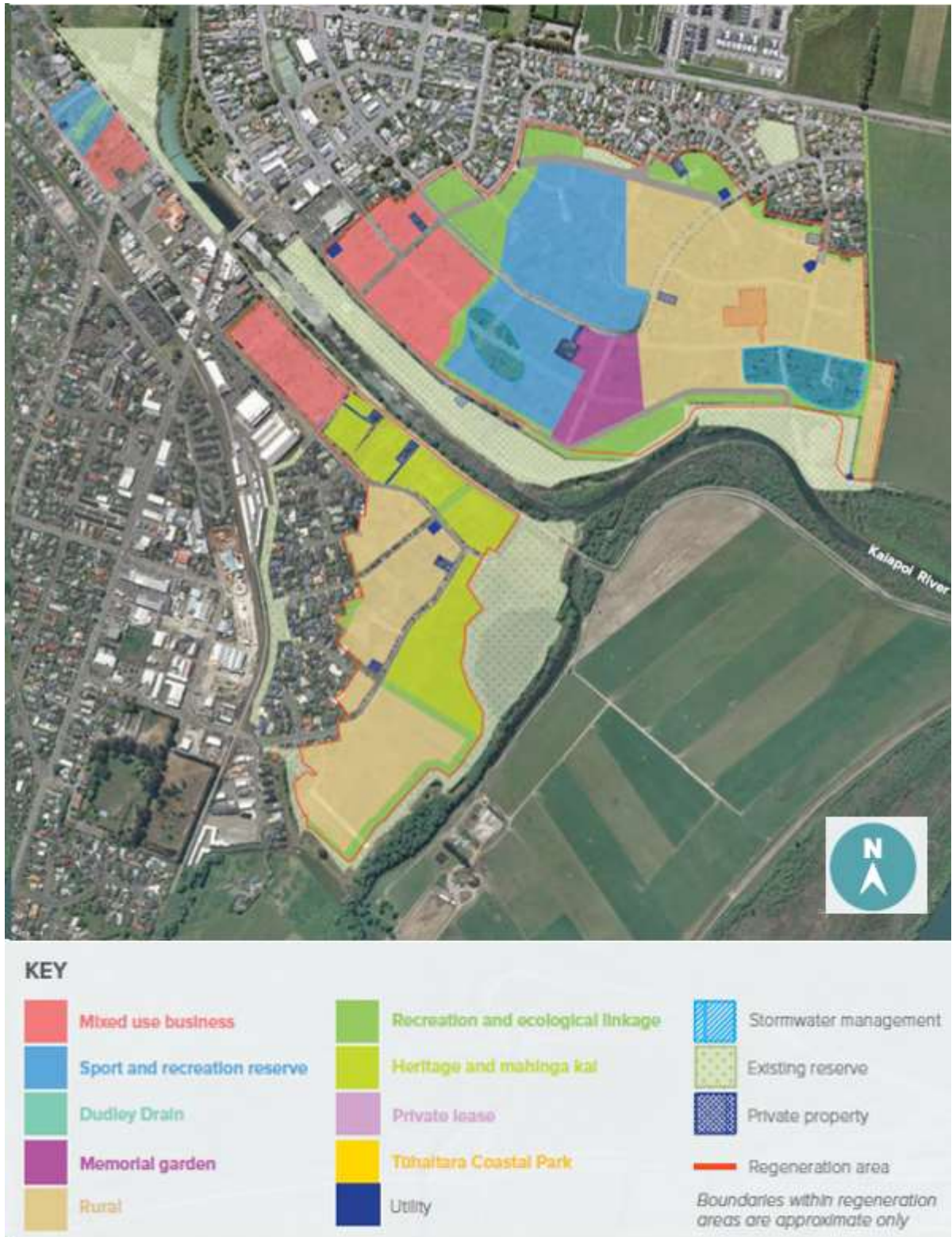


Figure 1: Kaiapoi West, Kaiapoi South, Kaiapoi East regeneration areas and their land uses set out in Recovery Plan



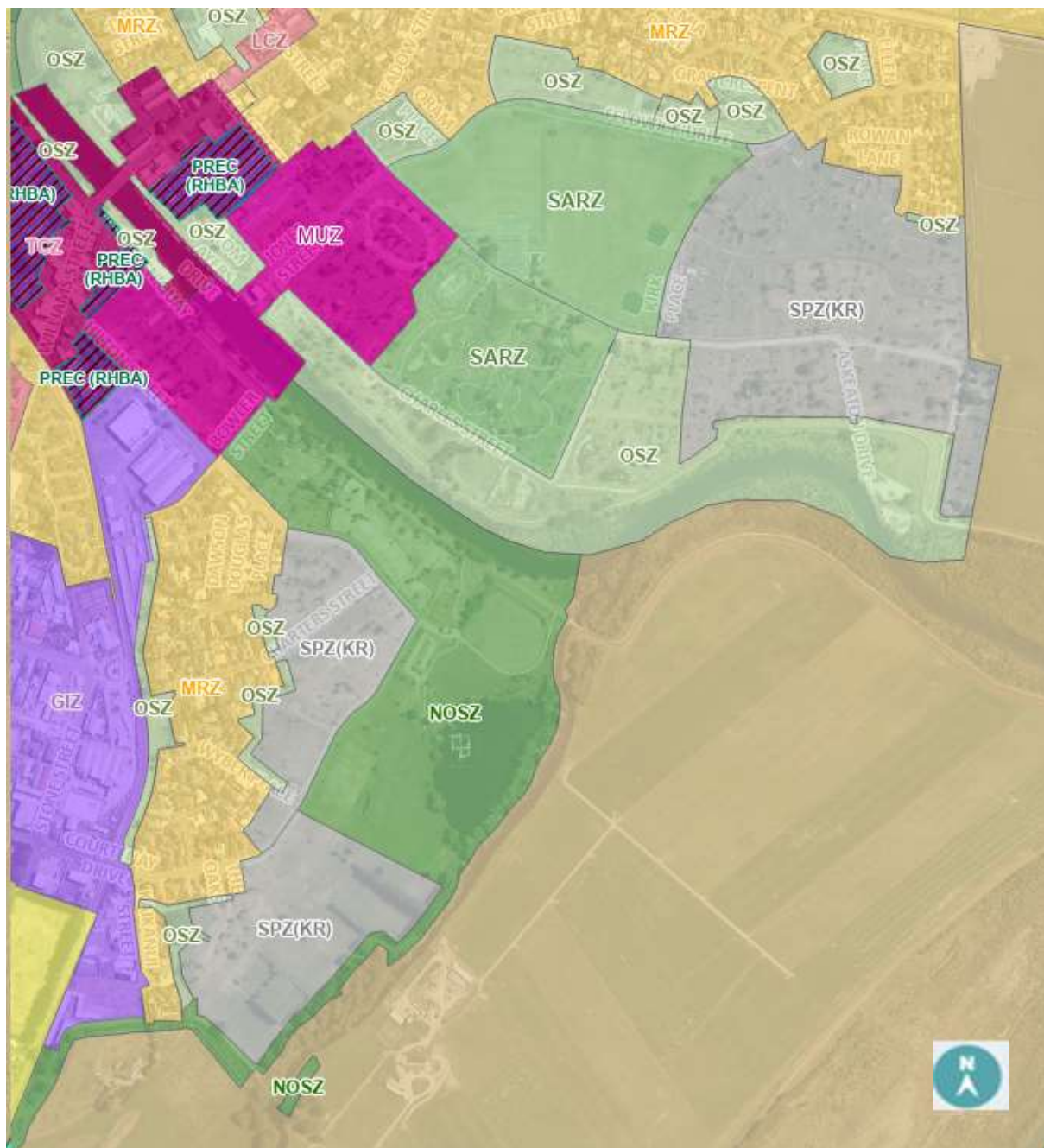
25. In relation to the rural land use identified for these two areas, page 13 and 17 of the Recovery Plan states that *“Significant natural hazards, anticipated land remediation costs, and current market viability for buildings support rural as an appropriate land use in this area. To ensure this area integrates well with surrounding residential areas, the rural zoning will include setback buffers and restrictions on the types of activities that can be undertaken on the land. These restrictions will help to prevent intensive farming (such as poultry farms) and other activities that have the potential to create adverse impacts on adjoining residential areas. Rural activities in this area could include agriculture, pastoral farming and/or horticulture.”*
26. The Recovery Plan then goes on to note<sup>2</sup> that *“It is recognised that alternative land uses could be undertaken in this area in the long term subject to technological advances and/or market demand changes making the alternative land use a feasible option. Any future change in the land use would need to be progressed under the Resource Management Act 1991.”* ‘Long term’ is specified in the Recovery Plan as being ‘more than 10 years’ from the gazettal of the Recovery Plan (i.e., 2026).

### **1.3.3 Special Purpose Zone (Kaiapoi Regeneration)**

27. The SPZ(KR) comprises the two areas identified for rural land use in the Recovery Plan. This is shown in **Figure 2** below. The total area of the SPZ(KR) is approximately 32.1ha with the east area comprising approximately 18.2ha and the south area comprising approximately 13.9ha.

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<sup>2</sup> Page 13 and 17 of Recovery Plan



**Figure 2: Extent of SPZ(KR) – east area and south area**

28. While the Recovery Plan identified rural land use for these two areas (and also noted alternative land uses could be undertaken in the long term), section 3.2.1 of the SPZ(KR) s32 Report notes that the PDP did not zone this area as a rural zone (or open space zone) as that would not provide the “flexibility required in the longer term to support the regeneration of Kaiapo”. SPZ(KR)-R4 provides for agriculture as a permitted activity, while rules SPZ(KR)-R1 to R3 and R5 – R27 permit a wide range of alternative land uses, also as permitted activities. Therefore, in my opinion, I consider the SPR(KR) provisions align with the Recovery Plan’s agreed land uses for the area.
29. Section 3.5.1.1 of the SPZ(KR) s32 Report outlines that the period 2028 and beyond is considered ‘long term’, thus this period included the ‘life’ of the PDP. Consequently, the PDP provides for these ‘alternative’ land uses. Section 3.5.1.2 of the SPZ(KR) s32 Report states that the Recovery

Plan does not specify what alternative land uses are anticipated, only that they are anticipated when feasible due to changes in technology and demand.

30. Section 3.5.1.2 of the SPZ(KR) s32 Report goes on to note that *“in addition to the environmental context, the earthquake regeneration context and specified Council’s Vision and Goals for the Regeneration Areas provide guidance”*. The Council’s vision in the Recovery Plan is: *“Creatively and cost-effectively returning regeneration areas to active use, towards ensuring that Kaiapoi, Kairaki, The Pines Beach and the wider district are economically and socially vibrant, resilient, rewarding and exciting places for residents and visitors, while celebrating the significant cultural values of iwi and the wider community.”*
31. Section 2.6.2 of the SPZ(KR) s32 report also notes that *“Council has had discussions with a potential user who wishes to create an aqua sports facility in the northern part of the zone. These discussions have focussed on the likely nature of the activity and its physical extent. This information has informed the development of the zone provisions.”*
32. SPZ(KR)-O1 relates to regeneration and seeks *“A range of activities are enabled which support the regeneration of the area and the role, function and continued viability of the Kaiapoi Town Centre.”*
33. SPZ(KR)-O2 relates to existing residential activities and seeks that *“Pre-earthquake residential activities on privately-owned sites are able to continue”*. This approach is consistent with the Recovery Plan’s approach to support the wellbeing of those residents who chose to remain and not to accept the Government’s buy-out offer.
34. The policies relate to supporting regeneration (SPZ(KR)-P1), supporting opportunities for regeneration by enabling a wide range of activities (SPZ(KR)-P2), managing design of built development (SPZ(KR)-P3), and continuation of pre-earthquake residential activities (SPZ(KR)-P4).
35. As outlined in s5.4 of the SPZ(KR) s32 report, the SPZ(KR) rules generally seek to enable a wide range of recreation, conservation, commercial, community and destination activities, with activity scale managed to avoid adverse amenity and commercial distribution impacts.
36. There is one remaining private residence within the north-eastern area, some small areas for transformers owned by MainPower, and the rest of the SPZ(KR) is owned by the Waimakariri District Council (as fee simple / freehold land). There is water, wastewater, and stormwater infrastructure within the SPZ(KR) roads.
37. A community hub is currently being constructed within the SPZ(KR) adjacent to Courtenay Drive which will contain a number of facilities including croquet club, Menz Shed, food rescue facility, community facility, and playground. The balance of the SPZ(KR) land owned by Waimakariri District Council is vacant at present, refer to **Figure 3** below. The WHoW Trust<sup>3</sup> has a licence to occupy agreement for the east SPZ(KR) area for the purposes of securing the land awaiting the completion of a business case and feasibility stage for the AquaPark proposal.
38. While the Recovery Plan is now required to be had ‘regard to’, the general regeneration areas continue to be implemented in line with the direction set in the Recovery Plan.

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<sup>3</sup> <https://raisedwaterresearch.com/spot/wave-pool/new-zealand/south-island/whow-aquasports-park/>

39. **Figure 3** below is a photo of the site taken on my site visit on 27 November 2023.



**Figure 3: Photo of SPZ(KR) taken south of Courtenay Drive on 27 November 2023**

40. I also note that the SPZ(KR) chapter is not subject to Variation 1.

#### **1.4 Supporting evidence**

41. The following reports and plans informed this report:

- Recovery Plan;
- SPZ(KR) s32 Report;
- Waimakariri District Residential Red Zone Technical Advisory Panel Preliminary Assessment of Land Use Capability (CERA, TRONT, Environment Canterbury, Waimakariri District Council, 2015)<sup>4</sup>;

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[https://www.redzoneplan.nz/\\_data/assets/pdf\\_file/0019/8407/Technical\\_Panel\\_Report\\_Waimakariri\\_v22\\_2\\_0150617-1.pdf](https://www.redzoneplan.nz/_data/assets/pdf_file/0019/8407/Technical_Panel_Report_Waimakariri_v22_2_0150617-1.pdf)

- Canvas: Your thinking for the red zones (CERA, December 2014)<sup>5</sup>;
- Preliminary draft Waimakariri Residential Red Zone Recovery Plan: Summary of Public Comments (WDC, March 2016)<sup>6</sup>; and
- Valuation Consultancy Report (Colliers International, December 2015)<sup>7</sup>;

## 1.5 Key Issues in Contention

42. I consider the following to be the key issues in contention in the chapter:

- The appropriateness of certain activities within the SPZ(KR); and
- The interface between the SPZ(KR) and adjoining Natural Open Space Zone.

43. I address each of these key issues in this report via a subtopic approach. I address submissions that were in support of provisions in **Appendix B** only.

## 1.6 Procedural Matters

44. At the time of writing this report there have not been any pre-hearing conferences, clause 8AA meetings, or expert witness conferencing in relation to submissions on the SPZ(KR) chapter.

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<sup>5</sup> [https://www.redzoneplan.nz/\\_data/assets/pdf\\_file/0016/8404/Summary-of-findings-for-the-Waimakariri-District-December-2014-1.pdf](https://www.redzoneplan.nz/_data/assets/pdf_file/0016/8404/Summary-of-findings-for-the-Waimakariri-District-December-2014-1.pdf)

<sup>6</sup> [https://www.redzoneplan.nz/\\_data/assets/pdf\\_file/0017/16901/Preliminary-Draft-Waimakariri-Residential-Red-Zone-Recovery-Plan-Summary-of-Public-Comments-contact-details-withheld-March-2016.pdf](https://www.redzoneplan.nz/_data/assets/pdf_file/0017/16901/Preliminary-Draft-Waimakariri-Residential-Red-Zone-Recovery-Plan-Summary-of-Public-Comments-contact-details-withheld-March-2016.pdf)

<sup>7</sup> [https://www.redzoneplan.nz/\\_data/assets/pdf\\_file/0021/14646/Colliers-Kaiapoi-Red-Zone-Consult.13054.gs.12.15.pdf](https://www.redzoneplan.nz/_data/assets/pdf_file/0021/14646/Colliers-Kaiapoi-Red-Zone-Consult.13054.gs.12.15.pdf)

## 2 Statutory Considerations

### 2.1 Resource Management Act 1991

45. The PDP has been prepared in accordance with the RMA and in particular, the requirements of:

- s74 Matters to be considered by territorial authority; and
- s75 Contents of district plans.

46. A number of higher order planning documents provided direction and guidance for the preparation and content of the PDP. These documents are discussed within the Section 32 Evaluation Report: Special Purpose Zone – Kaiapoi Regeneration<sup>8</sup> (SPZ(KR) s32 report).

### 2.2 Section 32AA

47. I have undertaken an evaluation of the recommended amendments to provisions since the initial section 32 evaluation was undertaken in accordance with s32AA. Section 32AA states:

***32AA Requirements for undertaking and publishing further evaluations***

*(1) A further evaluation required under this Act—*

*(a) is required only for any changes that have been made to, or are proposed for, the proposal since the evaluation report for the proposal was completed (the changes); and*

*(b) must be undertaken in accordance with section 32(1) to (4); and*

*(c) must, despite paragraph (b) and section 32(1)(c), be undertaken at a level of detail that corresponds to the scale and significance of the changes; and*

*(d) must—*

*(i) be published in an evaluation report that is made available for public inspection at the same time as the approved proposal (in the case of a national policy statement or a New Zealand coastal policy statement or a national planning standard), or the decision on the proposal, is notified; or*

*(ii) be referred to in the decision-making record in sufficient detail to demonstrate that the further evaluation was undertaken in accordance with this section.*

*(2) To avoid doubt, an evaluation report does not have to be prepared if a further evaluation is undertaken in accordance with subsection (1)(d)(ii).*

48. The required section 32AA evaluation for amendments recommended as a result of consideration of submissions relating to the SPZ(KR) is contained within the assessment of the submission in section 3 of this report, as required by s32AA(1)(d)(ii). I have taken this approach

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<sup>8</sup> [https://www.waimakariri.govt.nz/\\_data/assets/pdf\\_file/0033/98268/29.-SPZ-KAIAPOI-REGENERATION-S32-REPORT-DPR-2021.pdf](https://www.waimakariri.govt.nz/_data/assets/pdf_file/0033/98268/29.-SPZ-KAIAPOI-REGENERATION-S32-REPORT-DPR-2021.pdf)

due to what I consider to be the relatively limited scale and significance of the recommended amendments.

## 2.3 Trade Competition

49. There are no known trade competition issues raised within the submissions.

## 2.4 Strategic Directions primacy implications assessment

### 2.4.1 Introduction

50. The Hearings Panel directed, via Minute 11, that s42A report authors provide their own professional opinion of the potential implications on a chapter's objectives if the Strategic Directions (SD) objectives (including Urban Form and Development (UFD)) were given primacy, or not.

51. This must be done in accordance with the approach set out in paragraph 9 of Mr Buckley's 29 September 2023 memo<sup>9</sup>, which set out the following different approaches to primacy for SD:

*“(a) SD objectives have no "primacy" and sit on the same level as other objectives in the plan;*

*(b) SD objectives have "primacy" in one of the following different senses (dependent on how the district plan is crafted):*

*(i) SD objectives inform objectives and policies contained in other chapters;*

*(ii) Objectives and policies in other chapters must be expressed and achieved as being consistent with the SD objectives;*

*(iii) SD objectives are used to resolve conflict with objectives and policies in other chapters; and*

*(iv) SD objectives override all other objectives and policies in the plan.”*

52. I note that 'primacy' is typically defined as 'being pre-eminent or most important'.

53. As set out in paragraph 31 of Andrew Willis' 5 September 2023 memo (contained within Mr Buckley's 29 September 2023 memo), I agree that the PDP already does create SD objective primacy in line with (b)(i) and (b)(ii) above, and that frames my assessment below.

### 2.4.2 Relevant Strategic Directions Objectives

54. The SPZ(KR) s32 report identified SD-O6 as the most relevant SD objective. The most recent recommended version of this objective is provided in the Strategic Directions Right of Reply<sup>10</sup> which is as follows:

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<sup>9</sup> [https://www.waimakariri.govt.nz/\\_data/assets/pdf\\_file/0020/143408/RESPONSE-TO-MINUTE-10-PRIMACY-APPROACHES-FOR-PDP-CHAPTERS.pdf](https://www.waimakariri.govt.nz/_data/assets/pdf_file/0020/143408/RESPONSE-TO-MINUTE-10-PRIMACY-APPROACHES-FOR-PDP-CHAPTERS.pdf)

<sup>10</sup> [https://www.waimakariri.govt.nz/\\_data/assets/pdf\\_file/0028/137773/03\\_Right-of-Reply-Stream-1-and-2-Strategic-Directions.pdf](https://www.waimakariri.govt.nz/_data/assets/pdf_file/0028/137773/03_Right-of-Reply-Stream-1-and-2-Strategic-Directions.pdf)

**“SD-O6 - Natural hazards and resilience**

*The District responds to natural hazard risk, including increased risk as a result of climate change, through:*

1. *avoiding subdivision, use and development where the risk is unacceptable; ~~and~~*
2. *mitigating other natural hazard risks; and*
3. *ensuring strategic, critical, and regionally significant infrastructure is only located within areas of significant natural hazard risk where there is no reasonable alternative and the infrastructure is designed so as not to exacerbate natural hazard risk to people and property.*

55. I concur that SD-O6 is relevant and consider SD-O6 relates to s6(h) of RMA, which identifies the management of significant risks from natural hazards as a matter of national importance.

56. I also consider that the following SD objective clauses (Strategic Directions Right of Reply<sup>11</sup> version) are of some relevance to the SPZ(KR):

a. SD-O1 - “Across the District:

*... (4) “people have access to a network of natural areas for open space and recreation, conservation and education, including within riparian areas, the coastal environment, the western ranges, and within urban environments;*

*....”*

b. SD-O2 - “Urban development and infrastructure that:

*(1) is consolidated and integrated with ~~the~~ well-functioning urban environment centres;*

*(2) ~~that~~ recognises existing character, planned urban form and amenity values, and is attractive and functional to residents, businesses and visitors;*

*....*

*(5) supports a hierarchy of urban centres, with the District’s main centres in Rangiora, Kaiapoi, Oxford and Woodend being:*

- a. the primary centres for community facilities;*
- b. the primary focus for retail, office and other commercial activity; and*
- c. the focus around which residential development and intensification can occur.*

*....*

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<sup>11</sup> [https://www.waimakariri.govt.nz/data/assets/pdf\\_file/0028/137773/03\\_Right-of-Reply-Stream-1-and-2-Strategic-Directions.pdf](https://www.waimakariri.govt.nz/data/assets/pdf_file/0028/137773/03_Right-of-Reply-Stream-1-and-2-Strategic-Directions.pdf)



*(6) provides opportunities for business activities to establish and prosper within a network of business and industrial areas zoned appropriate to their type and scale of activity and which support district self-sufficiency;<sup>12</sup>*

.....

*(7) provides people with access to a network of spaces within urban environments for open space and recreation;*

.....”

57. I do not consider any of the UFD objectives and policies are relevant to the SPZ(KR) as they primarily relate to provision of residential, commercial, and industrial land to meet demand.
58. The Recovery Plan is a higher order document that relates to SPZ(KR). As outlined in section 1.3.2 above, the SPZ(KR) provisions were drafted to ‘not be inconsistent with’ the Recovery Plan however, now its associated legislation has been repealed, it shall be ‘had regard to’ as per s74 of the RMA.
59. The Canterbury Regional Policy Statement (CRPS) is the other higher order document that relates to the SPZ(KR). As outlined in section 3.3.1 of the SPZ(KR) s32 Report, Chapter 6 (Recovery and Rebuilding of Greater Christchurch) of the CRPS is relevant to SPZ(KR). While recovery-focused, it provides more of a framework for recovery decisions than specific recovery direction for the zone. The urban development anticipated in Chapter 6 is not applicable to SPZ(KR) given the special circumstances that apply to land and the corresponding provisions of the Recovery Plan. Chapter 11 (Natural Hazards) of the CRPS is also relevant given the natural hazards constraints applying to the site.
60. I do not consider that either of these two relevant higher order documents above require the SD objectives that relate to the SPZ(KR) to have primacy over the PDP’s other objectives and policies based on an assessment of the matters covered within the SPZ(KR) chapter.

### **2.4.3 Implications on SPZ(KR) objectives if Strategic Directions objectives given primacy or not**

#### **2.4.3.1 Potential implications on SPZ(KR) objectives if SD objectives not given primacy as per primacy approach (a)**

61. In my opinion if primacy approach (a) ‘SD objectives have no “primacy” and sit on the same level as other objectives in the plan’ was to apply, the implications would be minimal given the most directive objectives and policies typically apply. Then in the case of a proposal within the SPZ(KR), I consider that the SD objectives do not provide much direction specific to the SPZ(KR), and therefore they would not be of particular relevance and the SPZ(KR) objectives and policies and those of any other chapters, such as Natural Hazards, would apply accordingly. In this sense, I consider that the objectives and policies within the SPZ(KR) chapter provide more appropriate direction in relation to the purpose of the PDP than the more general SD objectives.

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<sup>12</sup> (6) has been included for completeness; however, it is noted that there is unlikely to be opportunities for a ‘network’ of businesses and industries located within the zone given the spatial extent and anticipated uses with adjacent regeneration areas.

#### 2.4.3.2 Potential implications on SPZ(KR) objectives if SD objectives given primacy as per primacy approaches (b)(i) and (b)(ii)

62. The following statement occurs within the Introduction of each chapter of the PDP including the SPZ(KR):

*“The provisions in this chapter are consistent with the matters in Part 2 - District Wide Matters - Strategic Directions and give effect to matters in Part 2 - District Wide Matters - Urban Form and Development.”*

63. I consider that this statement indicates that strategic objectives have some level of primacy as the PDP was developed so that the chapter provisions were consistent with them, which aligns with primacy approaches (b)(i) and (b)(ii).

64. As outlined above, I consider that SD-O1, SD-O2, and SD-O6 are of some relevance to the SPZ(KR) however they do not specifically provide for regeneration, which is a key purpose of the SPZ(KR). Therefore, in the context of the SPZ(KR), which in my opinion has minimal coverage within the SD objectives, it is more that the SPZ(KR) objectives are not inconsistent with the SD objectives, as opposed to consistent with them; or that they are neutral.

65. I note that regeneration, in terms of the overarching topic of recovery and regeneration beyond the bespoke regeneration zones, is technically relevant to the following SD criteria (in paragraph 8 of Andrew Willis' 5 September 2023 memo contained within Mr Buckley's 29 September 2023 memo), given Chapter 6 in the CRPS covers earthquake recovery and the Kaiapoi Town Centre Plan includes areas that were part of the red zone:

- *Whether the topic covered is significant within a Greater Christchurch context or significant by virtue of direction provided in the Canterbury Regional Policy Statement, Urban Development Strategy or the Land Use Recovery Plan<sup>13</sup>; and*
- *Whether the strategic direction is required at an overarching level to respond to the District Development Strategy or town centre plans.*

66. However, I discussed with Andrew Willis, who drafted the SPZ(KR) and SD chapter, the reasons why there is no direct SD objective relating to regeneration. Mr Willis noted that earthquake recovery / regeneration was 'just below the line' when assessed against the SD objective criteria. Reasons for this include the following:

- a. Much of the red-zoned area has already been redeveloped by the Council and community (e.g., dog park, sport and recreation areas, food forest);
- b. The CRPS recovery period is identified as being through to 2028 and the PDP provisions will have a longer lifespan than this;

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<sup>13</sup> The Land Use Recovery Plan (LURP) does not specifically cover the residential red zone as this is covered in the Recovery Plan [https://www.redzoneplan.nz/data/assets/pdf\\_file/0015/17430/Supplementary-Planning-Assessment-response-to-minute-of-6-April-2016.pdf](https://www.redzoneplan.nz/data/assets/pdf_file/0015/17430/Supplementary-Planning-Assessment-response-to-minute-of-6-April-2016.pdf)

- c. The majority of the regeneration area is owned by the Council and developed through separate community consultation exercises and this ownership and engagement process reduces the need for strong District Plan guidance;
  - d. The recovery / regeneration areas are discrete and localised, while the SDs generally cover matters that are more widespread in the District; and
  - e. There was a desire politically to stop highlighting the impacts of the earthquakes on the District in order to help move on from them.
67. I concur with these reasons and assessment of Mr Willis above. I therefore consider it is appropriate that the provisions are only loosely connected to the SD objectives in this context.
68. In my opinion, given the SPZ(KR) objectives and policies are so directive, relate to relatively small area, that is primarily Council-owned, and SPZ(KR)-O2 relates solely to one remaining private residence, it is not necessary to have SD objective coverage if the PDP SD objectives are doing primacy approaches (b)(i) or (b)(ii). I also note that if there was a SD objective relating to regeneration, in my opinion this would not cause any issues; however I do not consider there is any submission scope to add one under the PDP's status quo primacy approaches of (b)(i) and (b)(ii).
69. Therefore, if the PDP's SD primacy approach of (b)(i) and (b)(ii) is retained and there is no hierarchy between objectives, I consider that SPZ(KR) is satisfactorily provided for via its directive objectives and policies and the indirect links to SD-O1, SD-O2, and SD-O6.

#### 2.4.3.3 Potential implications on SPZ(KR) objectives if SD objectives given primacy as per primacy approach (b)(iii) and (b)(iv) – 'full primacy'

70. I cannot see how SD primacy approach (b)(iii) '*SD objectives are used to resolve conflict with objectives and policies in other chapters*' and (b)(iv) '*SD objectives override all other objectives and policies in the plan*' would apply in practice. In my opinion, resolving conflicts is something that should be considered when assessing a proposal and taking into account its full context (location, purpose, constraints, etc), and would be guided by the most directive and relevant objectives and policies. In the context of the SPZ(KR) chapter, the relevant SD objectives identified above would in my view not assist in conflict resolution. However, I note that the UFD objectives and policies are directive as they were developed to give effect to the NPS-UD.
71. I concur with paragraph 61 of the Buddle Findlay memo contained within Mr Buckley's memo which states that "*plans do not need to resolve all conflicts and there is no need to establish a hierarchy for strategic objectives (as between themselves). There are established principles for resolving conflicts in these situations.*"
72. If (b)(iii) or (b)(iv) were to apply and the SD objectives were used to resolve conflicts or override all others provisions respectively, I consider a potential implication would be that SPZ(KR)-O1, which aims to enable a range of activities that support the regeneration of the area (as well as the role, function and continued viability of the Kaiapoi Town Centre), may be overlooked as there is no specific SD objective that covers regeneration. In my opinion, there are no SD objectives that sufficiently recognise, or provide for, the purpose of the SPZ(KR).
73. As such matters relating to natural hazards and resilience (SD-O6) and the natural environment (SD-O1(4)) and urban development (SD-O2) that are indirectly relevant to the SPZ(KR) would

likely prevail, along with any other relevant SD's applicable to a proposal. In my opinion, while SD-O2, clauses (5) and (6) in particular, has some indirect relevance to the SPZ(KR), I do not consider there is recognition of the importance of regeneration within this area. Therefore, some regeneration activities may not get sufficient SD objective support. There is also no SD objective support for SPZ(KR)-O2 which relates to the continuation of pre-earthquake residential activities (of which there is only one such residence within SPZ(KR)).

74. In terms of submission scope, I note that the submissions seeking SD objective primacy, Kāinga Ora – Homes and Communities [325.1] and MainPower New Zealand Limited [249.197], both include provision for consequential amendments required to give effect to relief sought. Thus, I consider this potentially provides scope to amend the SD objectives to add in a clause relating to regeneration, which I consider would be required if primacy (b)(iii) or (b)(iv) were to apply. It is noted that both submissions did not detail the primacy approach sought (e.g., conflict resolution, overriding).
75. The issue of differing levels of primacy has not been raised by other submitters. With respect to further submissions, both the MainPower and Kainga Ora submissions had a number of further submissions in opposition (Transpower, R and G Spark, M Hales, Bellgrove Rangiora Ltd and MainPower). Of these only Transpower's further submission [FS92] on both was against the specific primacy provision. It opposes these submissions on the basis that that the proposed amendments could have significant implications to the way in which the policy framework is understood and consideration should be given as to whether the provisions were developed, including through the section 32 evaluation, with the hierarchy suggested.

#### 2.4.3.4 SD primacy conclusions

76. In my opinion, given the SPZ(KR) is relatively discrete, localised, and bespoke, primarily owned by Council, and overall being developed and used via the direction of the Recovery Plan, it does not necessarily warrant coverage within the SD objectives under the PDP's current SD primacy approaches of (b)(i) and (b)(ii).
77. However, if SD primacy approach (b)(iii) or (b)(iv) were to apply, then as there is no direct link to regeneration within the SD, I consider the SD objectives would need to be amended to specifically provide for regeneration in order to avoid the other SDs overriding the need for regeneration generally, and the particular regeneration SPZ(KR) outcomes. I consider there may be scope to make such an amendment via submissions [325.1] and [249.197].

## 3 Consideration of Submissions and Further Submissions

### 3.1 Overview

78. This report considers total of 19 submissions. These comprise:

- 13 submissions relating to the SPZ(KR) Zone (of which there is one further submission on one of these submissions);
- two submissions relating to the definition of 'ancillary activity', which is relevant to SPZ(KR), (of which there is one further submission on one of these submissions); and
- four general submissions relating to the PDP in its entirety (which have 2-5 further submissions on them as outlined in Section 3.2 below).

79. Submissions primarily relate to the appropriateness of certain activities within the SPZ(KR), and the interface between the SPZ(KR) and adjoining Natural Open Space Zone.

#### 3.1.1 Report Structure

80. Submissions on the SPZ(KR) chapter that sought amendments are grouped into subtopics within this report, while submissions in support are addressed by provision in **Appendix B** only. This is in accordance with Clause 10(3) of Schedule 1 of the RMA.

81. Due to some general submissions, s86F of the RMA does not apply to any SPZ(KR) provisions and therefore none are considered operative at this stage.

82. I have considered commentary on further submissions as part of my consideration of the submission to which they relate.

83. **Appendix A** contains a marked-up version of the SPZ(KR) chapter with recommended amendments in response to submissions. Recommended additions are shown as underlined text and recommended deletions are shown as struck through text. I have also provided either a summary of the amendment recommended, or 'marked-up' amendments recommended within the 'Summary of recommendations' subsection of each section within the body of the report.

84. **Appendix B** contains specific recommendations on each submission and further submission. The evaluation should be read in conjunction with the summaries of submissions and the submissions themselves. Where I agree with the relief sought and the rationale for that relief, I have noted my agreement, and my recommendation is provided in the summary of submission table in **Appendix B** only. Where I have undertaken further evaluation of the relief sought in a submission(s), the evaluation and recommendations are set out in the body of this report.

#### 3.1.2 Format for Consideration of Submissions

85. For each identified topic, I have considered the submissions that are seeking amendments to the PDP in the following format:

- Matters raised by submitters;
- Assessment;
- Summary of recommendations; and

- Section 32AA evaluation (where an amendment is recommended).

## 3.2 General submissions

86. Clampett Investments Ltd (Clampett) [284.1] and Rolleston Industrial Developments Limited (RIDL) [326.2 and 326.3] seek that all controlled and restricted discretionary activities are amended to preclude them from limited or public notification. A number of further submissions oppose these. Royal Forest and Bird Protection Society Inc. (Forest and Bird) [FS78] are opposed to RIDL [326.2] and [326.3] on the basis that there may be instances where notification is appropriate. Andrea Marsden [FS199] and Christopher Marsden [FS120] both oppose RIDL [326.2] as they consider all applications should be open for community consultation to give communities a voice. The Ohoka Residents Association [FS137] oppose RIDL [326.2] and [326.3] on the basis that it is inconsistent with national policy direction and contrary to the Operative Plan and PDP and oppose the “inappropriate satellite town” proposed in Ohoka.
87. RIDL [326.1] seeks that all provisions in the PDP are amended to delete the use of absolutes such as ‘avoid’, ‘maximise’ and ‘minimise’ (except where such direction is appropriate) to provide scope to consider proposals on their merits. This is opposed by five further submissions. Andrea Marsden [FS119] and Christopher Marsden [FS120] are opposed on the basis that these absolutes ensure compliance. Forest & Bird’s [FS78] reasoning did not relate to this submission point, rather it stated that there may be instances where it is appropriate to notify consents. The Ohoka Residents Association [FS84 and FS137] are opposed and reiterate their opposition to the “inappropriate satellite town” proposed in Ohoka and state that the RIDL submission is inconsistent with national policy direction.

### 3.2.1 Assessment

88. These submissions seek amendments to the entire PDP, however for the purpose of this report I have considered them in the context of the SPZ(KR) chapter.
89. There are no controlled activities within the notified version of the SPZ(KR) chapter, however there are four restricted discretionary activities:
- SPZ(KR)-R28 (retirement village),
  - SPZ(KR)-R29 (care facility),
  - SPZ(KR)-R30 (trade supplier),
  - SPZ(KR)-R30 (trade supplier), and
  - SPZ(KR)-R31 (yard-based activity).
90. The SPZ(KR) chapter has notification clauses precluding public notification (but not limited notification) for non-compliance with permitted activity rule SPZ(KR)-R4 (Agriculture), and also non-compliance with built form standards:
- SPZ(KR)-BFS2 (Height in relation to boundary),
  - SPZ(KR)-BFS3 (Internal boundary building setbacks),
  - SPZ(KR)-BFS4 (Internal boundary at grade car parking setbacks),

- SPZ(KR)-BFS5 (Internal boundary landscaping for non-residential activities),
  - SPZ(KR)-BFS7 (Outdoor storage areas),
  - SPZ(KR)-BFS8 (Ecological enhancement planting), and
  - SPZ(KR)-BFS10 (Waste management requirements for all commercial activities).
91. I do not consider that would be appropriate for the restricted discretionary rules in the SPZ(KR) chapter to have notification clauses precluding public or limited notification because these activities (retirement village, care facility, trade supplier, trade supplier, and yard-based activity) could have the potential to create adverse effects that are minor, or more than minor. The RMA contains a specific process for determining notification on a case-by-case basis and in my opinion that statutory process should appropriately apply. The submissions [284.1, 326.2 and 326.3] do not provide any specific evidence as to why these notification clauses are necessary in the context of these rules. I therefore do not agree with these requests as there is no specific basis for this, only generic.
92. Regarding RIDL [326.1], the SPZ(KR) chapter does not use the terms 'maximise' or 'minimise'. The term 'avoiding' is used within SPZ(KR)-P1 as follows: *'Provide for the ongoing and adaptive regeneration of the area while avoiding undermining the role, function, economic viability and investment in the public amenities and facilities of the Kaiapoi Town Centre'*.
93. Regarding the use of 'avoiding' in SPZ(KR)-P1, I consider use of 'avoiding' is the correct term to use in this policy as the role, function, economic viability and investment in the public amenities and facilities of the Kaiapoi Town Centre is an important factor for giving effect to objective SPZ(KR)-O1: *"A range of activities are enabled which support the regeneration of the area and the role, function and continued viability of the Kaiapoi Town Centre"*. The submitter has not provided any specific evidence as to why 'avoiding' should not be used in the context of these provisions, only in the general sense in that it provides scope to consider proposals on their merits. I therefore do not agree with their request as there is no specific basis for this, only generic.

### 3.2.2 Summary of recommendations

94. I recommend that the submissions from the following submitters, in terms of their application to the SPZ(KR) chapter, be **rejected**:
- RIDL [326.1, 326.2, and 326.3]; and
  - Clampett [284.1].
95. My recommendations in relation to further submissions are outlined in **Appendix B** and reflect my recommendations on submissions.
96. I recommend that no amendments are made to the PDP as a result of these submissions.

### 3.3 Appropriateness of activities within Kaiapoi Regeneration Zone related submissions

#### 3.3.1 Matters raised by submitters

97. Seven submission points from three submitters related to the appropriateness of activities within the SPZ(KR). These submissions can be broken down into the subtopics of provisions for non-residential buildings, industrial and commercial activities, motorised activities, and the scale of certain activities.

##### 3.3.1.1 Industrial and commercial activities

98. Graeme Stevenson Sharp and Diane Lindsay Brandish [405.1] (GS Sharp and DL Brandish) and Karen Ronda Scott [406.1] (KR Scott) oppose the provision for commercial and industrial activities within the SPZ(KR) and consider this would negatively impact on property values of adjacent residential properties, and increase traffic movements thereby creating noise, vibration, and parking issues on a road unsuitable for such traffic. Furthermore, they consider that the land is already close to the commercial and industrial areas in Kaikanui St, Stone St, and Courtenay Drive (between the railway and Williams St).

##### 3.3.1.2 Provision for non-residential buildings

99. GS Sharp and DL Brandish [405.1] and KR Scott [406.1] consider that the provisions for buildings within the SPZ(KR) is contrary to the decision to 'red zone' this area on the basis that it was unsuitable to build on. They request that if the land can be remediated to sustain buildings, it should be for residential buildings. The submitters' [405.1 and 406.1] seek that if residential is not possible, the SPZ(KR) should be used for activities that enhance the sense of community such as parks and recreation (with walking tracks, similar to the Honda Forest), that have low noise and traffic effects.

##### 3.3.1.3 Motorised activities

100. Steve Higgs [119.1<sup>14</sup>, 119.3 and 119.4] seeks the SPZ(KR)-R32 (motorised vehicle events) and SPZ(KR)-R33 (motorised sports facility), which are both discretionary activities, be amended to non-complying activity status given the sensitivity of the land and surrounding amenity, and limited ability to achieve sufficient separation distances from surrounding residential areas.

##### 3.3.1.4 Scale of activities

101. Steve Higgs [119.1<sup>15</sup> and 119.5] opposes the 600m<sup>2</sup> gross floor area limit for visitor accommodation permitted by SPZ(KR)-R9(1) and seeks it be reduced to a similar scale to residential buildings (200m<sup>2</sup> - 250m<sup>2</sup>).

102. Steve Higgs [119.1<sup>16</sup> and 119.6] queries why the 400m<sup>2</sup> gross floor area limit for retail activities permitted by SPZ(KR)-R24(2) is so high and how it relates to the building areas of other typical

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<sup>14</sup> Note 119.1 contains a summary of all the submitter's submission point, thus applies in multiple sections.

<sup>15</sup> Note 119.1 contains a summary of all the submitter's submission point, thus applies in multiple sections.

<sup>16</sup> Note 119.1 contains a summary of all the submitter's submission point, thus applies in multiple sections.



activities. Steve Higgs [119.6] seeks the retail activity size be limited to the appropriate activity associated with other dominant activities.

### 3.3.2 Assessment

#### 3.3.2.1 Industrial and commercial activities

103. Firstly, I consider the reduction of property values is not a resource management issue and therefore is not a relevant consideration.

104. In terms of the provision for industrial activities, SPZ(KR)-R27 permits industrial activities<sup>17</sup> that comply with the 200m<sup>2</sup>/10% gross floor area limit and are ancillary to a recreation activity on the same site (e.g., manufacturing or repair of kayaks on the same site as a kayaking recreation activity). Heavy industry is a non-complying activity under SPZ(KR)-R37.

105. I note that any noise or vibration created by such an activity would still need to comply with the rules and standards of the Noise chapter, and traffic movements would need to comply with the rules and standards of the Transport chapter. The Transport chapter does not require activities to provide a minimum number of parking spaces; however, it does specify required design standards for carparks if these are provided.

106. In terms of the provision for commercial activities, the SPZ(KR) rules permit (subject to activity standards relating to matters such as ancillary activities, GFA limits, hours of operation limits, and car parking setbacks) a range of such activities including:

- offices (SPZ(KR)-R6),
- conference facilities (SPZ(KR)-R8),
- visitor accommodation (SPZ(KR)-R9),
- health care facilities (SPZ(KR)-R11),
- childcare facilities (SPZ(KR)-R14),
- parking lots and buildings (SPZ(KR)-R20),
- retail activities (SPZ(KR)-R24),
- food and beverage outlets (SPZ(KR)-R25), and
- entertainment activities (SPZ(KR)-R26).

107. These activities are also subject to the built form standards which require:

- setbacks (SPZ(KR)-BFS3, SPZ(KR)-BFS4, SPZ(KR)-BFS6),
- landscaping (SPZ(KR)-BFS5),

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<sup>17</sup> Notified PDP defines an industrial activity as “an activity that manufactures, fabricates, processes, packages, distributes, repairs, stores, or disposes of materials (including raw, processed, or partly processed materials) or goods. It includes any ancillary activity to the industrial activity.” (National Planning Standard definition)

- ecological enhancement planting (SPZ(KR)-BFS8),
- waste management provision and screening for commercial activities (SPZ(KR)-BFS10),
- building coverage (SPZ(KR)-BFS9),
- screening of outdoor storage areas (SPZ(KR)-BFS7),
- height (SPZ(KR)-BFS1, and
- height in relation to boundary (SPZ(KR)-BFS2).

108. In terms of proximity to the existing commercial and industrial areas, I reiterate that SPZ(KR)-R27 is limited to industrial activity's ancillary to a recreation activity, which is different from the nearby General Industrial Zone the submitters are referring to.

109. I consider that the combination of activity standards, built form standards, and any applicable rules and standards within other chapters (particularly the Noise and Transport chapters) will provide a robust framework for managing the effects of these activities and therefore I do not recommend any amendments in relation to this aspect of these submissions [405.1 and 406.1].

### 3.3.2.2 *Non-residential activities*

110. Regarding the opposition of GS Sharp and DL Brandish [405.1] and KS Scott [406.1] to the provision for non-residential buildings within the SPZ(KR), I accept that seeing such activities provided for within this zone may have come as a surprise to the submitters given the land was part of the residential red zone. However, I consider it is important to distinguish that, in my understanding, the decision to 'red zone' this land was because the land remediation required to mitigate the land's potential for deformation was not feasible or practical to undertake at an individual residential property scale, as such remediation would need to be on an area-wide scale<sup>18</sup>.

111. Similarly, the Recovery Plan did not provide for residential activities within the regeneration areas because technical investigations concluded it would be unfeasible to do so given the cost of land remediation. I also understand that another factor for the Recovery Plan not identifying new residential land use for these areas was because it was a very sensitive issue for the Kaiapoi community given its residential red zone history and community engagement indicated that overall residential housing was not desired relative to other land uses<sup>19</sup>. These views carried into the SPZ(KR) provisions.

112. This matter is outlined in Section 4.1.1 of the SPZ(KR) s32 Report which states a key resource management issue for the SPZ(KR) is its land constraints in terms of land deformation hazard (lateral spread and liquefaction) and flooding. It states the technical work that informed the Recovery Plan "determined that putting back residential activity at a similar density to that which

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<sup>18</sup> <http://www.beehive.govt.nz/release/waimakariri-district-land-decisions-released>

<sup>19</sup> [https://www.redzoneplan.nz/\\_data/assets/pdf\\_file/0017/16901/Preliminary-Draft-Waimakariri-Residential-Red-Zone-Recovery-Plan-Summary-of-Public-Comments-contact-details-withheld-March-2016.pdf](https://www.redzoneplan.nz/_data/assets/pdf_file/0017/16901/Preliminary-Draft-Waimakariri-Residential-Red-Zone-Recovery-Plan-Summary-of-Public-Comments-contact-details-withheld-March-2016.pdf)

*existed pre earthquakes was not financially viable due to the natural hazard mitigation required. It was noted however that land remediation techniques would evolve, as would other development costs and financial returns. Overall, careful consideration is required to enable activities and structures that are hazard tolerant, but manage non-hazard tolerant activities through a consent pathway."*

113. The SPZ(KR) provides for activities that support the ongoing and adaptive regeneration of the area (SPZ(KR)-P1) by enabling a wide range of activities (SPZ(KR)-P2). As noted previously the zone permits a wide range of activities involving the associated buildings (subject to activity standards and built form standards). Many of these activities would meet the PDP definition of 'natural hazard sensitive activities'<sup>20</sup>, and as such are also managed by the Natural Hazards chapter provisions. Such activities are likely to be more economically viable given their commercial nature and the potential land remediation costs associated with developing within this area. However, I acknowledge that the economics may have evolved since 2016, but the submissions have not provided any evidence relating to this matter.
114. Residential activities are a discretionary activity under SPZ(KR)-R34. Construction of buildings of any type of residential activity would require building consent approval which also considers natural hazards, and as noted above the provisions of the Natural Hazards chapter will also apply. I also note that the SPZ(KR) is currently owned by Waimakariri District Council, except for one privately owned property.
115. For these reasons, I do not consider it would be appropriate to provide for residential activities as permitted activities within the SPZ(KR).
116. Regarding the submitter's [405.1 and 406.1] request for the SPZ(KR) to only provide for activities such as parks and recreation if residential use is not possible, I consider that such a limitation on the SPZ(KR) activities would hinder the zone's ability to achieve objectives SPZ(KR)-O1 and SPZ(KR)-O2 and policy SPZ(KR)-P2.
117. The submitters have not explicitly requested the SPR(KR) be rezoned but they are essentially seeking provision of activities like those within a Natural Open Space Zone or Open Space Zone. I consider the SPZ(KR) is an 'opportunity' area for Kaiapoi to provide the ongoing and adaptive regeneration of the area (SPZ(KR)-P1) by enabling a wide range of activities (SPZ(KR)-P2) that help improve the range of activities within Kaiapoi and thereby contribute to its overall vitality and diversity of activities. Also, large portions of the Kaiapoi residential red zone are already zoned in the PDP for Open Space and Recreation Zones (Natural Open Space Zone, Open Space Zone, or Sport and Active Recreation Zone) and the Council determined during the development of the Recovery Plan that further open space zoning is not required in this general location. For these reasons, I do not agree with the submitters request.

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<sup>20</sup> Notified version of 'natural hazard sensitive activities' definition: "*means buildings which: contain one or more habitable rooms; and/or contain one or more employees (of at least one full time equivalent); and/or is a place of assembly; except that this shall not apply to: regionally significant infrastructure; any attached garage or detached garage to a residential unit or minor residential unit that is not a habitable room; any building with a footprint of less than 25m<sup>2</sup>; or any building addition in any continuous 10-year period that has a footprint of less than 25m<sup>2</sup>."*

### 3.3.2.3 Motorised activities

118. The PDP definition of 'motorised vehicle events' includes events for competition, recreation or entertainment involving motor vehicle movement, such as car shows, and motor vehicle racing (excluding modelled or scaled-down versions of vehicles operated through remote control). The PDP definition of 'motorised sports facility' includes a facility for participating in or viewing motorised sports and car, truck, go-kart and motorbike racing tracks and ancillary facilities such as club rooms, viewing stands, lighting, workshops, and fuel storage and pumps.
119. Given the nature of these activities, I agree with the submitter [119.1, 119.3 and 119.4] that, given the proximity to residential areas, such activities could create noise that could adversely affect amenity values. However, I consider that discretionary activity status is appropriate for SPZ(KR)-R32 (motorised vehicle events) and SPZ(KR)-R33 (motorised sports facility) as it would still allow consideration of effects and alignment with objectives and policies.
120. I consider that the objectives and policies do not direct non-complying activity status as there is no specific mention of noise avoidance matters or amenity matters (aside from in the context of the built development in SPZ(KR)-P3), but there is direction relating to a wide range of activities. Therefore, in my opinion, the s104D(1)(b) objective / policy 'threshold test' for non-complying activities would not provide any additional level of assessment in this context. I also note that such activities may be considered under the Noise chapter provisions and Temporary Activities chapter provisions.

### 3.3.2.4 Scale of activities

121. I do not agree with Steve Higgs [119.1 and 119.5] request to amend SPZ(KR)-R9(1) to reduce the gross floor area limit for visitor accommodation from 600m<sup>2</sup> to a similar scale to residential buildings (200m<sup>2</sup> - 250m<sup>2</sup>) as I consider this would not align with the purpose of the SPZ(KR), which I see as to provide for the ongoing and adaptive regeneration of the area (SPZ(KR)-P1) by enabling a wide range of activities (SPZ(KR)-P2).
122. The submitter does not outline the specific effects of concern that such an activity could generate, and he may wish to outline these at the hearing. I note that any building must comply with all applicable built form standards, which manage bulk, location, landscaping, plantings, waste management areas, and outdoor storage areas, and activities must still comply with the requirements of other applicable chapters of the PDP such as transport and noise. I consider this provides a suitable framework for managing the effects of visitor accommodation and reducing the gross floor area limit would unnecessarily limit such activities.
123. In terms of Steve Higgs' [119.6] request to amend SPZ(KR)-R24(2) to limit the gross floor area for retail activities "*to the appropriate activity associated with the other dominant activities*", I do not agree with this request as SPZ(KR)-R24(1) limits retail activities to be ancillary to a primary activity on the site, and SPZ(KR)-R24(2) limits the gross floor area to "*a maximum of 400m<sup>2</sup> GFA per building; or 10% of the GFA of all buildings on the same site used for the activity the retail is ancillary to, whichever is the lesser.*" Therefore, the GFA limit is relative to the scale of the primary activity and limited to a maximum of 400m<sup>2</sup>.
124. While the maximum limit of 400m<sup>2</sup> may seem high, this is in the context of larger scale 'primary' activities provided for in the SPZ(KR) such as recreation facilities (SPZ(KR)-R5), a major sports facility (SPZ(KR)-R7), or an entertainment facility (SPZ(KR)-R26). Therefore, I consider this

gross floor area activity standard is appropriate. As I have noted above, such activities would still be subject to the applicable built form standards and the provisions of other applicable PDP chapters.

### **3.3.3 Summary of recommendations**

125. I recommend that the following submissions be **rejected**:

- Steve Higgs [119.1<sup>21</sup>, 119.3, 119.4, 119.5 and 119.6]
- GS Sharp and DL Brandish [405.1]; and
- KR Scott [406.1].

## **3.4 Zone interface related submission**

### **3.4.1 Matters raised by submitters**

126. One submission relates to the interface between the SPZ(KR) and the Natural Open Space Zone (NOSZ).

127. Steve Higgs [119.1<sup>22</sup> and 119.8] considers the SPZ(KR) provisions should include building setbacks or landscape enhancement to enhance the natural areas along Courtenay Stream and Courtenay Lake because buildings and more intensive activity could detract from the stream, in particular. Steve Higgs [119.1<sup>23</sup> and 119.8] seeks a 20m building setback from the Natural Open Space Zone, with planting requirements.

### **3.4.2 Assessment**

128. The notified SPZ(KR) provisions contain the following relevant setbacks and planting requirements:

- SPZ(KR)-BFS3 requires a 20m internal boundary building setback for any building housing a recreation activity, major sports facility or conference facility, and 6m for all other buildings;
- SPZ(KR)-BFS5 requires a landscape strip (minimum of 2m wide) along the full length of all internal boundaries that adjoins Residential Zones, Rural Zones, or Open Space and Recreation Zones or a site listed in Appendix APP1 (Regeneration Area Remaining Private Residences and Alternate Zone); and
- SPZ(KR)-BF6 requires buildings to be setback 10m from the road boundary that separates a different zone, and 3m for any other road boundary; and
- SPZ(KR)-BFS8 requires ecological enhancement planting that is a minimum of 10% of the delineated area for the activity associated with the building.

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<sup>21</sup> Note 119.1 contains a summary of all the submitter's submission point, thus applies in multiple sections.

<sup>22</sup> Note 119.1 contains a summary of all the submitter's submission point, thus applies in multiple sections.

<sup>23</sup> Note 119.1 contains a summary of all the submitter's submission point, thus applies in multiple sections.

129. **Figure 4** shows the only area where the SPZ(KR) zone adjoins the NOSZ, and all such interfaces are internal boundaries only, not road.



**Figure 4: Courtenay Stream in relation to SPZ(KR) and NOSZ with 20m & 6m setback distances shown<sup>24</sup>**

130. **Figure 5** below shows a photo taken from the bridge over the Courtenay Stream, facing north into the NOSZ and SPZ(KR). The red cross drawn on **Figure 4** indicates the spot where the photo in **Figure 5** was taken from. The NOSZ strip along the Courtenay Stream was dominated by vegetation, mainly willows.

<sup>24</sup> I note these distances are 20.2m (not 20m) and 6.8m (not 6m) as it is difficult to plot exact setbacks on the WAIMAP measuring tool. However, I consider these measurements still provide useful relative context of these setbacks.



**Figure 5: Photo of Courtenay Stream from bridge looking north into the NOSZ and SPZ(KR) (taken on 27 November 2023)**

131. From looking at the map and visiting the site, I agree with the request for a 20m building setback from the NOSZ as I consider a 6m setback for other buildings would not provide a sufficient buffer between the NOSZ, particularly if the vegetation had been removed, and could therefore create adverse effects on the natural values and amenity values of the adjoining NOSZ (as shown by **Figure 4** and **Figure 5** above). I recommend such relief via an amendment to SPZ(KR)-BFS3(1) by adding a 20m setback from the NOSZ.
132. In terms of the request to include a planting requirement within this requested setback, I do not consider such a planting requirement is necessary given the existing landscaping requirements of SPZ(KR)-BFS5 and the planting requirements of SPZ(KR)-BFS8. In addition to this, I also consider there could be complexities in implementing such a setback planting requirement such as determining what distance a building would be from the NOSZ to trigger such a planting requirement and, if potentially in the future, such a setback had different landownership than that of the building site, this would require planting on another property.

### 3.4.3 Summary of recommendations

133. I recommend that the submission from Steve Higgs [119.1<sup>25</sup> and 119.8] be **accepted in part**.

134. I recommend the following amendments to SPZ(KR)-BFS3 (in response to submission 119.1 and 119.8) as shown below and in **Appendix A**:

“1. The minimum building setback from internal boundaries shall be as follows:

- a. 20m for any building housing a recreation activity, a major sports facility, or a conference facility;
- b. 20m for any building adjoining a Natural Open Space Zone; and
- c. 6m for all other buildings.”

### 3.4.4 Section 32AA evaluation

135. In my opinion, the recommended amendment to SPZ(KR)-BFS3 is more appropriate in achieving the objectives of the PDP than the notified provisions as they better manage the interface of the SPZ(KR) with the NOSZ. The area affected by these recommended amendments is limited to the south-eastern portion of the SPZ(KR) zone, with a building setback increasing by 14m (from 6m to 20m).

136. I consider this recommended amendment will help mitigate adverse effects on the natural values and amenity values of the NOSZ and adjoining Courtenay Stream. Consequently, they are more efficient and effective than the notified provisions in achieving the objectives of the Proposed Plan.

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<sup>25</sup> Note 119.1 contains a summary of all the submitter's submission point, thus applies in multiple sections.



## 4 Conclusions

137. Submissions have been received in support, opposition, and seeking amendments to the PDP in relation to the Whautua Motuhake - Special Purpose Zone – Kaiapoi Regeneration. I have considered all the submissions and reviewed all relevant statutory and non-statutory documents and recommend that the PDP be amended as set out in **Appendix A** of this report.


138. For the reasons set out in the Section 32AA evaluation included throughout this report, I consider that the proposed provisions with the recommended amendments are the most appropriate means to achieve the relevant objectives of the PDP.

### Recommendations:

I recommend that:

1. The Hearing Commissioners accept, accept in part, or reject submissions (and associated further submissions) as outlined in **Appendix B** of this report; and
2. The Proposed Plan is amended in accordance with the changes recommended in **Appendix A** of this report.

### Signed:

Name and Title		Signature
Report Author	Shelley Milosavljevic <i>Senior Policy Planner – Waimakariri District Council</i>	

## **Appendix A. Recommended Amendments to Special Purpose Zone – Kaiapoi Regeneration**

Where I recommend changes in response to submissions, these are shown as follows:

- Text recommended to be added to the Proposed Plan is underlined.
- Text recommended to be deleted from the Proposed Plan is ~~struck through~~.

## SPZ(KR) - Special Purpose Zone - Kaiapoi Regeneration

### Introduction

The purpose of the Special Purpose Zone (Kaiapoi Regeneration) is to provide for those parts of Kaiapoi that were badly affected by the Canterbury Earthquakes of 2010/2011. The WRRZRP was prepared in 2016 to identify long term uses for these damaged areas, including the area covered by the Special Purpose Zone (Kaiapoi Regeneration). The WRRZRP identifies suitable land use activities depending on location, including recreation and ecological linkages, private lease for rural activities, and residential activity for the remaining private residences. The District Plan must not be inconsistent with the WRRZRP.

The Special Purpose Zone (Kaiapoi Regeneration) applies to two areas covered by the WRRZRP. These are the areas to the north-east and south-east of the Kaiapoi Town Centre on either side of the Kaiapoi River.

The provisions in this chapter are consistent with the matters in Part 2 - District Wide Matters - Strategic Directions and give effect to matters in Part 2 - District Wide Matters - Urban Form and Development.

As well as the provisions in this chapter, district wide chapter provisions will also apply where relevant.

<b>Objectives</b>	
<b>SPZ(KR)-O1</b>	<b>Regeneration</b> A range of activities are enabled which support the regeneration of the area and the role, function and continued viability of the Kaiapoi Town Centre.
<b>SPZ(KR)-O2</b>	<b>Existing residential activities</b> Pre-earthquake residential activities on privately-owned sites are able to continue.
<b>Policies</b>	
<b>SPZ(KR)-P1</b>	<b>Supporting regeneration</b> Provide for the ongoing and adaptive regeneration of the area while avoiding undermining the role, function, economic viability and investment in the public amenities and facilities of the Kaiapoi Town Centre.
<b>SPZ(KR)-P2</b>	<b>Range of activities</b> Support opportunities for regeneration by enabling a wide range of activities, including: <ol style="list-style-type: none"> <li>1. the following primary activities:               <ol style="list-style-type: none"> <li>a. non-intensive agriculture;</li> <li>b. active sport and recreation;</li> <li>c. community gardens, community markets and community facilities;</li> <li>d. ecological restoration and enhancement;</li> <li>e. visitor attractions;</li> <li>f. education and conferences; and</li> </ol> </li> <li>2. the following secondary and ancillary activities:</li> </ol>

	<ul style="list-style-type: none"> <li>a. visitor accommodation;</li> <li>b. temporary activities, events, buildings and structures;</li> <li>c. small scale retail facilities, including food and beverage;</li> <li>d. gymnasiums; and</li> <li>e. ancillary offices.</li> </ul>
<b>SPZ(KR)-P3</b>	<p><b>Design</b> Provide for built development which:</p> <ul style="list-style-type: none"> <li>1. achieves a visually attractive development when viewed from public spaces;</li> <li>2. incorporates ecological enhancement planting to provide a high level of onsite amenity and support an improved natural environment;</li> <li>3. incorporates onsite treatment of stormwater and/or integrates with wider stormwater management systems where practicable;</li> <li>4. includes design measures to mitigate adverse effects at the boundaries with adjacent residential zones and open space and recreation zones and remaining privately-owned residential activities; and</li> <li>5. manages natural hazard risk.</li> </ul>
<b>SPZ(KR)-P4</b>	<p><b>Continuation of pre-earthquake residential activities</b> Enable residential activities on existing sites in private ownership and manage activities at the boundary to mitigate adverse effects on these sites.</p>

## Activity Rules

<b>SPZ(KR)-R1 Construction or alteration of or addition to any building or other structure</b>	
<p><b>Activity status: PER</b> Where:</p> <ul style="list-style-type: none"> <li>1. the activity complies with: <ul style="list-style-type: none"> <li>a. all built form standards (as applicable); and</li> <li>b. the building or addition is less than 450m<sup>2</sup> GFA if located within 50m of any Open Space and Recreation Zones or Residential Zone.</li> </ul> </li> </ul>	<p><b>Activity status when compliance not achieved with SPZ(KR)-R1(1)a): As set out in the applicable built form standards</b> <b>Activity status when compliance not achieved with SPZ(KR)-R1(1)(b): RDIS</b> <b>Matters of discretion are restricted to:</b> SPZ-KR-MD1 - Development design and scale</p>
<b>SPZ(KR)-R2 Any activity on a site listed in Appendix APP1</b>	
<i>That is permitted in the General Residential Zone in GRZ-R1 to GRZ-R9, GRZ-R11 and GRZ-R13.</i>	
<p><b>Activity status: PER</b> Where:</p> <ul style="list-style-type: none"> <li>1. the activity shall meet the applicable activity specific standards of the General Residential Zone.</li> </ul>	<p><b>Activity status when compliance not achieved: As set out in the applicable rules of the General Residential Zone.</b> <b>Matters of discretion are restricted to:</b> 1. As set out in the applicable matters of discretion for the General Residential Zone</p>
<b>SPZ(KR)-R3 Any activity on a site listed in Appendix APP1</b>	

<p><b>Activity status: PER</b> Where:</p> <ol style="list-style-type: none"> <li>1. the activity shall meet the applicable built form standards and district wide standards applying to the General Residential Zone.</li> </ol>	<p><b>Activity status when compliance not achieved: As set out in the applicable rules of the General Residential Zone.</b> <b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. As set out in the applicable matters of discretion applying to the General Residential Zone</li> </ol>
<p><b>SPZ(KR)-R4 Agriculture</b></p>	
<p><i>This rule does not apply to intensive outdoor primary production or intensive indoor primary production provided for by SPZ(KR)-R36.</i></p>	
<p><b>Activity status: PER</b> Where:</p> <ol style="list-style-type: none"> <li>1. any forestry and woodlot less than 1ha shall be set back a minimum of the following distances: <ol style="list-style-type: none"> <li>a. 40m from any residential unit or minor residential unit on a site under different ownership;</li> <li>b. 10m from any site boundary of a site under different ownership; and</li> <li>c. 10m from any road boundary of a public road.</li> </ol> </li> </ol>	<p><b>Activity status when compliance not achieved: RDIS</b> <b>Matters of discretion are restricted to:</b> RURZ-MD4 - Forestry less than 1ha, Woodlots</p> <p><b>Notification</b> An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.</p>
<p><b>SPZ(KR)-R5 Recreation activities and recreation facilities</b></p>	
<p><b>Activity status: PER</b></p>	<p><b>Activity status when compliance not achieved: N/A</b></p>
<p><b>SPZ(KR)-R6 Office</b></p>	
<p><b>Activity status: PER</b> Where:</p> <ol style="list-style-type: none"> <li>1. the activity is an ancillary activity on the site; and</li> <li>2. ancillary offices shall occupy a maximum of 250m<sup>2</sup> of GFA per building; or 10% of the GFA of all buildings on the site used for the activity the office is ancillary to, whichever is the lesser.</li> </ol>	<p><b>Activity status when compliance not achieved: RDIS</b> <b>Matters of discretion are restricted to:</b> SPZ-KR-MD1 - Development design and scale</p>
<p><b>SPZ(KR)-R7 Major sports facility</b> <i>This rule does not apply to any motorised sports facility.</i></p>	
<p><b>Activity status: PER</b> Where:</p> <ol style="list-style-type: none"> <li>1. any outdoor recreation activity shall be set back a minimum of 50m from a boundary with any Residential Zones or a site listed in Appendix APP1; and</li> <li>2. the hours of operation when the site is open to visitors and deliveries shall be</li> </ol>	<p><b>Activity status when compliance not achieved: RDIS</b> <b>Matters of discretion are restricted to:</b> SPZ-KR-MD1 - Development design and scale</p>

between the hours of 7:00am – 9:00pm Monday to Sunday.	
<b>SPZ(KR)-R8 Conference facility</b>	
<b>Activity status: PER</b> Where: <ol style="list-style-type: none"> <li>any car parking area shall be set back a minimum of 20m from any boundary with any Residential Zones or a site listed in Appendix APP1;</li> <li>the maximum GFA of any building shall be 250m<sup>2</sup>; and</li> <li>the hours of operation when the site is open to visitors and deliveries shall be between the hours of 7:00am – 9:00pm Monday to Sunday.</li> </ol>	<b>Activity status when compliance not achieved: RDIS</b> <b>Matters of discretion are restricted to:</b> SPZ-KR-MD1 - Development design and scale
<b>SPZ(KR)-R9 Visitor accommodation</b>	
<b>Activity status: PER</b> Where: <ol style="list-style-type: none"> <li>the maximum GFA of the activity on the site shall be 600m<sup>2</sup>.</li> </ol>	<b>Activity status when compliance not achieved: RDIS</b> <b>Matters of discretion are restricted to:</b> SPZ-KR-MD1 - Development design and scale
<b>SPZ(KR)-R10 Conservation activities</b>	
<b>Activity status: PER</b>	<b>Activity status when compliance not achieved: N/A</b>
<b>SPZ(KR)-R11 Health care facility</b>	
<b>Activity status: PER</b> Where: <ol style="list-style-type: none"> <li>the maximum GFA of building occupied by the facility shall be 200m<sup>2</sup>; and</li> <li>the hours of operation when the site is open to visitors, patients, clients, and deliveries shall be between the hours of 7:00am – 9:00pm Monday to Sunday.</li> </ol>	<b>Activity status when compliance not achieved: RDIS</b> <b>Matters of discretion are restricted to:</b> SPZ-KR-MD1 - Development design and scale
<b>SPZ(KR)-R12 Cultural facility</b>	
<b>Activity status: PER</b> Where: <ol style="list-style-type: none"> <li>the maximum GFA of building occupied by the activity shall be 200m<sup>2</sup>; and</li> <li>the hours of operation when the site is open to visitors and deliveries shall be between the hours of 7:00am – 9:00pm Monday to Sunday.</li> </ol>	<b>Activity status when compliance not achieved: RDIS</b> <b>Matters of discretion are restricted to:</b> SPZ-KR-MD1 - Development design and scale

<b>SPZ(KR)-R13 Educational facility (excluding any childcare facility)<sup>26</sup></b>	
<b>Activity status: PER</b>	<b>Activity status when compliance not achieved: N/A</b>
<b>SPZ(KR)-R14 Childcare facility</b>	
<b>Activity status: PER</b> Where: 1. the maximum GFA of building occupied by the childcare facility shall be 200m <sup>2</sup> ; and 2. the hours of operation when the site is open to visitors, students, children, and deliveries shall be between the hours of 7:00am – 9:00pm Monday to Sunday.	<b>Activity status when compliance not achieved: RDIS</b> <b>Matters of discretion are restricted to:</b> SPZ-KR-MD1 - Development design and scale
<b>SPZ(KR)-R15 Customary harvesting</b>	
<b>Activity status: PER</b>	<b>Activity status when compliance not achieved: N/A</b>
<b>SPZ(KR)-R16 Community garden</b>	
<b>Activity status: PER</b>	<b>Activity status when compliance not achieved: N/A</b>
<b>SPZ(KR)-R17 Community market</b>	
<b>Activity status: PER</b>	<b>Activity status when compliance not achieved: N/A</b>
<b>SPZ(KR)-R18 Public amenities</b>	
<b>Activity status: PER</b> Where: 1. the activity shall comply with SPZ(KR)-BFS1 to SPZ(KR)-BFS10 (as applicable).	<b>Activity status when compliance not achieved: N/A</b>
<b>SPZ(KR)-R19 Emergency service facility</b>	
<b>Activity status: PER</b>	<b>Activity status when compliance not achieved: N/A</b>
<b>SPZ(KR)-R20 Parking lots and parking buildings</b>	
<b>Activity status: PER</b> Where: 1. the parking lot or parking building shall be set back a minimum of 20m from any boundary with any Residential Zones or a site listed in Appendix APP1.	<b>Activity status when compliance not achieved: RDIS</b> <b>Matters of discretion are restricted to:</b> SPZ-KR-MD1 - Development design and scale

<sup>26</sup> Ministry of Education [277.62]

<b>SPZ(KR)-R21 Gymsnasiums</b>	
<b>Activity status: PER</b>	<b>Activity status when compliance not achieved: N/A</b>
<b>SPZ(KR)-R22 Ancillary fitness and health care services</b>	
<b>Activity status: PER</b>	<b>Activity status when compliance not achieved: N/A</b>
<b>SPZ(KR)-R23 Community facility</b>	
<b>Activity status: PER</b> Where: <ol style="list-style-type: none"> <li>any car parking area shall be set back a minimum of 20m from any boundary with any Residential Zones or a site listed in Appendix APP1;</li> <li>the maximum GFA of any building shall be 200m<sup>2</sup>; and</li> <li>the hours of operation when the site is open to visitors, students, children, and deliveries shall be between the hours of 7:00am – 9:00pm Monday to Sunday.</li> </ol>	<b>Activity status when compliance not achieved: RDIS</b> <b>Matters of discretion are restricted to:</b> SPZ-KR-MD1 - Development design and scale
<b>SPZ(KR)-R24 Retail activity</b>	
<b>Activity status: PER</b> Where: <ol style="list-style-type: none"> <li>the retail activity shall be ancillary to a primary activity on the same site; and</li> <li>the retail activity shall cumulatively occupy a maximum of 400m<sup>2</sup> of GFA per building; or 10% of the GFA of all buildings on the same site used for the activity the retail is ancillary to, whichever is the lesser.</li> </ol>	<b>Activity status when compliance not achieved: RDIS</b> <b>Matters of discretion are restricted to:</b> SPZ-KR-MD1 - Development design and scale
<b>SPZ(KR)-R25 Food and beverage outlet</b>	
<b>Activity status: PER</b> Where: <ol style="list-style-type: none"> <li>food and beverage shall occupy a maximum of 450m<sup>2</sup> of GFA per building; or 10% of the GFA of all buildings on the same site, whichever is the lesser.</li> </ol>	<b>Activity status when compliance not achieved: RDIS</b> <b>Matters of discretion are restricted to:</b> SPZ-KR-MD1 - Development design and scale
<b>SPZ(KR)-R26 Entertainment activity</b>	
<b>Activity status: PER</b> Where: <ol style="list-style-type: none"> <li>the hours of operation when the site is open to visitors, students, children, and deliveries shall be between the hours of 7:00am – 9:00pm Monday to Sunday.</li> </ol>	<b>Activity status when compliance not achieved: RDIS</b> <b>Matters of discretion are restricted to:</b> SPZ-KR-MD1 - Development design and scale



<b>SPZ(KR)-R27 Industrial activity</b>	
<b>Activity status: PER</b> Where: 1. the industrial activity shall be ancillary to a recreation activity on the same site; 2. shall occupy a maximum of 200m <sup>2</sup> of GFA per building; or 10% of the GFA of all buildings on the same site, whichever is the lesser.	<b>Activity status when compliance with SPZ(KR)-R27 (1) not achieved: NC</b> <b>Activity status when compliance with SPZ(KR)-R27 (2) not achieved: RDIS</b> <b>Matters of discretion are restricted to:</b> SPZ-KR-MD1 - Development design and scale
<b>SPZ(KR)-R28 Retirement village</b>	
<b>Activity status: RDIS</b> <b>Matters of discretion are restricted to:</b> SPZ-KR-MD1 - Development design and scale	<b>Activity status when compliance not achieved: N/A</b>
<b>SPZ(KR)-R29 Care facility</b>	
<b>Activity status: RDIS</b> <b>Matters of discretion are restricted to:</b> SPZ-KR-MD1 - Development design and scale	<b>Activity status when compliance not achieved: N/A</b>
<b>SPZ(KR)-R30 Trade supplier</b>	
<b>Activity status: RDIS</b> <b>Matters of discretion are restricted to:</b> SPZ-KR-MD1 - Development design and scale	<b>Activity status when compliance not achieved: N/A</b>
<b>SPZ(KR)-R31 Yard-based activity</b>	
<b>Activity status: RDIS</b> <b>Matters of discretion are restricted to:</b> SPZ-KR-MD1 - Development design and scale	<b>Activity status when compliance not achieved: N/A</b>
<b>SPZ(KR)-R32 Motorised vehicle events</b>	
<b>Activity status: DIS</b>	<b>Activity status when compliance not achieved: N/A</b>
<b>SPZ(KR)-R33 Motorised sports facility</b>	
<b>Activity status: DIS</b>	<b>Activity status when compliance not achieved: N/A</b>
<b>SPZ(KR)-R34 Residential activity</b>	
<b>Activity status: DIS</b>	<b>Activity status when compliance not achieved: N/A</b>
<b>SPZ(KR)-R35 Intensive outdoor primary production and intensive indoor primary production</b>	

Activity status: DIS	Activity status when compliance not achieved: N/A
<b>SPZ(KR)-R36 Any other activity not provided for in this zone as a permitted, controlled, restricted discretionary, discretionary, non-complying, or prohibited activity, except where expressly specified by a district wide provision</b>	
Activity status: DIS	Activity status when compliance not achieved: N/A
<b>SPZ(KR)-R37 Heavy industry</b>	
Activity status: NC	Activity status when compliance not achieved: N/A

### Built Form Standards, excluding sites identified in Appendix APP1

<b>SPZ(KR)-BFS1 Height</b>	
1. The maximum height of any building, calculated as per the height calculation, shall be 12m above ground level.	<b>Activity status when compliance not achieved: RDIS</b> <b>Matters of discretion are restricted to:</b> SPZ-KR-MD2 - Height and height in relation to boundary
<b>SPZ(KR)-BFS2 Height in relation to boundary</b>	
1. Where an internal boundary adjoins Residential Zones, Open Space and Recreation Zones, or a site listed in Appendix APP1, the height in relation to boundary for the adjoining zone shall apply, and where specified structures shall not project beyond a building envelope defined by recession planes measured 2.5m from ground level above any site boundary in accordance with the diagrams in Appendix APP3, except for the following: <ol style="list-style-type: none"> <li>flagpoles;</li> <li>lightning rods, chimneys, ventilation shafts, solar heating devices, roof water tanks, lift and stair shafts;</li> <li>decorative features such as steeples, towers and finials;</li> <li>for buildings on adjoining sites which share a common wall, the height in relation to boundary requirement shall not apply along that part of the internal boundary covered by such a wall; and</li> <li>where the land immediately beyond the site boundary forms</li> </ol>	<b>Activity status when compliance not achieved: RDIS</b> <b>Matters of discretion are restricted to:</b> SPZ-KR-MD2 - Height and height in relation to boundary  <b>Notification</b> An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.

<p>part of any rail corridor, drainage reserve, or accessway (whether serving the site or not), the boundary of the rail corridor, drainage reserve, or accessway furthest from the site boundary may be deemed to be the site boundary for the purpose of defining the origin of the recession plane, provided this deemed site boundary is no further than 6m from the site boundary;</p> <p>2. Provided that none of the structures listed in (1) (c) to (e) above has a horizontal dimension of over 3m along the line formed where the structure meets the recession plane as measured parallel to the relevant boundary.</p>	
<p><b>SPZ(KR)-BFS3 Internal boundary building setbacks</b></p>	
<p>1. The minimum building setback from internal boundaries shall be as follows:</p> <ul style="list-style-type: none"> <li>a. 20m for any building housing a recreation activity, a major sports facility, or a conference facility;</li> <li>b. <u>20m for any building adjoining a Natural Open Space Zone;</u><sup>27</sup> and</li> <li>c. 6m for all other buildings.</li> </ul>	<p><b>Activity status when compliance not achieved: RDIS</b> <b>Matters of discretion are restricted to:</b> SPZ-KR-MD3 - Internal boundary setbacks</p> <p><b>Notification</b> An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.</p>
<p><b>SPZ(KR)-BFS4 Internal boundary at grade car parking setbacks</b></p>	
<p>1. The minimum at grade car parking setback from internal boundaries with Residential Zones or a site listed in Appendix APP1 shall be as follows:</p> <ul style="list-style-type: none"> <li>a. 20m for any car parking associated with a major sports facility or conference facility; and</li> <li>b. 6m for all other buildings.</li> </ul>	<p><b>Activity status when compliance not achieved: RDIS</b> <b>Matters of discretion are restricted to:</b> SPZ-KR-MD3 - Internal boundary setbacks</p> <p><b>Notification</b> An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.</p>
<p><b>SPZ(KR)-BFS5 Internal boundary landscaping for non-residential activities</b></p>	
<p>1. A landscape strip that is a minimum of 2m wide shall be provided along the full length of all internal boundaries that</p>	<p><b>Activity status when compliance not achieved: RDIS</b> <b>Matters of discretion are restricted to:</b></p>

<sup>27</sup> Steve Higgs [119.1 and 119.8]

<p>adjoins Residential Zones, Rural Zones, or Open Space and Recreation Zones or a site listed in Appendix APP1; and</p> <p>2. any landscape strip required in (a) shall include a minimum of one tree for every 10m of shared boundary or part thereof, spaced at a maximum distance of 5m with the trees to be a minimum of 1.5m in height at time of planting.</p>	<p>SPZ-KR-MD4 - Internal boundary landscaping</p> <p><b>Notification</b> An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.</p>
<b>SPZ(KR)-BFS6 Road boundary setbacks</b>	
<p>1. All buildings shall be set back a minimum of:</p> <p style="padding-left: 20px;">a. 10m from the road boundary where the road is separating the site from Residential Zones, Rural Zones, or Open Space and Recreation Zones; and</p> <p style="padding-left: 20px;">b. 3m from the road boundary of all other roads; and</p> <p>2. no building setback is required under (a) to (b) above where the road-facing façade is for a retail activity and at least 40% glazed.</p>	<p><b>Activity status when compliance not achieved: RDIS</b> <b>Matters of discretion are restricted to:</b> SPZ-KR-MD5 - Road boundary setbacks</p>
<b>SPZ(KR)-BFS7 Outdoor storage areas</b>	
<p>1. Any outdoor storage areas associated with non-residential activities shall be screened by 1.8m high solid fencing or landscaping at least 1.5m high at time of planting from any adjoining site in Residential Zones, Rural Zones, or Open Space and Recreation Zones, a site listed in Appendix APP1 or the road boundary.</p>	<p><b>Activity status when compliance not achieved: RDIS</b> <b>Matters of discretion are restricted to:</b> SPZ-KR-MD6 - Outdoor storage</p> <p><b>Notification</b> An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.</p>
<b>SPZ(KR)-BFS8 Ecological enhancement planting</b>	
<p>1. Ecological enhancement planting shall be provided for all activities involving buildings as follows:</p> <p style="padding-left: 20px;">a. a minimum of 10% of the delineated area for the activity associated with the building or buildings shall be planted and maintained with at least 75% being indigenous vegetation that is sourced from within the ecological district, comprising a combination of trees, shrubs and ground cover species. Planting may include some ancillary lawn</p>	<p><b>Activity status when compliance not achieved: RDIS</b> <b>Matters of discretion are restricted to:</b> SPZ-KR-MD7 - Ecological enhancement planting</p> <p><b>Notification</b> An application for a restricted discretionary activity under this rule is precluded from being publicly or limited notified.</p>

<p>or other amenity features not exceeding 10% of the planted area, set aside as landscaped or open space areas. This rule does not apply to outdoor recreation activities not involving buildings, or to public amenities.</p>	
<p><b>SPZ(KR)-BFS9 Building coverage</b></p>	
<p>1. The maximum building coverage shall be 35% of the net site area, or delineated area for the activity associated with the building or buildings.</p>	<p><b>Activity status when compliance not achieved: DIS</b></p>
<p><b>SPZ(KR)-BFS10 Waste management requirements for all commercial activities</b></p>	
<p>1. A waste management area for the storage of rubbish and recycling of 5m<sup>2</sup> with a minimum dimension of 1.5m shall be provided. Waste management areas shall be located behind buildings when viewed from any road or public open space or screened in accordance with the screening requirements for outdoor storage areas contained in SPZ(KR)-BFS7.</p>	<p><b>Activity status when compliance not achieved: RDIS</b>  <b>Matters of discretion are restricted to:</b>          SPZ-KR-MD6 - Outdoor storage  <b>Notification</b>          An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.</p>

### Matters of Discretion

<p><b>SPZ-KR-MD1</b></p>	<p><b>Development design and scale</b></p> <ol style="list-style-type: none"> <li>1. The extent to which the design and scale of the development adversely affects any nearby natural and cultural environments, and any features or sites of significance to Ngāi Tūāhuriri.</li> <li>2. The extent to which the design and scale of the development results in adverse visual and amenity value effects on adjoining residential sites or any Open Space and Recreation Zones.</li> <li>3. The extent and design of landscaping and open spaces within the development.</li> <li>4. The extent to which CPTED principles have been considered to achieve a safe, secure environment, including the extent to which the development:             <ol style="list-style-type: none"> <li>a. provides for views over, and passive surveillance of, adjacent public and publicly accessible spaces;</li> <li>b. clearly demarcates boundaries of public and private space;</li> <li>c. makes pedestrian entrances and routes readily recognisable; and</li> <li>d. provides for good visibility with clear sightlines and effective lighting.</li> </ol> </li> <li>5. The extent to which the activity does not adversely affect the function, viability and public investment in the Kaiapoi Town Centre to provide for primarily commercial and community activities.</li> <li>6. The extent to which the activity generates traffic and other effects that impact on the day to day operation and amenity of the local community.</li> </ol>
<p><b>SPZ-KR-MD2</b></p>	<p><b>Height and height in relation to boundary</b></p>

	<ol style="list-style-type: none"> <li>1. The effect of any reduced sunlight admission on properties in adjoining Residential Zones and Natural Open Space Zone or sites listed in Appendix APP1, taking account of the extent of overshadowing, the intended use of spaces, and for residential properties, the position of outdoor living spaces or main living areas in buildings.</li> <li>2. The scale of building and its effects on the character of any adjoining Residential Zones or Open Space and Recreation Zones, including outlook from adjoining properties in those zones.</li> <li>3. The effects of any landscaping and trees proposed within the site, or on the boundary of the site in mitigating adverse visual effects.</li> <li>4. The extent to which the recession plane or height breach and associated effects reflect the functional requirements of the activity and the extent to which there are alternative practical options for meeting the functional needs in a compliant manner.</li> </ol>
<b>SPZ-KR-MD3</b>	<p><b>Internal boundary setbacks</b></p> <ol style="list-style-type: none"> <li>1. The scale and height of buildings within the reduced setback and their impact on the visual outlook of residents and users on the adjoining Residential Zones, Rural Zones, or Open Space and Recreation Zones.</li> <li>2. The extent to which buildings in the setback enable better use of the site and improve the level of amenity along more sensitive boundaries elsewhere on the site.</li> <li>3. The proposed use of the setback, the visual and other effects of this use and the extent to which a reduced setback and the use of that setback achieves a better amenity outcome for residential neighbours.</li> </ol>
<b>SPZ-KR-MD4</b>	<p><b>Internal boundary landscaping</b></p> <ol style="list-style-type: none"> <li>1. The extent of visual effects of outdoor storage and car parking areas, or buildings (taking account of their scale and appearance), as a result of reduced landscaping.</li> <li>2. The extent to which any reduction in landscaping or screening within the setback adequately mitigates the visual dominance of buildings.</li> <li>3. The extent to which the site is visible from adjoining sites in any Residential Zones or Open Space and Recreation Zones and the likely consequences of any reduction in landscaping or screening on the amenity and privacy of those sites.</li> </ol>
<b>SPZ-KR-MD5</b>	<p><b>Road boundary setbacks</b></p> <ol style="list-style-type: none"> <li>1. The effect of a building's reduced setback on amenity and visual streetscape values, especially where the frontage is to an arterial road or collector road.</li> <li>2. The extent to which the reduced setback of the building is opposite Residential Zones, Rural Zones, or Open Space and Recreation Zones and the effects of a reduced setback on the amenity and outlook of those zones.</li> <li>3. The extent to which the building presents a visually attractive frontage to the street through the inclusion of glazing, ancillary offices, and retail showrooms in the front façade.</li> <li>4. The extent to which the visual effects of a reduced setback are mitigated through site frontage landscaping and the character of existing building setbacks in the wider streetscape.</li> </ol>
<b>SPZ-KR-MD6</b>	<p><b>Outdoor storage</b></p> <ol style="list-style-type: none"> <li>1. The extent of visual effects on adjoining sites.</li> </ol>

	<ol style="list-style-type: none"> <li>2. The extent to which site constraints and/or the functional requirements of the activity necessitate the location of storage within the setback.</li> <li>3. The extent of the amenity effects on pedestrians or residential activities generated by the type and volume of materials to be stored.</li> <li>4. The extent to which any proposed landscaping or screening mitigates amenity effects of the outdoor storage.</li> </ol>
<b>SPZ-KR-MD7</b>	<p><b>Ecological enhancement planting</b></p> <ol style="list-style-type: none"> <li>1. The extent to which the proposed ecological enhancement planting: <ol style="list-style-type: none"> <li>a. is likely to achieve a high level of onsite amenity while minimising the visual effects of activities and buildings on the surroundings;</li> <li>b. supports the growth of other vegetation and the restoration of habitat for indigenous species;</li> <li>c. is protected through the provision of space, or other methods, including plant protection barriers; and</li> <li>d. recognises and provides for Ngāi Tahu/mana whenua values through the inclusion of indigenous species that support the establishment of ecological corridors, mahinga kai and general ecological restoration.</li> </ol> </li> <li>2. The extent to which the non-compliance is mitigated through the design, scale and type of landscaping proposed, including the species used.</li> <li>3. The design of the landscaping, having regard to the potential adverse effects on safety for pedestrians and vehicles.</li> </ol>

## **Appendix B. Recommended Responses to Submissions and Further Submissions**

The recommended responses to the submissions made on this topic are presented in Table B 1 to Table B11 below.



Table B 1: Recommended responses to submissions and further submissions - Definition of ancillary activity

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
284.3	Clampett Investments Limited	Definition of ancillary activity	Retain definition of 'ancillary activity' as notified.	Not applicable – only addressed in this table	Accept	Agree with submitter. No changes recommended on the basis of this submission.	No
326.5	Rolleston Industrial Developments Limited	Definition of ancillary activity	Retain definition of 'ancillary activity' as notified.	Not applicable – only addressed in this table	Accept	Agree with submitter. No changes recommended on the basis of this submission.	No
FS137	Ohoka Residents Association		<i>Oppose and disallow every amendment that supports Rolleston Industrial Development Limited's proposed satellite town in Ohoka. It is inconsistent with the national policy direction and contrary to the objectives and policies in both the Operative Plan and PDP. There is insufficient information relating to stormwater, wastewater, transport, character, amenity, and housing demand.</i>	<i>Not applicable – only addressed here</i>	Reject	<i>I do not consider the proposed private plan change request for Ohoka is relevant to the SPZ(KR) zone.</i>	No

Table B 2: Recommended responses to submissions and further submissions - General

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
119.1	Steve Higgs	General	Extend the Natural Open Space Zone (NOSZ), currently north of the Special Purpose Zone - Kaiapoi Regeneration (SPZ(KR)), to include all of the south eastern section of the land between Courtney Drive/Courtney Lake and Courtney Stream. Alternatively, if the SPZ(KR) is retained: - Change activity status of motorised sports and events to non complying - Maintain visitor accommodation buildings at residential scale (250m <sup>2</sup> ) - Limit potential retail activity size to the appropriate activity associated with the other dominant activities. - Increased building setback between the SPZ(KR) and the NOSZ with planning requirements in recognition of high natural area amenity. Prefer a 20 metre setback with planting/ landscaping requirements. - Extend the Open Space Zone around the remaining residence on	Refer to section 3.3 and 3.4.	Accept in part	The aspects of this request relating to rezoning, that is extending the Natural Open Space Zone (to include all of the southeastern section of land between Courtney Drive/Courtney Lake and Courtney Stream) and extending the Open Space Zone around the remaining residence on The Oaks, will be considered as part of Hearing Stream 12 (Rezone Requests) and are duplicated in submission point [119.1].  The other matters of this submission are already captured within the following submission points - motorised sports and events [119.3 & 119.4], visitor accommodation [119.5], retail activities [119.6], and building setbacks [119.8].	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			The Oaks to provide separation between the residential building and SPZ(KR).				
119.8	Steve Higgs	General	If the Special Purpose Zone - Kaiapoi Regeneration SPZ(KR) is retained, increase building setback between the SPZ(KR) and Natural Open Space Zone to 20m, with planting requirements.	3.4	Accept in part	See body of report.	Yes
405.1	Graeme Stevenson Sharp and Diane Lindsay Brandish	General	<p>If the land can be repatriated to a level where building can be sustained, such building must be residential. If for no other reason, the Council has a moral obligation to its citizens, having previously been complicit in the decision that the land was no longer suitable for buildings after the earthquakes.</p> <p>Alternatively, if housing cannot be rebuild on the land it should be given over to either parkland, low noise and traffic impact recreational purposes or such things along the lines of the Honda Forest with walking tracks etc.</p> <p>Any decision on land use in the Special Purpose Zone - Kaiapoi Regeneration Zone must enhance the sense of community and not detract from it. Commercial/industrial activity will have a negative effect on the community.</p>	3.3	Reject	See body of report.	No
406.1	Karen Ronda Scott	General	<p>If the land can be repatriated to a level where building can be sustained, such building must be residential. If for no other reason, the Council has a moral obligation to its citizens, having previously been complicit in the decision that the land was no longer suitable for buildings after the earthquakes.</p> <p>Alternatively, if housing cannot be rebuilt on the land it should be given over to either parkland, low noise and traffic impact recreational purposes or such things along the lines of the Honda Forest with walking tracks etc.</p> <p>Above all, any decision on land use in the Special Purpose Zone - Kaiapoi Regeneration Zone must enhance the sense of community and not detract from it. Commercial/Industrial activity will have a negative effect on the community.</p>	3.3	Reject	See body of report.	No
284.1	Clampett Investments Limited	General	<p>Amend all controlled and restricted discretionary activity rules:</p> <p>"Applications shall not be limited or publicly notified, on the basis of effects associated specifically with this rule and the associated matters of control or discretion."</p>	3.2	Reject	See body of report.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
326.1	Rolleston Industrial Developments Limited <sup>28</sup>	General	Amend the Proposed District Plan to delete the use of absolutes such as 'avoid', 'maximise' and 'minimise'.	3.2	Reject	See body of report.	No
FS78	Royal Forest and Bird Protection Society of New Zealand Inc.		<i>Oppose - there may be instances where it is appropriate to notify consents.</i>	3.2	Accept	See body of report.	No
FS119	Andrea Marsden		<i>Oppose &amp; disallow – These absolutes exist to ensure compliance. Removing them would open the system up to potential abuse. They should be included to prevent developers doing as they please.</i>	3.2	Accept	See body of report.	No
FS120	Christopher Marsden		<i>Oppose &amp; disallow – These absolutes exist to ensure compliance so should be included. Removing them would open the system up to potential abuse.</i>	3.2	Accept	See body of report.	No
FS84	Ohoka Residents Association		<i>Oppose &amp; disallow – inconsistent with national policy direction, contrary to objectives and policies of Proposed District Plan and Operative District Plan. Opposed to inappropriate satellite town proposed in Ohoka.</i>	3.2	Accept	See body of report.	No
FS137	Ohoka Residents Association		<i>Oppose and disallow every amendment that supports Rolleston Industrial Development Limited's proposed satellite town in Ohoka. It is inconsistent with the national policy direction and contrary to the objectives and policies in both the Operative Plan and PDP. There is insufficient information relating to stormwater, wastewater, transport, character, amenity, and housing demand.</i>	3.2	Accept	See body of report.	No
326.2	Rolleston Industrial Developments Limited	General	Amend so that all controlled and restricted discretionary activity rules include the following wording, or words to like effect:  <u>Applications shall not be limited or publicly notified, on the basis of effects associated specifically with this rule and the associated matters of control or discretion.</u>	3.2	Reject	See body of report.	No
FS78	Royal Forest and Bird Protection Society of New Zealand Inc.		<i>Oppose - there may be instances where it is appropriate to notify consents.</i>	3.2	Accept	See body of report.	No
FS119	Andrea Marsden		<i>Oppose &amp; disallow – all applications should be notified and open for consultation to give local communities a voice; removing this</i>	3.2	Accept	See body of report.	No

<sup>28</sup> Oppose - Forest & Bird [FS 78], Oppose - Ohoka Residents Association [FS 84], Oppose - Andrea Marsden [FS 119], Oppose - Christopher Marsden [FS 120]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<i>requirement would open the system up to exploitation.</i>				
FS120	Christopher Marsden		<i>Oppose &amp; disallow – all applications should be notified and open for consultation to give local communities a voice; removing this requirement would open the system up to exploitation.</i>	3.2	Accept	See body of report.	No
FS137	Ohoka Residents Association		<i>Oppose and disallow every amendment that supports Rolleston Industrial Development Limited's proposed satellite town in Ohoka. It is inconsistent with the national policy direction and contrary to the objectives and policies in both the Operative Plan and PDP. There is insufficient information relating to stormwater, wastewater, transport, character, amenity, and housing demand.</i>	3.2	Accept	See body of report.	No
326.3	Rolleston Industrial Developments Limited	General	Amend controlled and restricted discretionary activity rules to provide direction regarding non-notification.	3.2	Reject	See body of report.	No
FS78	Royal Forest and Bird Protection Society of New Zealand Inc.		<i>Oppose - There may be instances where it is appropriate to notify consents.</i>	3.2	Accept	See body of report.	No
FS137	Ohoka Residents Association		<i>Oppose and disallow every amendment that supports Rolleston Industrial Development Limited's proposed satellite town in Ohoka. It is inconsistent with the national policy direction and contrary to the objectives and policies in both the Operative Plan and PDP. There is insufficient information relating to stormwater, wastewater, transport, character, amenity, and housing demand.</i>	3.2	Accept	See body of report.	No

Table B 3: Recommended responses to submissions and further submissions - SPZ(KR)-R9

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
119.5	Steve Higgs	SPZ(KR)-R9	If the Special Purpose Zone - Kaiapoi Regeneration is retained, amend SPZ(KR)-R9 to permit visitor accommodation where it is at residential scale (250m <sup>2</sup> ).	3.3	Reject	See body of report.	No

Table B 4: Recommended responses to submissions and further submissions - SPZ(KR)-R13

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
277.62	Ministry of Education	SPZ(KR)-R13	Amend SPZ(KR)-R13: "Educational facility ( <u>except childcare facility</u> ) Activity status: PER ..."	Not applicable – only addressed in this table	Accept in part	I agree with this request as it corrects the duplication between SPZ(KR)-R13 (educational facility) and SPZ(KR)-R14 (childcare facility) given the definition of 'educational facility', which is sourced from the National Planning Standards, is 'land or buildings used for teaching or training by childcare services, schools, or tertiary education services, including any ancillary activities', and therefore includes a childcare facility, which is also covered by SPZ(KR)-R14.  SPZ(KR)-R14 includes activity standards for gross floor area and hours of operation.  I consider the amendment would be better worded as 'Educational facility ( <u>excluding any childcare facility</u> )'.	Yes

Table B 5: Recommended responses to submissions and further submissions - SPZ(KR)-R14

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
277.63	Ministry of Education	SPZ(KR)-R14	Retain SPZ(KR)-R14 as notified.	Not applicable – only addressed in this table	Accept	Agree with submitter. No changes recommended on the basis of this submission.	No

Table B 6: Recommended responses to submissions and further submissions - SPZ(KR)-R19

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
303.78	Fire and Emergency NZ	SPZ(KR)-R19	Retain SPZ(KR)-R19 as notified.	Not applicable – only addressed in this table	Accept	Agree with submitter. No changes recommended on the basis of this submission.	No

Table B 7: Recommended responses to submissions and further submissions - SPZ(KR)-R24

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
119.6	Steve Higgs	SPZ(KR)-R24	If the Special Purpose Zone - Kaiapoi Regeneration is retained, limit potential retail activity size to the appropriate activity associated with other dominant activities.	3.3	Reject	See body of report.	No

Table B 8: Recommended responses to submissions and further submissions - SPZ(KR)-R32

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
119.3	Steve Higgs	SPZ(KR)-R32	Amend activity status of SPZ(KR)-R32 to non-complying.	3.3	Reject	See body of report.	No

Table B 9: Recommended responses to submissions and further submissions - SPZ(KR)-R33

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
119.4	Steve Higgs	SPZ(KR)-R33	Amend activity status of SPZ(KR)-R33 to non-complying.	3.3	Reject	See body of report.	No

Table B 10: Recommended responses to submissions and further submissions - SPZ(KR)-BFS8

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
119.7	Steve Higgs	SPZ(KR)-BFS8	Not specified.	Not applicable – only addressed in this table	Accept	Agree with submitter. No changes recommended on the basis of this submission.	No

Table B 11: Recommended responses to submissions and further submissions - SPZ(KR)-MD7

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
419.150	Department of Conservation	SPZ-KR-MD7	Retain SPZ(KR)-MD7 as notified.	Not applicable – only addressed in this table	Accept	Agree with submitter. No changes recommended on the basis of this submission.	No
FS78	Royal Forest and Bird Protection Society NZ		<i>Support – In accordance with the requirements of the RMA.</i>	<i>Not applicable – only addressed in this table</i>	<i>Accept</i>		<i>No</i>

## **Appendix C. Report Author's Qualifications and Experience**

I hold a Bachelor of Applied Science in Environmental Management and Master of Applied Science in Environmental Management. I am a Full Member of the New Zealand Planning Institute.

I have eleven years' experience working as a planner for local government and consultancies. My work experience includes District Plan preparation, policy analysis, public and stakeholder consultation and engagement, processing of resource consent applications, preparation of resource consent applications, and environmental monitoring.

I have worked at the Waimakariri District Council for seven years and have been involved in the Waimakariri District Plan review process since it commenced.