

Submission on Waimakariri District Council - Proposed District Plan

Form 5 Submission on publically notified proposal for policy statement or plan, change or variation

Clause 6 of Schedule 1, Resource Management Act 1991

To: Waimakariri District Council - Development Planning Unit

Date received: 17/11/2021

Submission Reference Number #:48

This is a submission on the following proposed plan (the **proposal**): Waimakariri District Council - Proposed District Plan

Address for service:

Ashley Industrial Services Ltd - Ken Fletcher
8 Mill Rd Oxford 7430
New Zealand
Email: ken.fletcher@ais.co.nz

Attachments:

Ashley Industrial Services Submission on WDC Proposed District Plan, November 2021.pdf

I wish to be heard: Yes

I am willing to present a joint case: Yes

Could you gain an advantage in trade competition in making this submission?

- **No**

Are you directly affected by an effect of the subject matter of the submission that

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition

- **Yes**

Submission points

Point 48.1

Section: Planning Maps

Sentiment: Support

Submission:

The Proposed District Plan has 8 Mill Rd and 138 Main St, Oxford (which are contiguous sites) zoned Heavy and Light Industrial respectively. Both sites are zoned Rural in the Operative District Plan (ODP) Ashley Industrial Services Ltd (AIS) supports the industrial zoning of this area as included in the PDP for the following reasons:-

- 1. AIS activities do not fit within the Rural Objectives and Policies of the Operative District Plan;
- 2. AIS activities do not fit within the General Rural Zone of the Proposed District Plan;
- 3. An Industrial zoning is in accord with the Strategic Objectives of the Proposed District Plan. Urban Form Objective SD-02 requires that urban form should recognise
 - 1. (2) ...existing character, amenity values, and is attractive and functional to residents, businesses and visitors; and that business activities should prosper in
 - 2. (6)...industrial areas zoned appropriate to their type and scale of activity
- 4. AIS activities do fit within the Industrial zones of the Proposed District Plan;
- 5. The AIS sites should have been zoned Industrial (Business 2) in the Operative District Plan;
- 6. This area of Oxford was traditionally the industrial area of Oxford, comprising Commercial Rd, Mill Rd, West Station Rd and this part of Main St. ;
- 7. The appropriate zoning (Industrial) will give the activity, and effects, of the AIS sites prominence in planning processes and decisions, and give assurance to prospective neighbours, in perpetuity.
- 8. Appropriate Industrial zoning will give AIS the confidence and ability to continue to invest at the site, providing on-going, high-value employment
 - 1. As the largest employer in Oxford, appropriate industrial zoning will enable AIS to continue to invest in the site and provide on-going, high value employment to our staff.
 - 2. AIS has significantly enhanced the site since taking ownership, and will continue to do so under the appropriate zoning.
- 9. Industrial zoning is in accord with the District Development Strategy

See attached document for details of the above

Relief sought

That the zoning of these sites as Heavy and Light Industrial be confirmed

Point 48.2

Section: UFD - Ahuatanga auaha a taone - Urban form and development

Sub-section: Policies

Provision:

Managing reverse sensitivity effects from new development	
Within Residential Zones and new development areas in Rangiora and Kaiapoi:	
UFD-P10	<ul style="list-style-type: none">1. avoid residential activity that has the potential to limit the efficient and effective operation and upgrade of critical infrastructure, strategic infrastructure, and regionally significant infrastructure, including avoiding noise sensitive activities within the Christchurch Airport Noise Contour, unless within an existing Residential Zone;2. minimise reverse sensitivity effects on primary production from activities within new development areas through setbacks and screening, without compromising the efficient delivery of new development areas.

Sentiment: Amend

Submission:

Policy UFD-P10 Managing Reverse Sensitivity Effects From New Development as proposed is limited to new residential development in Rangiora and Kaiapoi. Potential reverse sensitivity effects are applicable to new development throughout the District.

This Policy as proposed is limited to potential reverse sensitivity effects on primary production, whereas they apply to industrial production as much as primary production.

Relief sought

Amend **Policy UF10** to refer to the entire district and to include industrial production as below or in similar fashion.

Managing reverse sensitivity effects from new development	
UFD-P10	<div>Within Residential Zones and new development areas, District-wide:<ol style="list-style-type: none">1. avoid residential activity that has the potential to limit the efficient and effective operation and upgrade of critical infrastructure, strategic infrastructure, and regionally significant infrastructure, including avoiding noise sensitive activities within the Christchurch Airport Noise Contour, unless within an existing Residential Zone;2. minimise reverse sensitivity effects on industrial and primary production from activities within new development areas through setbacks and screening, without compromising the efficient delivery of new development areas.</div>



Proposed District Plan Submission

Industrial Zoning for 8 Mill Rd and 138 Main St, Oxford

Background

The Ashley Industrial Services (AIS) site (8 Mill Rd) and the adjacent property (138 Main St) are currently zoned Rural in the Waimakariri Operative District Plan. AIS operates a sawmill and wood products manufacturing activity on the Mill Rd site under a resource consent. We are predominantly a wood processor and manufacturer of packaging products (pallets, crates, boxes etc), with an ancillary trade of timber and ancillary construction products to the local community. We currently employ 43 staff and are the largest employer in Oxford.

Industrial activities have been undertaken on the 8 Mill Rd site since the late 1800s. The main body of the Oxford Town Centre strategy states

The town of Oxford began as a sawmilling town in Colonial times and originally comprised two adjacent settlements of East Oxford and West Oxford

The AIS sites were the West Oxford Railway station from the 1880s to 1959.

The railway yard has resulted in a listing on ECAN's HAIL register.

Since 1978 it has been an active sawmill, when the sawmill was relocated from Coney St (opposite The Sheppard's Pie shop), which at that point was the eastern edge of West Oxford.

Rural zoning is not appropriate for the activities that have been undertaken on the site continuously since the 1978.

The Main Rd site was also originally part of the West Oxford Railway Station. It is currently used for ancillary support to the AIS Mill Rd site – overflow log and raw material storage, and holding unused equipment until it can be commissioned. The house on the site was the Station-Master's residence. The house is rented to an AIS employee.

AIS wants its presence and the activities undertaken to be visible in the planning documents, and required to be taken account of in any future development of the surrounding area.

AIS supports the zoning of both sites as Heavy Industrial (8 Mill Rd) and Light Industrial (138 Main St) as proposed on the Proposed District Plan (PDP).

Issues relevant to the Rezoning

1. AIS activities do not fit with the Rural Objectives and Policies of the Operative District Plan

Objective 14.1.1 *Maintain and enhance both rural production and the rural character of the Rural Zones, which is characterised by (relevantly) :*

- a. the dominant effect of paddocks, trees, natural features, and agricultural, pastoral or horticultural activities;*
- b. separation between dwellinghouses to maintain privacy and a sense of openness;*
- c. a dwellinghouse clustered with ancillary buildings and structures on the same site; ...*
- e. generally quiet – but with some significant intermittent and/or seasonal noise from farming activities; ...*
- g. limited signage in the Rural Zone.*

Policy 14.1.1.2 *Maintain the continued domination of the Rural Zones by intensive and extensive agricultural, pastoral and horticultural land use activities.*

The **Explanation** for this Objective and the Policies states:-

The characteristics of rural character identified in Objective 14.1.1 have been adopted as the result of extensive community consultation. They are the features of the rural environment that are valued by the people who live in the District's Rural Zones;

*Policy 14.1.1.1 recognises that subdivision below four hectares and/or lots below this size with dwelling houses ... are undesirable because they **fail to meet those characteristics listed in the objective** that contribute to the maintenance or enhancement of the rural character of the Rural Zone (emphasis added) ...;*

Policy 14.1.1.2 recognises that it is important for agriculture, pastoral farming and horticulture to continue to be the predominant land use in the Rural Zones because this will contribute most to the maintenance and enhancement of rural character. It also recognises the potential for lawfully established farming activities to be constrained by dwellinghouse development;

Policy 14.1.1.3 recognises that natural features, clean air, quietness and limited roadside advertising are important environmental qualities in the District's Rural Zones. These are attributes that can be prejudiced by the increased density of dwellinghouses and related residential activity below the subdivision, development, and activity standards of the respective Rural Zones.

The WDC ODP does not reference industrial activities in the rural zone, but focuses purely on the detrimental effects of residential development on rural character and amenity. In effect, the Plan does not anticipate industrial activities occurring in the rural zones at all.

If residential developments in the Rural zone

“are undesirable because they fail to meet those characteristics listed in the objective that contribute to the maintenance or enhancement of the rural character of the Rural Zone”

a Rural zoning for the industrial activities of the nature of AIS is not appropriate.

2. AIS activities do not fit within the characteristics of the General Rural Zone of the PDP

The zone description of the General Rural Zones is

Areas used predominantly for primary production activities, including intensive indoor primary production. The zone may also be used for a range of activities that support primary production activities, including associated rural industry, and other activities that require a rural location.

The character of the General Rural Zone is

rural with open grassland, pastoral farming, horticulture and areas of forestry with an overall low intensity of built form throughout the zone

The objective of the General Rural Zone is

RURZ-O1 Rural Environment

An environment with a predominant land use character comprising primary production activities and natural environment values, where rural openness dominates over built form,

RURZ-O2 Activities in Rural Zones

Rural Zones support primary production activities, activities which directly support primary production, and activities with a functional need to be located within Rural Zones.

Rural Policies include

RURZ-P6 Industrial activity

In relation to industrial activity:...

2. limit the establishment of industrial activity (other than rural industry) to circumstances where:...
4. provide for existing large-scale industrial activities outside of urban environments where these are well established and have been in continuous industrial use, in order to recognise their existing environmental effects; and ...

3. An Industrial Zoning for the AIS sites is in accord with the Strategic and District-wide Objectives of the Proposed District Plan

Strategic Objective SD-02 aims for urban development that

(2) recognises existing character, amenity values, and is attractive and functional to residents, businesses and visitors;

and provides for

(6) 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;

Objective UFD-P5 is

UFD-P5 Identification/location and extension of Industrial Zones

These objectives require that the long-established industrial activities on the sites be recognised with the appropriate Industrial zoning.

4. AIS activities do fit within the characteristics of the Industrial Zones of the Proposed District Plan

The Zone Description of the Industrial Zones are

Light Industrial Zone

Areas used predominantly for a range of industrial activities, and associated activities, with adverse effects (such as noise, odour, dust, fumes and smoke) that are reasonable to residential activities sensitive to these effects.

General Industrial Zone

Areas used predominantly for a range of industrial activities. The zone may also be used for activities that are compatible with the adverse effects generated from industrial activities.

Heavy Industrial Zone

Areas used predominantly for industrial activities that generate potentially significant adverse effects. The zone may also be used for associated activities that are compatible with the potentially significant adverse effects generated from industrial activities.

The Objectives for the Industrial Zones include

INZ–01	<i>Support and growth of industry</i> <i>Sufficient, feasible and available industrial zoned land to meet demand and to support employment and economic growth.</i>
NZ–02	<i>Role and function of Industrial Zones</i> <i>Industrial zones that:</i> <ol style="list-style-type: none"><i>1. provide opportunities for light, general and heavy industrial activities in identified zoned areas to meet the diverse needs of a range of industrial activities; and</i><i>2. avoid adverse effects on the role and function of Town Centres; and</i><i>3. do not undermine investment in public amenities in the Town and Local Centre Zones.</i>
INZ–03	<i>Managing the effects of industrial activities</i> <i>The adverse effects of industrial activities are avoided, remedied or mitigated:</i> <ol style="list-style-type: none"><i>1. within the zone where these may constrain the establishment and operation of industrial activities; and</i><i>2. at the interface with non-industrial zones to achieve the anticipated amenity values for those adjacent zones.</i>

Activities anticipated within the Industrial Zones includes

INZ–P1	<i>Anticipated activities in Industrial Zones</i> <i>Provide for a range of industrial activities to occur in identified industrial zones, including providing for the following activities:</i> <ol style="list-style-type: none"><i>1. small scale ancillary offices where these are necessary to support a primary activity anticipated in industrial zones;</i><i>2. small scale ancillary retail that is necessary to support a primary activity anticipated in industrial zones and is limited to the sale of products manufactured or processed on site;</i><i>3. warehousing, yard-based activities, and trade suppliers outside of the Heavy Industrial Zone;</i>
---------------	--

5. The AIS site should always have been zoned Industrial (Business 2 in the ODP)

Industrial activity has been the only activity on the Mill Rd site since the 1860s. Why it was not zoned appropriately in the Transitional District Plan or the Notified District Plan is not known.

The history behind the zoning decision in the operative District Plan has not been researched, but from the known history of the AIS site it is clear that a Business 2 zoning (or perhaps a site-specific Business 4 zoning) should always have been applied.

- From 1878 until the Oxford Branch Line line was closed in 1959, the two AIS sites comprised the West Oxford Railway Station.
- The railway buildings remained in Railways ownership until the site was bought for the sawmill.
- The railway buildings now house the sawmill.
- There has been a sawmill operating on the site since 1978, when it relocated from its Coney St site, where it was in the middle of the residential area.

6. This area of Oxford was historically a commercial area

This part of town was originally planned as, and has always functioned as, the industrial area of West Oxford.

- The nearby intersection with Main Rd comprises Mill Rd and Commercial Rd, and the next street along, providing access to the rear of the AIS site, is West Station Rd – the street names say it all.
- The original activities in this area were the Railway yard, the abattoir and the livery stables – all industrial activities – and the supporting activities of the Commercial Hotel, the Courthouse and the jail.

7. Appropriate Industrial zoning will give the activity, and effects, of AIS prominence in planning processes and decisions, and to prospective neighbours.

In 2007 a residential subdivision was undertaken on the southern boundary of AIS (154-166 Main St and 6 Mill Rd) as a non-notified resource consent. The decision-making around this is unknown to AIS but since then there have been intermittent issues with the new neighbours arising from the legitimate activities of AIS and the lack of an appropriate buffer between the industrial and residential activities. We understand that purchasers of the new properties were told by the developer that AIS was closing down in the near future. Appropriate business zoning of the AIS site may not have changed the decisions around this development, but it would have highlighted the issues during the decision-making process

8. Appropriate Industrial Zoning will give AIS the confidence and ability to continue to invest at the site, providing on-going, high-value employment.

Since taking over and moving onto the site in 2007, AIS has undertaken considerable development and enhancement of the site. These include:-

Retaining, landscaping and fencing the southern boundary. This included an acoustic fence and the whole operates as an acoustic barrier to the residential area that developed on the southern boundary after AIS was operating the site;

- Renewing the fencing on the other three boundaries.
- Refurbishment and expansion of the original buildings and erection of two new buildings;
- On-going renewal, replacement and upgrade of the plant mechanics. This has resulted in reduced noise generation as well as greater productivity.

Staff numbers have increased from 18 in 2008 to the current 43, making AIS the largest private employer in Oxford. Over 90% of our staff are Waimakariri residents.

AIS has an on-going programme of investment planned into the future. Appropriate Industrial zoning will provide the confidence, and the access to finance, to continue to invest and upgrade facilities, improve productivity, and secure the future employment in our community.

9. Appropriate Industrial Zoning is in accord with the District Development Strategy.

The implementation component of the District Development Strategy includes

Re-zone land for business development when appropriate¹

as a Key Action.

¹ WDDS p 50 against “Provision of zoned business land”