

**OFFICER'S REPORT FOR:**

**Hearing Commissioners:**

**SUBJECT:**

**Proposed Waimakariri District Plan:  
Whitua Motuhake: Special Purpose Zone -  
Museum and Conference Centre ('SPZ(MCC)')**

**PREPARED BY:**

**Peter Wilson**

**REPORT DATED:**

**06 November 2023**

**DATE OF HEARING:**

**19-22 February 2024**

## **Executive Summary**

1. This report considers submissions received by the District Council in relation to the Special Purpose Zone - Museum and Conference Centre ('SPZ(MCC)') objectives, policies, rules, definitions, appendices and maps of the Proposed Plan. The report outlines recommendations in response to the issues that have emerged from these submissions.
2. There are no issues in contention for the chapter, as the chapter received only one submission, in support.
3. I have recommended no changes to the Proposed Plan provisions
4. Having considered the single submission and reviewed all relevant statutory and non-statutory documents, I recommend that the SPZ(MCC) chapter of the Proposed Plan should be approved as notified.

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# 1 Introduction

## 1.1 Purpose

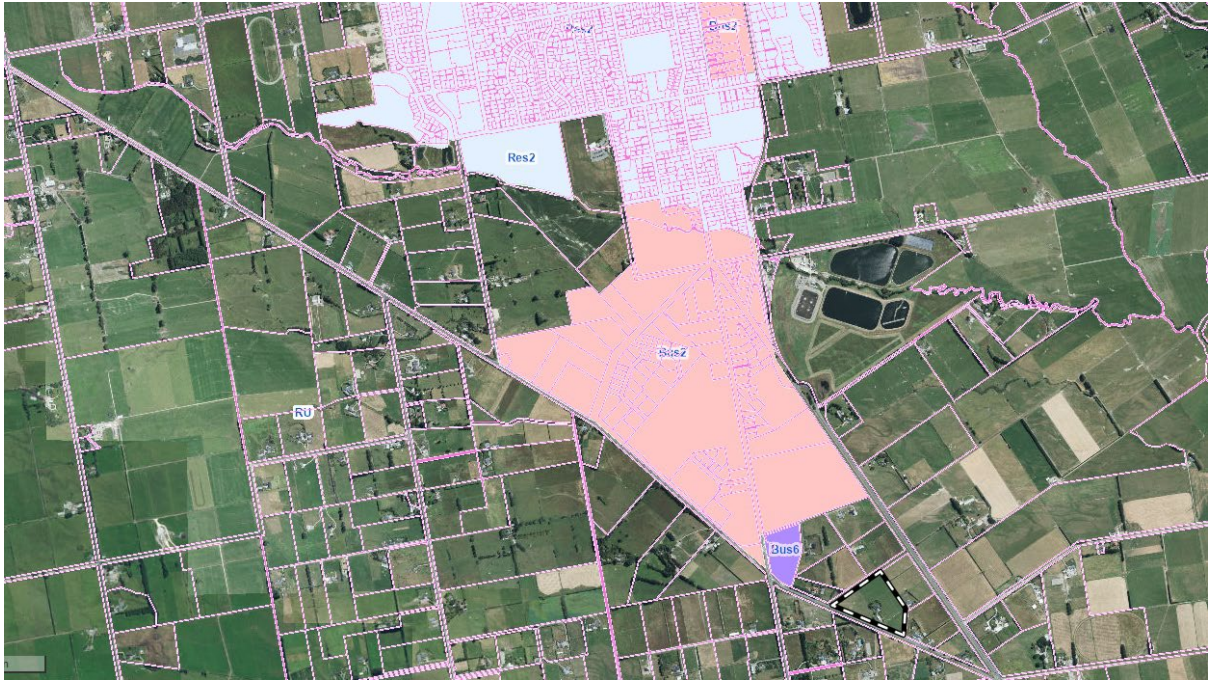
5. The purpose of this report is to provide the Hearing Panel with a summary and analysis of the submission received on the Special Purpose Zone - Museum and Conference Centre ('SPZ(MCC)') chapter.
6. This report is prepared under section 42A of the RMA. It considers the submission received by the District Council in relation to the relevant objectives, policies, rules, definitions, appendices and maps as they apply to the SPZ(MCC) chapter in the Proposed Plan. The report outlines recommendations in response to the submission.
7. This report discusses general issues or topics arising, the original and further submissions received following notification of the Proposed Plan, makes recommendations as to whether or not those submissions should be accepted or rejected, and concludes with a recommendation for changes to the Proposed Plan provisions or maps based on the preceding discussion in the report.
8. This report is provided to assist the Hearings Panel in their role as 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 Background to chapter

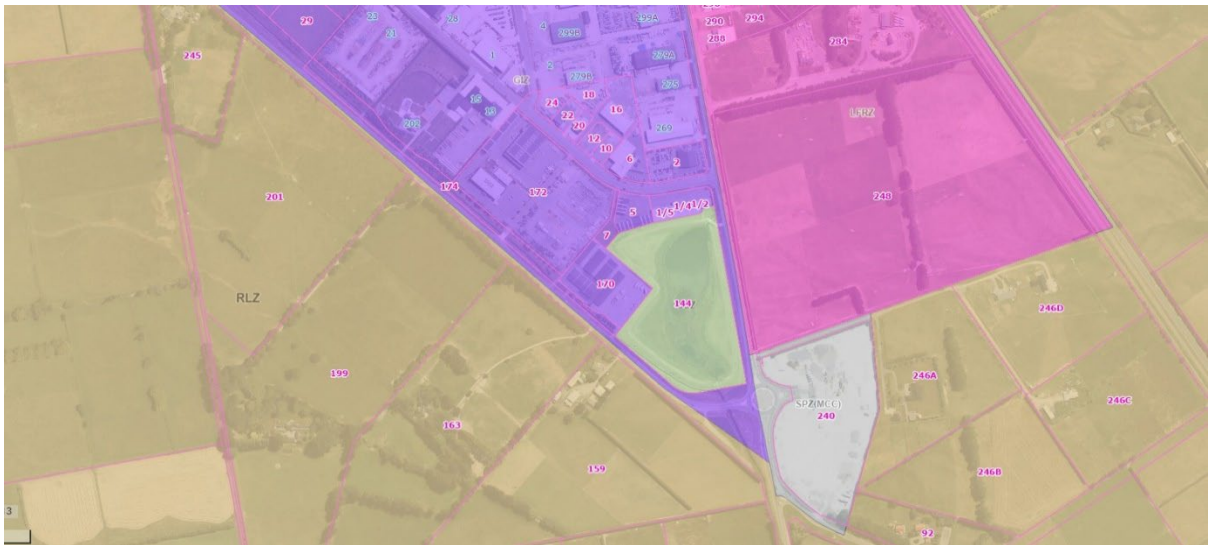
9. The SPZ(MCC) is a specific development proposal based around a central museum, a tavern, conference facility, wedding venue, and accommodation provider including an associated retail park. It covers one land parcel, owned by Daniel Smith Industries Limited, the developer.
10. The SPZ(MCC) chapter and zone arose from action 25<sup>1</sup> undertaken by the Minister of Earthquake Recovery under s24(1)(c) of Canterbury Earthquake Recovery Act and Canterbury Land Use Recovery Plan (LURP) to rezone the land. The context report for Action 25 is attached as **Appendix C** for background information.
11. Action 25 rezoned two areas of land in Southbrook, Rangiora as follows:
  - Rezoning of 7, 25, 31 and 43 Todds Road and 10 Townsend Road (RS 1439) from Rural to Business 2: and
  - Rezoning of 240 Flaxton Road (LOT 1 DP 324030) from Rural to Business 6. This is the parcel of land subject to the proposed SPZ(MCC).
12. Action 25 amended the Operative District Plan. The Business 6 zone was a new zone based on the existing Business 2 zone, but tailored to this particular development.
13. When developing the PDP, Council replaced the operative Business 6 zone with the SPZ(MCC).
14. The operative District Plan shows the zone as follows:

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<sup>1</sup> Undertaken on 6 March 2014



**Figure 1 Operative District Plan zones**



**Figure 2 Proposed District Plan zones**

### **1.3 Author**

15. My name is Peter Wilson. My qualifications and experience are set out in Appendix B of this report.

16. My role in preparing this report is that of an expert planner.

17. Although this is a District Council Hearing, I have read the Code of Conduct for Expert Witnesses contained in the 2023 Practice Note issued by the Environment Court. 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.

18. I confirm that the issues addressed in this statement of evidence are within my area of expertise as an expert policy planner.

19. 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.

20. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

#### **1.4 Key Issues in Contention**

21. There are no issues in contention in this chapter.

#### **1.5 Procedural Matters**

22. 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 the submission on the SPZ(MCC) chapter.

## **2 Statutory Considerations**

### **2.1 Resource Management Act 1991**

23. The Proposed Plan has been prepared in accordance with the RMA and in particular, the requirements of:

- section 74 Matters to be considered by territorial authority, and
- section 75 Contents of district plans,

### **2.2 Section 32AA**

24. I have not undertaken an evaluation under s32AA as there are no recommended amendments to provisions since the initial section 32 evaluation was undertaken.

### **2.3 Trade Competition**

25. Trade competition is not considered relevant to the SPZ(MCC)provisions of the Proposed Plan.

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

### **3 Consideration of Submissions and Further Submissions**

#### **3.1 Overview**

27. There is 1 submission point on the SPZ(MCC)chapter, providing conditional support.

28. There are no definitions relevant to this chapter that need to be considered.

##### **3.1.1 Report Structure**

29. In accordance with Clause 10(3) of the First Schedule of the RMA, I have undertaken the following evaluation on a provisions-based approach. I have organised the evaluation in accordance with the layout of the SPZ(MCC)chapter in the Proposed Plan as notified.

30. As there is only 1 submission point, this evaluation contains a specific recommendation which is contained in **Appendix A**.

31. The following evaluation should be read in conjunction with the summaries of submissions and the submission itself. I agree with the relief sought and the rationale for that relief, and have noted my agreement As there are no changes sought in the submission I have not provided a marked-up version of the SPZ(MCC) chapter.

##### **3.1.2 Format for Consideration of Submissions**

32. I have considered the submissionto the Proposed Plan in the following format:

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



## **4 Analysis of submissions**

### **4.1 Emergency Service Facilities**

#### **4.1.1 Matters raised by submitters**

33. There is 1 submission point on the chapter, from Fire and Emergency New Zealand (FENZ) [303.79], supporting the inclusion of emergency service facilities within the SPZ(MCC) as a permitted activity. They request that SPZ(MCC)-R5 is retained as notified.

#### **4.1.2 Assessment**

34. The only submission on the zone/chapter is in support, with no amendments requested.

#### **4.1.3 Recommendations**

35. I recommend the following outcomes for the submissions:

- FENZ [303.79] is **accepted**

36. I recommend no changes to the Proposed Plan arising from these recommendations.

### **4.2 Clampett and Rolleston Industrial Development relief**

37. For the Clampett and RIDL general relief [284.1, 326.1, 326.2, 326.3] to remove public and limited notification on all controlled and restricted discretionary activity rules, and to remove the terms avoid, remedy, and mitigate from PDP provisions, I have considered that:

- Nothing provided in the submission justifies the removal of public and/or limited notification from the SPZ(MCC) zone rules, noting that most rules in this zone are permitted activities.
- Similarly, no specific and contextual information has been provided to justify the removal of the terms avoid, remedy, or mitigate from the objectives, policies, rules, and matters of discretion within the SPZ(MCC) zone provisions.
- I consider that the notification status and RMA sustainable management direction verb is appropriate.

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

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

Table A: Recommended responses to submissions and further submissions

Submission No	Name	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
303.79	Fire and Emergency NZ	Museum and Conference Centre	Support inclusion of Emergency Service Facilities within the Museum and Conference Centre Zone as a permitted activity. Retain SPZ(MCC)-R5 as notified.	Section 4.1	Accept	As outlined in Section 4.1	No



## Appendix B. Report Author's Qualifications and Experience

### Peter Wilson

I hold the following qualifications:

- Master of Planning (MPlan) and Bachelor of Physical Geography (BSc) from the University of Otago.

I am an intermediate member of the New Zealand Planning Institute.

I am a certified hearings commissioner.

I have 17 years' experience in working as a planner for local, central government, private consultancy, and a range of non-government organisations.

My work experience includes:

- Statutory, RMA, and recreation planning for the Department of Conservation.
- Consent planning for the Waitaki District Council.
- Extensive affected party, policy planning, Environment Court case management and litigation, central government liaison, and freshwater science experience with regional Fish and Game Councils and the New Zealand Fish and Game Council.
- Principal advisor (water) for Federated Farmers of New Zealand.
- Private consultancy, primarily on conservation and recreation planning issues to a range of non-government organisation and trust clients.
- Private aquaculture and geospatial businesses.

I have worked on planning matters across all New Zealand.

I have been employed by the Waimakariri District Council since August 2022 as a senior planner.

### Conflict of interest statement

In my role at Federated Farmers of New Zealand, I was the primary author of its submission on the PDP. I understand that this is a potential conflict of interest that requires declaration. Whilst I have no direct interest or benefit or gain from the outcome of the submission, not being from a farming background and also being a new resident to the district (and region) since employment by Council, I have undertaken to:

- a) Not be the reporting officer on the rural chapter
- b) Ensuring that any other work that handles the Federated Farmers submission is checked and reviewed.
- c) Not participating in consultation and engagement with Federated Farmers, except with another staff member present.

I notified my employer, the Waimakariri District Council, of this prior to employment.

## **Appendix C. Context report for Action 25**