



# ASHLEY INDUSTRIAL SERVICES LTD

## Statement to Waimakariri District Council Hearing on the Proposed District Plan, Stream 1, Urban Form and Development, Policy UFD-P10

### Summary

Ashley industrial Services Ltd (AIS) submitted on Urban Form and Development policy **UFD-P10 Managing reverse sensitivity effects from new development** (Submission 48.2). We support the direction of UFD-P10 but maintain that it is too narrow in its scope, is inconsistent with the district Future Development Strategy, is inconsistent with **Urban Form and Development Policy UFD-P2 (2) (e)**, and fails to achieve **Strategic Objective SD-O2 Well functioning urban environments** and **SD-O3 Urban development**. To achieve SD-O2 and SD-O3, and be consistent with UFD-P2 the scope of UFD-P10 needs to be district wide (rather than confined to Rangiora and Kaiapoi) and to deal with reverse sensitivity effects on all existing activities, not just primary production.

- Industrial activity is just as likely to experience reverse sensitivity effects as primary production is.
- The current provisions favour new residential zones and development at the expense of existing industrial activities and zones.
- Industrial activities in Oxford and elsewhere in the district are just as likely to experience reverse sensitivity effects from expanding residential activity as those in Rangiora and Kaiapoi are.

We propose that UFD-P10 be amended as follows

#### **UFD-P10** Managing **reverse sensitivity effects** from new development

Within Residential Zones and new development areas district wide in Rangiora and Kaiapoi:

1. ...
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.*

Our response to the s42A report is in **Appendix 1**.

Several submitters have made similar points and their views are discussed in **Appendix 2**.

Once the change we propose, or something similar, is adopted there are consequential changes required to implement this through the body of the proposed plan, and these are identified in **Appendix 3**.

### Background

AIS is a sawmill and manufacturer of industrial packaging, with our own timber tanalisation plant, operating at 8 Mill Rd Oxford, with ancillary support on 138 High St (the two sites are adjacent). Both sites are zoned Rural in the operative plan, and we operate under a resource consent from 1979. The sites have been in continuous industrial use since the 1880s. Our sites have been zoned Heavy and Light Industrial in the proposed plan.

AIS is the largest private employer in Oxford, with 40 employees, and has been operating in Oxford since 2006, after relocating from Rangiora/Ashley on the purchase of the existing sawmill that had operated on the site since the 1970s. That sawmill had relocated from Coney St, Oxford after residential expansion of West Oxford and Oxford (previously separate towns) resulted in its former isolated site being surrounded by residential activity.

In 2008 and 2012 residential subdivision was undertaken on our southern boundary by way of non-notified resource consents. We have always operated within our resource consent and the district plan rules, have very good dust controls, and, over time, have upgraded our southern boundary and modernised our plant, significantly reducing noise. Despite this we have had intermittent reverse sensitivity complaints about our activities from some, recently arrived, southern neighbours.

## Panel Questions on s42A Report

### Re Map A in S42A para 127

The panel has questioned the s42A report reference to Map A of the RPS in the context of UFD-P10. Map A and RPS Obj 6 have no relevance to UFD-P10. Chapter 6, Obj 6.2.2(5), and Map A of the RPS is about urban development in the Greater Christchurch area. UFD-P10 is about reverse sensitivity effects in the Waimakariri District, which are not confined to the area within Greater Christchurch. Map A imposes an artificial division between the south-eastern part of the district and the rest of the district. While this division does have meaning in some contexts, care must be taken to not impose this division where it is not relevant. It is not relevant to reverse sensitivity effects.

### Re Appendix A UFD-P10

The reference to “industrial and primary production” is as per our proposed change. We are comfortable with our wording or the panels suggestion of “industrial activities and primary production”.

## Proposed District Plan

The proposed plan has the following relevant objectives and policies (including those changes sought by Variation One). (Bolding emphasis added).

### **SD-O2 Well-functioning urban environments**

*Waimakariri District contains well-functioning urban environments that enable **all people** and communities to provide for their social, **economic**, and cultural wellbeing, and for their health and safety, now and into the future.*

Well-functioning urban environments are those where existing industrial activities and zones are not put at an economic disadvantage by rezoning or new development on their boundary. This includes not just the people of Rangiora and Kaiapoi, but also those in Oxford and elsewhere in the district.

### **SD-O3 Urban development**

*Urban development and [infrastructure](#) that*

...

*2. that recognises **existing character, amenity values**, and is attractive and functional to residents, **businesses** and visitors*

...

*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;*

New urban development must enable existing business activities to prosper, and this requires that new urban development recognises the existing character and amenity of those business activities, otherwise district self-sufficiency will **not** be supported.

### **UFD-P2 Identification/location of new Residential Development Areas**

In relation to the identification/location of residential development areas:

...

2. for new Residential Development Areas, other than those identified by (1) above, **avoid** residential development unless located so that they:

...

- e. take into account the need to provide for intensification of residential development while **maintaining appropriate levels of amenity values on surrounding sites** and streetscapes;

New residential development is to be avoided unless the appropriate levels of amenity are maintained on surrounding areas. This includes the level of amenity appropriate to industrial activities and zones, without geographic limitation.

#### **UFD-P8 Mechanism to provide additional Industrial Zones**

If proposed, ensure any plan change to create new, or expanded existing Industrial Zones:

1. manages adverse effects at the interface between Industrial Zones and arterial roads, Rural Zones, Residential Zones and Open Space and Recreation Zones, through methods such as building setbacks and landscaping;

New or expanding industrial zones are required to manage effects (including reverse sensitivity effects) on their neighbours, without regard to the nature of those zones, throughout the district. To not require new or expanding residential zones to return the courtesy and manage their effects on existing industrial activities and zones (including reverse sensitivity effects), is inconsistent and favours residential development over industrial development.

#### **UFD-P10 Managing reverse sensitivity effects from new development**

Within Residential Zones and new development areas in Rangiora and Kaiapoi:

1. ...
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.

As proposed, this policy

- will not achieve a well-functioning urban environment (SD-O2) that enable all people to provide for their economic well-being, as it puts industrial activities throughout the district at risk of reverse sensitivity effects from new residential development around them.
- Does not allow existing industrial activities to prosper in their appropriate zones, and so will not support district self-sufficiency (SD-O23). Existing industrial activities will continually be at risk of restrictions on their legitimate zoned or long-standing consented activities, arising from reverse sensitivity effects from new development around them.
- Does not require new residential development to maintain the appropriate levels of amenity on surrounding sites (UFD-P2) as residential development is not required to minimise reverse sensitivity effects on industrial activities.
- Disadvantages industrial activities in favour of residential activities as new or expanded industrial activities are required to manage effects on surrounding areas (UFD-P8), while new residential activities are not required to manage reverse sensitivity effects on surrounding areas (UFD-P10).

Thus SD-O2 and SD-O23 will not be achieved if UFD-P10 remains as proposed. It will not maintain the appropriate amenity values in industrial areas, as required by UFD-P2, and is inconsistent, and lacks equity, with UFD-P8.

## **Future Development Strategy – Our District, Our Future**

The proposed activity and geographical restrictions to the consideration of reverse sensitivity effects is inconsistent with the district Future Development Strategy<sup>1</sup>. This strategy highlights that there are significant levels of non-agricultural industrial and commercial activities occurring in the rural zones (therefore outside Rangiora and Kaiapoi), and that these are appropriate, that industrial and commercial activity growth has been faster outside the business zones, and that business activity is critical in supporting a thriving community<sup>2</sup>. It explicitly provides for the ongoing business activities in their “existing towns” (including Oxford), and for new greenfield business land in Oxford<sup>3</sup>. To not protect these existing activities from reverse sensitivity effects of new residential development would be contrary to the direction of the Future Development Strategy.

## Proposed UFD-P10 amendment

Our proposal to address these deficiencies is to amend UFD-P10 as follows

### **UFD-P10** Managing **reverse sensitivity effects** from new development

*Within Residential Zones and new development areas ~~in Rangiora and Kaiapoi~~, District-wide:*

1. ...

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.*

Industrial production needs to be protected from reverse sensitivity effects arising from new residential development around it. This protection is required in Oxford (and elsewhere in the district) as much as in Rangiora and Kaiapoi.

Ken Fletcher for Ashley Industrial Services Ltd

10 May 2023

---

<sup>1</sup> Our District, our Future, Waimakariri 2048 district Development Strategy July 2018

<sup>2</sup> Ibid p 27

<sup>3</sup> Ibid p 26

## Appendix 1 - S42A Report, Urban Form and Development – UFD-P10

The s42A report (at para 130) recommends that our submission (48.2) on UFD-P10 be rejected, but does in fact accept it in part, recommending (at para 125) that the policy recognise that reverse sensitivity effects on industrial activities (as we submitted) and that new development should minimise the reverse sensitivity effects on industrial production as well as primary production, as below.

### ***UFD-P10 Managing reverse sensitivity effects from new development***<sup>4</sup>

*Within Residential Zones and new development areas in Rangiora, ~~and~~ Kaiapoi, Woodend, Ravenswood and Pegasus:*

...

*2. Minimise reverse sensitivity effects on **industrial and** primary production from activities within new development areas through setbacks and screening, or other methods, without compromising the efficient delivery of new development areas.*

We agree with that recommendation as it is our proposed amendment for the reasons detailed above.

However, the s42A report states (at para 125) that

“...the interface between industrial and residential is covered within INZ-P6(2), HIZ-P1, Noise-P1(3)...”.

We disagree. Those provisions address the interface of industrial **on** residential activity, but not residential **on** industrial through reverse sensitivity effects. Including industrial production in UFD-P10 (2) as we propose corrects this imbalance.

We also proposed that this policy be amended as noted above to remove the limitation to managing reverse sensitivity in Rangiora and Kaiapoi only, on the basis that reverse sensitivity issue can arise wherever residential expansion occurs, not just in Rangiora and Kaiapoi. Our proposed amendment is as follows

### **UFD-P10 Managing reverse sensitivity effects from new development**

*Within Residential Zones and new development areas, **District wide** in Rangiora and Kaiapoi:*

The s42A report (at para 86) misconstrues our proposal as wanting to

*“... remove constraints on residential land development ... district wide”.*

This is not the case at all. We want the constraints on new residential activity to be enhanced so that the reverse sensitivity effects that arise as residential activity encroaches on existing productive activity are given due consideration where-ever they occur, not just in Rangiora or Kaiapoi as proposed.

The s42A report (at para 127) recommended expanding the towns covered by UFD\_P10 to include Woodend, Ravenswood and Pegasus, on the basis that this area represent the new development area at North Woodend on RPS Map A. Map a is not relevant to this policy, as noted below.

The title of this policy has the wording “...from new development”, while the first sentence sets the context with the words “...new development areas...”. This policy is not restricted in its effect to the New Development Areas (capitalised) identified in Rangiora and Kaiapoi (West, North East and South East Rangiora, and Kaiapoi listed under the New Development Areas heading in the proposed plan), nor to areas of future development noted on Map A. Rather, this policy applies to all new development. To avoid confusion with the identified New Development Areas, it would be better to reword the introductory sentence to “...areas of new development...”. Areas of new development may occur anywhere in the

---

<sup>4</sup> S42a Report on Urban form and Development, Appendix A, p 33

district, not just Rangiora and Kaiapoi (or Woodend, Ravenswood and Pegasus). This policy should not be geographically constrained. It is relevant district-wide.

## Appendix 2 - Other Submitters

Other submissions on this point are:

### Fulton Hogan (41.17) for similar reasons suggest the following amendment

#### FD-P10 Managing reverse sensitivity effects from new development

~~Within Residential Zones and For~~ new development areas ~~in Rangiora and Kaiapoi:~~

- 1.
2. ~~minimise-avoid~~ reverse sensitivity effects on primary ~~production~~ activities from ~~activities within new development areas through setbacks and screening, without compromising the efficient delivery of new development areas.~~

We do not support their proposed amendment as it still does not cover reverse sensitivity effects on industrial activities. Their proposed **avoid** in place of **minimise** is acceptable to us. We would also support their proposed change to UFD-P2 provided it was expanded to cover industrial activities, not just primary production

### Boffa Miskel (145.15) for similar reasons suggest the following amendment

"Within Residential ~~and Rural~~ Zones and new development areas in Rangiora and Kaiapoi:

1. ...
2. minimise reverse sensitivity effects on primary production ~~and existing heavy industrial activities~~ from activities within ~~zones or~~ new development areas through setbacks and screening, without compromising the efficient delivery of new development areas."

We do not support the restriction to new development in Rangiora and Kaiapoi or to the effects on heavy industry. If these restrictions were removed as per our proposed amendment, we could support their proposal.

### Woodend-Sefton Community Board (155.1) and NZ Pork (169.14)

Their proposal to extend to all new residential developments is acceptable, but they are continuing to address reverse sensitivity effects on rural land. We do not support their proposed amendment as too restricted.

**Fiona Ashton (183.6 et al)** would add a generic "or other methods" to the tools to address reverse sensitivity. This in itself is acceptable to us, provided the restriction to Rangiora and Kaiapoi, and to primary production, are addressed as per our proposed amendment.

**Horticulture NZ (295.75)** also advocate avoid reserve sensitivity effects, but does not widen it beyond Rangiora and Kaiapoi or primary production. We do not object to avoid, but do require the wider scope as per our proposal. The last part of their suggestion that effects be mitigated if avoidance cannot be achieved is not acceptable to us unless **mitigated** is replaced with **minimised**.

**Canterbury Regional Council's proposal (316.15)** does not go far enough and is not supported.

**Federated Farms (414.68)** is limited to primary production and so is not supported, although we have no objection to the explicit inclusion of LUC 1-3 soils.

### Appendix 3 - Consequential Changes

Our proposed change to the Urban form policy (UFD-P10) requires consequential changes to Policies and Rules. RMA Schedule 1 cl 10(2) (b) (i) explicitly allows decision makers to make consequential amendments to the proposed plan that follow from substantive amendments arising from submissions.

#### 10 Decisions on provisions and matters raised in submissions

(1) A local authority must give a decision on the provisions and matters raised in submissions, whether or not a hearing is held on the proposed policy statement or plan concerned.

(2) The decision

...

(b) may include—

**(i) matters relating to any consequential alterations necessary to the proposed statement or plan arising from the submissions;**

There are no rules directly supporting these strategic and urban form objectives. The supporting rules are under the specific activities. Below we have identified consequential changes that would arise from our proposed change.

#### SUB-P1 Design and amenity

Enable [subdivision](#) that:

1. ...
2. minimises [reverse sensitivity effects](#) on [infrastructure](#) [and existing activities](#) including through the use of [setbacks](#);

#### SUB-P6 Criteria for Outline Development Plans

Ensure that new Residential Development Areas, new Large Lot [Residential Zones](#), new [Commercial and Mixed Use Zones](#) and new [Industrial Zones](#) shall not be subdivided until an [ODP](#) for that area has been included in the [District Plan](#) and each [ODP](#) shall:

...

- I. show how other potential adverse [effects](#) on and/or from nearby existing or designated [strategic infrastructure](#) (including requirements for designations, or planned [infrastructure](#)) [and existing activities](#) will be avoided, remedied or appropriately mitigated;

#### SUB-MCD2 Subdivision design

4. Design of the subdivision and any mitigation of reverse sensitivity effects on infrastructure [and existing activities](#).

#### SUB-MCD10 Reverse sensitivity

1. Any need to provide a separation distance for any [residential unit](#) or [minor residential unit](#) from existing activities, and any need to ensure that subsequent owners are aware of potential [reverse sensitivity](#) issues from locating near lawfully established [rural](#) activities, including but not limited to intensive farming.

#### INZ-O3 Managing the effects of industrial activities

The adverse [effects](#) of [industrial activities](#) are avoided, remedied or mitigated:

1. within the zone where these may constrain the establishment and operation of [industrial activities](#); and

2. at the interface, adjusted for any mechanism that addresses reverse sensitivity effects, with non-industrial zones to achieve the anticipated amenity values for those adjacent zones.

#### **INZ-P6 Managing adverse effects within Industrial Zones**

Manage the effects of development and activities in industrial zones including visual, traffic, noise, and glare through controls on building bulk, form, setbacks, landscaping, screening and traffic movements. Such management is to be focused:

...

2. at the interface, adjusted for any mechanism that addresses reverse sensitivity effects, with adjacent non-industrial zones, so that the amenity values of those adjacent zones are maintained or enhanced, recognising that amenity values may be lower than that experienced in zones that are not close to industrial activities.

#### **RESZ-O3 Residential form, scale, design and amenity values**

A form, scale and design of development that:

3. ...
4. manages adverse effects, including reverse sensitivity effects, on the surrounding environment.

#### **RESZ-P1 Design of Development**

New development in residential areas is well designed and laid out, including by:

...

7. minimising reverse sensitivity effects arising from existing activities in adjacent zones