

In the Environment Court of New Zealand
At Christchurch

I mua i te Kōti Taiao o Aotearoa
I te rohe o Ōtautahi

ENV-2025-CHC-

under: the Resource Management Act 1991 (Act)

in the matter of: an appeal under clause 14 of Schedule 1 of the
Resource Management Act 1991

between: **Rolleston Industrial Developments Limited**
Appellant

Carter Group Property Limited
Appellant

and: **Waimakariri District Council**
Respondent

Notice of appeal by Rolleston Industrial Developments Limited
and Carter Group Property Limited against Waimakariri District
Council's decision on the proposed Waimakariri District Plan

Dated: 22 August 2025

Reference: J M Appleyard (jo.appleyard@chapmantripp.com) / (jo.appleyard@al.nz)
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NOTICE OF APPEAL BY ROLLESTON INDUSTRIAL DEVELOPMENTS LIMITED AGAINST WAIMAKARIRI DISTRICT COUNCIL'S DECISION ON THE PROPOSED WAIMAKARIRI DISTRICT PLAN

Clause 14(1) of Schedule 1, Resource Management Act 1991

To The Registrar
Environment Court
Christchurch

Introduction

- 1 Rolleston Industrial Developments Limited (*RIDL*) and Carter Group Property Limited (*CGPL*) (together, the *Appellants*) appeal against parts of the decision of the Independent Hearings Panel (*Panel*), adopted by the Waimakariri District Council (*Council*) on the Proposed Waimakariri District Plan (*Proposed Plan*) (*Decision*).

The Appellants' interest in these proceedings

- 2 The Appellants made submissions and further submissions on the Proposed Plan (collectively the *Submissions*).
- 3 RIDL also made submissions and further submissions on Variation 1 to the Proposed Plan (*RIDL's Variation 1 Submissions*). The process for challenging decisions on Variation 1 is different to the appeal process on the Proposed Plan.
- 4 The Panel's Recommendation reports which were adopted by the Council fail to distinguish between the Decisions it made on the Appellant's Submissions on the PDP and RIDL's Variation 1 Submissions making it virtually impossible for the Appellants (or other submitters) to determine whether they ought to lodge an appeal in the Environment Court, and/or an application for review in the High Court.
- 5 For completeness therefore the Appellant's are approaching this appeal on the basis that all of the Panel's Recommendations which the Council then adopted apply to both the Appellant's Submissions and RIDL's Variation 1 Submissions and reserves its rights to also lodge an application for review in the High Court if necessary when the position becomes clearer.
- 6 The Appellants are not trade competitors for the purposes of section 308D of the Resource Management Act 1991 (*RMA*).
- 7 The Appellant's received notice of the Decision on 12 July 2025. The notice directed that appeals must be lodged within 30 working days.
- 8 The parts of the Decision that the Appellants are appealing against are largely found in the Panel's Recommendations Report 35 (Ōhoka PDP) which were adopted by the Council and in particular:

- 8.1 the decision to reject the Appellants' Submissions seeking to rezone land located southwest of Mill Road and bounded by Bradleys Road and Whites Road, Ōhoka (the *Land*) to a Settlement Zone or a General Residential Zone (*GRZ*) including an overlay providing for education and retirement Village activities, Large Lot Residential Zone (*LLRZ*), Local Centre Zone (*LCZ*) and Open Space Zone (*OPZ*) as set out in an Outline Development Plan (*ODP*) presented at the hearings held over 1 to 3 July and 4 November 2024; and
- 8.2 related changes to the Proposed Plan framework.
- 9 The reasons for RIDL's appeal are set out below, referencing specific provisions and topics identified in RIDL's review of the Decision as warranting appeal.

Reasons for the Appeal

- 10 The reasons for the appeal are as follows:
- 11 Parts of the Decision referred to above and in particular the parts contained in the Panel's Recommendation Report 35 do not accord with the relevant requirements of the RMA and are contrary to Part 2 of the RMA.
- 11.1 In particular, those parts of the Decision:
- (a) Do not promote the sustainable management of natural and physical resources of the Waimakariri District;
 - (b) Do not appropriately enable people and communities to provide for their social, economic and cultural well-being of the Waimakariri District;
 - (c) Do not promote the efficient use and development of natural and physical resources;
 - (d) Do not result in the most appropriate plan provisions in terms of section 32 of the RMA;
 - (e) Do not implement Council's functions under section 31 of the RMA;
 - (f) Are contrary to best resource management practice;
 - (g) Are contrary to the National Policy Statement on Urban Development 2020 (*NPS-UD*) and the Canterbury Regional Policy Statement (*CRPS*);

- (h) The Decision is internally inconsistent as the parts of the Decision found in the Panel's Decision 35 are inconsistent with other parts of the Decision.

- 12 Without limiting the generality of the reasons above, the Appellants' specific reasons for their appeal points are set out below.

The Decision does not correctly interpret or apply the NPS-UD

- 13 The Decision does not correctly interpret or apply the NPS-UD, and fails to give effect to:
 - 13.1 Objective 2 of the NPS-UD which requires planning decisions to improve housing affordability by supporting decisions to improve housing supporting competitive land markets;
 - 13.2 Objective 3 of the NPS-UD which requires district plans to enable more people to live in, and more businesses and community services to be located in, areas of an urban environment in which one or more of the following apply:
 - (a) the area is in or near a centre zone or other area with many employment opportunities;
 - (b) the area is well-serviced by existing or planned public transport
 - (c) there is high demand for housing or for business land in the area, relative to other areas within the urban environment.
 - 13.3 Objective 4 of the NPS-UD which recognises that New Zealand's urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities, and future generations.
 - 13.4 Objective 6 of the NPS-UD which, among other things, require local authority decisions on urban development that affect urban environments are strategic over the medium and long term, and are responsive particularly in relation to proposals that would supply significant development capacity;
 - 13.5 Policy 1 of the NPS-UD and the requirement for planning decisions to *contribute* to well-functioning urban environments, which are urban environments that, as a minimum:

(a) have or enable a variety of homes that:

- (i) ***meet the needs, in terms of type, price, and location, of different households; and***
 - (ii) *enable Māori to express their cultural traditions and norms; and*
 - (b) *have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and*
 - (c) *have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and*
 - (d) *support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and*
 - (e) *support reductions in greenhouse gas emissions; and*
 - (f) *are resilient to the likely current and future effects of climate change*
- 13.6 Policy 2 of the NPS-UD which requires Tier 1, 2 and 3 local authorities, at all times, provide sufficient development capacity **to meet expected demand for housing** and for business land over the short term, medium term, and long term.
- 13.7 Policy 6 of the NPS-UD which requires decision makers making planning decisions that affect urban environments to have particular regard to (among other things) any relevant contribution that will be made to meeting the requirements of the NPS-UD to provide or realise development capacity.
- 13.8 Policy 8 of the NPS-UD which requires local authority decisions affecting urban environments to be responsive to decisions affecting urban environments to be responsive to plan changes that would add significantly to development capacity and contribute to well-functioning urban environments, even if capacity is unanticipated by RMA planning documents.
- 13.9 Clause 3.2(a) which requires the Council to provide sufficient development capacity in “**existing and new urban areas**” and where Ōhoka is an existing urban area.
- 14 As a result, the Decision wrongly concludes in Recommendation Report 35 that:

- 14.1 the NPS-UD does not require local authorities to provide for sufficient development capacity in the location of the existing urban area of Ōhoka;
 - 14.2 that the NPS-UD does not require local authorities to provide for sufficient development capacity in what the reporting officer described as "sub market level"; and
 - 14.3 the proposed rezoning would not contribute to well-functioning urban environments and would not give effect to the NPS-UD.
- 15 The Decision in stating that the Appellant had not demonstrated that there is a specific demand for housing within the Ōhoka location relative to other locations ignored relevant evidence and in particular the evidence of Mr Akehurst, Mr Jones and Mr Davidson in circumstances where the Council presented no evidence from an expert with appropriate qualifications as to demand.
 - 16 The Decision is wrong in stating that the rezoning would not result in a development which is well-connected and accessible and in particular failed to properly evaluate and consider the evidence regarding the offered bus service and the accessibility available by bicycle to other urban areas. The Decision wrongly interprets and applies NPS-UD Objective 1 and 6.
 - 17 The Decision is wrong in its conclusion that there is uncertainty around the enforceability of the offered bus service and says that the certainty is provided in the drafting suggested by the Appellants.
 - 18 The Decision comes to the wrong conclusion on the evidence given regarding the feasibility of State Highway upgrades and the funding available for those upgrades and other roading upgrades and therefore failed to properly apply and interpret NPS-UD Policy 8.
 - 19 The Decision wrongly treats uncertainty around infrastructure triggers proposed by the Appellants and the timing of upgrade works as a barrier to rezoning.
 - 20 The Decision is wrong in its conclusion that the rezoning would not contribute to well-functioning urban environments and would not give effect to the NPS-UD.
- The Decision does not correctly apply the relevant provisions of the CRPS or Proposed Plan***
- 21 The Decision is wrong to conclude that the proposed rezoning would not give effect to the relevant objectives and policies of the Canterbury Regional Policy Statement (CRPS) and the Proposed District Plan (PDP) regarding urban growth and development.

Relief sought

- 22 The Appellants seek that the Land be rezoned from Rural Lifestyle Zone to a Settlement Zone or a General Residential Zone (including an overlay providing for education and retirement village activities , Large Lot Residential Zone (*LLRZ*), Local Centre Zone (*LCZ*) and Open Space Zone (*OPZ*)) including any further amendments or changes required to give effect to the relief sought.

Documents

- 23 The following documents are attached to this notice:
- 23.1 A copy of the Appellants' submission (**Appendix A**);
 - 23.2 A copy of Appellants' further submissions (**Appendix B**);
 - 23.3 A copy of RIDL's Variation 1 submissions and further submissions for information purposes (**Appendix C**);
 - 23.4 A copy of the relevant parts of the Decision (Recommendation Report 35) (other decision parts are at: <https://www.waimakariri.govt.nz/council/district-development/district-plan-review> (**Appendix D**); and
 - 23.5 A list of names and addresses of persons to be served with a copy of this notice (**Appendix E**).

Signed for and on behalf of Rolleston Industrial Developments Limited and Carter Group Property Limited by its solicitors and authorised agents Chapman Tripp



Jo Appleyard
Partner
22 August 2025

Address for service of Rolleston Industrial Developments Limited and Carter Group Property Limited **before 29 August 2025:**

Rolleston Industrial Developments Limited and Carter Group
Property Limited
c/- Jo Appleyard, Partner
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Address for service **after 29 August 2025:**

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Advice to recipients of copy of notice of appeal

How to become party to proceedings

You may be a party to the appeal if you made a submission or a further submission on the matter of this appeal.

To become a party to the appeal, you must, -

- within 15 working days after the period for lodging a notice of appeal ends, lodge a notice of your wish to be a party to the proceedings (in form 33) with the Environment Court and serve copies of your notice on the relevant local authority and the appellant; and
- within 20 working days after the period for lodging a notice of appeal ends, serve copies of your notice on all other parties.

Your right to be a party to the proceedings in the Court may be limited by the trade competition provisions in section 274(1) and Part 11A of the Resource Management Act 1991.

You may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing or service requirements (see form 38).

How to obtain copies of documents relating to appeal

If the copy of this notice served on you does not attach a copy of the appellant's submission (or or) the decision (or part of the decision) appealed. These documents may be obtained, on request, from the appellant.

Advice

If you have any questions about this notice, contact the Environment Court in Auckland, Wellington, or Christchurch.

**SUBMISSION ON PUBLICLY NOTIFIED PROPOSAL FOR POLICY STATEMENT OR
PLAN, CHANGE OR VARIATION**

Clause 6 of Schedule 1, Resource Management Act 1991

To Waimakariri District Council

Name of submitter: Rolleston Industrial Developments Limited (RIDL)

- 1 This is a submission on the proposed Waimakariri District Plan (the **Proposed Plan**).
- 2 RIDL could not gain an advantage in trade competition through this submission.
- 3 RIDL's submission relates to the entire Proposed Plan.
- 4 RIDL seeks the following decision from the local authority:
 - 4.1 The relief as set out in **Annexure A**.
 - 4.2 Any other similar relief that would address the relief sought by RIDL.
 - 4.3 All necessary consequential amendments.
- 5 RIDL **wishes to be heard** in support of the submission.
- 6 If others make a similar submission, RIDL will consider presenting a joint case with them at a hearing.

Signed for and on behalf of Rolleston Industrial Developments Limited (RIDL) by its solicitors and authorised agents Chapman Tripp



Jo Appleyard
Partner
26 November 2021

Address for service of submitter:

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Christchurch 8140

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ANNEXURE A

The drafting suggested in this annexure reflects the key changes (RIDL) seeks. Consequential amendment may also be necessary to other parts of the proposed provisions.

(RIDL) proposes drafting below and seeks that this drafting, or drafting with materially similar effect, be adopted by the Council.

Suggested amendments and alternative drafting is shown in track change – RIDL's requested deletions are shown using ~~red-strike through~~ and requested insertions shown using red underline.

PART 1 – INTRODUCTION AND GENERAL PROVISIONS

General submission points				
No.	Provision	Position	Submission	Relief Sought
1.	General/all	Support with amendment	The submitter considers that the proposed Plan should limit the use of absolutes such as 'avoid', 'maximise' and 'minimise' except where such explicit and absolute direction is appropriate. The submitter's preference is that provisions do not include absolutes, so as to provide scope to consider proposals on their merits.	Amend the proposed Plan to remove the use of absolutes such as 'avoid', 'maximise' and 'minimise'.
2.	General/all	Oppose	The submitter considers that the proposed Plan makes inadequate use of 'non-notification clauses' directing that applications under specific rules shall not be limited or publicly notified, on the basis of effects associated specifically with that rule.	Amend the proposed Plan, such that all controlled and restricted discretionary activity rules include the following wording, or words to like effect: <u><i>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.</i></u>

General submission points				
No.	Provision	Position	Submission	Relief Sought
			The submitter considers that all controlled and restricted discretionary activity rules should be provided with such a direction and clear wording as to the effect of the non-notification clause for applications.	

Part 1 - Definitions				
No.	Provision	Position	Submission	Relief Sought
3.	Definitions generally	Support	These definitions are considered appropriate and are supported by the submitter. Definitions utilising the National Planning Standards definitions are supported.	Retain definitions as notified.
4.	Ancillary Activity	Support	This definition is considered appropriate and is supported by the submitter.	Retain this definition as notified.
5.	Community Facility	Support	This definition is considered appropriate and is supported by the submitter.	Retain this definition as notified.

Part 1 - Definitions				
No.	Provision	Position	Submission	Relief Sought
6.	Drive Through	Support	This definition is considered appropriate and is supported by the submitter.	Retain this definition as notified.
7.	Educational Facility	Support	This definition is considered appropriate and is supported by the submitter.	Retain this definition as notified.
8.	Food and Beverage Outlet	Support	This definition is considered appropriate and is supported by the submitter.	Retain this definition as notified.
9.	Functional Need	Support	This definition is considered appropriate and is supported by the submitter.	Retain this definition as notified.
10.	Future Development Strategy	Support	This definition is considered appropriate and is supported by the submitter.	Retain this definition as notified.
11.	Gross Floor Area	Support	This definition is considered appropriate and is supported by the submitter.	Retain this definition as notified.
12.	Key Activity Centres	Support with amendment	This definition is considered appropriate and is supported by the submitter.	Retain this definition as notified.
13.	Net Density	Support	This definition is considered appropriate and is supported by the submitter.	Retain this definition as notified.
14.	Net Floor Area	Support	This definition is considered appropriate and is supported by the submitter.	Retain this definition as notified.

Part 1 - Definitions				
No.	Provision	Position	Submission	Relief Sought
15.	Net Site Area	Support	This definition is considered appropriate and is supported by the submitter.	Retain this definition as notified.
16.	Notional Boundary	Support	This definition is considered appropriate and is supported by the submitter.	Retain this definition as notified.
17.	Operational Need	Support	This definition is considered appropriate and is supported by the submitter.	Retain this definition as notified.
18.	Parking Area	Support	This definition is considered appropriate and is supported by the submitter.	Retain this definition as notified.
19.	Primary Building Frontage	Support	This definition is considered appropriate and is supported by the submitter.	Retain this definition as notified.
20.	Primary Building Frontage	Support	This definition is considered appropriate and is supported by the submitter.	Retain this definition as notified.
21.	Public Transport Facility	Support	This definition is considered appropriate and is supported by the submitter.	Retain this definition as notified.
22.	Residential Activity	Support	This definition is considered appropriate and is supported by the submitter.	Retain this definition as notified.

Part 1 - Definitions				
No.	Provision	Position	Submission	Relief Sought
23.	Residential Unit	Support	This definition is considered appropriate and is supported by the submitter.	Retain this definition as notified.
24.	Retail activity	Support	This definition is considered appropriate and is supported by the submitter.	Retain this definition as notified.
25.	Retirement Village	Support	This definition is considered appropriate and is supported by the submitter.	Retain this definition as notified.
26.	Reverse Sensitivity	Support	This definition is considered appropriate and is supported by the submitter.	Retain this definition as notified.
27.	Sensitive Activity	Support	This definition is considered appropriate and is supported by the submitter.	Retain this definition as notified.
28.	Sign	Support	This definition is considered appropriate and is supported by the submitter.	Retain this definition as notified.
29.	Site	Support	This definition is considered appropriate and is supported by the submitter.	Retain this definition as notified.
30.	Supermarket	Support	This definition is considered appropriate and is supported by the submitter.	Retain this definition as notified.
31.	Temporary Activity	Support	This definition is considered appropriate and is supported by the submitter.	Retain this definition as notified.

Part 1 - Definitions				
No.	Provision	Position	Submission	Relief Sought
32.	Trade Suppliers	Support	This definition is considered appropriate and is supported by the submitter.	Retain this definition as notified.
33.	Urban environment	Support	This definition is considered appropriate and is supported by the submitter.	Retain this definition as notified.

PART 2 – DISTRICT WIDE MATTERS

Part 2 – Strategic Directions				
No.	Provision	Position	Submission	Relief Sought
34.	SD-Introduction	Support with amendment	<p>The submitter supports the overview of the Strategic Directions and in particular the statement that: <i>'For the purpose of District Plan development, including plan changes, the strategic objectives in this chapter provide direction for the more detailed provisions contained in the District Plan. For the purpose of District Plan implementation, including the determination of resource consent applications'.</i></p> <p>However, from the submitter's experience with Strategic Directions in the Christchurch District Plan, there has been a lack of certainty as to whether the Strategic</p>	<p>Amend this provision as follows:</p> <p><i>'...For the purpose of District Plan development, including plan changes, the strategic objectives in this chapter provide direction for the more detailed provisions contained in the District Plan. For the purpose of District Plan implementation, including the determination of resource consent applications. <u>For the avoidance of doubt, this means that for resource consent applications, the Strategic Objectives may require specific consideration and application to proposals, as a relevant consideration under section 104(1)(b)(vi). ...'</u></i></p>

Part 2 – Strategic Directions				
No.	Provision	Position	Submission	Relief Sought
			<p>Objectives are a matter to be expressly considered for applications, or whether they are simply provisions given effect to by the objectives and policies in the balance of the District Plan which are not relevant to individual applications.</p> <p>The submitter considers they should be expressly considered (to the extent relevant) for applications and seeks explicit wording to this effect within the overview.</p>	
35.	SD-01, SD-03, SD-05, SD-06	Support	These provisions are considered appropriate and are supported by the submitter.	Retain these provisions as notified.
36.	SD-02	Support with amendment	Amend the provision to ensure that urban development and infrastructure provides a range of housing opportunities in accordance with the NPS-UD.	<p>Amend this provision as follows:</p> <p>Urban development and infrastructure that:</p> <ol style="list-style-type: none"> 1.is consolidated and integrated with the urban environment; 2.that recognises existing character, amenity values, and is attractive and functional to residents, businesses and visitors; 3.utilises the District Council’s reticulated wastewater system, and potable water supply and stormwater infrastructure where available;

Part 2 – Strategic Directions				
No.	Provision	Position	Submission	Relief Sought
				<p>4.provides a range of housing opportunities <u>in accordance with the NPS-UD</u>, focusing new residential activity within existing towns, and identified development areas in Rangiora and Kaiapoi;</p> <p>5. supports a hierarchy of urban centres, with the District’s main centres in Rangiora, Kaiapoi, Oxford and Woodend being:</p> <p>c. the focus around which for residential development and intensification can occur.</p>
37.	SD-O4	Support with amendme nt	Amend the provision to ensure that urban development and infrastructure provides a range of housing opportunities in accordance with the NPS-UD.	<p>Amend this provision as follows:</p> <p>Outside of identified residential development areas and the Special Purpose Zone (Kāinga Nohoanga), <u>unless rezoned</u>, rural land is managed to ensure that it remains available for productive rural activities by:</p> <ol style="list-style-type: none"> 1. providing for rural production activities, activities that directly support rural production activities and activities reliant on the natural resources of Rural Zones and limit other activities; and 2. ensuring that within rural areas the establishment and operation of rural production activities are not limited by new incompatible sensitive activities.

Part 2 – Strategic Directions				
No.	Provision	Position	Submission	Relief Sought
38.	SD-UFD-O1	Support with amendment	The submitter supports sufficient feasible development capacity in light of the changing demographic profile of the District but not with the specific numbers detailed in the objective.	Amend this provision as follows: <i>In accordance with the NPS-UD, at least</i> sufficient feasible development capacity for residential activity to meet specified housing bottom lines and a changing demographic profile of the District. Delete the balance of this objective where it includes specific numbers.
39.	UFD-O2	Support	This provision is considered appropriate and is supported by the submitter.	Retain this provision as notified.
40.	UFD-P1, and UFD P3 to UFD-P10	Support	These provisions are considered appropriate and are supported by the submitter.	Retain these provisions as notified.
41.	UFD-P2	Support with amendment	This provision is generally supported by the submitter, albeit a minor amendment is proposed.	Amend this provision as follows: 2. for new Residential Development Areas, other than those identified by (1) above, avoid residential development <i>shall unless located so that they:</i>

Part 2 – Energy, Infrastructure and Transport				
No.	Provision	Position	Submission	Relief Sought
42.	TRAN-All provisions	Support	These provisions are considered appropriate and are supported by the submitter.	Retain these provisions as notified.

Part 2 – Hazards and risks – Hazardous Substances				
No.	Provision	Position	Submission	Relief Sought
43.	Hazardous Substances – all provisions	Support	These provisions are considered appropriate and are supported by the submitter.	Retain these provisions as notified.

Part 2 – Hazards and risks – Contaminated Land				
No.	Provision	Position	Submission	Relief Sought
44.	Contaminated land– all provisions	Support	These provisions are considered appropriate and are supported by the submitter.	Retain these provisions as notified.

Part 2 – Hazards and risks – Natural Hazards				
No.	Provision	Position	Submission	Relief Sought
45.	NH-PO1 to PH19	Support	These provisions are considered appropriate and are supported by the submitter.	Retain these provisions as notified.
46.	NH-Rules Generally	Support with amendment	<p>The submitter considers that there is insufficient use of non-notification clauses within the natural hazards rules, where the corresponding issues and effects are matters that can be adequately determined by Council without any benefit from limited notification.</p> <p>Accordingly, the submitter seeks that all rules in the natural hazards chapter be provided with 'non-notification clauses' directing that applications under specific rules shall not be limited notified, on the basis of effects associated specifically with that rule.</p>	<p>Amend all rules in the natural hazards chapter, such that they include the following wording, or words to like effect:</p> <p>An application for a restricted discretionary activity under this rule is precluded from being <u>limited notified or</u> publicly notified. , but may be limited notified.</p>
47.	NH-R1 to R20	Support	These provisions are considered appropriate and are supported by the submitter.	Retain these provisions as notified

Part 2 – Historical and Cultural Values				
No.	Provision	Position	Submission	Relief Sought
48.	Historic Heritage – all provisions	Support	These provisions are considered appropriate and are supported by the submitter.	Retain these provisions as notified.
49.	Notable Trees– all provisions	Support	These provisions are considered appropriate and are supported by the submitter.	Retain these provisions as notified.
50.	Sites and Areas of Significance to Maori – all provisions	Support	These provisions are considered appropriate and are supported by the submitter.	Retain these provisions as notified.

Part 2 – Natural Environment Values				
No.	Provision	Position	Submission	Relief Sought
51.	Ecosystems and Indigenous Biodiversity – all provisions	Support	The provisions in the chapter 'Ecosystems and Indigenous Biodiversity' are considered appropriate and are supported by the submitter.	Retain these provisions as notified.

Part 2 – Natural Environment Values				
No.	Provision	Position	Submission	Relief Sought
52.	Natural Character of freshwater bodies – all provisions	Support	The provisions in the chapter 'Natural Character of freshwater bodies' are considered appropriate and are supported by the submitter.	Retain these provisions as notified.
53.	Natural Features and Landscapes – all provisions	Support	The provisions in the chapter 'Natural Features and Landscapes' are considered appropriate and are supported by the submitter.	Retain these provisions as notified.
54.	Public Access – all provisions	Support	The provisions in the chapter 'Public Access' are considered appropriate and are supported by the submitter.	Retain these provisions as notified.

Part 2 - Subdivision				
No.	Provision	Position	Submission	Relief Sought
55.	SUB-Overview	Support	The SUB-Overview section is generally supported by the submitter.	Retain this provision as notified.
56.	SUB-O1 and SUB-O3	Support	These provisions are considered appropriate and are supported by the submitter.	Retain these provisions as notified.

Part 2 - Subdivision				
No.	Provision	Position	Submission	Relief Sought
57.	SUB-P1 to P10	Support with amendment	These provisions are generally considered appropriate and are supported by the submitter.	Retain these provisions as notified.
58.	SUB-R1 to R3	Support	These provisions are considered appropriate and are supported by the submitter.	Retain these provisions as notified.
59.	SUB-R3 to R11	Support	These provisions are considered appropriate and are supported by the submitter.	Retain these provisions as notified.
60.	SUB-S1 to S17	Support	These provisions are considered appropriate and are supported by the submitter.	Retain these provisions as notified.
61.	SUB-MCD	Support	These provisions are considered appropriate and are supported by the submitter.	Retain these provisions as notified.

Part 2- Activities on the surface of water				
No.	Provision	Position	Submission	Relief Sought
62.	ASW – All provisions	Support	These provisions in the chapter 'Activities on the surface water' are considered appropriate and are supported by the submitter.	Retain these provisions as notified.

Part 2- General District Wide Matters - Coastal Environment				
No.	Provision	Position	Submission	Relief Sought
63.	CE – All provisions	Support	The provisions in the chapter 'Coastal Environment' are considered appropriate and are supported by the submitter.	Retain these provisions as notified.

Part 2 – General District Wide Matters - Earthworks				
No.	Provision	Position	Submission	Relief Sought
64.	EW-Overview	Support	The EW-Overview section is generally supported by the submitter.	Retain this section as notified.
65.	EW-O1	Support with amendment	This provision is generally supported by the submitter, albeit a minor amendment is proposed.	Amend this provision as follows: <i>Earthworks are undertaken in a manner that <u>avoids significant and manages other minimises</u> adverse effects on the surrounding environment.</i>
66.	EW-P1-P6	Support	These provisions are considered appropriate and are supported by the submitter.	Retain these provisions as notified.
67.	EW-R1-R11	Support	These provisions are considered appropriate and are supported by the submitter.	Retain these provisions as notified.

Part 2 – General District Wide Matters - Earthworks				
No.	Provision	Position	Submission	Relief Sought
68.	EW-S1 to S7	Support	These provisions are considered appropriate and are supported by the submitter.	Retain these provisions as notified.

Part 2 – General District Wide Matters - Light				
No.	Provision	Position	Submission	Relief Sought
69.	LIGHT	Support	The provisions in the chapter 'Light' are considered appropriate and are supported by the submitter.	Retain these provisions as notified.

Part 2 – General District Wide Matters - Noise				
No.	Provision	Position	Submission	Relief Sought
70.	NOISE-Overview	Support	The NOISE-Overview section is generally supported by the submitter.	Retain the NOISE-Overview section as notified.
71.	NOISE-O1 and O3	Support	These provisions are considered appropriate and are supported by the submitter.	Retain these provisions as notified.
72.	NOISE-P1 to P5	Support	These provisions are considered appropriate and are supported by the submitter.	Retain these provisions as notified.

Part 2 – General District Wide Matters - Noise				
No.	Provision	Position	Submission	Relief Sought
73.	NOISE-R1-R23	Support	These provisions are considered appropriate and are supported by the submitter.	Retain these provisions as notified.
74.	NOISE-MD1 – MD4	Support	These provisions are considered appropriate and are supported by the submitter.	Retain these provisions as notified.

Part 2 – General District Wide Matters - Signs				
No.	Provision	Position	Submission	Relief Sought
75.	SIGN-Overview	Support	The SIGN-Overview section is generally supported by the submitter.	Retain the SIGN-Overview section as notified.
76.	SIGN-O1	Support	This provision is considered appropriate and is supported by the submitter.	Retain this provision as notified.
77.	SIGN-P1 to P5	Support	These provisions are considered appropriate and are supported by the submitter.	Retain these provisions as notified.
78.	SIGN-R1 to R9	Support	These provisions are considered appropriate and are supported by the submitter.	Retain these provisions as notified.
79.	SIGN-S1 to S6	Support	These provisions are considered appropriate and are supported by the submitter.	Retain these provisions as notified.

Part 2 – General District Wide Matters – Urban form and development				
No.	Provision	Position	Submission	Relief Sought
80.	UFD-All provisions	Support	These provisions are considered appropriate and are supported by the submitter.	Retain these provisions as notified

PART 3 – AREA SPECIFIC MATTERS

Part 3 – Zones – Residential Zones				
No.	Provision	Position	Submission	Relief Sought
81.	RESZ-All provisions	Support	These provisions are considered appropriate and are supported by the submitter.	Retain these provisions as notified.

Part 3 – Zones – Rural Zones				
No.	Provision	Position	Submission	Relief Sought
82.	GRUZ- all provisions	Support	These provisions are considered appropriate and are supported by the submitter.	Retain these provisions as notified.

Part 3 – Zones – Commercial and Mixed Use Zones – Commercial and Mixed Use Zones (CMUZ)				
No.	Provision	Position	Submission	Relief Sought
83.	CMUZ – All provisions	Support	These provisions are considered appropriate and are supported by the submitter.	Retain these provision as notified.

Part 3 – Zones – Commercial and Mixed Use Zones – Neighbourhood Centre Zone (NCZ)				
No.	Provision	Position	Submission	Relief Sought
84.	NCZ - all provisions	Support	These provisions are generally considered appropriate and are supported by the submitter.	Retain these provisions as notified.

Part 3 – Zones – Commercial and Mixed Use Zones – Local Centre Zone (LCZ)				
No.	Provision	Position	Submission	Relief Sought
85.	LCZ - all provisions	Support with amendment	These provisions are generally considered appropriate and are supported by the submitter.	Retain these provisions as notified.

Part 3 – Zones – Commercial Zones – Town Centre Zone				
No.	Provision	Position	Submission	Relief Sought
86.	TCZ – all provisions	Support	These provisions are generally considered appropriate and are supported by the submitter.	Retain these provisions as notified.

Part 3 – Zones – Industrial Zones – General Industrial Zone				
No.	Provision	Position	Submission	Relief Sought
87.	GIZ - all provisions	Support	These provisions are generally considered appropriate and are supported by the submitter.	Retain these provisions as notified.

**SUBMISSION ON PUBLICLY NOTIFIED PROPOSAL FOR POLICY STATEMENT OR
PLAN, CHANGE OR VARIATION**

Clause 6 of Schedule 1, Resource Management Act 1991

To Waimakariri District Council

Name of submitter: Carter Group Property Limited (CGPL)

- 1 This is a submission on the proposed Waimakariri District Plan (the **Proposed Plan**).
- 2 CGPL could not gain an advantage in trade competition through this submission.
- 3 CGPL's submission relates to the entire Proposed Plan.
- 4 CGPL seeks the following decision from the local authority:
 - 4.1 The relief as set out in **Annexure A**.
 - 4.2 Any other similar relief that would address the relief sought by CGPL.
 - 4.3 All necessary consequential amendments.
- 5 CGPL **wishes to be heard** in support of the submission.
- 6 If others make a similar submission, CGPL will consider presenting a joint case with them at a hearing.

Signed for and on behalf of Carter Group Property Limited by its solicitors and authorised agents Chapman Tripp



Jo Appleyard
Partner
26 November 2021

Address for service of submitter:

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ANNEXURE A

The drafting suggested in this annexure reflects the key changes CGPL seeks. Consequential amendment may also be necessary to other parts of the proposed provisions.

CGPL proposes drafting below and seeks that this drafting, or drafting with materially similar effect, be adopted by the Council.

PLANNING MAPS

No.	Provision	Position	Submission	Relief Sought
1.	Zoning - Rural Lifestyle Zone	Oppose	<p>The submitter opposes the RLZ zoning proposed for several Ohoka properties legally described as Lot 2 & 3 DP 318615, Lot 2 & Part Lot 1 DP 8301, Lot 2 DP 61732, Lot 1 DP 55849, Lot 2 DP55404, Part RS 2220, Lot 1 DP 318615 and Part Lot 1 DP 2267 as indicated in the relevant planning map below.</p> <p>The submitter seeks that this site be rezoned a combination of General Residential Zone ('GRZ') including an overlay providing for Educational facilities and retirement village activities, Large Lot Residential Zone ('LLRZ'), Local Centre Zone ('LCZ'), and Open Space Zone ('OSZ').</p>	Amend the planning maps so as to zone the land a combination of GRZ (including an overlay providing for Educational facilities and retirement village activities), LLRZ, LCZ, and OSZ.

No.	Provision	Position	Submission	Relief Sought
				

**FURTHER SUBMISSION IN SUPPORT OF, OR IN OPPOSITION TO,
SUBMISSION ON NOTIFIED PROPOSED POLICY STATEMENT OR PLAN,
CHANGE OR VARIATION**

Clause 8 of Schedule 1, Resource Management Act 1991

To Waimakariri District Council (WDC)

Name of persons making further submission: **Rolleston Industrial Developments Limited (160, 326), Carter Group Property Limited (237), and CSI Property Limited (212) (the Submitters)**

- 1 This is a further submission on submissions on the proposed Waimakariri District Plan.
- 2 The Submitters are persons who have an interest in the proposal that is greater than the interest of the public generally (in that their operations in the Waimakariri district are directly affected by the proposed plan review).
- 3 If others make a similar submission, the Submitters will consider presenting a joint case with them at a hearing.
- 4 The Submitters wish to be heard in support of their further submission.
- 5 The Submitters' further submissions are set out in **Annexure 1**.

Signed for and on behalf of **Rolleston Industrial Developments Limited, Carter Group Property Limited, and CSI Property Limited** by its solicitors and authorised agents Chapman Tripp



Jo Appleyard
Partner
21 November 2022

Address for service of submitter:

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CSI Property Limited**

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ANNEXURE 1: FURTHER SUBMISSIONS

Submitter name	Submission no	Topic/ Provision	Decision requested by submitter	Support/ oppose	Reason for Submitters' support/oppose	Decision sought by Submitters
Peter and Lizzy Anderson	32.1	Planning maps - General	Rezone 1 Tupelo Place, Swannanoa, to Large Lot Residential Zone. Insert a new Outline Development Plan for the site in Part 3 Development Areas.	Support	The Submitters' consider this rezoning request appropriate for the context and location.	Adopt.
Erin Reeve and; Harry Matthews	35.1	Planning maps - General	Rezone 30 Vicenza Drive, Ohoka to Large Lot Residential Zone and the zone's rules, objectives and policies should apply.	Support	The Submitters' consider this rezoning request appropriate for the context and location.	Adopt.
John Gregory	36.1	Planning maps - General	Rezone San Dona subdivision to Rural Residential and support San Dona Olive Group rezoning submission.	Support	The Submitters' consider this rezoning request appropriate for the context and location.	Adopt.
Winston Smith	39.1	Planning maps - General	Rezone San Dona area and 108 Modena Place, Mandeville and the San Dona area of Mandeville from Rural Lifestyle Zone to Large Lot Residential Zone.	Support	The Submitters' consider this rezoning request appropriate for the context and location.	Adopt.
CA and; GJ McKeever	111.1	Planning maps - General	Rezone San Dona as Large Lot Residential Zone with an Urban Flood Assessment Overlay so that there is a consistent	Support	The Submitters' consider this rezoning request appropriate for the context and location.	Adopt.

Submitter name	Submission no	Topic/ Provision	Decision requested by submitter	Support/ oppose	Reason for Submitters' support/oppose	Decision sought by Submitters
			application of provisions across Mandeville North.			
James Brett Weir	161.1	SUB-R10 - Wawahia whenua – Subdivision	Amend zoning from rural to residential between 12 Bush Road and Mill Road (on the even-numbered side of the road).	Support	The Submitters' consider this rezoning request appropriate for the context and location.	Adopt.
Todd Kirk and; Anna Denise Halliday	170.1	Planning maps - General	Rezone San Dona area and 150 Verona Place from Rural Lifestyle Zone to Large Lot Residential Zone.	Support	The Submitters' consider this rezoning request appropriate for the context and location.	Adopt.
Allan and; Melissa Mabey	177.1	Planning maps - General	Rezone 25 Velino Place Mandeville and wider San Dona subdivision from Rural Lifestyle Zone to Large Lot Residential Zone with Urban Flood Assessment Overlay.	Support	The Submitters' consider this rezoning request appropriate for the context and location.	Adopt.
Georgina Alice and; Richard John Hancox	204.1	Planning maps - General	Change the proposed zoning of 10 Sillano Place, Ohoka and the surrounding San Dona subdivision to Large Lot Residential.	Support	The Submitters' consider this rezoning request appropriate for the context and location.	Adopt.

Submitter name	Submission no	Topic/ Provision	Decision requested by submitter	Support/ oppose	Reason for Submitters' support/oppose	Decision sought by Submitters
Gary Robert Marshall	302.1	Planning maps - General	Rezone 104 Vicenza Drive and San Dona to Large Lot Residential Zone, oppose the current Rural Lifestyle Zone.	Support	The Submitters' consider this rezoning request appropriate for the context and location.	Adopt.
Robert Derek Jose	374.1	Planning maps - General	Rezone San Dona area and 23 Velino Place to Large Lot Residential Zone instead of the proposed Rural Lifestyle Zone.	Support	The Submitters' consider this rezoning request appropriate for the context and location.	Adopt.
Steven and; Leisa Williams	375.1	Planning maps - General	Rezone 134 Vicenza Drive and the San Dona area from Rural Lifestyle Zone to Large Lot Residential Zone.	Support	The Submitters' consider this rezoning request appropriate for the context and location.	Adopt.
Allan Wilkinson	376.1	Planning maps - General	Rezone the San Dona area, including 142 Verona Place, to Large Lot Residential Zone instead of the proposed Rural Lifestyle Zone.	Support	The Submitters' consider this rezoning request appropriate for the context and location.	Adopt.
John Victor Mudgway	378.1	Planning maps - General	Rezone the San Dona area to Large Lot Residential Zone, instead of the Rural Lifestyle Zone.	Support	The Submitters' consider this rezoning request appropriate for the context and location.	Adopt.
Michael and; Jo Tyree	381.1	Planning maps - General	Rezone 38 Sillano Place and San Dona area of Mandeville Large Lot Residential Zone.	Support	The Submitters' consider this rezoning request appropriate for the context and location.	Adopt.

Submitter name	Submission no	Topic/ Provision	Decision requested by submitter	Support/ oppose	Reason for Submitters' support/oppose	Decision sought by Submitters
Dylan and Karen Sumers	382.1	Planning maps - General	Rezone San Dona and 197 Siena Place to Large Lot Residential Zone instead of the proposed Rural Lifestyle Zone.	Support	The Submitters' consider this rezoning request appropriate for the context and location.	Adopt.
Ray and; Karen Harpur	388.1	Planning maps - General	Rezone San Dona area and 168 Vicenza Drive to Large Lot Residential Zone instead of the proposed Rural Lifestyle Zone.	Support	The Submitters' consider this rezoning request appropriate for the context and location.	Adopt.
John, Raelene, Darron and; Rachelle Reekers	398.1	Planning maps - General	Rezone the San Dona area of Mandeville to Large Lot Residential Zone (LLRZ) and that LLRZ rules apply.	Support	The Submitters' consider this rezoning request appropriate for the context and location.	Adopt.
Keith Godwin	418.1	Planning maps - General	Rezone San Dona as Large Lot Residential Zone with an Urban Flood Assessment Overlay so that there is a consistent application of provisions across Mandeville North.	Support	The Submitters' consider this rezoning request appropriate for the context and location.	Adopt.
Canterbury Regional Council	316.8	UFD-P2 - Ahuatanga auaha a taone - Urban form and development	Amend UFD-P2 to give effect to Chapter 6 in the Canterbury Regional Policy Statement.	Oppose.	The NPS-UD allows for development outside of the areas in Map A of the CRPS in some circumstances. The Plan must give effect to the NPS-UD.	Reject.

Submitter name	Submission no	Topic/ Provision	Decision requested by submitter	Support/ oppose	Reason for Submitters' support/oppose	Decision sought by Submitters
	316.9	UFD-P3 - Ahuatanga auaha a taone - Urban form and development	Amend UFD-P3 to provide for rural residential development in the part of Waimakariri District that is within the Greater Christchurch area only where it has been identified in an adopted Rural Residential Development Strategy and is in accordance with Canterbury Regional Policy Statement Policy 6.3.9.	Oppose.	The NPS-UD allows for development outside of the areas in Map A of the CRPS in some circumstances. The Plan must give effect to the NPS-UD.	Reject.
	316.10	UFD-P5 - Ahuatanga auaha a taone - Urban form and development	Amend UFD-P5 to give effect to Chapter 6 of the Canterbury Regional Policy Statement.	Oppose.	The NPS-UD allows for development outside of the areas in Map A of the CRPS in some circumstances. The Plan must give effect to the NPS-UD.	Reject.
	316.12	UFD-P7 - Ahuatanga auaha a taone - Urban form and development	Amend policies to recognise the direction contained in Chapter 6 of the Canterbury Regional Policy Statement regarding the location of commercial and industrial development within Greater Christchurch.	Oppose.	The NPS-UD allows for development outside of the areas in Map A of the CRPS in some circumstances. The Plan must give effect to the NPS-UD.	Reject.
	316.13	UFD-P8 - Ahuatanga auaha a taone	Amend policies to recognise the direction contained in Chapter 6 of the Canterbury Regional	Oppose.	The NPS-UD allows for development outside of the areas in Map A of the CRPS in	Reject.

Submitter name	Submission no	Topic/ Provision	Decision requested by submitter	Support/ oppose	Reason for Submitters' support/oppose	Decision sought by Submitters
		- Urban form and development	Policy Statement regarding the location of commercial and industrial development within Greater Christchurch.		some circumstances. The Plan must give effect to the NPS-UD.	
	316.190	K – Kaiapoi – General	Use a regular plan change process rather than certification, to address issues including airport noise, high flood hazard areas, indigenous biodiversity and wetlands, and coastal inundation risk.	Support.	Do not consider it appropriate to include given the significant constraints to development faced by Kaiapoi.	Adopt.

**SUBMISSION ON PUBLICLY NOTIFIED PROPOSAL FOR POLICY STATEMENT OR
PLAN, CHANGE OR VARIATION**

Clause 6 of Schedule 1, Resource Management Act 1991

To Waimakariri District Council (WDC)

Name of submitter: Rolleston Industrial Developments Limited (RIDL)

- 1 This is a submission on Variation 1: Housing Intensification (Medium Density Residential Standards) to the Waimakariri District Plan (the *Proposed Variation*).
- 2 The Proposed Variation was made to the Proposed Waimakariri District Plan (the *Proposed Plan*) under the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (the *Act*).
- 3 RIDL could not gain an advantage in trade competition through this submission.
- 4 RIDL's submission relates to the whole variation. Without limiting this, RIDL seeks the following decision from the local authority:
 - 4.1 The relief set out in **Appendix 1**.
 - 4.2 Any other similar relief that would address the submission of RIDL.
 - 4.3 All necessary consequential changes.
- 5 RIDL wishes to be heard in support of the submission.
- 6 If others make a similar submission, RIDL will consider presenting a joint case with them at a hearing.

Signed for and on behalf of Rolleston Industrial Developments Limited by its solicitors and authorised agents Chapman Tripp



Jo Appleyard
Partner
9 September 2022

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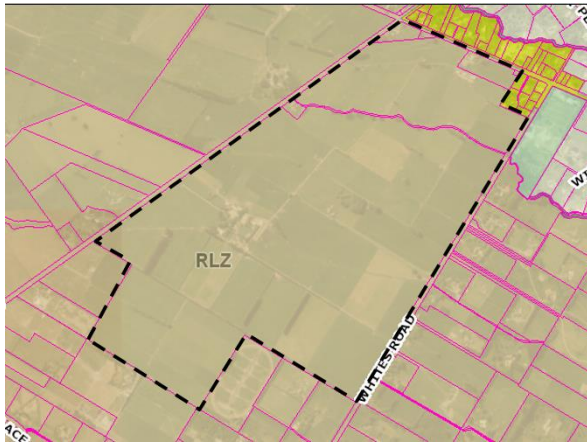
APPENDIX 1

The drafting suggested in this annexure reflects the key changes RIDL seeks. Consequential amendment may also be necessary to other parts of the proposed provisions.

RIDL proposes drafting below and seeks that this drafting, or drafting with materially similar effect, be adopted by the Council.

Suggested amendments and alternative drafting is shown in track change – RIDL's requested deletions are shown using ~~red-strike through~~ and requested insertions shown using red underline.

PLANNING MAPS

No.	Provision	Position	Submission	Relief Sought
1.	New Residential Zones enabled through the Proposed Variation	Oppose	<p>The submitter opposes the Rural Lifestyle Zone (RLZ) zoning proposed for several Ohoka properties legally described as Lot 2 & 3 DP 318615, Lot 2 & Part Lot 1 DP 8301, Lot 2 DP 61732, Lot 1 DP 55849, Lot 2 DP55404, Part RS 2220, Lot 1 DP 318615 and Part Lot 1 DP 2267 as indicated in the relevant planning map below.</p> 	<p>Amend the planning maps so as to zone the subject land a combination of MDRZ, LLRZ, LCZ, and OSZ as indicated in Appendix 2.</p> <p>The nature of this submission is such that relief is sought to enable the equivalent outcomes as sought in the PC31 request, and accordingly, consequential changes may be required to other provisions in the Proposed Variation in order to provide the requested relief.</p>

No.	Provision	Position	Submission	Relief Sought
			<p>This land is subject to a request for a private plan change (<i>PC31</i>) to the Operative District Plan that proposes an extension of the existing Ohoka settlement. The PC31 request seeks to change the zoning of the land from Rural to a combination of Residential 3 Zone, Residential 4A Zone, Business 4 Zone and a new Residential 8 Zone. PC31 would enable up to 850 households, local services, and either a school or retirement village on the subject land.</p> <p>A copy of the plan change request, providing detailed justification in support of the proposed zoning of the land, can be found at the following web link: https://www.waimakariri.govt.nz/planning/district-plan/district-plan-changes/private-plan-changes</p> <p>RIDL submitted on the Proposed Plan seeking equivalent zones as sought in PC31 of General Residential Zone (<i>GRZ</i>), Large Lot Residential Zone (<i>LLRZ</i>), Local Centre Zone (<i>LCZ</i>), and Open Space Zone (<i>OSZ</i>). The GRZ sought in that submission is a relevant residential zone under the Act.</p> <p>Accounting for this, Rural Lifestyle zoning is not appropriate, and the land should be zoned in accordance with the request for PC31. Within this rezoning, it is appropriate that some of the site should further be zoned Medium Density Residential Zone (<i>MDRZ</i>) under this Proposed Variation.</p> <p>RIDL considers the appropriate location for the MDRZ zoning sought within the PC31 site are those areas proposed to be rezoned Residential 3 and Residential 8 in PC31 (and for which RIDL sought GRZ zoning under its submission on the Proposed Plan).¹ An ODP indicatively showing the relief sought in this submission is included at Appendix 2.</p>	

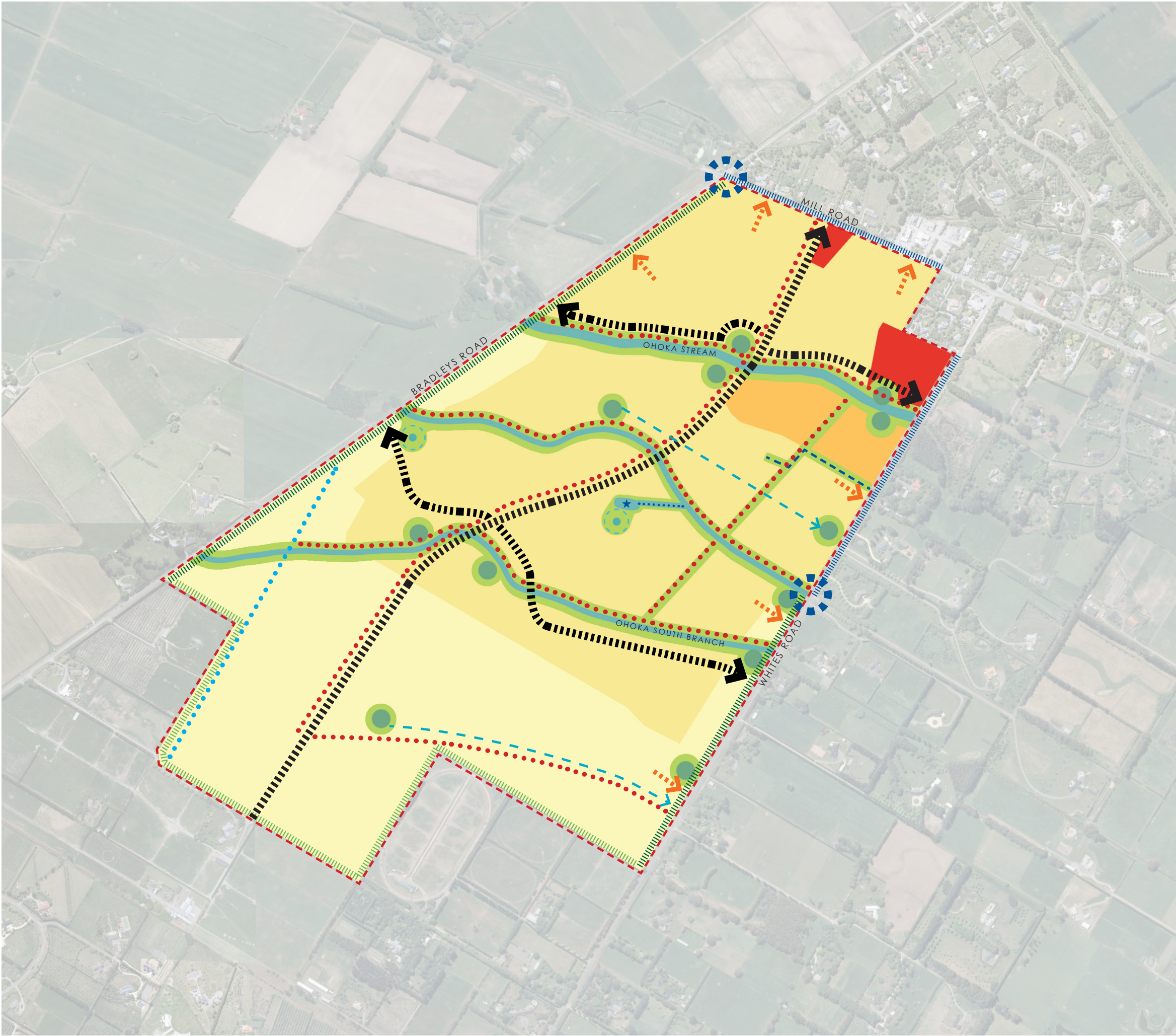
¹ Noting that the MDRZ sits under the proposed 'Education / Retirement Village Overlay'.

No.	Provision	Position	Submission	Relief Sought
			Notably, the PC31 site is not subject to any identified Qualifying Matter in the Proposed Variation.	

APPENDIX 2

LEGEND

- Outline Development Plan Area
- Medium Density Residential Zone (MDRZ)
- Large Lot Residential Zone (LLRZ)
- Education / Retirement Village Overlay
- Local Centre Zone (LCZ)
- Indicative Road
- Indicative Local Road Connection
- Threshold / Gateway
- Indicative Pedestrian Network
- Indicative Stormwater Management Areas (size and location to be confirmed)
- Existing / Naturalised Waterways
- Existing Springs and Associated Setback
- Stomwater Conveyance Flow Path
- Groundwater Seep
- Existing Pond (size and location to be confirmed)
- Southern Spring Channel
- Green Network / Open Space Zone (OSZ)
- Landscape Treatment A
- Landscape Treatment B
- Extent of Road Frontage Upgrade
- Overhead 66kV Power Lines



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CHANGE OR VARIATION**

Clause 8 of Schedule 1, Resource Management Act 1991

To Waimakariri District Council (WDC)

Name of persons making further submission: **Rolleston Industrial Developments Limited (60) (RIDL)**

- 1 This is a further submission on submissions on the proposed Waimakariri District Plan Variation which WDC was required to notify under the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (the *EHS*) to incorporate the Medium Density Residential Standards (*MDRS*).
- 2 RIDL is a person who has an interest in the proposal that is greater than the interest of the public generally (in that their operations in the Waimakariri district are directly affected by the proposed plan review).
- 3 If others make a similar submission, RIDL will consider presenting a joint case with them at a hearing.
- 4 RIDL wish to be heard in support of their further submission.
- 5 RIDL's further submissions are set out in **Annexure 1**.

Signed for and on behalf of **Rolleston Industrial Developments Limited** by its solicitors and authorised agents Chapman Tripp



Jo Appleyard
Partner
21 November 2022

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ANNEXURE 1: FURTHER SUBMISSIONS

Submitter name	Submission no	Topic/ Provision	Decision requested by submitter	Support/ oppose	Reason for RIDL's support/oppose	Decision sought by RIDL
Kainga Ora - Homes and Communities	80	Whole of submission	Refer to original submission	Generally support	<p>RIDL supports the relief sought in this submission to the extent it is generally consistent with its position in its original submission on the Proposed Plan (submitter number 160 and 326).</p> <p>For the avoidance of doubt, RIDL does <u>not</u> support the submitter's relief seeking to remove the airport noise contours as a qualifying matter.</p>	Adopt to the extent consistent with RIDL's original submission on the Proposed Plan.

Waimakariri District Council Proposed Waimakariri District Plan

Recommendations of the IHP Hearings Panel

Recommendation Report 35

Hearing Stream 12D – Maps – Rezoning – Ōhoka PDP and Variation 1

This report should be read in conjunction with **Report 1** and **Recommendation Reports 2 and 3**.

Report 1 contains an explanation of how the recommendations in all subsequent reports have been developed and presented, along with a glossary of terms used throughout the reports, a record of all Panel Minutes, a record of the recommendation reports and a summary of overarching recommendations. It does not contain any recommendations per se.

Recommendation Report 2 contains the PDP Panel's recommendations on the PDP's Part 2: District-wide Matters – Strategic directions - SD Strategic directions objectives and policies.

Recommendation Report 3 contains the PDP Panel's recommendations on the PDP's Part 2: District-wide Matters – Strategic directions - UFD Urban Form and Development objectives and policies.

Appendix 1: Schedule of attendances

Appendix 2: Recommended amendments to the Proposed Plan – Tracked from notified version (provisions not consequentially renumbered)

The Independent Hearings Panel for the purposes of **Hearing Stream 12D** comprised Commissioners Gina Sweetman (Chair), Allan Cubitt, Gary Rae and Megen McKay.

1. Introduction

Report outline and approach

1. This is Report 35 of 37 Recommendation Reports prepared by the PDP and IHP Hearings Panels appointed to hear and make recommendations on submissions on the Proposed Waimakariri District Plan (PDP) and Variation 1 to the PDP (Var 1). In accordance with the Panels' Minute 1, this report has been prepared by the IHP appointed to hear submissions on the Maps: Rezoning – Ōhoka under the PDP and Variation 1.
2. The report addresses the submissions on the PDP and Var 1 received by Rolleston Industrial Developments Ltd and Carter Group Property Ltd. These submissions sought to rezone an area adjacent to Ōhoka from Rural Lifestyle Zone to:
 - (a) a number of specified urban zones under the PDP
 - (b) a number of specified urban zones under Var 1, including the Medium Density Residential Zone
3. We have structured our discussion on this topic and other rezoning requests differently to our other Recommendation Reports, as the rezoning requested is the focus of the decision sought by the submitter. In this instance, however, we note that the submitters have also sought amendments to the PDP as consequential amendments through evidence presented at the hearing.
4. This Recommendation Report contains the following appendices:
 - (a) **Appendix 1: Schedule of attendances** at the hearing on this topic. We refer to the parties concerned and the evidence they presented throughout this Recommendation Report, where relevant.
 - (b) **Appendix 2: Summary table of recommendations on each submission point.** For each submission point and further submission point, we provide a recommendation as to whether it should be accepted or rejected.
5. We record that we have taken into account all submissions and further submissions to the PDP and Var 1 on Rezoning: Ōhoka in our deliberations.
6. In accordance with the approach set out in Report 1, this Report focuses only on 'exceptions', where we do not agree fully or in part with the s42A report author's recommendations and / or reasons, and / or have additional discussion and reasons in respect to a particular submission point, evidence at the hearing, or another matter.
7. The requirements in clause 10 of the First Schedule of the Act and s32AA are relevant to our considerations of the Rezoning: Ōhoka submissions received. These are outlined in full in Report 1. In summary, these provisions require among other things:
 - (a) our evaluation to be focussed on changes to the PDP or Variation 1 arising since the notification of the PDP and Variation 1 and its s32 reports;

- (b) the provisions to be examined as to whether they are the most appropriate way to achieve the objectives (in this instance the maps, Development Area provisions and amendments to the PDP chapters); and
 - (c) as part of that examination, that:
 - i. reasonable alternatives within the scope afforded by submissions on the provisions and corresponding evidence are considered;
 - ii. the efficiency and effectiveness of the provisions is assessed;
 - iii. the reasons for our recommendations are summarised; and
 - iv. our report contains a level of detail commensurate with the scale and significance of the changes recommended.
8. We have not produced a separate evaluation report under s32AA, particularly since our recommendation is to reject the submissions seeking rezoning. Where we have adopted the recommendations of Council's s42A report authors, we have adopted their reasoning, unless expressly stated otherwise. This includes the s32AA assessments attached to the relevant s42A Reports and/or Reply Reports. Those reports are part of the public record and are available on the Council website. Where our recommendation differs from the s42A report authors' recommendations, we have incorporated our s32AA evaluation into the body of our report as part of our reasons for recommended amendments, as opposed to including this in a separate table or appendix.
9. A fuller discussion of our approach in this respect is set out in Section 5 of Report 1.

2. Summary of Rezoning: Ōhoka

10. As outlined earlier, Rolleston Industrial Developments Ltd¹ and Carter Group Property Ltd² sought to rezone an area adjacent to the existing settlement of Ōhoka from Rural Lifestyle Zone to a number of specified urban zones. This was to enable a residential development supported by a local commercial centre and open space. The relief sought in Rolleston Industrial Developments Ltd³ states that:
- "The nature of this submission is such that relief is sought to enable the equivalent outcomes as sought in the PC31 request, and accordingly, consequential changes may be required to other provisions in the Proposed Variation in order to provide the requested relief."*
11. The submission on the PDP sought:
- (a) The rezoning of the subject land⁴ to General Residential Zone with a portion subject to an Education/Retirement Village Overlay, Large Lot Residential Zone and Open Space Zone
 - (b) The rezoning of the existing Ōhoka Settlement Zone to General Residential Zone.

¹ 160.1 and 160.2 and V1 60.1

² 237.1

³ 160.1

⁴ Lot 2 & 3 DP 318615, Lot 2 & Part Lot 1 DP 8301, Lot 2 DP 61732, Lot 1 DP 55849, Lot 2 DP55404, Part RS 2220, Lot 1 DP 318615 and Part Lot 1 DP 2267

12. The submission on Var 1 sought the rezoning to a combination of Medium Density Residential Zone, Large Lot Residential Zone, Local Commercial Zone and Open Space Zone. It did not seek the rezoning of the Ōhoka Settlement Zone.
13. At the end of 2023, the Council declined Proposed Private Plan Change RCP031, (requested by Rolleston Industrial Developments Ltd and Carter Group Property Ltd) to the Operative District Plan, which sought to rezone the same land that is the subject of the Rolleston Industrial Developments Ltd and Carter Group Property Ltd submissions to the PDP and Var 1. Rolleston Industrial Developments Ltd and Carter Group Property Ltd appealed the Council's decision to the Environment Court. The Council's decision was made available to us through the hearings process, and we reviewed it alongside the other evidence provided to us.
14. Hearings on Rezoning: Ōhoka were held over 1 to 3 July and on 4 November 2024. Expert conferencing occurred between the two hearing dates, which culminated in a number of joint witness statements. Copies of all hearing information, including the section 42A reports, s42A report authors' responses to preliminary questions and Reply report, submitter evidence and joint witness statements are available on the Council website.
15. We note that there was an evolution of the relief sought by Rolleston Industrial Developments Ltd and Carter Group Property Ltd for the rezoning through the hearings process:
 - (a) The General Residential Zone sought in the PDP was amended to a Settlement Zone (or a General Residential Zone "if we preferred")
 - (b) The Open Space Zone sought in the PDP was amended to a Natural Open Space Zone
 - (c) The Medium Density Residential Zone sought through Var 1 was amended to a General Residential Zone.
16. We also record that there was discussion and debate through the hearing process on whether Rolleston Industrial Developments Ltd had scope under Var 1 to seek the rezoning of the Ōhoka land as requested. We have not addressed this matter specifically in this recommendation report, given our recommendation below to reject the submissions under both the PDP and Var 1.

3. Recommendation

Overview

17. Having carefully read through the submissions and all the evidence presented to us, the IHP agrees with the s42A report author's recommendations and recommends to the Council that they reject the following submissions:
 - (a) Rolleston Industrial Developments Ltd and
 - (b) Carter Group Property Ltd.

Reasons

18. The IHP largely agrees with the reasons for rejecting the submissions as set out in paragraph 139 of the s42A report author's final Reply Report. We record here that, overall, we consider Mr Willis provided a very comprehensive and well-reasoned response to the contentious issues before us. There are some areas where we have provided additional commentary, expanded or taken a different position to Mr Willis's reasons as follows in this section.
19. We agree that it has not been demonstrated that there is a specific demand for housing in this particular location of the District, nor that the NPS-UD requires that a council must provide housing at this level of granularity.
20. We do not necessarily agree that any new growth areas need to be adjacent to one of the three existing residential areas within the District; however, we find that when a new growth area is proposed, it does need to demonstrate that it gives effect to the objectives and policies in both the NPS-UD and the RPS, with the RPS policies still needing to be considered.
21. From the evidence presented, including the final draft provisions put to us for our consideration, we agree that what the submitters are requesting through rezoning is not dissimilar to what is already offered in existing and proposed greenfield areas within the District. We acknowledge the Master Plan shows a well-designed development of the site; however, it is at scale that we agree would be incongruous with the existing Ōhoka settlement and the surrounding area.
22. While the development internally may be well-connected and accessible, we concur that it is not well-connected or accessible in respect to the rest of the District/Region. We agree that future residents would likely be mostly reliant on private vehicles even with the offered bus service. In respect of the bus service, we consider that there was outstanding uncertainty as to whether the provisions offered by the submitters were enforceable and there was also uncertainty about what would happen once the ten-year period had passed. We also agree with the s42A report author and Council experts that the area is not accessible to other urban areas by bicycle, given the distances to those areas and the reliance on rural roads. Further, we also agree that the reliance on private vehicles is not consistent with the NPS-UD in respect of supporting reductions in GHG.
23. In respect of infrastructure provision, we accept the planners' joint witness statement in respect of the application of Policy 8 of the NPS-UD:

"Certainty is required that infrastructure can be provided (i.e. physically), not that it is in place, planned, funded or identified in an LTP. The counterfactual would otherwise illogically preclude most or all Policy 8 proposals, given that adequate infrastructure would rarely, if ever, be in place, planned or funded for significant development proposals (with presumably significant infrastructure requirements) that are 'unanticipated' or 'out of sequence'."

24. We asked a number of questions of several witnesses at the hearing regarding the inherent difficulties for a developer obtaining all necessary roading agreements from the authorities in advance of consideration of a rezoning proposal. While we acknowledge these difficulties, we find there remains considerable uncertainty about whether the State Highway upgrade required is feasible, if and when those works, along with the other roading upgrades necessary, may be funded and undertaken. . We also find that there are increased safety risks from the significantly increased use of the rural roads that would arise from this rezoning request without upgrade works occurring.
25. We appreciate that triggers have been proposed in the provisions sought to ensure that the number of residential allotments created does not exceed specific numbers before specified upgrades have occurred. However, we find that the uncertainty discussed above and the staging of works set by the provisions brings into question whether the development, and the outcomes promised by the submitters, can be realised. This is particularly the case for the State Highway upgrades. We consider that in order to recommend that the Council rezone a substantial amount of land for residential purposes, we must first be satisfied that most, if not all, of that land can and will be developed for residential purposes. However, the proposed trigger for significant roading improvement works is set at a relatively low level of development leaving us with uncertainty that our recommendation to rezone all of the land would be soundly based.
26. Taking into account the evidence produced in the s42A report authors' Reply Reports⁵ and overarching Reply Report, we find that the Council has clearly demonstrated that sufficient development capacity is provided in the short, medium and long term, and there is no shortfall arising that would provide a strong impetus for this requested rezoning to be considered more favourably. In addition, the Panel is also mindful that we and the PDP Hearings Panel have, as a result of the other rezoning hearings, recommended a substantial amount of additional land be rezoned, which will provide even further capacity.
27. We acknowledge that the NPS-UD does not constrain the consideration of rezoning requests that are out of sequence with planned development or are unanticipated by planning documents; however, in this instance, we agree with the s42A report author that the proposed rezoning would not contribute to well-functioning urban environments and would not give effect to the NPS-UD. Further, we also agree that the rezoning would not give effect to the RPS and the PDP's proposed objectives and policies in respect to urban growth and development.

4. Conclusion

28. For the reasons summarised above, we recommend that the submissions from Rolleston Industrial Developments Ltd and Carter Group Property Ltd be rejected.

⁵ In particular those of Mr Peter Wilson and Mr Andrew Willis

Appendix 1:**Submitter attendance and tabled evidence for Ohoka - Hearing Stream 12D**

Attendee	Speaker	Submitter No.
Council Reporting Officer	<ul style="list-style-type: none">• Andrew Willis• Andrew Murray• Rodney Yeoman• Chris Bacon• Shane Binder• Colin Roxburgh• Peter Wilson	N/A
Ohoka Residents Association	<ul style="list-style-type: none">• Phillip Maw• Russell Pegler• David Nixon	FS84 FS137
Rolleston Industrial Developments Limited	<ul style="list-style-type: none">• Jo Appleyard• Chris Sexton• Nicole Lauenstein• Tim Carter• Garth Falconer• Dave Compton-Moen• Tony Milne• Nick Fuller• Simon Milner• Paul Farrelly• Carl Davidson• Chris Jones• Gary Sellars• Gregory Akehurst• Natalie Hampson• Gabrielle Wall• Victor Mthamo• Jeremy Phillips• Tim Walsh	237
Oxford-Ohoka Community Board	<ul style="list-style-type: none">• Richard Knott• Nick Keenan• Kim Goodfellow• Andrew Metherell• Nick Boyes• Andrew Schulte• Sarah Barkle	FS62 V1 FS9
Tabled Evidence		
N/A	<ul style="list-style-type: none">• N/A	N/A

Submitter attendance and tabled evidence for Ohoka - Hearing Stream 12D (reconvened)

Attendee	Speaker	Submitter No.
Planning Officer	<ul style="list-style-type: none">• Andrew Willis	N/A
Rolleston Industrial Developments Limited	<ul style="list-style-type: none">• Jo Appleyard• Ben Throssell• Bas Veendrick• Jeremy Phillips• Tim Walsh	237
Oxford-Ohoka Community Board	<ul style="list-style-type: none">• Andrew Schulte• Andrew Metherell• Nick Boyes• Nick Keenan	FS62 V1 FS9
Tabled Evidence		
N/A	<ul style="list-style-type: none">• N/A	N/A

**APPENDIX E - LIST OF NAMES AND ADDRESSES OF PERSONS TO BE
SERVICED WITH A COPY OF THIS NOTICE**

Number	Submitter name	Address for service
FS36	J W & C Docherty	j.docherty@xtra.co.nz
FS38	I.W and L.M. Bisman	i.biz@xtra.co.nz
FS41	D Cowley	fiona@astonconsultants.co.nz
FS48	Waimakariri District Council	andrew.schulte@cavell.co.nz
FS51	P & M Driver	pdriver@slingshot.co.nz
FS56	E Liddell	jwaejl334@gmail.com
FS60	M Hewitt	martin_hewitt@xtra.co.nz
FS61	C Mullins	kate.mullins@xtra.co.nz
FS62	Oxford Ohoka Community Board	kay.rabe@wmk.govt.nz
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FS120	C Marsden	cjmarsden1@me.com

FS128	R Hall	rob.w.hall@aol.com
FS130	D & E Brady	<i>*Details withheld – DP Administrator will pass on</i> developmentplanning@wmk.govt.nz
FS132	J Hadfield	loyds.scully@duncancotterill.com
FS136	E Wood	emma@manaia.org.nz