

**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



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Partner  
26 November 2021

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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"> <li>1.is consolidated and integrated with the urban environment;</li> <li>2.that recognises existing character, amenity values, and is attractive and functional to residents, businesses and visitors;</li> <li>3.utilises the District Council’s reticulated wastewater system, and potable water supply and stormwater infrastructure where available;</li> </ol>

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 <del>around which</del> for residential development and intensification <del>can occur</del>.</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"> <li>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</li> <li>2. ensuring that within rural areas the establishment and operation of rural production activities are not limited by new incompatible sensitive activities.</li> </ol>

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, <del>avoid</del> 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. <del>, but may be limited notified.</del></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.

