

**OFFICER'S REPORT FOR:**

**Hearing Commissioners**

**SUBJECT:**

**Proposed Waimakariri District Plan: Whaitua  
Ahumahi - Industrial Zones**

**PREPARED BY:**

**Andrew Willis**

**REPORT DATED:**

**13 March 2024**

**DATE OF HEARING:**

**Hearing Stream 9A - Beginning 17<sup>th</sup> April 2024**



**WAIMAKARIRI**  
DISTRICT COUNCIL

## Executive Summary

1. This report considers submissions received by the Council in relation to the relevant Industrial zone objectives, policies, rules and definitions of the Proposed Plan. The report outlines recommendations in response to the issues that have emerged from these submissions.
2. There were 262 primary submissions on the Industrial Zone provisions. The submissions received were diverse and sought a range of outcomes. The following are considered to be the key issues in contention in the chapter:
  - Whether to keep or delete the LIZ;
  - The activity status of supermarkets across the INZs;
  - The activity status of education facilities across the INZs;
  - The activity status of general retail in the GIZ;
  - Providing for emergency services in the HIZ;
  - Management of effects beyond site boundaries;
  - Including recognition of functional need to locate in INZs;
  - Inclusion of provisions for major electricity distribution lines;
  - Providing for ancillary offices in the HIZ;
  - The land-based disposal and treatment of sewage and wastewater.
3. This report addresses each of these matters, as well as any other issues raised by submissions.
4. I have recommended some changes to the Proposed Plan provisions to address matters raised in submissions as set out in **Appendix A**. The key changes are:
  - Changes to the definition of 'heavy industry' and the industrial activity nesting table;
  - Minor changes to the INZ introduction for clarity and greater alignment with the chapter provisions;
  - Changes to INZ-O2, INZ-P2, and GIZ-P1 to refer to 'functional need';
  - Changes to INZ-P2 to refer to 'significant' adverse effects;
  - Changes to INZ-O3 and INZ-P6 to enable consideration of effects beyond the zone interface;
  - Addition of a cross reference to the EI chapter for major electricity distribution lines;
  - Changes to the outdoor storage screening requirements in the GIZ for safety purposes;
  - Minor changes to HIZ-O1 and HIZ-P1 to improve clarity and application;
  - Addition of primary production as a permitted activity standard in the HIZ;
  - Deletion of the maximum office GFA in the HIZ;
  - Changes to the height limit in the HIZ.

5. Having considered all the submissions and reviewed all relevant statutory and non-statutory documents, I recommend that the Proposed Plan should be amended as set out in **Appendix A** of this report.
6. For the reasons set out in the Section 32AA evaluation (**Appendix C**), I consider that the proposed objectives and provisions, with the recommended amendments, will be the most appropriate means to:
  - a. achieve the purpose of the RMA where it is necessary to revert to Part 2 and otherwise give effect to higher order planning documents, in respect to the proposed objectives, and
  - b. achieve the relevant objectives of the Proposed Plan, in respect of the proposed provisions.

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## Interpretation

7. Parts A and B of the Officer's report utilise a number of abbreviations as set out in Tables 1 and 2 below.

**Table 1: Abbreviations**

Abbreviation	Means
Commercial and Industrial s32	Commercial and Mixed Use, Industrial and Special Purpose (Museum and Conference Centre) Zones chapters
CRPS	Canterbury Regional Policy Statement
DIS	Discretionary activity
GIZ	General Industrial Zone
GFA	Gross Floor Area
HIZ	Heavy Industrial Zone
IE	Infrastructure and Energy Chapter
INZs	Industrial Zones
LIZ	Light Industrial Zone
KAC	Key Activity Centre
NATC	Natural Character of Freshwater Bodies Chapter
NPS	National Planning Standards
NPS-UD	National Policy Statement on Urban Development 2020
Operative Plan	Operative Waimakariri District Plan
Proposed Plan	Proposed Waimakariri District Plan
RDIS	Restricted discretionary activity
RMA	Resource Management Act 1991
SD	Strategic direction(s)
The Council	Waimakariri District Council / territorial authority
UFD SD	Urban form and development strategic direction(s)

**Table 2: Abbreviations of Submitters' Names**

Abbreviation	Means
CIAL	Christchurch International Airport Ltd
Corrections	Ara Poutama Aotearoa the Department of Corrections
Daiken	Daiken New Zealand Limited
DOC	Department of Conservation
Foodstuffs	Foodstuffs South Island Limited & Foodstuffs (South Island) Properties Limited
House Movers	House Movers Section of New Zealand Heavy Haulage Association - Stuart Ryan; Jonathan Bhana-Thomson
KiwiRail	KiwiRail Holdings Limited
MainPower	MainPower NZ Limited
MoE	The Ministry of Education
RDL	Ravenswood Developments Limited
RIDL	Rolleston Industrial Developments Limited

Abbreviation	Means
Waka Kotahi	Waka Kotahi NZ Transport Agency
Ngai Tahu	Ngai Tahu Property



# 1 Introduction

## 1.1 Purpose

8. The purpose of this report is to provide the Hearing Panel with a summary and analysis of the submissions received on the Industrial zones (INZs) and to recommend possible amendments to the Proposed Plan in response to those submissions.
9. This report is prepared under section 42A of the RMA. It considers submissions received by the Council in relation to the relevant objectives, objectives, policies, rules and definitions as they apply to the INZs in the Proposed Plan. The report outlines recommendations in response to the key issues that have emerged from these submissions.
10. This report discusses general issues or topics arising from the original and submissions received following notification of the Proposed Plan, makes recommendations as to whether or not those submissions should be accepted or rejected, and concludes with a recommendation for changes to the Proposed Plan provisions based on the preceding assessment in the report.
11. The recommendations are informed by supporting technical evidence as identified below, together with references to the Operative Plan where relevant. In preparing this report the author has had regard to recommendations made in other related s42A reports.
12. This report is provided to assist the Hearings Panel in their role as Independent Commissioners. The Hearings Panel may choose to accept or reject the conclusions and recommendations of this report and may come to different conclusions and make different recommendations, based on the information and evidence provided to them by submitters.
13. This report is intended to be read in conjunction with the Officers' Report: Part A – Overview which contains factual background information, statutory context and administrative matters pertaining to the district plan review and Proposed Plan.

## 1.2 Author

14. My name is Andrew Willis. My qualifications and experience are set out in **Appendix E** of this report.
15. My role in preparing this report is that of an expert planner.
16. I was involved in the preparation of the Proposed Plan and authored the Industrial zone chapters and the Section 32 Evaluation Report for these chapters.
17. Although this is a District Council Hearing, I have read the Code of Conduct for Expert Witnesses contained in the 2023 Practice Note issued by the Environment Court. I have complied with that Code when preparing my written statement of evidence and I agree to comply with it when I give any oral evidence.
18. The scope of my evidence relates to the INZs. I confirm that the issues addressed in this statement of evidence are within my area of expertise as an expert policy planner.
19. Any data, information, facts, and assumptions I have considered in forming my opinions are set out in the part of the evidence in which I express my opinions. Where I have set out opinions in my evidence, I have given reasons for those opinions.

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

### 1.3 Supporting Evidence

21. The expert evidence, literature, legal cases or other material which I have used or relied upon in support of the opinions expressed in this report includes the following:
- The evidence of Mr Foy (Formative) in relation to market economics (**Appendix D**);
  - The Proposed Waimakariri District Plan Section 32 (Commercial and Industrial);
  - The Rangiora Town Centre Strategy Blueprint to 2030+ (July 2020);
  - The Kaiapoi Town Centre Plan 2028 and Beyond (2018).

### 1.4 Key Issues in Contention

22. The submissions received on the INZs were diverse and sought a range of outcomes, ranging from detailed changes to objectives, policies and rules to deletion of the LIZ.
23. I consider the following to be the key issues in contention in the chapter:
- The status of supermarkets and education facilities across the INZ;
  - Recognising functional need to locate within the INZs; and
  - Whether to have a LIZ;
24. These issues are addressed in this report, as well as the other issues raised by submissions.

### 1.5 Procedural Matters

25. At the time of writing this report there have been no formal pre-hearing meetings or expert witness conferencing. However, there have been:
- a) correspondence with Ravenswood Developments Limited (RDL) regarding PC30 (Ravenswood) and the approach to the re-zoning hearings (Hearing Stream 12);
  - b) correspondence with Ngai Tahu Property [411] concerning their submissions on the LIZ and Southern Capital Limited [131.1] concerning their re-zoning request to the LIZ; and
  - c) correspondence with Daiken's planning consultant concerning Daiken's submission.
26. RDL made a number of submissions on the INZ provisions given their development at Ravenswood in North Woodend. At the time of drafting the Proposed Plan, PC30, which proposed significant re-zoning and other changes to the Operative Plan, was being heard by an independent hearings panel. As no decision had been released by the Panel, to avoid pre-empting the panel decision, the Operative Plan zoning for Ravenswood was carried over into the Proposed Plan. The hearings panel ultimately declined PC30 (November 2021). The Panel's decision was appealed by RDL. A mediated settlement between the parties was reached via consent order and its provisions were made operative on 26 June 2023.
27. Since the Proposed Plan had already been notified by the time the consent order was agreed, the changes required to the Proposed Plan to apply the consent order needed to be progressed either via submissions, a variation or a plan change. RDL have submitted on various rules in the

Proposed Plan and sought re-zonings to provide for the Ravenswood development. In this report, these submission have been assessed on their merit, without specific reference to the consent order and the location and extent of the areas sought to be re-zoned, except where the recommendation is best left to the re-zoning hearings (Hearing Stream 12).

28. I note that PC30 only changed the Operative Plan (under that objective framework). Because of timing and because it was a plan change to the Operative Plan's framework, PC30 has not specifically dictated or been integrated into the Proposed Plan's provisions. The relevance and importance of the Proposed Plan provisions to the Ravenswood development is influenced by the location and extent of the re-zoning changes which are not being heard until Hearing Stream 12. I note I have not seen evidence relating to the Proposed Plan rezonings. For this reason, it is anticipated that further s42A recommendations will be made on the appropriateness of the INZ provisions (as they apply to the site), with reference to the consent order at Hearing Stream 12, when the full extent of the various requested zonings and their locations from RDL and other submitters are assessed.

## 1.6 Background information on the industrial zones

29. Background on the industrial provisions is set out the Commercial and Industrial s32 report. Of note:
- Table 1 (page 6) sets out the relevant district plan changes to the Operative Plan that have created some of the industrial areas in the District;
  - Section 4.5, 4.6 and 4.7 (beginning on page 27) set out identified industrial issues;
  - Section 5.5.1 (page 32) explains the approach taken to applying the National Planning Standard's zone framework to the existing zones in the Operative Plan;
  - Section 5.5.1.1 covers the Southbrook industrial area and explains why some areas have been proposed to be retained as industrial, whereas other areas are proposed to be re-zoned to LFRZ in the Proposed Plan; and
  - Section 5.5.1.2 sets out the rationale for the Proposed Plan's approach to the industrial areas of North Woodend / Ravenswood.

## 2 Statutory Considerations

### 2.1 Resource Management Act 1991

30. The Proposed Plan has been prepared in accordance with the RMA and in particular, the requirements of:
- section 74 Matters to be considered by territorial authority, and
  - section 75 Contents of district plans,
31. There are a number of higher order planning documents and strategic plans that provide direction and guidance for the preparation and content of the Proposed Plan. These documents are discussed in detail within the Section 32 evaluation report for the Commercial and Mixed Use, Industrial and Special Purpose (Museum and Conference Centre) Zones chapters (Commercial and Industrial s32).

### 2.2 Section 32AA

32. I have undertaken an evaluation of the recommended amendments to provisions since the initial section 32 evaluation was undertaken in accordance with s32AA. Section 32AA states:

***32AA Requirements for undertaking and publishing further evaluations***

*(1) A further evaluation required under this Act—*

*(a) is required only for any changes that have been made to, or are proposed for, the proposal since the evaluation report for the proposal was completed (the changes); and*

*(b) must be undertaken in accordance with section 32(1) to (4); and*

*(c) must, despite paragraph (b) and section 32(1)(c), be undertaken at a level of detail that corresponds to the scale and significance of the changes; and*

*(d) must—*

*(i) be published in an evaluation report that is made available for public inspection at the same time as the approved proposal (in the case of a national policy statement or a New Zealand coastal policy statement or a national planning standard), or the decision on the proposal, is notified; or*

*(ii) be referred to in the decision-making record in sufficient detail to demonstrate that the further evaluation was undertaken in accordance with this section.*

*(2) To avoid doubt, an evaluation report does not have to be prepared if a further evaluation is undertaken in accordance with subsection (1)(d)(ii).*

33. The required section 32AA evaluation for changes proposed as a result of consideration of submissions with respect to the INZs is appended to this report as **Appendix C**.

### **2.3 Trade Competition**

34. There are no identified trade competition issues raised within the submissions. However, it should be noted that the proposed provisions seek to manage industrial and other commercial activities in order to support the function and role of the industrial zones, as well as a centres hierarchy and as such, recommendations on the provisions may have consequences which influence business competitiveness.

### 3 Consideration of Submissions and Further Submissions

#### 3.1 Overview

35. There were over 262 primary submissions on the INZs, many of which were in support. Many submissions were general in nature, while others were on specific provisions.

##### 3.1.1 Report Structure

36. The submissions on the INZs raised some general issues and some consistent themes, but were principally applied to particular provisions, often with requested detailed changes. I consider that while there is some similarity in the submissions (and accordingly the recommendations) on a topic-by-topic basis, that the different characteristics of the industrial environments should be considered when making recommendations on the submissions. I have therefore structured this report principally on a provision-by-provision basis (as opposed to a topic basis), following the layout of the industrial zones, beginning with general submissions and noting where an issue has already been assessed.
37. Where there are submissions seeking changes to a provision as well as submissions in support of the provision, I have noted these submissions in support, but not separately identified the submitters unless relevant to the assessment. Where there are only submissions in support of a provision I have not addressed the provision or submissions in the body of this report, but they are covered in **Appendix B**. I have not addressed further submissions in the body of this report as my recommendations in relation to further submissions reflect the recommendations on the relevant primary submission. Further submissions are however covered in **Appendix B**.
38. The following evaluation should be read in conjunction with the summaries of submissions and the submissions themselves. Where I have undertaken an assessment of the merits of a submission, the evaluation and recommendations are set out in the body of this report. I have provided a marked-up version of the chapters with recommended amendments in response to submissions as **Appendix A**.
39. This report only addresses definitions that are specific to the INZs. Definitions that relate to more than one topic have been addressed in Hearing Stream 1. There are also submissions on commercial definitions which have been addressed in the Commercial and Mixed-Use Zone s42A officer report prepared for Hearing Stream 9.

##### 3.1.2 Format for Consideration of Submissions

40. I have considered the submissions that are seeking changes to the Proposed Plan in the following format:
- Matters raised by submitters;
  - Assessment;
  - Summary of recommendations; and
  - Recommended changes to the Proposed Plan.

The recommended amendments to the relevant chapters are also set out in **Appendix A** of this report where all text changes are shown in a consolidated manner. I have also undertaken a

s32AA evaluation in respect to all the recommended amendments in my assessment as contained in **Appendix C**.

## 3.2 Definitions

### 3.2.1 Definitions nesting table for Industrial activity

#### 3.2.1.1 Matters raised by submitters

41. There was one submission from Daiken [145.10] stating that it is important that heavy industry is added to the industrial activity nesting table to clearly indicate that heavy industry is a subset of industrial activity, consistent with the General Approach chapter. They seek the following amendment to the definitions nesting table for Industrial activity as follows:

- “- Freight Depot
- Warehouse and Storage
  - Heavy Industry
  - Manufacturing
  - Light manufacturing and servicing.”

#### 3.2.1.2 Assessment

42. I consider that the proposed inclusion of heavy industry within the nesting table for industrial activity is acceptable for the reasons provided in the submission. This approach would be consistent with the nesting approach for ‘Commercial Activities’. I note that heavy industrial activity is separately identified as an activity across the three industrial zones, while other zones such as GRZ, simply refer to industrial activity. I therefore recommend that this submission is accepted and the industrial activity nesting table is amended as set out below and in **Appendix A**. As a consequential amendment, for completeness I recommend that ‘light industry’ is similarly included in the industrial activity nesting table. Although not separately defined as an activity, it is within the scope of industrial activities, and if heavy industry is included, this raises the question as to whether light industry is or is not an industrial activity.

#### 3.2.1.3 Summary of recommendations

43. I recommend that the submission of Daiken [145.10] is **accepted**.

#### 3.2.1.4 Recommended Changes to the Proposed Plan

44. Amend the definitions nesting table for industrial activity as follows:

Industrial activity

- Freight Depot
  - Warehouse and Storage
- Heavy Industry
- Light Industry
- Manufacturing

- [...]

45. S32AA evaluation table reference: Table C4.

### 3.2.2 Definition of 'Heavy industry'

#### 3.2.2.1 Matters raised by submitters

46. There was one submission from Daiken [145.2] stating that the definition of 'heavy industry' does not cover the full range of natural resources processing and manufacturing activities undertaken at the Daiken plant and it needs to be amended to include the nature of each activity. The submitter considers that the purpose of the definition is to describe activities of a larger scale, however the trigger of 'discharge beyond the boundary' in (j) unnecessarily implies negative impacts on others. They seek to amend the definition as follows:

*"means:*

*a. ...*

*j. any industrial activity of a larger scale and which may require regional discharge consents and ancillary activities involves the discharge of odour or dust beyond the site boundary."*

#### 3.2.2.2 Assessment

47. The Proposed Plan definition was carried over from the Operative Plan. I agree that the reference to regional discharge consents is more accurate and encompassing than the reference to odour and dust.

48. The NPS definition of 'industrial activity' includes the following:

*"It includes any **ancillary activity** to the industrial activity."*

49. Accordingly, as ancillary activities are a part of the industrial activity definition, including this within the 'heavy industry' definition means ancillary activities will be permitted wherever heavy industry is permitted, unless separately specified. I note that INZ-P1 provides for small scale ancillary offices and retail and that the HIZ includes separate rules for ancillary offices and retail. I also note that heavy industry requires a consent to establish within the light and general industrial zone and as such, ancillary activities would be considered as part of these consent assessments. I am therefore comfortable with including 'ancillary activities' within the definition, however I consider it clearer if included as an additional clause rather than bundled into the proposed reworded clause j. With regard to the proposed inclusion of "of a larger scale", as this contains discretion (which is arguably ultra vires for a definition) and small activities could still have heavy industrial environmental effects, I do not favour including this addition.

50. Accordingly, I recommend that the submission from Daiken is accepted in part and the definition of heavy industry is amend as set out below and in **Appendix A**.

#### 3.2.2.3 Summary of recommendations

51. I recommend that the submission of Daiken [145.2] is **accepted**.

#### 3.2.2.4 Recommended Changes to the Proposed Plan

52. Amend the definition of 'heavy industry' as follows:



means:

a. ...

j. any industrial activity which may require regional discharge consents involves the discharge of odour or dust beyond the site boundary; and

k. ancillary activities to the industrial activity.

53. S32AA evaluation table reference: Table C4.

### 3.3 General and repeated submissions on the Industrial zones

#### 3.3.1 Matters raised by submitters

54. House Movers made a submission on the LIZ, GIZ and HIZ seeking the inclusion of a permitted rule relating to moveable buildings.<sup>1</sup> They sought the following be added to each zone:

*"1. The activity complies with all built form standards (as applicable)*

*2. A building is moved:*

*a. It shall be fixed to permanent foundations within 2 months (unless being stored as a temporary activity); and*

*b. Reinstatement works to the exterior of the building shall be completed within 12 months, including connection to services, and closing in of the foundations.*

*c. A building pre-inspection report to accompany the application for a building consent for the destination site which identifies all reinstatement works that are to be completed to the exterior of the building and a certification by the property owner that the reinstatement works shall be completed within the specified [12] month period."*

55. CIAL sought that the rules relating to the 50 dBA Ldn Air Noise Contour be relocated to each relevant chapter, or cross references are made in the relevant zone chapters to ensure plan users are directed to the additional rules applying to land within the 50 dBA Ldn Air Noise Contour.<sup>2</sup> They also sought to insert provisions for the regulation of bird strike risk activities within 8km and 13km of the airport runways in relevant zone chapters, or alternatively, in District-Wide rules with cross-references in all relevant zone chapters to ensure plan users are aware of the rules.<sup>3</sup>

56. KiwiRail made a number of submissions (one on each zone) seeking to increase the relevant rail corridor setback rules in each zone from 4m to 5m, considering that this would provide for vehicular access to the backs of buildings and allows for safe operations to take place. The submitter considers this in turn fosters visual amenity, as lineside properties can be regularly maintained.<sup>4</sup>

<sup>1</sup> House Movers Submission numbers: [221.16], [221.17], [221.18]

<sup>2</sup> CIAL Submission numbers: [254.126], [254.127]

<sup>3</sup> CIAL Submission numbers: [254.135], [254.148]

<sup>4</sup> KiwiRail Submission numbers: [373.88], [373.89], [373.90]

57. Clampett Investments Ltd [284.1] and RIDL [326.2] and [326.3] consider the Proposed Plan makes inadequate use of non-notification clauses and seek that all controlled and restricted discretionary activities are amended to preclude them from limited or public notification.
58. RIDL [326.1] seeks that all provisions in the Proposed Plan are amended to delete the use of absolutes such as 'avoid', 'maximise' and 'minimise' (except where such direction is appropriate) to provide scope to consider proposals on their merits.
59. Waka Kotahi [275.6] state that no target for commercial/industrial development has been identified in the District Plan and that Our Space 2018-2048 – Greater Christchurch 2050 refers to sufficiency of industrial and commercial development capacity for Waimakariri. They consider that a target of feasible development capacity for industrial/commercial/mixed-use development should be considered. They seek that further clarity is provided on what feasible capacity for commercial and industrial activities entails – not necessarily in this provision explicitly, but as part of the district plan development.
60. The Council considers that the Industrial Zone outdoor storage requirement (which is the only location where fencing is mentioned) should include fencing limits for traffic safety, specifically visibility to reserves, pedestrian and cyclist facilities.<sup>5</sup> The Council considers that the fencing visibility requirements do not link with visibility requirements for accessways, so a reference to TRAN-R6 has been added. The Council seeks the following amendments to the GIZ-BFS9 and LIZ-BFS9:

*"1. Any outdoor storage area, other than those associated with yard-based activities and trade suppliers, shall be screened by 1.8m high solid fencing, landscaping or other screening from any adjoining site in Residential Zones, Rural Zones or Open Space and Recreation Zones or the road boundary.*

*2. All fencing, or walls within 2m of a site boundary with a public reserve, pedestrian or cycle facilities, and greater than 1.2m in height, shall be at least 45% visually permeable for pedestrian and traffic safety."*

### **3.3.2 Assessment**

#### *Moveable buildings*

61. Regarding the House Movers submissions on moveable buildings, the INZ rules do not differentiate between new or relocated buildings. Noting that the submitter proposed rule requires all built form standards to be complied with (consistent with the rules for new buildings), this additional rule achieves nothing. I therefore recommend that the repeated submissions seeking this amendment are rejected.

#### *Airport noise and bird strike*

62. Regarding the CIAL submissions on the noise contour and bird strike, I understand that these will be covered in a CIAL specific hearing (Hearing Stream 10A).<sup>6</sup> As such, I have not assessed these submissions in this report. This is set out in **Appendix B**.

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<sup>5</sup> Council [367.29], [367.30]

<sup>6</sup> As set out in the memorandum to the Hearing Panel by CIAL dated 14 August 2023

*Rail corridor setbacks*

Regarding the KiwiRail submissions on rail corridor setbacks, I consider 4m still provides for vehicular access behind buildings and note this is the setback from the rail corridor, not the rail line itself which would be a greater setback distance. I understand that similar submissions have been made across the Proposed Plan and that a 4m setback has generally been supported by the other s42A authors. However, I also note that under Variation 1 the setback for this standard is proposed to be increased to 5m. In the absence of evidence on this matter, I am comfortable with retaining the 4m required setback. I therefore recommend that the submissions from Kāinga Ora and KiwiRail are rejected.

*Limited and public notification*

63. Regarding Clampett Investments Ltd [284.1] and RIDL [326.2 and 326.3] seeking that all controlled and restricted discretionary activities are amended to preclude them from limited or public notification, I consider that it may sometimes be appropriate for breaches of some standards to be notified, especially limited notification. I consider that each rule should have a specific assessment and statement on notification, rather than applying a blanket statement, and I note that many built form standards in the INZ provisions do include these statements (e.g. GIZ-BFS2). I therefore recommend that these submissions are rejected.

*Avoid, maximise and minimise*

64. Regarding the RIDL [326.1] submission to delete the use of absolutes such as 'avoid', 'maximise' and 'minimise', I consider that sometimes these words are appropriate and that the wording needs to be considered in the context of the specific provision. I therefore recommend that this submission is rejected.

*Feasible development capacity*

65. Regarding the Waka Kotahi [275.6] submission, although this is on UFD-O2, it also relates to INZ-O1 as both objectives refer to "sufficient, feasible and available industrial zoned land to meet demand" and it has therefore been allocated to the INZ hearing. Unfortunately, no suggested wording is included in the requested relief which is quite broad. However, given the relief appears to seek to replicate the feasible development capacity statements in UFD-O1 (for residential activities) in UFD-O2 for commercial and industrial activities, and because it is the UFD chapter which covers growth matters for the District, in my opinion it should have been considered when the UFD chapter was heard.
66. Under the NPS-UD Policy 2 the Council is required at all times to provide at least sufficient development capacity to meet expected demand for business land over the short term, medium term, and long term. This requirement is included in UFD-O2, but there is no further detail, unlike for residential activities in UFD-O1, on what this development capacity needs to be.
67. I accept that this is not clear from reading UFD-O2 or INZ-O1 in isolation, but I note that further clarity on the provision of additional industrial land is provided in supporting policies such as UFD-P5 and UFD-P8. I also note that further clarity on what feasible capacity for commercial

and industrial activities entails is provided in the Proposed Plan supporting reports<sup>7</sup> and the reporting required under the NPS-UD.<sup>8</sup>

68. In response to the submission, UFD-O2 could be amended to include development capacity statements similar to UFD-O1. Using the April 2023 Business Development Capacity Assessment demand figures for commercial and industrial land,<sup>9</sup> it could be amended as set out below:

UFD-O2 - Feasible development capacity for commercial activities and industrial activities

Sufficient feasible development capacity to meet commercial and industrial development demand as follows:

	<u>Short Term</u>	<u>Medium Term</u>	<u>Long Term</u>
<u>Commercial Land Requirements</u>	<u>4ha</u>	<u>12ha</u>	<u>32ha</u>
<u>Industrial Land Requirements</u>	<u>12ha</u>	<u>31ha</u>	<u>79ha</u>

69. However, I do not support such an amendment as I note that the demand figures may change every three years as each new Housing and Business Development Capacity Assessment is prepared as required under the NPS-UD.<sup>10</sup> I appreciate this is a different approach from UFD-O1, however, I do not recommend repeating this issue in UFD-O2 and I understand that the contents of UFD-O1 is being re-considered by the relevant author. Should change be recommended to UFD-O1 then I understand this will be the subject of a wrap-up memo or other report to the Panel. I therefore recommend that this submission is rejected.

*Outdoor storage requirements*

70. Regarding the Council submissions, I accept that greater visibility is appropriate for pedestrian and cycle safety (traffic conflict reduction and general CPTED reasons) and therefore recommend amendments to GIZ-BFS9 and LIZ-BFS9 to resolve this. In my opinion this overrules any loss of amenity from reduced screening of storage areas. However, I note that the Council's requested wording does not address landscaping (it refers to fencing and walls) which can also cause visibility issues, and could also be improved for clarity as pedestrian and cycle facilities are broad and undefined terms. In addition to the amended rules, there is a consequential requirement to amend the relevant matters of discretion (INZ-MCD8 - Outdoor storage) to also consider safety matters. I therefore recommend that this submission is accepted in part, with the amended wording as set out below and in **Appendix A**.

### **3.3.3 Summary of recommendations**

71. I recommend that the submissions from House Movers [221.16], [221.17] and [221.18] are **rejected**.

<sup>7</sup> See section 8 and 9, and in particular 9.3 and 9.4 of the Greater Christchurch Housing and Business Development Capacity Assessment, March 2018

<sup>8</sup> See NPS-UD clause 3.3 in Subpart 1 and related sections

<sup>9</sup> Tables 32 and 36 from the Greater Christchurch Partnership Business Development Capacity Assessment, April 2023

<sup>10</sup> Subpart 5 clause 3.19(i) of the NPS-UD.

72. I recommend that the submissions from KiwiRail [373.88], [373.89] and [373.90] on rail corridor setbacks are **rejected**.
73. I recommend that the submission from RIDL [326.2] and [326.3] and Clampett [284.1] on notification are **rejected**.
74. I recommend that the submission from RIDL [326.1] on absolute language is **rejected**.
75. I recommend that the submission from Waka Kotahi [275.6] is **rejected**.
76. I recommend that the submissions from the Council [367.29], [367.30] are **accepted in part**.

### 3.3.4 Recommended Changes to the Proposed Plan

77. Amend GIZ-BFS9 and LIZ-BFS9 as follows:
1. Any outdoor storage area, other than those associated with yard-based activities and trade suppliers, shall be screened by 1.8m high solid fencing, landscaping or other screening from any adjoining site in Residential Zones, Rural Zones or Open Space and Recreation Zones or the road boundary, except that:
  2. All screening within 2m of a site boundary with a public reserve, footpaths, shared use paths, or cycle trails, where it is greater than 1.2m in height, shall be at least 45% visually permeable between 1.2m and 1.8m.
78. Amend INZ-MCD8 Outdoor storage as follows:
- Outdoor storage
- ...
5. The extent to which pedestrian and cycle safety considerations would justify reduced screening.
79. S32AA evaluation table reference: Table C5.

## 3.4 INZ Introduction

### 3.4.1 Matters raised by submitters

80. There was one submission from Daiken [145.33] on the Introduction. Daiken states that the Introduction to the general objectives and policies for all Industrial Zones does not recognise that some industrial activities are long standing in the District, nor does it adequately recognise the significant contribution that some key industries play. They seek the following amendment to the General Objectives and Policies for all Industrial Zones introduction:

"...

*The quantum and distribution of industrial activity plays a key role in the form, identity and growth of district as a whole and urban areas and is vital to the effective and efficient functioning of communities through providing employment, and access to trade and yard-based goods and industrial services. The District Plan recognises existing industrial activity and manages new industrial activities to ensure:*

*- appropriate activities establish in the industrial zones that are of a similar nature, be they light industrial, general industrial or heavy industrial;*

- industrial activities integrate with infrastructure where available and do not undermine existing commercial centres; and
- they avoid more than minor adverse environmental effects and manage all other effects.
- ..."

### 3.4.2 Assessment

81. I agree with the suggested amendments proposed by Daiken. Industrial activity does support the whole district and the district plan does recognise and manage both existing (e.g. INZ-P5) and new industrial activity. With regard to integrating with infrastructure where available, I note that SD-O2 requires urban development to utilise the District Council's reticulated wastewater system, and potable water supply and stormwater infrastructure where available, while UFD-P8(2) and (3) seek to provide for development of greenfield areas in a manner aligned with the delivery of infrastructure, including upgrades to infrastructure, to avoid adverse effects on the capacity and efficiency of infrastructure serving these areas; and locate new Industrial Zones in locations adjacent to existing urban environments where it can be efficiently serviced by infrastructure.
82. Based on the strategic directions provisions, one-off industrial developments need only connect to the Council's infrastructure where available, but new industrial areas should be fully serviced. I therefore consider that the suggested addition of 'where available' is acceptable. While I agree with the suggested amendments, I recommend a small change to the proposed wording for greater simplicity. Accordingly, I recommend that this submission is accepted in part and the introduction is amended as set out below and in **Appendix A**.

### 3.4.3 Summary of recommendations

83. I recommend that the submission from Daiken [145.33] is **accepted in part**.

### 3.4.4 Recommended Changes to the Proposed Plan

84. Amend the General Objectives and Policies for all Industrial Zones introduction as follows:

[...]

The quantum and distribution of industrial activity plays a key role in the form, identity and growth of the district as a whole and urban areas and is vital to the effective and efficient functioning of communities through providing employment, and access to trade and yard-based goods and industrial services.

The District Plan recognises existing industrial activity and manages existing and new industrial activities to ensure:

- appropriate activities establish in the industrial zones that are of a similar nature, be they light industrial, general industrial or heavy industrial;
- industrial activities integrate with infrastructure where available and do not undermine existing commercial centres; and
- they avoid more than minor adverse environmental effects and manage all other effects.

[...]

85. 32AA evaluation table reference: Table C6.

### 3.5 INZ Objective O2 – Role and function of industrial zones

#### 3.5.1 Matters raised by submitters

86. Two submissions were received in support of INZ-O2, while three submissions sought amendments.
87. Concept Services [230.9] consider that the use of the term 'avoid' is unnecessary and that not all proposed land uses in an industrial zone would have adverse effects on a Town Centre and that therefore each proposal to develop land should be assessed to determine when effects can be remedied or mitigated. They seek the following amendment:

“...  
2. ~~avoid~~ manage any actual and potential adverse effects on the role and function of Town Centres;  
...”

88. Woolworths [282.19] consider that the requirement to 'avoid' adverse effects on the role and function of Town Centres is a difficult test as it essentially means no effects. They seek to amend INZ-O2 to introduce a reasonable threshold, tied to effects that identifies the potential for non-industrial activities to have a functional need to locate within Industrial Zones through a robust assessment of effects on centres and the over-arching intent of the Industrial Zones. They seek the following amendments:

*"Industrial zones that:*  
1. *provide opportunities for light, general and heavy industrial activities in identified zoned areas to meet the diverse needs of a range of industrial activities; and*  
2. *avoid commercial activities that do not demonstrate a functional need to locate within that zone and that result in significant adverse effects on the role and function of Town Centres; and*  
3. *do not undermine investment in public amenities in the Town and Local Centre Zones."*

89. RDL [347.87] consider that there are no material differences between the “Light” and “General” Industrial zones with the key difference being “Heavy” industrial activities are non-complying in the Light Industrial Zone but discretionary in the General Industrial Zone and which justifies two separate zones. They seek that the light industrial zone is deleted.

#### 3.5.2 Assessment

90. Regarding the Concept Services submission, I note that retail and office activity are non-complying activities in the three industrial zones and that 'avoid' would support this activity status. I consider that it is very important to maintain the centres hierarchy, consistent with SD-O2(5) and retain industrial areas for industrial activity and I therefore do not agree with changing 'avoid' to 'manage'. I therefore recommend that this submission is rejected.
91. In my Commercial and Mixed Use s42A report I recommended the inclusion of the word 'significant' in response to similar submissions from Woolworths.<sup>11</sup> I considered that this addition was appropriate as the policy framework is not attempting to capture every adverse

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<sup>11</sup> For example Woolworths [282.8] and Woolworths [282.11].

effect (paragraph 119) and, based on Mr Foy's advice, noted that this is consistent with well-established case law on retail distribution effects (paragraph 108). I consider these same conclusions equally apply to the industrial zones. Regarding including the need to demonstrate a functional need to locate within the zone, I am comfortable including this clause which is considered in conjunction with the need to avoid significant adverse effects. This strengthens the limitation on non-industrial activities, i.e. they must demonstrate a functional need AND not cause significant adverse effects. Whilst I agree with the proposed additions, I consider that the revised objective could be improved by restructuring as set out below and in **Appendix A**. I also recommend a consequential change to LIZ-O1 to clarify that it is 'space extensive' activities, rather than 'space intensive' activities that are anticipated in the LIZ. A space extensive commercial activity would be able to demonstrate a functional need to establish in the LIZ and would therefore be consistent with INZ-O2 as recommended to be amended, whereas a space intensive commercial activity would be expected to occur in the commercial zones.

92. Regarding the RDL submission, arguably this could be considered as part of the re-zoning hearings, however the submission is not seeking to re-zone a site per se but delete an entire zone from the plan. As such, it has a significant impact on the industrial zone framework and is therefore best considered as part of this hearing stream.
93. The National Planning Standards LIZ was applied to two relatively small historic industrial areas of Rangiora that are largely surrounded by residential activity and are well placed to transition over time to more sensitive activities should the market drive this change. It was also applied to a portion of the Oxford Sawmill site that was greenfield at the time the Proposed Plan was notified and abuts a residential zone. I accept that there is little difference between the GIZ and LIZ zone provisions in the notified Plan. During plan drafting, some of the small differences proposed<sup>12</sup> were amended such that the only remaining differences are: the activity status of heavy industry (NC in LIZ and DIS in GIZ); and the activity status of trade and industry training (RDIS in LIZ and DIS in GIZ). **Appendix F** contains a table comparing the notified rules for these two zones. It should be noted that the noise limit was intended to be 5 dB less in the LIZ, however the Proposed Plan erroneously had a higher noise limit for LIZ than the GIZ.<sup>13</sup>
94. As set out in **Appendix B**, there are a number of submissions in support of specific LIZ provisions. Given the only differences in rules between the two zones relate to the activity status of heavy industry and trade and industry training, any submission issues from deleting the LIZ would be most relevant to these activities. Ngai Tahu Properties [411.124] and [411.134] supported LIZ-R14 (trade and industry training) and LIZ-R24 (heavy industry) respectively as part of a general submission supporting all the LIZ rules, as according to the submitter "these appropriately implement the policies". There were no other submissions on these two rules. There were no further submissions in support or opposition to RDL's submission seeking to delete the LIZ.

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<sup>12</sup> For example the glare standards.

<sup>13</sup> This was identified by Woolworths in their submission [282.142]. The Noise s42A report proposes to make the LIZ and GIZ noise limits the same in response to this submission. There does not appear to be scope in the Noise Chapter submissions to reduce the noise limit in the LIZ by 5 dB to the intended limit of 60 dB LAeq (daytime) and 50 dB LAeq (night time), which corresponds to the Town Centre and Mixed Use Zone limits.



95. I note that there is a submission in support of the Oxford Sawmill LIZ zoning<sup>14</sup> (and a submission<sup>15</sup> opposing the notified LIZ zoning (and HIZ zoning) from an adjacent residential homeowner). There is also a submission seeking the rezoning of a site north of Kaiapoi<sup>16</sup> to LIZ (from Rural Lifestyle Zone) as a LIZ zoning would better reflect and enable the consented trade supplier and yard-based activity operating on the site. For all these submissions I note that a GIZ zoning could equally provide for the existing activities operating from these sites (sawmill, trade supplier and yard-based activity), and the built form standards and associated noise and light rules are the same.
96. Ngai Tahu Properties have confirmed they would support rezoning LIZ to GIZ should the Panel decide to do this.<sup>17</sup> While Southern Capital Limited indicated they could accept a GIZ in principle, they advised that the wording of GIZ-O1 would need amending to clearly make provision for light industrial and space extensive commercial activities (or similar) in the objective.<sup>18</sup>
97. Whilst the LIZ could be replaced with the GIZ given that the relevant GIZ rules are almost exactly the same and the acceptance of this option by some submitters supporting the LIZ, I prefer retaining the LIZ as this was in the notified Plan, there are submissions supporting it, heavy industry is non-complying in this zone (as opposed to discretionary in the GIZ) and the LIZ has a slightly different policy approach that explicitly recognises buffer opportunities. I also consider that there is value in establishing the LIZ in the Proposed Plan's INZ framework, noting that the LIZ provisions could evolve over time in response to market and onsite changes. I therefore recommend that the submission by RDL is rejected.

### **3.5.3 Summary of recommendations**

98. I recommend that the submission by Concept Services [230.9] is **rejected**.
99. I recommend that the submission by Woolworths [282.19] is **accepted in part**.
100. I recommend that the submission by RDL [347.87] is **rejected**.
101. Given the changes that I am recommending, I recommend that the submissions in support of INZ-O2 as set out in **Appendix B** are **accepted in part**.

### **3.5.4 Recommended Changes to the Proposed Plan**

102. Replace INZ-O2 with the following amended and restructured INZ-O2:

Industrial zones that provide opportunities for light, general and heavy industrial activities in identified zoned areas to meet the diverse needs of a range of industrial activities, while:

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<sup>14</sup> Submitter Ashley Industrial Services Ltd (AIS) [48.1] for the site located at 138 Main Street, Oxford.

<sup>15</sup> Submitter [124.1].

<sup>16</sup> Submitter Southern Capital Limited [131.1] seeking to re-zone 726, 732 and 734 Main North Road from RLZ to LIZ.

<sup>17</sup> In an email dated 16/01/24 from Bob Penter (Acting Programme Lead – Mauri) Te Rūnanga o Ngāi Tahu.

<sup>18</sup> In an email dated 16/01/24 from Claire McKeever - Planning Consultant from Elliot Sinclair on behalf of SCL.

1. avoiding commercial activities that do not demonstrate a functional need to locate within that zone; and
2. avoiding commercial activities which would result in significant adverse effects on the role and function of Town Centres and undermine investment in public amenities in the Town and Local Centre Zones.

103. S32AA evaluation table reference: Table C1.

104. Amend LIZ-O1 as follows:

Light industrial and space ~~intensive~~ extensive commercial activities are enabled where the adverse effects of these activities within the zone and on adjacent non-industrial zones results in an acceptable level of amenity values.

105. S32AA evaluation table reference: Table C1.

### 3.6 INZ Objective O3 – Managing the effects of industrial activities

#### 3.6.1 Matters raised by submitters

106. Two submissions supported INZ-O3, while Daiken [145.36] considers that while the objective recognises the need to manage the effects of industrial activities, the objective states that all effects will be managed either within the zone or at the interface with non-industrial zones, and that this is not the case for the Daiken site which has noise contours extending beyond the zone to recognise the existing situation where much of the plant is located near the edge of the zone. They seek to amend INZ-O3 to recognise this provision and to allow for effects to extend beyond the zone interface in specific circumstances. They seek the following amendments:

"...

2. at the interface with non-industrial zones or at other locations as otherwise provided for in the rules, to achieve the anticipated amenity values for those adjacent zones."

#### 3.6.2 Assessment

107. I accept that for the Daiken site there are noise contours extending beyond the zone and that this is not recognised in clause 2. I am comfortable amending INZ-O3 to recognise this and other effects associated with industrial zones (such as visual, heavy transport, odour). However, I do not agree with the submitter proposed wording as at the objective level, the wording should be setting out the intended outcome, which in the specific Daiken situation and industrial zones in general, the adverse effects can be remedied or mitigated further than just at the zone boundary. I therefore recommend that this submission is accepted in part and INZ-O3 is amended as set out below and in **Appendix A**.

#### 3.6.3 Summary of recommendations

108. That the submission by Daiken [145.36] is **accepted in part**.

109. Given the changes I am recommending, I recommend that the submissions in support of INZ-O3 as set out in **Appendix B** are **accepted in part**.

#### 3.6.4 Recommended Changes to the Proposed Plan

110. Amend INZ-O3 as follows:

[...]

2. in the vicinity or at the interface with non-industrial zones to achieve the anticipated amenity values for those adjacent zones.

111. S32AA evaluation table reference: Table C1.

### 3.7 INZ Policy P1 – Anticipated activities in industrial zones

#### 3.7.1 Matters raised by submitters

112. Three submissions were received in support of INZ-P1, while two submissions sought amendments.

113. Daiken [145.37] state that INZ-P1 sets out what is anticipated in each of the industrial zones, however it does not specify the anticipated uses of the Heavy Industrial Zone (HIZ). Further it states what activities are anticipated outside of the HIZ (which is contradicted in rules for the zone). While the policy is not exclusive, it is important for clarity in the use of the plan that a description of the intended scope of the HIZ is specified. They seek the following amendments:

"...

7. a range of heavy industrial activities generating larger scale effects within Heavy Industrial Zones, and ancillary activities."

*Or amend to like effect.*

114. RDL [347.89] states that there are no material differences between the purpose and provisions of the "Light" and "General" Industrial zones that would justify the creation of two separate zones. They seek that the LIZ is deleted.

##### 3.7.1.1 Assessment

115. Regarding the Daiken submission, I agree that INZ-P1 does not specify suitable activities for the HIZ. This is because the chapeau of INZ-P1 provides generally for industrial activities (including heavy industry) in industrial zones, while clauses 1 to 6 focus on additional, non-core industrial activities which are also provided for in industrial zones (such as trade suppliers, community activities and emergency services). Including a clause as proposed that specifies that heavy industrial activities are provided for in the heavy industrial zone would be unnecessary and create inconsistency as no similar clause is proposed for the other industrial zones (LIZ and GIZ). I also note that there is a specific objective and policy in the HIZ chapter itself that covers activities in the HIZ. I therefore recommend that this submission is rejected.

116. Regarding the RDL submission, consistent with my recommendation in response to INZ-O2, I recommend that this submission is rejected.

##### 3.7.1.2 Summary of recommendations

117. That the submission from Daiken [145.37] is **rejected**.

118. That the submission from RDL [347.89] is **rejected**.

119. I recommend that the submissions in support of this policy as set out in **Appendix B** are **accepted**.

##### 3.7.1.3 Recommended Changes to the Proposed Plan

120. No changes are recommended.

### 3.8 INZ Policy P2 – Adverse effects on town and Local centres

#### 3.8.1 Matters raised by submitters

121. Two submissions sought amendments to INZ-P2.
122. Concept Services [230.10] consider that the use of the term 'avoid' is unnecessary when solutions may be found for a proposed land use in an industrial zone, and an amendment would make the rules more consistent with (and give better effect to) INZ objectives and policies. They consider that a variety of activities are listed within GIZ as restricted discretionary, discretionary, or non-complying. They consider that this is the appropriate way to control activities in an industrial zone with each application assessed on its merits. They seek the following amendments:

*~~“Avoid-Manage retail activity, office, commercial services and other non-industrial activities that could individually or cumulatively adversely affect the role and function of town centres, and undermine investment in public amenities and facilities in the Town and Local Centre Zones.”~~*

123. Similar to their submission on INZ-O2, Woolworths [282.20] consider that the requirement to 'avoid' activities that could have adverse effects on the role and function of Town Centres is a difficult test as this essentially means no effects. They seek to amend INZ-P2 to introduce a reasonable threshold, tied to effects that identifies the potential for non-industrial activities to have a functional need to locate within Industrial Zones through a robust assessment of effects on centres and the over-arching intent of the Industrial Zones. They seek the following amendments:

*“Avoid retail activity, office, commercial services and other non-industrial activities that do not demonstrate a functional need to locate within that zone and that could individually or cumulatively result in significant adverse effects on ~~adversely affect~~ the role and function of town centres, and undermine investment in public amenities and facilities in the Town and Local Centre Zones.”*

#### 3.8.2 Assessment

124. Consistent with my recommendation for INZ-O2, I recommend that INZ-P2 is amended to refer to a functional need and significant adverse effects. Accordingly, I recommend that the submission from Concept Services is rejected and the submission from Woolworths is accepted, with INZ-P2 amended as set out below and in **Appendix A**.

#### 3.8.3 Summary of recommendations

125. That the submission from Woolworths [282.20] is **accepted**.
126. That the submission from Concept Services [230.10] is **rejected**.

#### 3.8.4 Recommended Changes to the Proposed Plan

127. Amend INZ-P2 as follows:

*Avoid retail activity, office, commercial services and other non-industrial activities that do not demonstrate a functional need to locate within that zone and that could individually or cumulatively result in significant adverse effects on ~~adversely affect~~ the role and function of*

town centres, and undermine investment in public amenities and facilities in the Town and Local Centre Zones.

128. S32AA evaluation table reference: Table C2.

### **3.9 INZ Policy P5 – Avoid sensitive activities within industrial zones**

#### **3.9.1 Matters raised by submitters**

129. Concept Services [230.11] considers that in some instances residential use within an Industrial Zone is appropriate and separation of incompatible uses from the sensitive activity can be managed. The term 'avoid' sets too high a standard. The industrial rules list restricted discretionary, discretionary, and non-complying activities, which is an appropriate way to manage the effects of non-industrial activities. Concept Services considers that amending INZ-P5 makes the rules more consistent with (and give better effect to) the objectives and policies. They seek the following amendments to INZ-P5:

*“Maintain and support the function of industrial zones through ~~avoiding~~ managing any sensitive activities, such as residential and visitor accommodation, in industrial zones with the potential to hinder or constrain the establishment or ongoing operation or development of industrial activities.”*

#### **3.9.2 Assessment**

130. In my opinion sensitive activities are generally not appropriate within an industrial zone. I note that the majority of sensitive activities, such as residential and visitor accommodation and offices, are listed as non-complying activities across the three industrial zones, while community activities are restricted discretionary. I consider that 'avoid' is appropriate for all these activities and activity statuses, noting that INZ-P5 qualifies the 'avoid' requirement by stating these sensitive activities need to have the '*potential to hinder or constrain the establishment or ongoing operation or development of industrial activities*'. I therefore recommend that this submission is rejected.

#### **3.9.3 Summary of recommendations**

131. That the submission from Concept Services [230.11] is rejected.

#### **3.9.4 Recommended Changes to the Proposed Plan**

132. No amendments are recommended.

### **3.10 INZ Policy P6 – Managing adverse effects within industrial zones**

#### **3.10.1 Matters raised by submitters**

133. Similar to their submission on INZ-O3, Daiken [145.39] consider that INZ-P6 recognises the need to manage effects of industrial activities, however states that all effects will be managed at the interface with non-industrial zones. This is not the case for the Daiken site which has noise contours extending beyond the zone to recognise the existing situation where much of the plant is located near the edge of the zone. They seek amendments to allow for effects to extend beyond the zone interface in specific circumstances. Also retain recognition that amenity values may be lower close to heavy industrial zones. They seek the following amendments:

"...

2. *at the interface with adjacent non-industrial zones or at other locations as otherwise provided for in the rules, so that the amenity values of those adjacent zones are maintained or enhanced, recognising that amenity values may be lower than that experienced in zones that are not close to industrial activities."*

### 3.10.2 Assessment

134. This matter was also considered under INZ-O3, where I recommended minor changes to refer to the 'vicinity' of the activity. I consider a direct reference to noise contours would be appropriate at the policy level, and provide clearer direction than the wording suggested by Daiken, and therefore recommend that INZ-P6 is amended as set out below and in **Appendix A**. Accordingly, I recommend that this submission is accepted in part.

### 3.10.3 Summary of recommendations

135. That the submission from Daiken [145.39] is **accepted in part**

### 3.10.4 Recommended Changes to the Proposed Plan

136. Amend INZ-P6 as follows:

[...]

2. *at the interface with adjacent non-industrial zones or noise control contours identified on the planning map, so that the amenity values of those adjacent zones are maintained or enhanced, recognising that amenity values may be lower than that experienced in zones that are not close to industrial activities.*

137. S32AA evaluation table reference: Table C3.

## 3.11 LIZ Provisions

### 3.11.1 General submissions

#### 3.11.1.1 Matters raised by submitters

138. There were three general submissions seeking amendments to the LIZ. CIAL [254.126] has already been assessed earlier in section 3.3. For clarity, there was also a submission by House Movers [221.16] on LIZ-R1, KiwiRail Holdings Ltd [373.88] on LIZ-BFS7 and the Council [367.30] on LIZ-BFS9 which were assessed earlier in Section 3.3.

139. MoE [277.58] seek that educational facilities are provided for in the LIZ. They consider these are essential social infrastructure and should be provided for where there is potential for a population to support them and that this will support active modes of transport and reduce trip lengths and times. MoE recognise the potential for operational sensitivities to arise in this zone and therefore request the activity status of restricted discretionary. They consider this provides flexibility without unreasonable restrictions. They seek the following additional rule:

"LIZ-RX Educational Facilities

Activity Status: RDIS

Matters of discretion are restricted to:

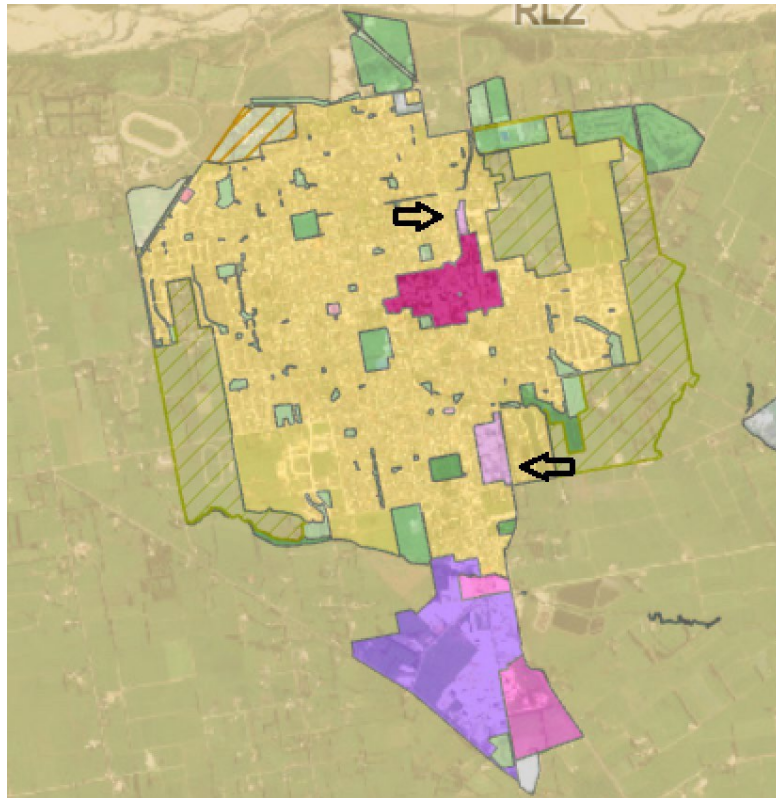
1. The scale, intensity and/or character of the buildings and associated activity.
2. Hours of operation.
3. The placement of buildings on the site.
4. Access.
5. The extent of impervious surfaces and landscaping.
6. The effects on matters of reverse sensitivity."

140. Woolworths [282.78] oppose non-complying activity status for supermarkets within the Light Industrial Zone as this leaves no feasibly zoned land for supermarket development, and seek amendments to a more appropriate activity status of discretionary. The submitter considers that consenting for supermarkets can be protracted, complex and uncertain, and that a non-complying status is overly restrictive. They consider that there is no economic evidence that identifies scarcity of industrial land relative to demand that precludes non-industrial activities in the LIZ. They state that the Business Capacity Assessment identifies a surplus of land for the long-term. They consider that supermarkets are large format, utilitarian, and not sensitive to effects arising from industrial activities, however consider wider discretion is appropriate given the primary industrial thrust of the Light Industrial Zones, and in recognition of the centres hierarchy. They seek to insert a new rule in the LIZ for supermarkets as a discretionary activity

#### *3.11.1.2 Assessment*

141. Regarding the MoE submission, educational facilities are fully discretionary in the LIZ. Whilst these are noise sensitive activities, in my opinion they could be acceptable in the two Rangiora LIZ areas (as opposed to the GIZ and HIZ) these areas are located within older parts of the town that could transition over time to other activities given their close proximity to residential activities and in the case of the northern Rangiora LIZ, small size and proximity to the TCZ – see the snip below showing their location. I note that noise generated within the LIZ must meet the noise limits at the boundary of the adjacent residential zones and that this restricts the ability for loud noise in the LIZs, especially the narrow LIZ adjacent to the Rangiora Town Centre. I also note that trade and industry training facilities are permitted in the LIZ (LIZ-R14). As such, I consider there is some merit in the submission for these two Rangiora sites. Such an activity would be more problematic in the Oxford LIZ which is adjacent to the HIZ Oxford Sawmill.

*Rangiora Township, with the two LIZ areas identified by black arrows*



142. In his evidence (Paragraph 3.6) Mr Foy states that there are two main issues relating to the request to enable educational facilities in the industrial zones. Firstly, there is the potential for adverse economic effects arising from reverse sensitivity on industrial activities and secondly, there is the potential for education facilities to occupy part of the industrial zone to the exclusion of industrial activities, which are intended to be the primary focus of the zone.
143. He considers that these issues will be more difficult to manage in industrial zones (as opposed to commercial zones), noting that industrial zones tend to have lower land values than other commercial land which could incentivise educational facilities to occupy these areas (Paragraph 3.7). That means that it is more likely that educational facilities might crowd out industrial activities in the industrial zones. As discussed in his report (Section 2), there is just sufficient capacity within the industrial zones to accommodate expected demand in the medium term and enabling educational facilities in the industrial zones may result in less land being available for industrial activity, which could result in a shortage of supply. Mr Foy also notes that industrial activities may be constrained as a result of reverse sensitivity effects (Paragraph 3.9). Industrial zones are intended to accommodate businesses that generate noise, heavy traffic and other negative externalities which would have the potential to negatively impact educational facilities, and that potential conflict may give rise to complaints that seek to constrain the operation of industrial activities in the industrial zones. While Mr Foy acknowledges the submission's proposed inclusion of reverse sensitivity as a matter of discretion, in his opinion successfully managing any reverse sensitivity tension is likely to prove challenging, and it would be better to avoid the potential for reverse sensitivity effects to arise in the first place. Overall



Mr Foy does not support enabling educational facilities as restricted discretionary or discretionary activities in Waimakariri's industrial zones.

144. I accept Mr Foy's advice. I also note that 'education facilities' encompasses a range of facilities, from a small pre-school, to a high school and indeed a tertiary institute. These can be very different in scale, and accordingly create a different scale of adverse effects. In addition, I note that the LIZ areas are different in character. Such an activity would not be appropriate adjacent to the Oxford Sawmill HIZ given the environmental effects associated with sawmills and I note that there are submissions seeking LIZ zoning elsewhere in the district (see the assessment of RDL [347.87] on INZ-O2) which may also have lower amenity values than would be desirable for such an activity. I therefore recommend that these facilities remain as fully discretionary activities and that the MoE submission is rejected.
145. Regarding the Woolworths submission seeking discretionary activity status for supermarkets within the LIZ (as opposed to the notified non-complying status), in his evidence (Paragraph 4.7) Mr Foy states that there is sufficient industrial capacity to meet expected demand in the medium and long term. However, the NPS-UD sets a minimum threshold for future land capacity, and the provision of more capacity may be desirable. Mr Foy considers that the enabling of supermarkets in the LIZ (and GIZ) may result in less land being available for industrial activity, which could result in a shortage of industrial land supply. He also notes that this potential shortage of industrial land supply is particularly a concern outside of Rangiora (paragraph 4.8). While at the urban environment level there is (just) sufficient capacity to meet demand in the medium-term, most of that supply is located in Rangiora, and were a supermarket to seek to establish on industrial land in other towns, it would be likely that there would be insufficient supply within those towns in the medium term. Mr Foy considers that to some extent industrial land supply can be provided for in different townships, and adequately provide for industrial activities' needs because Waimakariri's townships are relatively close together, however that is not true for all industrial activities, and it will be important to adequately enable local provision of industrial zoned land. Mr Foy considers that enabling supermarkets on that land would make it more difficult to ensure sufficiency of industrial land supply.
146. Mr Foy also states (paragraph 4.9) that the location of supermarkets within this zone could result in a less efficient urban form, with an increase in single purpose trips being generated and a reduction of multi-purpose trips, because industrial zones are not typically locations frequently visited by members of the public, with public visitation relatively infrequent, and trips to many industrial activities dominated by business trips. A high volume of private vehicles entering industrial zones may have some minor adverse effects on the operation of the industrial activities in those zones due to traffic volumes.
147. Mr Foy agrees with the Woolworth's submission points to be more enabling of supermarket activities in some commercial and business zones, and in light of that greater enablement (recommended in the Commercial and Mixed-Use s42A report<sup>19</sup> and in Mr Foy's evidence supporting that report), and due to the potential adverse economic effects identified in relation to industrial zones, he considers that there would be adequate enablement of supermarket

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<sup>19</sup> See for example paragraphs 93, 109 and 139 in the Commercial and Mixed-Use Zones s42A report

activities in the District, and he does not agree with the request to allow supermarkets as a discretionary activity in the LIZ (Paragraph 4.10).

148. I accept Mr Foy's advice. I consider that the greater enablement recommended to be provided in the commercial and mixed-use zones (as set out in my s42A report on those chapters) responds in part to Woolworths concerns and that the adverse effects from supermarkets locating in the LIZ do not justify greater enablement in the LIZ. I also consider that supermarkets would not be appropriate in the Oxford LIZ which is adjacent to a sawmill. I therefore recommend that this submission is rejected.

#### *3.11.1.3 Summary of recommendations*

149. That the submission from MoE [277.58] is **rejected**.
150. That the submission from Woolworths [282.78] is **rejected**.

#### *3.11.1.4 Recommended Changes to the Proposed Plan*

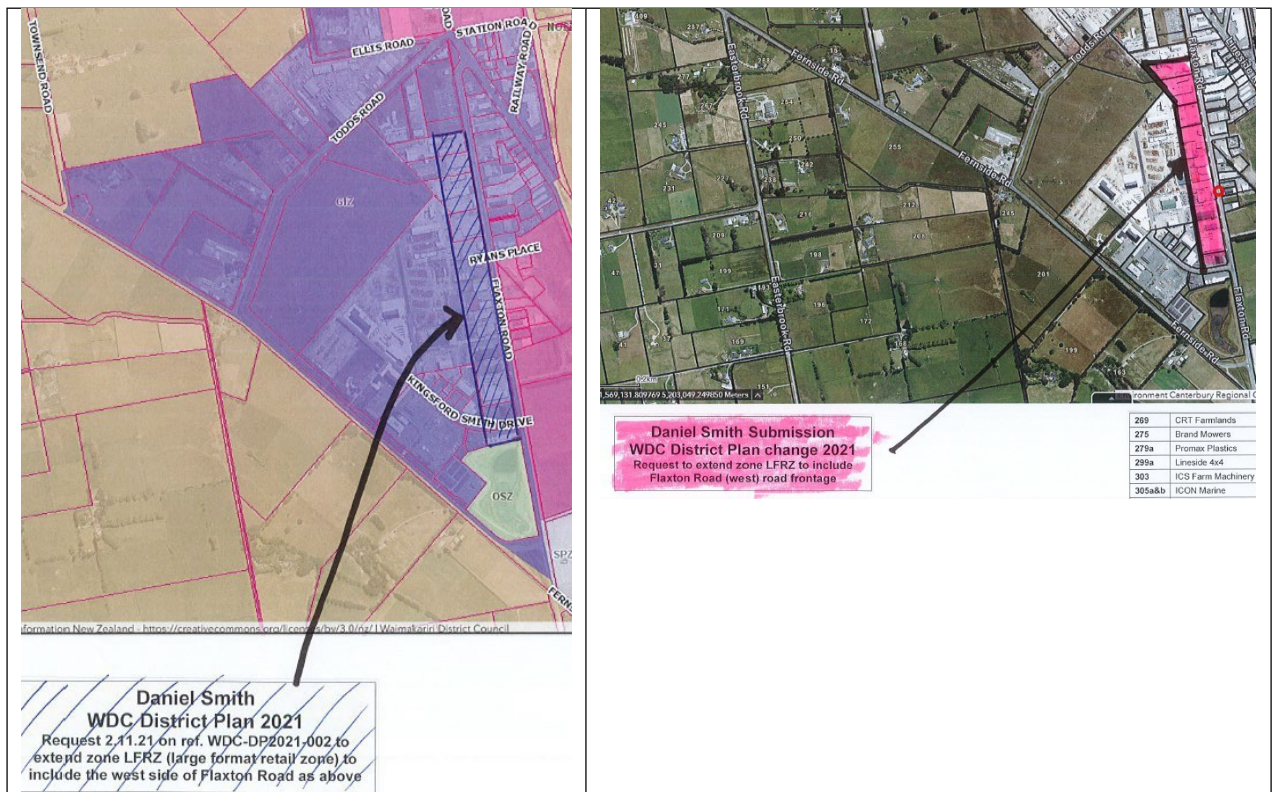
151. No changes are recommended.

### **3.12 GIZ Provisions**

#### ***3.12.1 General submissions***

##### *3.12.1.1 Matters raised by submitters*

152. There were eight general submissions seeking amendments on the GIZ. CIAL [254.125] and [254.135] have already been assessed earlier in Section 3.3.
153. Daniel smith [25.1] states that retail activity on his identified sites as been permitted in the Operative Plan's Business 2 Zone and under Council approved land use consents, and the existing retail tenants on the submitter's land will become non-complying activities in the proposed General Industrial Zone. Mr Smith seeks to extend the LFRZ Zone west to include existing retail businesses on Flaxton Road as this zone best reflects current activity and earlier Council intentions for the Business 2 Zone. The relief sought is to accommodate retail activity at the following Flaxton Road properties: 269, 275, 279, 299, 303, 305, 311, 315, 317, 319, 323, 333, 341, 343, 345, 347, and all the west side of Flaxton Road in the submitter's business park and refers to the following maps (which are slightly inconsistent at the northern and southern ends):



154. MainPower seeks to insert a new objective [249.126], policy [249.127] and rules [249.128] to support new corridor protection for electricity distribution lines within the General Industrial Zone. MainPower suggests that corridor protection rules should be located within the relevant zone chapters to include land use constraints associated with Electricity Distribution Lines in the applicable zone chapters where they are clearly visible to land owners. MainPower also suggests that the width of the corridor protection can be reduced to 6m. They propose the following new objective, policy and rule:

**"Objective:**

**The operation and security of critical infrastructure, strategic infrastructure and regionally significant infrastructure is not compromised by other activities."**

**"Policy - Separation of incompatible activities**

**Protect critical infrastructure, strategic infrastructure and regionally significant infrastructure by avoiding adverse effects, including reverse sensitivity effects, from incompatible activities by avoiding buildings, structures and any sensitive activities that may compromise the operation of Electricity Distribution Lines within an identified buffer corridor."**

**"Earthworks adjacent to major electricity distribution line**

**Activity Status: PER**

**Where:**

- 1. Earthworks shall be setback at least 6m from the centreline of the Major Electricity Distribution Line as shown on the planning maps or;**
- 2. Meet the following requirements:**
  - a. be no deeper than 300mm within 2.2m of the foundation of the major electricity distribution line support structure; and**

- b. be no deeper than 0.75m between 2.2m and 6m from the foundation of the major electricity distribution line support structure; and
- c. earthworks shall not destabilise a major 66kV or 33kV electricity distribution line pole or tower; and
- d. earthworks shall not result in a reduction in the ground to conductor clearance distances below what is required by Table 4 in NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances, unless the requirements of Clause 2.2.3 of NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances are met.

**Activity status when compliance not achieved: NC**

#### **Notification**

An application for a non-complying activity under this rule is precluded from being publicly notified, but may be limited notified only to the relevant electricity distribution line operator where the consent authority considers this is required, absent its written approval.

#### **Exemptions**

This rule does not apply to:

- earthworks undertaken as part of agricultural or domestic cultivation; or repair, sealing or resealing of a road, footpath, driveway or vehicle access track;
- earthworks that are undertaken by a network utility operator or their approved contractor on behalf of the network utility operator (other than for the reticulation and storage of water in canals, dams or reservoirs including for irrigation purposes);
- earthworks for which prior written consent has been granted by the relevant electricity distribution line operator under the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances;

#### **Advisory Notes**

- Major electricity distribution lines are shown on the planning maps.
- Vegetation to be planted around electricity distribution lines should be selected and managed to ensure that it will not breach the Electricity (Hazards from Trees) Regulations 2003.
- The NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances contains restrictions on the location of activities and development in relation to electricity distribution lines. Activities and development in the vicinity of these lines must comply with NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.

Insert the following new rule:

**Network utilities within 6 of the centre line of a major electricity distribution line**

**Activity status: PER**

Where:

1. the network utility complies with the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.

**Activity status when compliance not achieved: NC**

**Advisory Note**

- Major electricity distribution lines are shown on the planning map.

Insert the following new rule:

**Activities and development (other than earthworks or network utilities) adjacent to a major electricity distribution line****Activity status: NC**

Where:

1. activities and development adjacent to a major electricity distribution line involve the following:

- a. new sensitive activity and new buildings within 6m of the centreline of a major electricity distribution line or within 6m of the foundation of a support structure; or
- b. complies with the requirements of NZECP34:2001.

**Notification**

An application under this rule is precluded from being publicly notified, but may be limited notified only to the relevant electricity distribution line operator where the consent authority considers this is required, absent its written approval.

**Advisory Notes**

- Major electricity distribution lines are shown on the planning map.

- Vegetation to be planted around electricity distribution lines should be selected and managed to ensure that it will not breach the Electricity (Hazards from Trees) Regulations 2003.

- The NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances contains restrictions on the location of activities and development in relation to electricity distribution lines. Activities and development in the vicinity of these lines must comply with NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.

Insert the following new rule:

**Structures near a major electricity distribution line****Activity status: NC**

1. The establishment of a new, or expansion of an existing structure:

Where:

- 2. The structure is within 6m of the centreline of a major electricity distribution line as shown on the planning maps; or
- 3. The structure is within 6m of the foundation of a support structure of a major electricity distribution line as shown on the planning maps, or
- 4. Complies with the requirements of NZECP34:2001

**Notification**

An application under this rule is precluded from being publicly notified, but may be limited notified only to the relevant electricity distribution line operator where the consent authority

*considers this is required, absent its written approval.*

**Activity status when compliance not achieved: NC"**

155. Similar to their submissions on the LIZ, MoE [277.59] seek that educational facilities are provided for in the General Industrial Zone. They consider that educational facilities are essential social infrastructure that may need to be located within industrial areas. They seek activity status of Restricted Discretionary which provides flexibility without unreasonable restrictions. They seek the following new rule:

*"GIZ-RX Educational Facilities*

*Activity Status: RDIS*

*Matters of discretion are restricted to:*

- 1. The scale, intensity and/or character of the buildings and associated activity.*
- 2. Hours of operation.*
- 3. The placement of buildings on the site*
- 4. Access.*
- 5. The extent of impervious surfaces and landscaping.*
- 6. The effects on matters of reverse sensitivity."*

156. Similar to their submission on the LIZ, Woolworths [282.79] considers a non-complying activity status for supermarkets within the GIZ is unnecessary. Rather, Woolworths considers a discretionary activity consent may be appropriate for supermarkets in the industrial zones. Woolworths is not aware of any economic evidence prepared by the Council that identifies industrial land supply as being so significantly scarce relative to demand that non-industrial activities cannot be countenanced. Woolworths considers that supermarkets by their nature are large in format and utilitarian in nature and not sensitive to effects arising from industrial activities. They accept that a wider discretion is appropriate given the primary industrial thrust of the zones, and in recognition of the centres hierarchy. Woolworths seeks to insert new rule in the GIZ providing for supermarkets as a discretionary activity.

### **3.12.1.2 Assessment**

157. Regarding Daniel Smith's submission, the LFRZ re-zoning request will be considered as part of the re-zoning hearings (Hearing Stream 12). Regarding permitting retail activity on the identified properties in the GIZ, under the Operative Plan retail activity is limited in the Business 2 Zone to either goods produced or processed on site including ancillary products and goods (under Rule 31.23.1.9) or shall not exceed 20% of the net floor area of the sum of all buildings on any site (under Rule 31.23.1.8). In both instances, non-compliance with the rule requires a discretionary activity resource consent (under Rule 31.26.1). I understand that many of the existing retail activities operating from the submitter's land have resource consent to operate.
158. While the Operative Plan categorises general retail activities as discretionary, the Proposed Plan categorises these as non-complying. However, unlike the Operative Plan, the Proposed Plan further refines retail and permits trade suppliers (GIZ-R3) and yard-based retailing (GIZ-R4), which are types of retail activity often operating in industrial zones. These types of retail are less likely to establish in town centres and are less likely to create significant adverse distribution impacts on these centres. In addition, they can create adverse amenity and traffic impacts in town centres.

159. I anticipate that the majority of the activities operating from the submitters land would be permitted under GIZ-R3 - *Trade supplier*, GIZ-R4 - *Yard-based activity*, GIZ-R2 - *Industrial activity* or GIZ-R11 – *Ancillary retail activity* (for example Farmlands, Brand Mowers and Chainsaws, Transport Rangiora, Toycomm auto recyclers, West Trimer Ltd Frame & Truss Division, ICS Farm Machinery, Icon Marine Hub, Cowan Trailers, Daniel Smith Industries, BNT – the Trade Supporter, Allied Truck Stop, Farm Source Rangiora, Redpath, Pebble Beach Upholstery, Laser Electrical Rangiora, Hyundai Rangiora, Izuzu Rangiora, and Lineside Automotive).
160. In his evidence (Paragraph 5.6), Mr Foy states that:
- a) enabling retail activity in the GIZ may result in less land being available for industrial activity, which could result in a shortage of industrial land supply;
  - b) the location of retail activity in the GIZ could result in a less efficient urban form because industrial zones are not typically locations frequently visited by members of the public, and enabling retail activity in the GIZ would disperse retail over a potentially large area rather than concentrating it in centres;
  - c) potential dispersal would have adverse effects on the centres hierarchy and health of centres; and
  - d) the introduction of new trips to industrial zones by retail consumers may have some minor adverse effects on the operation of the industrial activities in those zones due to traffic volumes.
161. Mr Foy states (in Paragraph 5.7) that due to the potential adverse economic effects identified, he supports a non-complying activity status for retail in the GIZ, and does not consider there is merit to Mr Smith's submission, including because the proposed non-complying activity status is not much differently enabling than the operative discretionary status of retail activities.
162. Given that the GIZ permits trade suppliers, yard-based retail and ancillary retail (and therefore many of the existing retail activities operating from the submitters identified sites), and noting Mr Foy's advice, I recommend that this submission is rejected. I note that the re-zoning matter is yet to be considered.
163. Regarding the MainPower submissions to insert a new objective [249.126], policy [249.127] and rules [249.128] so that these rules are clearly visible to landowners, I consider that these provisions are best located within the Infrastructure and Energy Chapter and I understand that similar provisions are already located within that chapter to manage activities in relation to major electricity distribution lines. I also note that major electricity distribution lines are shown on the planning map and are referenced when the property address search function is used in the planning map. As such, I consider it is not necessary for the provisions to be repeated in the zone chapters. However, I am comfortable ensuring there is a clear cross reference to the relevant rules managing major electricity distribution lines in the Infrastructure and Energy Chapter within the industrial zones and I understand that the Residential Chapters s42A author (who is also the s42A Infrastructure and Energy Chapter author) is also proposing cross references. This suggested cross reference is set out below and in **Appendix A**. Accordingly, I recommend that this submission is accepted in part, as while I do not support the insertion of additional rules into the zone chapters, I do support greater certainty and clarity for the management of activities in relation to electricity distribution lines and an amendment to include improved cross referencing. I note MainPower did not make a similar submission on

the LIZ or HIZ chapters, potentially because these zones do not contain major electricity distribution lines. MainPower may wish to clarify this at the hearing.

164. Regarding the MoE [277.59] submission seeking a new restricted discretionary rule for educational facilities, these activities were also assessed against the LIZ under General Submissions. For the LIZ I recommended that the MoE submission is rejected, noting Mr Foy's advice. I recommend that this MoE submission on GIZ is rejected for the same reasons.
165. Regarding Woolworths [282.79] submission seeking a new discretionary activity rule for supermarkets (instead of the notified non-complying status), I recommend that this submission is rejected for the reasons provided earlier under LIZ General.

### *3.12.1.3 Summary of recommendations*

166. That the submission from Dan smith [25.1] is **rejected**.
167. That the submission from MainPower submissions [249.126], [249.127] and [249.128] are **accepted in part**.
168. That the submission from MoE [277.59] is **rejected**.
169. That the submission from Woolworths [282.79] is **rejected**.

### *3.12.1.4 Recommended Changes to the Proposed Plan*

170. Amend the GIZ introduction as follows:

[...]

The provisions in this chapter are consistent with the matters in Part 2 - District Wide Matters - Strategic Directions and give effect to matters in Part 2 - District Wide Matters - Urban Form and Development.

As well as the provisions in this chapter, district wide chapter provisions will also apply where relevant. For example, activities in the GIZ must also comply with the provisions in the District-wide Energy and Infrastructure chapter, including EI-51, EI-R52, EI-R54, EI-R55, and EI-R56, which manage activities near the National Grid and Major Electricity Distribution Lines which are shown on the Planning Map.

171. S32AA evaluation table reference: none undertaken as the change only involves adding a cross reference to an introduction.

## **3.12.2 GIZ-P1 Activities**

### *3.12.2.1 Matters raised by submitters*

172. Five submissions were received in support of GIZ-P1 while two submissions sought amendments.
173. Similar to their submission on INZ-O2 and INZ-P2, Concept Services [230.12] considers the term 'avoid' is unnecessary as many activities could be undertaken on a site in the GIZ, and management of the effects of non-industrial uses is already provided for in the activity status of rules GIZ-R15 - R23. They consider that the rules for the HIZ provide for discretionary and non-complying activities for non-industrial uses, however HIZ-P1 does not use the term 'avoid',



despite non-compatible activities having the potential to create more adverse effects than in the GIZ. They seek the following amendments:

*"Recognise and provide for a range of general industrial and other compatible activities and ~~avoid~~ manage activities which do not support the primary function of the zone."*

174. Woolworths [282.21] consider that the requirement to 'avoid' activities that do not support the primary function of the zone is a difficult test particularly if interpreted as requiring no effects. They seek to amend GIZ-P1 to introduce a reasonable threshold that does not preclude non-industrial activities that have a functional need to locate within that zone or that support the primary function of the zone. They consider that coupled with the discretionary activity status for supermarkets, this policy requires a comprehensive and robust assessment of effects on centres and the overarching intent of the industrial zones. They seek to amend GIZ-P1 to make the rules more consistent with (and give better effect to) the objectives and policies, and align with the provisions for the HIZ. They seek the following amendments:

*"Recognise and provide for a range of general industrial and other compatible activities and avoid non-industrial activities which do not demonstrate a functional need to locate within that zone or that otherwise do not support the primary function of the zone."*

### 3.12.2.2 Assessment

175. Regarding the Concept Services submission, this submission makes similar points as their submission [230.11] on INZ-P5. In my opinion sensitive activities are generally not appropriate within an industrial zone and these should be avoided rather than managed. I note that the majority of sensitive activities, such as residential and visitor accommodation and offices, are listed as non-complying activities in the GIZ, while community activities are restricted discretionary. I consider that 'avoid' is appropriate for all these activities and activity statuses, noting that I have recommended retaining 'avoid' in INZ-P5. I therefore recommend that this submission is rejected, noting that I have recommended some changes in response to the Woolworths submission [282.21] to further clarify its intended application.
176. Regarding the Woolworths submission, activities to avoid in INZ-P1 are non-industrial activities that do not support the function of the zone. I agree with the submitter that the wording is a difficult test particularly if interpreted as requiring no effects. That is not the intention of the policy. Consistent with my recommendation for INZ-O2, I agree that it would be appropriate to include a reference to functional need to further qualify what activities are to be avoided, as well as specifying these are non-industrial activities. However, I consider that the wording proposed by the submitters appears to provide an either or option for establishing in the GIZ – either a functional need is required to be demonstrated or the activity must support the primary function of the zone. I do not support this 'either or' approach as many activities could demonstrate a functional need to establish in the GIZ (for example availability of suitably sized land parcels) but create significant adverse effects on the function of the zone (for example through reverse sensitivity or adverse distribution effects on nearby town centres). In my opinion this would be inconsistent with INZ-O2 as notified and as recommended to be amended on the basis of Woolworths' [282.19] submission. I therefore recommend some amendments to the wording proposed by Woolworths to require both a functional need and avoidance of effects. Accordingly, I recommend that this submission is accepted in part, with the policy amended as set out below and in **Appendix A**.

### 3.12.2.3 Summary of recommendations

177. That the submission from Concept Services [230.12] is **rejected**.
178. That the submission from Woolworths [282.21] is **accepted in part**.
179. Given the changes I am proposing to GIZ-P1, I recommend that the submissions in support of this policy are **accepted in part** as set out in **Appendix B**.

### 3.12.2.4 Recommended Changes to the Proposed Plan

180. Amend GIZ-P1 as follows:

Recognise and provide for a range of general industrial and other compatible activities and avoid non-industrial activities which do not demonstrate a functional need to locate within the zone and do not support the primary function of the zone.

181. S32AA evaluation table reference: C2.

## **3.12.3 GIZ-R1 Construction or alteration of or addition to any building or other structure**

### 3.12.3.1 Matters raised by submitters

182. Four submissions were received in support of GIZ-R1 while the House Movers [221.17] sought changes. Their submission has already been assessed in the general and repeated submissions section earlier (section 3.3).

### 3.12.3.2 Assessment

183. There are no submissions to assess.

### 3.12.3.3 Summary of recommendations

184. I recommend that the submissions in support of this rule as set out in **Appendix B** are **accepted**.

## **3.12.4 GIZ-BFS7 – Rail boundary setback**

### 3.12.4.1 Matters raised by submitters

185. Three submissions were received in support of TCZ-BFS7 while KiwiRail [373.89] sought to amend the building setback from the rail corridor 4m to 5m. The KiwiRail submission was assessed earlier under general and repeated submissions on the Industrial zones (section 3.3) and will not be reassessed here.

### 3.12.4.2 Assessment

186. No submissions require assessment.

### 3.12.4.3 Summary of recommendations

187. I recommend that the submissions in support of this standard as set out in **Appendix B** are **accepted**.

### 3.12.5 GIZ-BFS9 Outdoor storage area

#### 3.12.5.1 Matters raised by submitters

188. Three submissions were received in support of GIZ-BFS9, while the Council [367.29] considers that the Industrial Zone outdoor storage requirement (which is the only location where fencing is mentioned) should include fencing limits for traffic safety, specifically visibility to reserves, pedestrian and cyclist facilities. This matter was considered earlier under general and repeated submissions (section 3.3) and will not be reassessed here.

#### 3.12.5.2 Assessment

189. No assessment is required.

#### 3.12.5.3 Summary of recommendations

190. Given the changes I recommended earlier to this rule, I recommend that the submissions in support of this standard as set out in **Appendix B** are **accepted in part**.

## 3.13 HIZ – General

### 3.13.1 General submissions

#### 3.13.1.1 Matters raised by submitters

191. Three general submissions were received seeking amendments to the HIZ provisions.

192. CIAL [254.127] seek that the rules relating to the 50 dBA Ldn Air Noise Contour be relocated to each relevant chapter, or cross references are made in the relevant zone chapters to ensure plan users are directed to the additional rules applying to land within the 50 dBA Ldn Air Noise Contour. I understand that these will be covered in a CIAL specific hearing (Hearing Stream 10A). As such, I have not assessed these submissions in this report. This is set out in **Appendix B**.

193. Daiken [145.53] state that a large part of their site is used for primary production as part of the rural use of the land when it is not being relied upon for wastewater disposal by irrigation. The use of Heavy Industrial Zone land for rural activities is not permitted despite this being an existing use of the land, and they consider it would be appropriate to explicitly recognise and provide for this established activity. They seek the following new rule:

"HIZ-R12 Primary Production

Activity status: PER

Activity status when compliance not achieved: N/A"

194. Consistent with their submission on the LIZ and GIZ, MoE [277.60] seek that educational facilities are provided for in the HIZ as they consider that educational facilities are essential social infrastructure that may need to be located within industrial areas. They seek a restricted discretionary activity status to provide flexibility without unreasonable restrictions. They seek the following new rule:

"HIZ-RX Educational Facilities

Activity Status: DIS"

### 3.13.1.2 Assessment

195. Regarding the Daiken submission, I accept that a large part of the submitter's site is used for primary production as part of the rural use of the land. I consider that permitting the existing rural activity in the HIZ is appropriate as this is a significant existing activity on this site. I do not support requiring the submitter to rely on existing use rights for such a significant activity that is likely to continue on the site for the foreseeable future and may evolve over time. However, I note that primary production includes mining and quarrying – two activities not currently undertaken on the site, and therefore prefer permitting 'rural production' which I consider more accurately encompasses the existing activities on this site. I therefore recommend that this submission is accepted in part and the HIZ provisions are amended as set out below and in **Appendix A**.
196. I note that primary production is also not permitted in the LIZ and GIZ and that there are greenfield GIZ areas in Southbrook that have primary production activities occurring on them. However, I do not consider that there is scope under the Daiken submission to address this in the GIZ and LIZ. Furthermore, I note that much of the greenfield land in Southbrook is land-banked (and has been for many years) and permitting primary production could facilitate land banking further. For these reasons I do not favour making the same change for the LIZ and GIZ.
197. Regarding the MoE [277.60] submission, I considered the merits of providing for education facilities in industrial zones under the LIZ General assessment. I note that the Proposed Plan only includes two areas zoned as HIZ - one of the Daiken MDF factory located near Ashley / Sefton, while the other is the Oxford sawmill. In addition to my assessment for the LIZ (and GIZ), in my opinion education facilities as standalone activities would not be appropriate in either HIZ location due to the frequent and ongoing machinery and milling noise, dust and heavy truck movements. I therefore recommend that this submission is rejected.

### 3.13.1.3 Summary of recommendations

198. I recommend that the submission from Daiken [145.53] is **accepted in part**.
199. I recommend that the submission from MoE [277.60] is **rejected**.

### 3.13.1.4 Recommended Changes to the Proposed Plan

200. Insert the following new rule into the HIZ chapter and renumber the rules accordingly:

HIZ-R12 Rural Production

Activity status: PER

Activity status when compliance not achieved: N/A"

201. S32AA evaluation table reference: C3.

## **3.13.2 Objective HIZ-O1 Provision of heavy industrial activities**

### 3.13.2.1 Matters raised by submitters

202. One submission was received in support of HIZ-O1, while Daiken [145.40] support HIZ-O1 enabling heavy industrial activities, but consider the wording of the provision needs amending to provide greater clarity of intent, being clear that management of adverse effects is to provide an acceptable level of amenity within other zones, that fits the anticipated uses and outcomes

for that neighbouring zone. They consider that expectations will differ depending on the nature of the zone and that it should not be assumed that the neighbouring zone will be sensitive to the industrial activity. They consider that in some cases the effects of activities in the HIZ do not need to be managed at the interface and the rules need to provide for the control of effects at distances beyond the zone boundary – such as a noise contour extending into adjoining land to recognise existing use. They seek the following amendments:

*"Heavy industrial activities are enabled, where the adverse effects of these activities ~~on adjacent non-heavy industrial zones~~ are managed ~~at the interface~~ to provide an acceptable level of amenity ~~in of these more sensitive~~ within other zones."*

### 3.13.2.2 Assessment

203. I support broadening the application of HIZ-O1 beyond 'adjacent' zones and the 'interface' as the noise contours stretch beyond the immediate zone boundary. The words 'non heavy industrial zones' and 'more sensitive zones' were included so that the adverse effects were not assessed against other nearby equally unsensitive areas. However, the two proposed HIZ are not located near each other. As such, I accept these requested changes. Consistent with my recommendation for INZ-O3, I prefer adding the word 'vicinity' to enable consideration of matters beyond the interface. I therefore recommend that this submission is accepted in part, with HIZ-O1 amended as set out below and in **Appendix A**.

### 3.13.2.3 Summary of recommendations

204. I recommend that the submission from Daiken [145.40] is **accepted in part**.

205. Given the changes I am recommending to HIZ-O1, I recommend that the submission in support as set out in **Appendix B** is **accepted in part**.

### 3.13.2.4 Recommended Changes to the Proposed Plan

206. Amend HIZ-O1 as follows:

Heavy industrial activities are enabled, where the adverse effects of these activities ~~on adjacent non-heavy industrial zones~~ are managed in the vicinity or at the zone interface to provide an acceptable level of amenity ~~in of these more sensitive~~ within other zones.

207. S32AA evaluation table reference: Table C1.

## 3.13.3 Policy HIZ-P1 Heavy industrial activities

### 3.13.3.1 Matters raised by submitters

208. One submission was received in support of HIZ-P1. Daiken [145.41] supports the recognition of heavy industrial activities and the obligation to avoid, remedy and mitigate the effects of activities on the environment and acknowledge and support the recognition of potential reverse sensitivity effects. However, they consider that the current wording is not sufficiently specific, includes value laden terminology, and does not adequately recognise the significant constraints which new sensitive activities could have on the continued operation of industrial activities. They seek amendments to provide greater clarity of intent as follows:

*"Recognise and provide for heavy industrial activities that generate ~~potentially significant and a range of intermittent and continuous effects, including relatively high levels of noise, odour, heavy traffic movements, and the presence of significant amounts of hazardous~~*

*substances amenity related adverse effects, which may require necessitating separation from more sensitive activities and the consideration of reverse sensitivity management."*

### 3.13.3.2 Assessment

209. I consider that the proposed wording is arguably less specific given the proposed removal of the list of effects (although I note that the odour effect example is principally a Regional Council matter), and that both versions equally recognise the significant constraints which new sensitive activities could have on the continued operation of industrial activities. I accept that the words 'significant' and 'high' could be considered to be value laden, however they help to distinguish the HIZ from the other industrial zones and also provide support for restricting sensitive activities from locating in the vicinity of the HIZ (as opposed to only within the HIZ, as applies to the GIZ and LIZ). As such, these words support the proposed restricted discretionary activity status applying to noise sensitive activities under NOISE-R21. I do however support the proposed reference to intermittent and continuous effects. I also accept that amenity effects may not always necessitate separation from more sensitive activities. Overall, I consider some of the proposed amendments improve HIZ-P1 and therefore recommend that this submission is accepted in part and HIZ-P1 is amended as set out below and in **Appendix A**. In coming to this conclusion I have reviewed the s42A report for Noise (dated 21 July 2023) which includes recognition of noise generating activities on Daiken's site and I consider that my recommended wording is complementary to the provisions in that chapter.

### 3.13.3.3 Summary of recommendations

210. I recommend that the submission from Daiken [145.41] is **accepted in part**.
211. Given the changes I am recommending to HIZ-P1, I recommend that the submission in support of this policy as set out in **Appendix B** is **accepted in part**.

### 3.13.3.4 Recommended Changes to the Proposed Plan

212. Amend HIZ-P1 as follows:

Recognise and provide for heavy industrial activities that generate a range of potentially significant ~~and intermittent and~~ continuous adverse effects, ~~including relatively high levels of noise, odour, heavy traffic movements, and the presence of significant amounts of hazardous substances, which may require necessitating~~ separation from more sensitive activities and the consideration of reverse sensitivity management.

213. S32AA evaluation table reference: Table C6.

### **3.13.4 Rule HIZ-R1 Construction or alteration of or addition to any building or other structure**

#### 3.13.4.1 Matters raised by submitters

214. Two submissions were received in support of HIZ-R1 while House Movers [221.18] seek a permitted activity rule for moveable buildings. This matter was assessed under general and repeated submissions on the Industrial zones (Section 3.3) and won't be repeated here.

#### 3.13.4.2 Assessment

215. No assessment is required.

### 3.13.4.3 Summary of recommendations

216. I recommend that the submissions in support of this provision as set out in **Appendix B** are **accepted**.

### 3.13.4.4 Recommended Changes to the Proposed Plan

217. No changes are recommended.

## 3.13.5 Rule HIZ-R10 Ancillary office

### 3.13.5.1 Matters raised by submitters

218. One submission was received in support of HIZ-R10. Daiken [145.51] supports this provision for 'ancillary offices' as a permitted activity in the HIZ noting the necessity for office facilities to support heavy industrial activity. However, they consider that the scale of office space provided for does not recognise the nature of activities established on the Daiken site, the scale of the site nor the impracticability of distributing offices within various buildings. Further the Daiken site comprises land held in a number of certificates of title and over a substantial area. Daiken consider that it is impractical to require any ancillary offices to be located on the same site as the primary activity permitted within the zone, and unnecessary to limit the area of office activity when it is ancillary to the industrial activity and does not provide for independent office activity that could undermine the intent of the zone.

"...

2. it is located on the same site as the primary activity which is permitted in the zone *except that these rules do not apply to the HIZ located between Upper and Lower Sefton Roads.*"

### 3.13.5.2 Assessment

219. I accept that the Daiken site is vast, with numerous buildings and scattered offices (in his evidence (Paragraph 6.11) Mr Foy notes that there may be nearly 30,000m<sup>2</sup> of building footprint on the main parcel). I agree that the GFA limitation in clause 1 is not practical for the site and existing operations. I note that in his evidence (Paragraph 6.4) Mr Foy considers it is appropriate to limit office space in the HIZ for two main reasons: firstly to limit the potential for reverse sensitivity effects arising from the interface between industrial activities and office space; and secondly, to avoid office activity (other than ancillary offices) from establishing in the HIZ in preference to commercial zones, particularly the town centres where office activity plays an important role in supporting the efficient functioning of the economy and access to office activities. He notes that these limitations are intended to ensure that office activity in the HIZ is a subservient activity to the primary (industrial) activity, and does not become the focal point of the zone. Noting the location of the Daiken site and the other HIZ site in Oxford, I do not think there will likely be significant distribution effects from the establishment of larger ancillary offices in these locations. Mr Foy also comes to this conclusion (in Paragraphs 6.7 and 6.8 of his evidence).

220. Given this conclusion and that the limitation is clearly not practical for the Daiken site, I recommend that the 250m<sup>2</sup> GFA permitted activity standard (clause 1) is deleted. However, I consider that the requirement to be located on the same site as the primary activity (clause 2) is appropriate and would not impede the provision of various offices scattered across the Daiken site – they will also be ancillary to the main heavy industrial activity on the wider site or the activity occurring on each individual site. I prefer this solution to that proposed by Daiken

in their submission.<sup>20</sup> Accordingly, I recommend that the Daiken submission is accepted in part and HIZ-R10 is amended as set out below and in **Appendix A**.

221. I note that Mr Foy raises the possibility that plan changes could be advanced to establish new areas of HIZ within the life of the PDP (Paragraph 6.13). While this is possible, the assessment of these plan changes should also consider at that time any office distribution impacts and could amend HIZ-R10 if required.

### 3.13.5.3 Summary of recommendations

222. I recommend that the submission from Daiken [145.51] is **accepted in part**.
223. I recommend that the submission in support of this provision as set out in **Appendix B** is **accepted in part**.

### 3.13.5.4 Recommended Changes to the Proposed Plan

224. Amend HIZ-R10 as follows:

HIZ-R10 Ancillary office

Activity status: PER

Where:

1. ~~the ancillary offices occupy a maximum of 250m<sup>2</sup> of building GFA; and~~
12. it is located on the same site as the primary activity which is permitted in the zone.

225. S32AA evaluation table reference: C3.

### **3.13.6 Rule HIZ-R12 Land based sewage disposal and/or wastewater disposal, and/or treatment areas for sewage or wastewater, including oxidation ponds**

#### 3.13.6.1 Matters raised by submitters

226. Two submissions were received in support of HIZ-R12. DOC [419.140] seek to amend HIZ-R12 to be a Restricted Discretionary Activity and extend matters of discretion to include effects on the natural environment especially for zones located close to waterbodies. They seek the following changes:

*"Activity status: ~~CONRES~~*

*Where:*

- 1. any part of the activity shall comply with the following minimum setback requirements:*
  - a. 20m from any water bodies; and*
  - b. 20m from the boundary with any other zone.*

*Matters of ~~control~~ discretion are restricted to:*

*INZ-MCD11 - Waste disposal*

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<sup>20</sup> Daiken's planner has subsequently agreed that this alternative amendment also adequately responds to their concerns.



INZ-MCD12 Natural environment values

*Proposed new Matter of Discretion for the Industrial Zones*

INZ-MCD12 Natural environment values

The term natural environment values describes those matters addressed in the Chapters under the Natural Environment Values heading in the District Plan.

1. The extent to which there are any adverse effects on SNAs or effects on the ability to maintain or enhance indigenous biodiversity.
2. The extent to which there are any adverse effects on the values of ONL and ONF from an activity adjoining these areas.
3. The extent to which there are any adverse effects on the natural character and values of freshwater bodies.
4. The extent to which adverse effects on sites, areas or values associated with natural environment values can be avoided, remedied or mitigated."

**3.13.6.2 Assessment**

227. This rule was carried over from the Operative Plan Business 3 zone as it was specific to activities on the Daiken site. Daiken supported the controlled activity status of the rule but noted that the majority of the wastewater associated with the Daiken operation is water/sap squeezed out of the untreated chip which has Regional Council consents to treat / store / and irrigate onto adjacent land.
228. Having reviewed the rule, the matters covered are either Regional Council matters (discharge to land and water, and odour) or overlap with the Natural Character of Freshwater Bodies (NATC) chapter (for structures associated with the activities). Given this duplication and potential for inconsistencies, and after discussions with the S42A author for the NATC chapter, I consider this rule is no longer required. Unfortunately, there is no scope to remove this rule under submissions on the INZ provisions. Given my conclusions on the need for the rule I do not agree with the DOC submission seeking to change the activity status of the rule to be more onerous. I therefore recommend that this submission is rejected.

**3.13.6.3 Summary of recommendations**

229. I recommend that the submission from DOC [419.140] is **rejected**.
230. I recommend that the submissions in support of this provision as set out in **Appendix B** are **accepted**.

**3.13.6.4 Recommended Changes to the Proposed Plan**

231. No changes are recommended.

**3.13.7 Rule HIZ-R13 – Any other activity****3.13.7.1 Matters raised by submitters**

232. One submission was received in support of HIZ-R13, while Fire and Emergency NZ [303.74] consider emergency service facilities should be a permitted activity in the HIZ (as they are for the GIZ and LIZ). They consider that compliance would still be required with built form standards and from a reverse sensitivity perspective, a fire station is likely to have little effects in terms of noise and traffic movements. They seek the following new rule:

*"HIZ-RX Emergency service facility  
Activity Status: Permitted"*

### 3.13.7.2 Assessment

233. The HIZ is limited to two discrete sites (the Daiken MDF factory in Ashley / Sefton and the Oxford Sawmill). The Daiken site is an industrial spot zone surrounded by rural zone, while the Oxford site is adjacent to the town of Oxford and is predominantly surrounded by rural zone. I note that emergency services facilities are proposed to be restricted discretionary in the rural zones.<sup>21</sup> Given the activities operating from these sites and their locations I do not consider these sites are suitable to locate emergency services in. I acknowledge that additional HIZ sites may occur in the future, but these will be limited. In the absence of evidence as to why these particular sites are required for the emergency services network, I recommend that this submission is rejected.

### 3.13.7.3 Summary of recommendations

234. I recommend that the submission from Fire and Emergency NZ [303.74] is **rejected**.

235. I recommend that the submission in support of this rule as set out in **Appendix B** is **accepted**.

### 3.13.7.4 Recommended Changes to the Proposed Plan

236. No changes are recommended.

## 3.13.8 HIZ-BFS1 – Height

### 3.13.8.1 Matters raised by submitters

237. Daiken [145.59] support the need to control building height but consider that HIZ-BFS1 is unreasonable and inappropriate given the scale of the existing Daiken facility and necessity for large scale buildings to operate the established activity. They note that the current structures are up to 38m in height and limiting buildings to 25m could impact the future ability to operate. The submitter states that prior to the Proposed Plan being notified, the Council indicated support for a 45m height limit on this site to protect its operational ability which the submitter maintains is appropriate. They seek the following changes:

"...

2. *The maximum height of any chimney or support structure shall be 40m.*

*except that the maximum height for any building or structure applying to the HIZ located between Upper and Lower Sefton Roads shall be 45m."*

### 3.13.8.2 Assessment

238. The Daiken site is a very large site with the majority of the buildings and structures clustered in the northern portion (identified as Lot 1 DP 68953 at 166 Upper Sefton Road), and rural activities occurring on the balance land – see Figure 1 below. It is understood that the taller structures on the site are the dryer towers, Z sifter and cyclones which range from 29m to 37.2m

<sup>21</sup> Paragraphs 429 to 434 Rural Zones s42A Report dated 8 September 2023

and that buildings across the site are up to 19.5m in height with some of the smaller administrative buildings being only single storey.<sup>22</sup> Figure 2 below shows a 37m tall dryer as an example of a tall structure on the site.

*Figure 1: The Daiken Site (source Proposed District Plan Planning Map)*



*Figure 2: 37m tall dryer on the Daiken site (photo supplied by Daiken's Planning Consultant)*



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<sup>22</sup> Information supplied by Daiken's planning consultant in an email dated 22.02.24

239. Regarding structure height, I note that at 40m the proposed height limit already provides for the tallest support structures on the Daiken site (which are up to 37.2m in height). However, I understand and accept that taller support structures and chimneys may well be required in the future and that a 45m limit provides a small height buffer for these structures. Given the existing significant industrial character of the main development area of the site and that this exception does not apply to buildings, I do not consider that an additional 5m on the main development site will cause significant adverse effects, especially as HIZ-BFS2 (height in relation to boundary) and HIZ-BFS3 (internal boundary setback) will continue to apply. Based on correspondence with the submitter's planning consultant<sup>23</sup> I consider that the standard should be reworded to more accurately refer to the types of structures that are anticipated to occur on the Daiken site (chimneys, towers, plant, equipment, and support structures). This will help avoid these structures being incorrectly classified as buildings, given the broad definitions of 'structures' and 'buildings' used in the Proposed Plan. Whilst I recommend an increase in the height and types of structures covered by the rule, I am uncomfortable increasing what I consider to be an already generous structure height limit and approach on the balance of the site which is predominantly in rural use, and indeed on other HIZ sites (including future HIZ). Because of this and in response to an activity status change recommended below, I recommend that these additional height exceptions only apply to the main Daiken factory site located at 166 Upper Sefton Road (rather than the whole area of the Daiken HIZ and other HIZ).
240. Regarding building height, the Proposed Plan's 25m height limit is in excess of the current height of buildings on the site and was therefore considered sufficient to provide for Daiken's operations. It is also far in excess of the RLZ 12m height limit applying in the surrounding zone. A height limit of 45m would provide for more than a doubling in building height of the tallest building on the site, which in my opinion would be a significant change from the existing scale of buildings and be more incongruous with the built form scale on the adjacent RLZ, especially noting that the majority of the Daiken site is in rural use. For these reasons I prefer a 25m height limit. However, I consider that a fully discretionary activity status for breaches of the height standard may not provide sufficient certainty for ongoing development at the site, especially if some structures are classified as buildings. For these reasons and the reasons identified for structures in the preceding discussion I recommend the following changes:
- Add a new clause to reference chimneys towers, plant and equipment and support structures and change the height limit from 40m to 45m for Lot 1 DP 68953 on the Daiken site at 166 Upper Sefton Road;
  - Change the activity status of the rule (HIZ-BFS1) from full discretionary to restricted discretionary and include a new matter of discretion for height breaches.
241. Accordingly, I recommend that the Daiken submission is accepted in part with the changes set out below and in **Appendix A**.

### 3.13.8.3 Summary of recommendations

242. I recommend that the submissions from Daiken [145.59] is **accepted in part**.

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<sup>23</sup> In an email dated 25<sup>th</sup> February 2024

### 3.13.8.4 Recommended Changes to the Proposed Plan

243. Amend HIZ-BFS1 as follows:

#### HIZ-BFS1 Height

1. The maximum height of any building, calculated as per the height calculation, shall be 25m above ground level, when it is setback its own height from an adjoining internal or road boundary;
2. The maximum height of any chimney or support structure shall be 40m, except where specified under clause 3;-
3. The maximum height of any chimney, towers, plant and equipment or support structure located at 166 Upper Sefton Road on Lot 1 DP 68953 shall be 45m.

Activity status when compliance not achieved: RDIS

Matters of discretion are restricted to:

#### INZ-MCD12 - Height

244. Insert a new matter of discretion as follows:

#### INZ-MCD Height

1. The extent to which the increased height would compromise the amenity values of nearby non-industrial properties including overshadowing, loss of privacy and adverse dominance and character effects arising from scale;
2. The extent to which any adverse effects of increased height are mitigated through increased separation distances between the building and adjoining sites, the provision of landscaping, screening or any other methods;
3. The extent to which there are alternative practical options for meeting the functional requirements of the building or structure in a compliant manner.

245. S32AA evaluation table reference: C3.

### **3.13.9 HIZ-BFS7 – Rail boundary setback**

246. One submission was received in support of HIZ-BFS7 while KiwiRail [373.90] sought to amend the rail corridor setback from 4m to 5m. This submission was assessed in the general and repeated submissions on the Industrial zones section (Section 3.3) and will not be re-assessed here.

#### 3.13.9.1 Assessment

247. No assessment is required.

248. I recommend that the submission in support of this rule as set out in **Appendix B** is **accepted**.

#### 3.13.9.2 Recommended Changes to the Proposed Plan

249. No changes are recommended.

### 3.14 INZ - Matters of Control and Discretion for all Industrial Zones

#### 3.14.1 INZ MCDs – General

##### 3.14.1.1 Matters raised by submitters

250. CIAL [254.148] seeks to insert a matter of discretion related to bird strike risk on aircraft, applicable to any bird strike risk activities with restricted discretionary status. As set out under general and repeated submissions on the Industrial zones (Section 3.3) I understand that this will be covered in a CIAL specific Hearing Stream 10A. As such, I have not assessed this submission in this report. This is set out in **Appendix B**.

##### 3.14.1.2 Assessment

251. No assessment is required.

##### 3.14.1.3 Recommended Changes to the Proposed Plan

252. No changes are recommended.

## 4 Strategic Directions Primacy Assessment

### 4.1 Introduction

253. The Hearings Panel directed, via Minute 11, that s42A report authors provide their own professional opinion of the potential implications on a chapter's objectives if the Strategic Directions (SD) objectives (including Urban Form and Development (UFD)) were given primacy, or not.
254. I understand this is to be done in accordance with the approach set out in paragraph 9 of Mr Buckley's 29 September 2023 memo<sup>24</sup>, which set out the following different approaches to primacy for SD:

*"(a) SD objectives have no "primacy" and sit on the same level as other objectives in the plan;*

*(b) SD objectives have "primacy" in one of the following different senses (dependent on how the district plan is crafted):*

*(i) SD objectives inform objectives and policies contained in other chapters;*

*(ii) Objectives and policies in other chapters must be expressed and achieved as being consistent with the SD objectives;*

*(iii) SD objectives are used to resolve conflict with objectives and policies in other chapters; and*

*(iv) SD objectives override all other objectives and policies in the plan."*

255. I note that 'primacy' is typically defined as 'being pre-eminent or most important'.

### 4.2 Relevant Strategic Directions Objectives

256. The Commercial and Industrial Chapters s32 report stated the following:

*"The commercial and industrial provisions help to implement Strategic Directions Objective 2 Urban Development which seeks consolidated and integrated urban development and infrastructure that:*

- provides a good quality urban environment that recognises existing character, amenity and historic heritage values, and is attractive and functional to residents, businesses and visitors;*
- supports a hierarchy of urban centres, with the District's main centres in Rangiora, Kaiapoi, Oxford and Woodend being:
  - the primary centres for community facilities;*
  - the primary focus for retail, office and other commercial activity; and*
  - the focus around which residential development and intensification can occur.**

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<sup>24</sup> [https://www.waimakariri.govt.nz/\\_data/assets/pdf\\_file/0020/143408/RESPONSE-TO-MINUTE-10-PRIMACY-APPROACHES-FOR-PDP-CHAPTERS.pdf](https://www.waimakariri.govt.nz/_data/assets/pdf_file/0020/143408/RESPONSE-TO-MINUTE-10-PRIMACY-APPROACHES-FOR-PDP-CHAPTERS.pdf)

- *provides opportunities for business activities to establish and prosper within a network of business and industrial areas zoned appropriate to their type and scale of activity and which support District self-sufficiency.*

*They also help implement the Urban Form and Development Objective 2 - feasible development capacity for commercial and industrial activities and Urban Form and Development Policies 4 and 5 which provides for the expansion of existing town centres and guides the location for new commercial and industrial activities."*

257. I also note that UFD Policy 8 – Mechanism to provide additional industrial zones is also relevant for the INZ chapters.

### **4.3 Implications on the INZ objectives from Strategic Directions objectives primacy**

#### **4.3.1 Potential implications if SD objectives are not given primacy, as per primacy approach (a)**

258. In my opinion if primacy approach (a) '*SD objectives have no "primacy" and sit on the same level as other objectives in the plan*' was to apply, the implications would be minimal given the most directive objectives and policies typically apply on the basis of standard interpretation requirements. In my opinion the INZ objectives and provisions would provide more relevant and more detailed direction than those contained in the strategic directions.

#### **4.3.2 Potential implications if SD objectives are given primacy, as per primacy approaches (b)(i) and (b)(ii)**

259. The following statement is in the introduction of all the INZ chapters:

*"The provisions in this chapter are consistent with the matters in Part 2 - District Wide Matters - Strategic Directions and give effect to matters in Part 2 - District Wide Matters - Urban Form and Development."*

260. I consider that this statement indicates that strategic objectives have some level of primacy as the Proposed Plan was developed so that the chapter provisions were consistent with them, which generally aligns with primacy approaches (b)(i) and (b)(ii).

261. Therefore, if the Proposed Plan's SD primacy approach of (b)(i) and (b)(ii) is retained and there is no hierarchy between objectives, I consider that the INZ provisions are satisfactorily provided for via its directive objectives and policies and its links to SD-O2 and UFD-O2.

#### **4.3.3 Potential implications if SD objectives are given primacy, as per primacy approach (b)(iii) and (b)(iv)**

262. In my opinion, without applying specific examples it is difficult to assess the full implications of primacy under (b)(iii) or (b)(iv). Many of the SDs are not relevant as they do not readily apply to urban environments (e.g. SD-O1 and SD-O4). While the natural hazards SD-O6 applies, the natural hazards chapter enables development in the District's industrial areas through management rather than avoidance and as such would not likely cause conflict with the INZ provisions.



263. Potentially SD-O2(6) could cause 'mischief' as it seeks to provide opportunities for business activities (including industrial activities) to establish and prosper to support district self-sufficiency. Self-sufficiency arguments could therefore be used to support the use of industrial zones for non-industrial type activities and overrule commercial distribution requirements, affecting both town centres and established industrial zones. While UFD-Policy 7(3) includes a requirement for additional commercial and mixed-use zones to consider and address adverse effects that might undermine other town and local centres there is no equivalent clause under UFD-P8 for new industrial zones. As such, new areas could be established without the consideration of commercial distribution matters. If the SDs were given primacy under (b)(iii) and (b)(iv) I consider that this is an issue that should be addressed through the inclusion of an addition to UFD-P8 that is similar to clause UFD-P8(3). I have not assessed if there is scope to make this change.
264. Applying a theoretical lens, if the implications of SD primacy under (b)(iii) or (b)(iv) are not considered to be significant, the corollary of this is that there is no obvious value from making the SDs have greater primacy than they currently have. There is however a risk that unintended outcomes could arise when specific development proposals are assessed under a stronger primacy framework. Noting the potential issues identified above and this potential risk, I do not support applying primacy at the level identified under (b)(iii) or (b)(iv) to the INZ provisions.

## 5 Conclusions


265. Submissions have been received both in support of and in opposition to the INZ chapters of the Proposed Plan.
266. Having considered all the submissions and reviewed all relevant statutory and non-statutory documents, I recommend that Proposed Plan should be amended as set out in **Appendix A** of this report.
267. For the reasons set out in the Section 32AA evaluation attached at **Appendix C**, I consider that the proposed objectives and provisions, with the recommended amendments, will be the most appropriate means to:
- a. achieve the purpose of the Resource Management Act 1991 (RMA) where it is necessary to revert to Part 2 and otherwise give effect to higher order planning documents, in respect to the proposed objectives, and
  - b. achieve the relevant objectives of the Proposed Plan, in respect to the proposed provisions.

### Recommendations:

I recommend that:

268. The Hearing Commissioners accept, accept in part, or reject submissions (and associated further submissions) as outlined in **Appendix B** of this report; and
269. The Proposed Plan is amended in accordance with the changes recommended in **Appendix A** of this report.

### Signed:

Name and Title		Signature
Andrew Willis Consultant Planner		

## **Appendix A. Recommended Amendments**

Where I recommend changes in response to submissions, these are shown as follows:

- Text recommended to be added to the Proposed Plan is underlined.
- Text recommended to be deleted from the Proposed Plan is struck through.

# INZ - General Objectives and Policies for all Industrial Zones

## Introduction

The purpose of this chapter is to set out provisions relating to Industrial Zones.

This chapter contains objectives and policies relating to the:

- Light Industrial Zone;
- General Industrial Zone; and
- Heavy Industrial Zone.

The quantum and distribution of industrial activity plays a key role in the form, identity and growth of the district as a whole and<sup>1</sup> urban areas and is vital to the effective and efficient functioning of communities through providing employment, and access to trade and yard-based goods and industrial services. The District Plan recognises existing industrial activity and manages existing and new industrial activities to ensure<sup>2</sup>:

- appropriate activities establish in the industrial zones that are of a similar nature, be they light industrial, general industrial or heavy industrial;
- industrial activities integrate with infrastructure where available<sup>3</sup> and do not undermine existing commercial centres; and
- they avoid more than minor adverse environmental effects and manage all other effects.

The objectives and policies set out below apply to all Industrial Zones. However, there are some specific objectives and policies that will apply to the zones and appear in each zone section along with the rules for each zone.

The provisions in this chapter are consistent with the matters in Part 2 - District Wide Matters - Strategic Directions and give effect to matters in Part 2 - District Wide Matters - Urban Form and Development.

Objectives	
<b>INZ-01</b>	<p><b>Support and growth of industry</b></p> <p>Sufficient, feasible and available industrial zoned land to meet demand and to support employment and economic growth.</p>
<b>INZ-02</b>	<p><b>Role and function of Industrial Zones</b></p> <p>Industrial zones that:</p> <ol style="list-style-type: none"> <li><del>1. provide opportunities for light, general and heavy industrial activities in identified zoned areas to meet the diverse needs of a range of industrial activities; and</del></li> <li><del>2. avoid adverse effects on the role and function of Town Centres; and</del></li> <li><del>3. do not undermine investment in public amenities in the Town and Local Centre Zones.</del></li> </ol>

<sup>1</sup> Daiken [145.33]

<sup>2</sup> Daiken [145.33]

<sup>3</sup> Daiken [145.33]

	<p><u>Industrial zones that provide opportunities for light, general and heavy industrial activities in identified zoned areas to meet the diverse needs of a range of industrial activities, while:</u></p> <ol style="list-style-type: none"> <li><u>1. avoiding commercial activities that do not demonstrate a functional need to locate within that zone; and</u></li> <li><u>2. avoiding commercial activities which would result in significant adverse effects on the role and function of Town Centres and undermine investment in public amenities in the Town and Local Centre Zones.<sup>4</sup></u></li> </ol>
<p><b>INZ-O3</b></p>	<p><b>Managing the effects of industrial activities</b>                  The adverse effects of industrial activities are avoided, remedied or mitigated:</p> <ol style="list-style-type: none"> <li>1. within the zone where these may constrain the establishment and operation of industrial activities; and</li> <li>2. <u>in the vicinity or<sup>5</sup></u> at the interface with non-industrial zones to achieve the anticipated amenity values for those adjacent zones.</li> </ol>
<p><b>Policies</b></p>	
<p><b>INZ-P1</b></p>	<p><b>Anticipated activities in Industrial Zones</b>                  Provide for a range of industrial activities to occur in identified industrial zones, including providing for the following activities:</p> <ol style="list-style-type: none"> <li>1. small scale ancillary offices where these are necessary to support a primary activity anticipated in industrial zones;</li> <li>2. small scale ancillary retail that is necessary to support a primary activity anticipated in industrial zones and is limited to the sale of products manufactured or processed on site;</li> <li>3. warehousing, yard-based activities, and trade suppliers outside of the Heavy Industrial Zone;</li> <li>4. emergency services or non-custodial community corrections facilities outside of the Heavy Industrial Zone;</li> <li>5. small-scale cafés and dairies that are primarily supporting the needs of workers and businesses in the Light and General Industrial Zone; and</li> <li>6. community activities in the Light and General Industrial zones where these are compatible with the role and function of the zone, and do not result in a shortfall of Light and General Industrial land.</li> </ol>
<p><b>INZ-P2</b></p>	<p><b>Adverse effects on Town and Local Centres</b>                  Avoid retail activity, office, commercial services and other non-industrial activities <u>that do not demonstrate a functional need to locate within that zone and</u> that could individually or cumulatively <u>result in significant adverse effects on</u> <del>adversely affect<sup>6</sup></del> the role and function of town centres, and undermine investment in public amenities and facilities in the Town and Local Centre Zones.</p>
<p><b>INZ-P3</b></p>	<p><b>Brownfield redevelopment</b>                  Where industrial activity is no longer undertaken on a site, consider the redevelopment of brownfield sites for more intensive commercial and mixed use activities where:</p> <ol style="list-style-type: none"> <li>1. the brownfield site is abandoned, underutilised or no longer designated land, that is not surrounded by existing industrial activities;</li> <li>2. any commercial or mixed use development will not give rise to reverse sensitivity effects on existing industrial activities, or other effects that may hinder or constrain</li> </ol>

<sup>4</sup> Woolworths [282.19]

<sup>5</sup> Daiken [145.36]

<sup>6</sup> Woolworths [282.20]

	<p>the establishment or ongoing operation or development of industrial activities and strategic infrastructure; and</p> <p>3. the redevelopment maintains the strategic role of commercial centres as the focal points for commercial and other activities, and the efficient and effective use of land and/or community and transport infrastructure investment in centres.</p>
<b>INZ-P4</b>	<p><b>Intensification of existing Industrial Zones</b></p> <p>Enable industrial activities in industrial zones to redevelop, intensify, and expand provided they do not have a significant adverse effect on the character and amenity values of adjacent zones.</p>
<b>INZ-P5</b>	<p><b>Avoid sensitive activities within Industrial Zones</b></p> <p>Maintain and support the function of industrial zones through avoiding any sensitive activities, such as residential and visitor accommodation, in industrial zones with the potential to hinder or constrain the establishment or ongoing operation or development of industrial activities.</p>
<b>INZ-P6</b>	<p><b>Managing adverse effects within Industrial Zones</b></p> <p>Manage the effects of development and activities in industrial zones including visual, traffic, noise, and glare through controls on building bulk, form, setbacks, landscaping, screening and traffic movements. Such management is to be focused:</p> <ol style="list-style-type: none"> <li>1. at the interface with an arterial road fulfilling a gateway function; and</li> <li>2. at the interface with adjacent non-industrial zones <u>or noise control contours identified on the planning map<sup>7</sup></u>, so that the amenity values of those adjacent zones are maintained or enhanced, recognising that amenity values may be lower than that experienced in zones that are not close to industrial activities.</li> </ol>

## LIZ - Light Industrial Zone

### Introduction

The purpose of the Light Industrial Zone is to provide for light industrial activities within the District. The Light Industrial Zone is one of three industrial zones in the District Plan. The other two zones are the General Industrial Zone and the Heavy Industrial Zone. Collectively, these zones provide for a range of industrial activities in different locations in the District.

The provisions in this chapter are consistent with the matters in Part 2 - District Wide Matters - Strategic Directions and give effect to matters in Part 2 - District Wide Matters - Urban Form and Development.

As well as the provisions in this chapter, district wide chapter provisions will also apply where relevant.

### Objectives

<b>LIZ-01</b>	<b>Provision of light industrial activities</b>
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<sup>7</sup> Daiken [145.39]

	Light industrial and space intensive <del>extensive</del> <sup>8</sup> commercial activities are enabled where the adverse effects of these activities within the zone and on adjacent non-industrial zones results in an acceptable level of amenity values.
<b>Policies</b>	
<b>LIZ-P1</b>	<b>Compatible effects</b> Recognise and provide for light industrial and other compatible activities that can operate in close proximity to, and provide a buffer for, more sensitive zones due to their hours of operation and nature and limited effects of activities including noise, signs, odour, and traffic.
<b>LIZ-P2</b>	<b>Amenity effects</b> Adverse amenity effects within the zone, and on the amenity values of neighbouring zones are managed.

### Activity Rules

<b>LIZ-R1 Construction or alteration of or addition to any building or other structure</b>	
<b>Activity status: PER</b> Where: 1. the activity complies with all built form standards (as applicable).	<b>Activity status when compliance not achieved: as set out in the relevant built form standards</b>
<b>LIZ-R2 Industrial activity</b>	
<i>This rule does not apply to any Heavy Industry provided for under LIZ-R24.</i>	
<b>Activity status: PER</b>	<b>Activity status when compliance not achieved: N/A</b>
<b>LIZ-R3 Trade supplier</b>	
<b>Activity status: PER</b>	<b>Activity status when compliance not achieved: N/A</b>
<b>LIZ-R4 Yard-based activity</b>	
<b>Activity status: PER</b>	<b>Activity status when compliance not achieved: N/A</b>
<b>LIZ-R5 Gymnasium</b>	
<b>Activity status: PER</b>	<b>Activity status when compliance not achieved: DIS</b>
<b>LIZ-R6 Service station</b>	
<b>Activity status: PER</b> Where: • the activity is not located within 30m from any Residential Zones boundary.	<b>Activity status when compliance not achieved: DIS</b>
<b>LIZ-R7 Community corrections activity</b>	

<sup>8</sup> Woolworths [282.19]

<b>LIZ-R8 Emergency service facility</b>	
<b>Activity status: PER</b>	<b>Activity status when compliance not achieved: N/A</b>
<b>LIZ-R9 Parking lots and Parking buildings</b>	
<b>Activity status: PER</b>	<b>Activity status when compliance not achieved: N/A</b>
<b>LIZ-R10 Food and beverage outlet</b>	
<b>Activity status: PER</b> Where: <ol style="list-style-type: none"> <li>1. if a drive through restaurant, the activity is not located within 30m of any Residential Zones boundary; and</li> <li>2. if not a drive through restaurant, the activity occupies a maximum of 100m<sup>2</sup> GFA and is either: <ol style="list-style-type: none"> <li>a. ancillary to a permitted activity on the same site; or</li> <li>b. located more than 50m from the footprint of another food and beverage outlet.</li> </ol> </li> </ol>	<b>Activity status when compliance not achieved: RDIS</b> <b>Matters of discretion are restricted to:</b> INZ-MCD10 - Food and beverage
<b>LIZ-R11 Ancillary retail activity</b>	
<b>Activity status: PER</b> Where: <ol style="list-style-type: none"> <li>1. the ancillary retail occupies a maximum of 20% of building GFA; and</li> <li>2. it is located on the same site as the primary activity.</li> </ol>	<b>Activity status when compliance not achieved: DIS</b>
<b>LIZ-R12 Ancillary office</b>	
<b>Activity status: PER</b> Where: <ol style="list-style-type: none"> <li>1. the ancillary office occupies a minimum of 250m<sup>2</sup> of building GFA; and</li> <li>2. it is located on the same site as the primary activity.</li> </ol>	<b>Activity status when compliance not achieved: DIS</b>
<b>LIZ-R13 Funeral related services and facility</b>	
<b>Activity status: PER</b> Where: <ol style="list-style-type: none"> <li>1. the activity is not located within 30m of any Residential Zones boundary.</li> </ol>	<b>Activity status when compliance not achieved: DIS</b>
<b>LIZ-R14 Trade and industry training facility</b>	



<b>Activity status: PER</b> Where: 1. the activity shall occupy a maximum of 400m <sup>2</sup> GFA.	<b>Activity status when compliance not achieved: DIS</b>
<b>LIZ-R15 Recreation activities</b>	
<b>Activity status: PER</b> Where: 1. the activity is not a motorised recreation activity.	<b>Activity status when compliance not achieved: NC</b>
<b>LIZ-R16 Community facility</b>	
<i>This rule does not apply to any Gymnasium provided for under LIZ-R5.</i>	
<b>Activity status: RDIS</b> <b>Matters of discretion are restricted to:</b> INZ-MCD1 - Community facility	<b>Activity status when compliance not achieved: N/A</b>
<b>LIZ-R17 Any other activity not provided for in this zone as a permitted, controlled, restricted discretionary, discretionary, non-complying, or prohibited activity, except where expressly specified by a district wide provision.</b>	
<b>Activity status: DIS</b>	<b>Activity status when compliance not achieved: N/A</b>
<b>LIZ-R18 Commercial services</b>	
<b>Activity status: DIS</b>	<b>Activity status when compliance not achieved: N/A</b>
<b>LIZ-R19 Retail activity</b>	
<i>This rule does not apply to trade suppliers provided for by LIZ-R3, yard-based activity provided for by LIZ-R4, gymnasium provided for by LIZ-R5, food and beverage outlets provided for by LIZ-R10, ancillary retailing of goods provided for by LIZ-R11, service station provided for by LIZ-R6.</i>	
<b>Activity status: NC</b>	<b>Activity status when compliance not achieved: N/A</b>
<b>LIZ-R20 Office</b>	
<b>Activity status: NC</b>	<b>Activity status when compliance not achieved: N/A</b>
<b>LIZ-R21 Residential unit</b>	
<b>Activity status: NC</b>	<b>Activity status when compliance not achieved: N/A</b>
<b>LIZ-R22 Residential activity</b>	
<b>Activity status: NC</b>	<b>Activity status when compliance not achieved: N/A</b>
<b>LIZ-R23 Visitor accommodation</b>	
<b>Activity status: NC</b>	<b>Activity status when compliance not achieved: N/A</b>

<b>LIZ-R24 Heavy industry</b>	
<i>This rule does not apply to any crematorium provided for under LIZ-R13.</i>	
<b>Activity status: NC</b>	<b>Activity status when compliance not achieved: N/A</b>

**Built Form Standards**

<b>LIZ-BFS1 Height</b>	
1. The maximum height of any building, calculated as per the height calculation, shall be 15m above ground level.	<b>Activity status when compliance not achieved: DIS</b>
<b>LIZ-BFS2 Height in relation to boundary when adjoining Residential Zones, Rural Zones or Open Space and Recreation Zones</b>	
1. Where an internal boundary adjoins Residential Zones, Rural Zones or Open Space and Recreation Zones, structures shall not project beyond a building envelope defined by recession planes measured 2.5m from ground level above any site boundary in accordance with the diagrams in Appendix APP3.	<b>Activity status when compliance not achieved: RDIS</b> <b>Matters of discretion are restricted to:</b> INZ-MCD2 - Height in relation to boundary <b>Notification</b> An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.
<b>LIZ-BFS3 Internal boundary setback</b>	
1. The minimum building setback from internal boundaries that adjoins Residential Zones, Rural Zones, or Open Space and Recreation Zones shall be 10m.	<b>Activity status when compliance not achieved: RDIS</b> <b>Matters of discretion are restricted to:</b> INZ-MCD3 - Internal boundary setback <b>Notification</b> An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.
<b>LIZ-BFS4 Internal boundary landscaping</b>	
1. Landscaping shall be provided and maintained along the full length of all internal boundaries with Residential Zones, Rural Zones, or Open Space and Recreation Zones. This landscape strip shall be a minimum of 2m deep. 2. Any landscape strip required in (1) shall include a minimum of one tree for every 10m of shared boundary or part thereof, with the trees to be a minimum of 1.5m in height above the ground at time of planting.	<b>Activity status when compliance not achieved: RDIS</b> <b>Matters of discretion are restricted to:</b> INZ-MD4 - Internal boundary landscaping <b>Notification</b> An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.
<b>LIZ-BFS5 Road boundary landscaping</b>	
1. Landscaping shall be provided and maintained along the full length of the road	<b>Activity status when compliance not achieved: RDIS</b>

<p>boundary apart from vehicle or pedestrian crossings. This landscape strip shall be a minimum of 2m deep.</p> <p>2. The landscape strip required in (1) shall include a minimum of one evergreen tree for every 10m of road frontage or part thereof, with a minimum of one tree per site frontage, with the trees to be a minimum of 1.5m in height above ground at the time of planting.</p>	<p><b>Matters of discretion are restricted to:</b> INZ-MCD6 - Road boundary landscaping</p> <p><b>Notification</b> An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.</p>
<p><b>LIZ-BFS6 Road boundary setback</b></p>	
<p>1. All buildings shall be set back a minimum of:</p> <ul style="list-style-type: none"> <li>a. 10m from an adjoining road boundary with any strategic road, arterial road or collector road;</li> <li>b. 10m from the road boundary where the road is separating the site from Residential Zones, Rural Zones or Open Space and Recreation Zones;</li> <li>c. 3m from the road boundary of all other roads.</li> </ul>	<p><b>Activity status when compliance not achieved:</b> <b>RDIS</b></p> <p><b>Matters of discretion are restricted to:</b> INZ-MCD5 - Road boundary setback</p> <p><b>Notification</b> An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.</p>
<p><b>LIZ-BFS7 Rail boundary setback</b></p>	
<p>1. All buildings shall be set back a minimum of 4m from any site boundary with the rail corridor.</p>	<p><b>Activity status when compliance not achieved:</b> <b>RDIS</b></p> <p><b>Matters of discretion are restricted to:</b> INZ-MCD9 - Rail boundary setback</p> <p><b>Notification</b> An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to KiwiRail where the consent authority considers this is required, absent its written approval.</p>
<p><b>LIZ-BFS8 Location of ancillary offices and ancillary retail activity</b></p>	
<p>1. Ancillary offices and retail activity (except on rear sites) shall be located at the front of buildings facing the street.</p>	<p><b>Activity status when compliance not achieved:</b> <b>RDIS</b></p> <p><b>Matters of discretion are restricted to:</b> INZ-MCD7 - Location of ancillary offices and retailing</p> <p><b>Notification</b> An application for a restricted discretionary activity under this rule is precluded from being publicly or limited notified.</p>
<p><b>LIZ-BFS9 Outdoor storage area</b></p>	
<p>1. Any outdoor storage area, other than those associated with yard-based activities and trade suppliers, shall be screened by 1.8m high solid fencing, landscaping or other screening from any adjoining site in Residential Zones, Rural Zones or Open</p>	<p><b>Activity status when compliance not achieved:</b> <b>RDIS</b></p> <p><b>Matters of discretion are restricted to:</b> INZ-MCD8 - Outdoor storage</p> <p><b>Notification</b></p>

<p>Space and Recreation Zones or the road boundary:-                  2. <u>All fencing, or walls within 2m of a site boundary with a public reserve, footpaths, shared use paths, or cycle trails, and greater than 1.2m in height, shall be at least 45% visually permeable for pedestrian and traffic safety.</u><sup>9</sup></p>	<p>An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.</p>
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## GIZ - General Industrial Zone

### Introduction

The purpose of the General Industrial Zone is to provide for general industrial activities within the District. The General Industrial Zone is one of three industrial zones in the District Plan. The other two zones are the Light Industrial Zone and the Heavy Industrial Zone. Collectively these zones provide for a range of industrial activities in different locations in the District.

The provisions in this chapter are consistent with the matters in Part 2 - District Wide Matters - Strategic Directions and give effect to matters in Part 2 - District Wide Matters - Urban Form and Development.

As well as the provisions in this chapter, district wide chapter provisions will also apply where relevant. For example, activities in the GIZ must also comply with the provisions in the District-wide Energy and Infrastructure chapter, including EI-51, EI-R52, EI-R54, EI-R55, and EI-R56, which manage activities near the National Grid and Major Electricity Distribution Lines which are shown on the Planning Map.<sup>10</sup>

Objectives	
<b>GIZ-O1</b>	<b>Provision of general industrial activities</b> Provide for general industrial activities where the adverse effects of these activities on adjacent non-industrial zones are managed at the interface to provide an acceptable level of amenity in these more sensitive zones.
Policies	
<b>GIZ-P1</b>	<b>Activities</b> Recognise and provide for a range of general industrial and other compatible activities and avoid <u>non-industrial activities which do not demonstrate a functional need to locate within the zone and</u> <sup>11</sup> support the primary function of the zone.
<b>GIZ-P2</b>	<b>Amenity effects</b> Adverse amenity effects within the zone, and on the amenity values of neighbouring zones are managed.

<sup>9</sup> Council [367.29]

<sup>10</sup>MainPower [249.126], [249.127] and [249.128]

<sup>11</sup> Woolworths [282.21]

## Activity Rules

<b>GIZ-R1 Construction or alteration of or addition to any building or other structure</b>	
<b>Activity status: PER</b> Where: 1. the activity complies with all built form standards (as applicable).	<b>Activity status when compliance not achieved:</b> as set out in the relevant built form standards
<b>GIZ-R2 Industrial activity</b>	
<i>This rule does not apply to Heavy Industry provided for by GIZ-R17.</i>	
<b>Activity status: PER</b>	<b>Activity status when compliance not achieved:</b> N/A
<b>GIZ-R3 Trade supplier</b>	
<b>Activity status: PER</b>	<b>Activity status when compliance not achieved:</b> N/A
<b>GIZ-R4 Yard-based activity</b>	
<b>Activity status: PER</b>	<b>Activity status when compliance not achieved:</b> N/A
<b>GIZ-R5 Gymnasium</b>	
<b>Activity status: PER</b> Where: 1. the activity is not located within 30m of any Residential Zones boundary.	<b>Activity status when compliance not achieved:</b> DIS
<b>GIZ-R6 Service station</b>	
<b>Activity status: PER</b>	<b>Activity status when compliance not achieved:</b> N/A
<b>GIZ-R7 Community corrections activity</b>	
<b>Activity status: PER</b>	<b>Activity status when compliance not achieved:</b> N/A
<b>GIZ-R8 Emergency service facility</b>	
<b>Activity status: PER</b>	<b>Activity status when compliance not achieved:</b> N/A
<b>GIZ-R9 Parking lots and parking buildings</b>	
<b>Activity status: PER</b>	<b>Activity status when compliance not achieved:</b> N/A
<b>GIZ-R10 Food and beverage outlet</b>	
<b>Activity status: PER</b> Where:	<b>Activity status when compliance not achieved:</b> RDIS <b>Matters of discretion:</b> INZ-MCD10 - Food and beverage

<ol style="list-style-type: none"> <li>1. if a drive through restaurant, the activity is not located within 30m of any Residential Zones boundary; and</li> <li>2. if not a drive through restaurant, the activity occupies a maximum of 100m<sup>2</sup> GFA and is either:             <ol style="list-style-type: none"> <li>a. ancillary to a permitted activity on the same site; or</li> <li>b. located more than 50m from the footprint of another food and beverage outlet.</li> </ol> </li> </ol>	
<p><b>GIZ-R11 Ancillary retail activity</b></p>	
<p><b>Activity status: PER</b> Where:</p> <ol style="list-style-type: none"> <li>1. the ancillary retail activity occupies a maximum of 20% of building GFA.</li> </ol>	<p><b>Activity status when compliance not achieved: DIS</b></p>
<p><b>GIZ-R12 Ancillary office</b></p>	
<p><b>Activity status: PER</b> Where:</p> <ol style="list-style-type: none"> <li>1. the ancillary offices occupy a maximum of 250m<sup>2</sup> of building GFA;</li> <li>2. is located on the same site as the primary activity.</li> </ol>	<p><b>Activity status when compliance not achieved: DIS</b></p>
<p><b>GIZ-R13 Funeral related services and facility</b></p>	
<p><b>Activity status: PER</b> Where:</p> <ol style="list-style-type: none"> <li>1. the activity is not located within 30m of any Residential Zones boundary.</li> </ol>	<p><b>Activity status when compliance not achieved: DIS</b></p>
<p><b>GIZ-R14 Recreation activities</b></p>	
<p><b>Activity status: PER</b> Where:</p> <ol style="list-style-type: none"> <li>1. the activity is not a motorised recreation activity.</li> </ol>	<p><b>Activity status when compliance not achieved: NC</b></p>
<p><b>GIZ-R15 Community facility</b></p>	
<p><b>Activity status: RDIS</b> <b>Matters of discretion are restricted to:</b> INZ-MCD1 - Community facility</p>	<p><b>Activity status when compliance not achieved: N/A</b></p>
<p><b>GIZ-R16 Any other activity not provided for in this zone as a permitted, controlled, restricted discretionary, discretionary, non-complying, or prohibited activity, except where expressly specified by a district wide provision.</b></p>	
<p><b>Activity status: DIS</b></p>	<p><b>Activity status when compliance not achieved: N/A</b></p>
<p><b>GIZ-R17 Heavy industry</b></p>	
<p><i>This rule does not apply to any crematorium provided for by GIZ-R13.</i></p>	

<b>Activity status: DIS</b>	<b>Activity status when compliance not achieved: N/A</b>
<b>GIZ-R18 Commercial services</b>	
<b>Activity status: DIS</b>	<b>Activity status when compliance not achieved: N/A</b>
<b>GIZ-R19 Retail activity</b>	
<i>This rule does not apply to trade suppliers provided for by GIZ-R3; yard-based activity provided for by GIZ-R4; gymnasium provided for by GIZ-R5; service station provided for by GIZ-R6; food and beverage outlet provided for by GIZ-R10; and ancillary retailing provided for by GIZ-R11.</i>	
<b>Activity status: NC</b>	<b>Activity status when compliance not achieved: N/A</b>
<b>GIZ-R20 Office</b>	
<b>Activity status: NC</b>	<b>Activity status when compliance not achieved: N/A</b>
<b>GIZ-R21 Residential unit</b>	
<b>Activity status: NC</b>	<b>Activity status when compliance not achieved: N/A</b>
<b>GIZ-R22 Residential activity</b>	
<b>Activity status: NC</b>	<b>Activity status when compliance not achieved: N/A</b>
<b>GIZ-R23 Visitor accommodation</b>	
<b>Activity status: NC</b>	<b>Activity status when compliance not achieved: N/A</b>

## Built Form Standards

<b>GIZ-BFS1 Height</b>	
1. The maximum height of any building, calculated as per the height calculation, shall be 15m above ground level.	<b>Activity status when compliance not achieved: DIS</b>
<b>GIZ-BFS2 Height in relation to boundary when adjoining Residential Zones, Rural Zones or Open Space and Recreation Zones</b>	
1. Where an internal boundary adjoins Residential Zones, Rural Zones or Open Space and Recreation Zones, structures shall not project beyond a building envelope defined by recession planes measured 2.5m from ground level above any site boundary in accordance with the diagrams in Appendix APP3.	<b>Activity status when compliance not achieved: RDIS</b> <b>Matters of discretion are restricted to:</b> INZ-MCD2 - Height in relation to boundary <b>Notification</b> An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.
<b>GIZ-BFS3 Internal boundary setback</b>	



<p>1. The minimum building setback from internal boundaries that adjoins Residential Zones, Rural Zones, or Open Space and Recreation Zones shall be 10m.</p>	<p><b>Activity status when compliance not achieved:</b>  <b>RDIS</b>  <b>Matters of discretion are restricted to:</b>                  INZ-MCD3 - Internal boundary setback  <b>Notification</b>                  An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.</p>
<p><b>GIZ-BFS4 Internal boundary landscaping</b></p>	
<p>1. Landscaping shall be provided and maintained along the full length of all internal boundaries with Residential Zones, Rural Zones, or Open Space and Recreation Zones. This landscape strip shall be a minimum of 2m deep.                  2. Any landscape strip required in (1) shall include a minimum of one tree for every 10m of shared boundary or part thereof, with the trees to be a minimum of 1.5m in height at the time of planting.</p>	<p><b>Activity status when compliance not achieved:</b>  <b>RDIS</b>  <b>Matters of discretion are restricted to:</b>                  INZ-MCD4 - Internal boundary landscaping  <b>Notification</b>                  An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.</p>
<p><b>GIZ-BFS5 Road boundary landscaping</b></p>	
<p>1. Landscaping shall be provided and maintained along the full length of the road boundary apart from vehicle and pedestrian crossings. This landscape strip shall be a minimum of 2m deep.                  2. The landscape strip required in (1) shall include a minimum of one evergreen tree for every 10m of road frontage or part thereof, with a minimum of one tree per site frontage, with the trees to be a minimum of 1.5m in height above ground at the time of planting.</p>	<p><b>Activity status when compliance not achieved:</b>  <b>RDIS</b>  <b>Matter of discretion are restricted to:</b>                  INZ-MCD6 - Road boundary landscaping  <b>Notification</b>                  An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.</p>
<p><b>GIZ-BFS6 Road boundary setback</b></p>	
<p>1. All buildings shall be set back a minimum of:                  a. 10m from the road boundary with any strategic road, arterial road or collector road;                  b. 10m from the road boundary where the road is separating the site from Residential Zones, Rural Zones, or Open Space and Recreation Zones;                  c. 3m from the road boundary of all other roads.</p>	<p><b>Activity status when compliance not achieved:</b>  <b>RDIS</b>  <b>Matter of discretion are restricted to:</b>                  INZ-MCD5 - Road boundary setback  <b>Notification</b>                  An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.</p>
<p><b>GIZ-BFS7 Rail boundary setback</b></p>	
<p>1. All buildings shall be set back a minimum of 4m from any site boundary with the rail corridor.</p>	<p><b>Activity status when compliance not achieved:</b>  <b>RDIS</b>  <b>Matter of discretion are restricted to:</b></p>



	<p>INZ-MCD9 - Rail corridor setback</p> <p><b>Notification</b> An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to KiwiRail where the consent authority considers this is required, absent its written approval.</p>
<p><b>GIZ-BFS8 Location of ancillary offices and ancillary retail activity</b></p>	
<p>1. Ancillary offices and retail activity (except on rear sites) shall be located at the front of buildings facing the street.</p>	<p><b>Activity status when compliance not achieved: RDIS</b> <b>Matter of discretion are restricted to:</b> INZ-MCD7 - Location of ancillary offices and retailing</p> <p><b>Notification</b> An application for a restricted discretionary activity under this rule is precluded from being publicly or limited notified.</p>
<p><b>GIZ-BFS9 Outdoor storage area</b></p>	
<p>1. Any outdoor storage area, other than those associated with yard-based activities and trade suppliers, shall be screened by 1.8m high solid fencing, landscaping or other screening from any adjoining site in Residential Zones, Rural Zones, or Open Space and Recreation Zones or the road boundary;</p> <p>2. <u>All fencing, or walls within 2m of a site boundary with a public reserve, footpaths, shared use paths, or cycle trails, and greater than 1.2m in height, shall be at least 45% visually permeable for pedestrian and traffic safety.</u><sup>12</sup></p>	<p><b>Activity status when compliance not achieved: RDIS</b> <b>Matter of discretion are restricted to:</b> INZ-MCD8 - Outdoor storage</p> <p><b>Notification</b> An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.</p>

## HIZ - Heavy Industrial Zone

### Introduction

The purpose of the Heavy Industrial Zone is to provide for heavy industrial activities within the District. The Heavy Industrial Zone is one of three industrial zones in the District Plan. The other two zones are the Light Industrial Zone and the General Industrial Zone. Collectively these zones provide for a range of industrial activities in different locations in the District.

The provisions in this chapter are consistent with the matters in Part 2 - District Wide Matters - Strategic Directions and give effect to matters in Part 2 - District Wide Matters - Urban Form and Development.

<sup>12</sup> Council [367.30]

As well as the provisions in this chapter, district wide chapter provisions will also apply where relevant.

<b>Objectives</b>	
<b>HIZ-O1</b>	<b>Provision of heavy industrial activities</b> Heavy industrial activities are enabled where the adverse effects of these activities on adjacent non-heavy industrial zones are managed in the vicinity or at the zone interface to provide an acceptable level of amenity in these more sensitive within other zones. <sup>13</sup>
<b>Policies</b>	
<b>HIZ-P1</b>	<b>Heavy industrial activities</b> Recognise and provide for heavy industrial activities that generate potentially significant and a range of intermittent and continuous effects, including relatively high levels of noise, odour, heavy traffic movements, and the presence of significant amounts of hazardous substances amenity related adverse effects, which may require necessitating separation from more sensitive activities and the consideration of reverse sensitivity management. <sup>14</sup>

**Activity Rules**

<b>HIZ-R1 Construction or alteration of or addition to any building or other structure</b>	
<b>Activity status: PER</b> Where: 1. the activity complies with all built form standards (as applicable).	<b>Activity status when compliance not achieved: as set out in the relevant built form standards</b>
<b>HIZ-R2 Industrial activity</b>	
<b>Activity status: PER</b>	<b>Activity status when compliance not achieved: N/A</b>
<b>HIZ-R3 Trade supplier</b>	
<b>Activity status: PER</b>	<b>Activity status when compliance not achieved: N/A</b>
<b>HIZ-R4 Yard-based activity</b>	
<b>Activity status: PER</b>	<b>Activity status when compliance not achieved: N/A</b>
<b>HIZ-R5 Service station</b>	
<b>Activity status: PER</b>	<b>Activity status when compliance not achieved: N/A</b>
<b>HIZ-R6 Parking lots and parking buildings</b>	
<b>Activity status: PER</b>	<b>Activity status when compliance not achieved: N/A</b>

<sup>13</sup> Daiken [145.40]

<sup>14</sup> Daiken [145.41]

<b>HIZ-R7 Heavy industry</b>	
<b>Activity status: PER</b>	<b>Activity status when compliance not achieved: N/A</b>
<b>HIZ-R8 Food and beverage outlet</b>	
<b>Activity status: PER</b> Where: <ul style="list-style-type: none"> <li>the activity is ancillary to an industrial activity located on the same site as the primary activity.</li> </ul>	<b>Activity status when compliance not achieved: DIS</b>
<b>HIZ-R9 Ancillary retail activity</b>	
<b>Activity status: PER</b> Where: <ol style="list-style-type: none"> <li>the ancillary retail activity occupies a maximum of 20% of building GFA.</li> </ol>	<b>Activity status when compliance not achieved: DIS</b>
<b>HIZ-R10 Ancillary office</b>	
<b>Activity status: PER</b> Where: <ol style="list-style-type: none"> <li><del>the ancillary offices occupy a maximum of 250m<sup>2</sup> of building GFA; and<sup>15</sup></del></li> <li>it is located on the same site as the primary activity which is permitted in the zone.</li> </ol>	<b>Activity status when compliance not achieved: DIS</b>
<b>HIZ-R11 Recreation activities</b>	
<b>Activity status: PER</b> Where: <ol style="list-style-type: none"> <li>the activity is not a motorised recreation activity.</li> </ol>	<b>Activity status when compliance not achieved: NC</b>
<b>HIZ-R12 Rural production<sup>16</sup></b>	
<b>Activity status: PER</b>	<b>Activity status when compliance not achieved: N/A</b>
<b>HIZ-R13<del>2</del> Land based sewage disposal and/or wastewater disposal, and/or treatment areas for sewage or wastewater, including oxidation ponds</b>	
<b>Activity status: CON</b> Where: <ol style="list-style-type: none"> <li>any part of the activity shall comply with the following minimum setback requirements: <ol style="list-style-type: none"> <li>20m from any water bodies;</li> <li>and</li> <li>20m from the boundary with any other zone.</li> </ol> </li> </ol> <b>Matters of control are restricted to:</b>	<b>Activity status when compliance not achieved: DIS3</b>

<sup>15</sup> Daiken [145.51]<sup>16</sup> Daiken [145.53]

INZ-MCD11 - Waste disposal	
<b>HIZ-R143</b> Any other activity not provided for in this zone as a permitted, controlled, restricted discretionary, discretionary, non-complying, or prohibited activity, except where expressly specified by a district wide provision.	
Activity status: DIS	Activity status when compliance not achieved: N/A
<b>HIZ-R154</b> Retail activity	
<i>This rule does not apply to trade supplier provided for by HIZ-R3; yard-based activity provided for by HIZ-R4; service station provided for by HIZ-R5; food and beverage outlet provided for by HIZ-R8; and ancillary retail activity provided for by HIZ-R9.</i>	
Activity status: NC	Activity status when compliance not achieved: N/A
<b>HIZ-R165</b> Office	
Activity status: NC	Activity status when compliance not achieved: N/A
<b>HIZ-R176</b> Residential unit	
Activity status: NC	Activity status when compliance not achieved: N/A
<b>HIZ-R187</b> Residential activity	
Activity status: NC	Activity status when compliance not achieved: N/A
<b>HIZ-R198</b> Commercial services	
Activity status: NC	Activity status when compliance not achieved: N/A
<b>HIZ-R2019</b> Visitor accommodation	
Activity status: NC	Activity status when compliance not achieved: N/A
<b>HIZ-R210</b> Community facility	
Activity status: NC	Activity status when compliance not achieved: N/A
<b>HIZ-R224</b> Drive through restaurants	
Activity status: NC	Activity status when compliance not achieved: N/A

**Built Form Standards**

<b>HIZ-BFS1</b> Height	
1. The maximum height of any building, calculated as per the height calculation, shall be 25m above ground level, when it	Activity status when compliance not achieved: <b>RDIS</b>

<p>is setback its own height from an adjoining internal or road boundary;</p> <p>2. The maximum height of any chimney or support structure shall be 40m <u>except where specified under clause 3;</u><sup>17</sup></p> <p>3. <u>The maximum height of any chimney, towers, plant and equipment or support structure located at 166 Upper Sefton Road on Lot 1 DP 68953 shall be 45m.</u><sup>18</sup></p>	
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**HIZ-BFS2 Height in relation to boundary when adjoining Residential Zones, Rural Zones or Open Space and Recreation Zones**

<p>1. Where an internal boundary adjoins Residential Zones, Rural Zones, or Open Space and Recreation Zones, structures shall not project beyond a building envelope defined by recession planes measured 2.5m from ground level above any site boundary in accordance with the diagrams in Appendix APP3.</p>	<p><b>Activity status when compliance not achieved:</b> <b>RDIS</b></p> <p><b>Matters of discretion are restricted to:</b> INZ-MCD2 - Height in relation to boundary</p> <p><b>Notification</b> An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.</p>
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**HIZ-BFS3 Internal boundary setback**

<p>1. The minimum building setback from internal boundaries that adjoins Residential Zones, Rural Zones, or Open Space and Recreation Zones shall be 10m.</p>	<p><b>Activity status when compliance not achieved:</b> <b>RDIS</b></p> <p><b>Matters of discretion are restricted to:</b> INZ-MCD3 - Internal boundary setback</p> <p><b>Notification</b> An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.</p>
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**HIZ-BFS4 Internal boundary landscaping**

<p>1. Landscaping shall be provided and maintained along the full length of all internal boundaries that adjoin Residential Zones, Rural Zones, or Open Space and Recreation Zones. This landscape strip shall be a minimum of 2m deep.</p> <p>2. The landscape strip required in (1) shall include a minimum of one evergreen tree for every 10m of road frontage or part thereof, with a minimum of one tree per site frontage, with the trees to be a minimum of 1.5m in height above ground at the time of planting.</p>	<p><b>Activity status when compliance not achieved:</b> <b>RDIS</b></p> <p><b>Matters of discretion are restricted to:</b> INZ-MCD4 - Internal boundary landscaping</p> <p><b>Notification</b> An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.</p>
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**HIZ-BFS5 Road boundary landscaping**

<p>1. Landscaping shall be provided and maintained along the full length of the road boundary apart from vehicle crossings.</p>	<p><b>Activity status when compliance not achieved:</b> <b>RDIS</b></p> <p><b>Matter of discretion are restricted to:</b> INZ-MCD6 - Road boundary landscaping</p>
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<sup>17</sup> Daiken [145.59]

<sup>18</sup> Daiken [145.59]

<p>This landscape strip shall be a minimum of 2m deep.</p> <p>2. The landscape strip required in (1) shall include a minimum of one tree for every 10m of road frontage or part thereof, with the trees to be a minimum of 1.5m in height at time of planting.</p>	<p><b>Notification</b> An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.</p>
<p><b>HIZ-BFS6 Road boundary setback</b></p>	
<p>1. All buildings shall be set back a minimum of:</p> <ul style="list-style-type: none"> <li>a. 10m from the road boundary with any strategic road, arterial road or collector road;</li> <li>b. 10m from the road boundary where the road is separating the site from Residential Zones, Rural Zones, or Open Space and Recreation Zones;</li> <li>c. 3m from the road boundary of all other roads.</li> </ul>	<p><b>Activity status when compliance not achieved: RDIS</b> <b>Matter of discretion are restricted to:</b> INZ-MCD5 - Road boundary setback</p> <p><b>Notification</b> An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.</p>
<p><b>HIZ-BFS7 Rail boundary setback</b></p>	
<p>1. All buildings shall be set back a minimum of 4m from any site boundary with the rail corridor.</p>	<p><b>Activity status when compliance not achieved: RDIS</b> <b>Matter of discretion are restricted to:</b> INZ-MCD9 - Rail boundary setback</p> <p><b>Notification</b> An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to KiwiRail where the consent authority considers this is required, absent its written approval.</p>

## Matters of Control and Discretion for all Industrial Zones

<p><b>INZ-MCD1</b></p>	<p><b>Community facility</b></p> <ul style="list-style-type: none"> <li>1. The extent to which the activity adversely affects the function of the zone to provide for primarily industrial activities.</li> <li>2. The extent to which the activity adversely affects the capacity of the zone to accommodate future demand for industrial activities.</li> <li>3. The extent to which the community activity will form an agglomeration with other established non-industrial activities that cumulatively would have an adverse effect on the function and capacity of the Industrial Zone.</li> <li>4. The extent to which the activity adversely affects the ability of existing or future permitted industrial activities to operate or establish without undue constraint.</li> <li>5. The extent to which there are any benefits of a community activity providing a buffer between industrial activities and more sensitive zones.</li> <li>6. The extent to which there are any amenity or streetscape benefits of a community activity being on a site that has frontage to an identified arterial road or collector road that has a gateway function to a township.</li> </ul>
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	<ol style="list-style-type: none"> <li>7. The extent to which the activity generates traffic and other effects that impact on the day to day operation of the industrial area.</li> <li>8. The extent to which the activity serves the needs of workers in the industrial area.</li> <li>9. The extent to which the activity by itself or in combination with other existing or proposed activities creates commercial distribution effects undermining any local or town centre, including whether the activity is better located within a centre.</li> </ol>
<b>INZ-MCD2</b>	<p><b>Height in relation to boundary</b></p> <ol style="list-style-type: none"> <li>1. The effect of any reduced sunlight admission on properties in adjoining residential zones, rural zones, or open space and recreation zones, taking account of the extent of overshadowing, the intended use of spaces, and for residential properties, the position of outdoor living spaces or main living areas in buildings.</li> <li>2. The effect on privacy of residents and other users in the adjoining zones.</li> <li>3. The scale of building and its effects on the character of any adjoining residential zones.</li> <li>4. The effects of any landscaping and trees proposed within the site, or on the boundary of the site in mitigating adverse visual effects.</li> <li>5. The effect on outlook from adjoining properties.</li> <li>6. The extent to which the recession plane breach and associated effects reflect the functional needs of the activity and whether there are alternative practical options for meeting the functional need in a compliant manner.</li> </ol>
<b>INZ-MCD3</b>	<p><b>Internal boundary setback</b></p> <ol style="list-style-type: none"> <li>1. The extent of any adverse visual effects on adjoining sites in residential, rural, or open space and recreation zones as a result of a reduced building setback.</li> <li>2. The extent to which landscaping or screening within the setback mitigates the visual dominance of buildings.</li> <li>3. The scale and height of buildings within the reduced setback and their impact on the visual outlook of residents and users on the adjoining residential, rural, or open space and recreation zones.</li> <li>4. The extent to which buildings in the setback enable better use of the site and improve the level of amenity along more sensitive boundaries elsewhere on the site.</li> <li>5. The proposed use of the setback, the visual and other effects of this use and whether a reduced setback and the use of that setback achieves a better amenity outcome for residential neighbours.</li> </ol>
<b>INZ-MCD4</b>	<p><b>Internal boundary landscaping</b></p> <ol style="list-style-type: none"> <li>1. The extent of visual effects of outdoor storage and car parking areas, or buildings (taking account of their scale and appearance), as a result of reduced landscaping.</li> <li>2. The extent to which the site is visible from adjoining sites in residential zones, rural zones, or open space and recreation zones and the likely consequences of any reduction in landscaping or screening on the amenity and privacy of those sites.</li> <li>3. The extent to which there are any compensating factors for reduced landscaping or screening, including the nature or scale of planting proposed, the location of parking areas, manoeuvring areas or storage areas, or the location of ancillary offices/wholesale display of goods/showrooms.</li> </ol>
<b>INZ-MCD5</b>	<p><b>Road boundary setback</b></p> <ol style="list-style-type: none"> <li>1. The effect of a building's reduced setback on amenity and visual streetscape values, especially where the frontage is to a strategic road, arterial road or collector road that has a gateway function to a township.</li> </ol>

	<ol style="list-style-type: none"> <li>2. The extent to which the reduced setback of the building is opposite any residential, rural, or open space and recreation zones and the effects of a reduced setback on the amenity values and outlook of those zones.</li> <li>3. The extent to which the building presents a visually attractive frontage to the street through the inclusion of glazing, ancillary offices, and showrooms in the front façade.</li> <li>4. The extent to which the visual effects of a reduced setback are mitigated through site frontage landscaping, the width of the road corridor, and the character of existing building setbacks in the wider streetscape.</li> </ol>
<b>INZ-MCD6</b>	<p><b>Road boundary landscaping</b></p> <ol style="list-style-type: none"> <li>1. The extent to which reduced landscaping results in adverse effects on amenity and visual streetscape values, especially where the frontage is to an arterial road or collector road that has a gateway function to a township.</li> <li>2. The extent to which the reduced landscaping is opposite any residential or open space and recreation zones and the effects of any reduction in landscaping on the amenity values and outlook of those zones.</li> <li>3. The extent to which the visual effects of reduced landscaping are mitigated through the location of ancillary offices, showrooms, the display of trade supplier or yard-based goods for sale, along the site frontage.</li> </ol>
<b>INZ-MCD7</b>	<p><b>Location of ancillary offices and retailing</b></p> <ol style="list-style-type: none"> <li>1. The extent to which locating ancillary offices or ancillary retail activity where they do not face the street results in adverse effects on amenity and visual streetscape values, especially where the frontage is to an arterial road or collector road that has a gateway function to a township.</li> <li>2. The extent to which the frontage is opposite Residential Zones or Open Space and Recreation Zones and the effects of not locating offices or showrooms that face the street on the amenity values and outlook of those zones.</li> <li>3. The extent to which there are any site-specific or functional requirements that make locating ancillary offices and showrooms facing the street impractical.</li> </ol>
<b>INZ-MCD8</b>	<p><b>Outdoor storage</b></p> <ol style="list-style-type: none"> <li>1. The extent of visual impacts on the adjoining environment.</li> <li>2. The extent to which site constraints and/or the functional requirements of the activity necessitate the location of storage within the setback.</li> <li>3. The extent of the effects on amenity values generated by the type and volume of materials to be stored.</li> <li>4. The extent to which any proposed landscaping or screening mitigates amenity effects of the outdoor storage;</li> <li>5. <u>The extent to which pedestrian and cycle safety considerations would justify reduced screening.</u><sup>19</sup></li> </ol>
<b>INZ-MCD9</b>	<p><b>Rail boundary setback</b></p> <ol style="list-style-type: none"> <li>1. The extent to which the reduced setback will compromise the efficient functioning of the rail network, including rail corridor access and maintenance.</li> </ol>
<b>INZ-MCD10</b>	<p><b>Food and beverage</b></p> <ol style="list-style-type: none"> <li>1. The extent to which the activity creates adverse effects on any nearby residential unit in terms of traffic and nuisance effects.</li> <li>2. The extent to which the activity provides goods and services to workers and residents from outside the zone and creates commercial distribution effects undermining any local or town centre.</li> </ol>

<sup>19</sup> The Council [367.29] and [367.30]



<b>INZ-MCD11</b>	<b>Waste disposal</b> <ol style="list-style-type: none"> <li>1. The extent to which the area is affected by flood risk;</li> <li>2. The extent to which the amenity and natural character of waterways are adversely affected;</li> <li>3. The extent to which the amenity values of public roads or dwellings on adjoining sites are adversely affected; and</li> <li>4. The extent of any adverse effects on wahi taonga and mahinga kai.</li> </ol>
<b>INZ-MCD12</b>	<b>Height</b> <ol style="list-style-type: none"> <li><u>1. The extent to which the increased height would compromise the amenity values of nearby non-industrial properties including overshadowing, loss of privacy and adverse dominance and character effects arising from scale;</u></li> <li><u>2. The extent to which any adverse effects of increased height are mitigated through increased separation distances between the building and adjoining sites, the provision of landscaping, screening or any other methods;</u></li> <li><u>3. The extent to which there are alternative practical options for meeting the functional requirements of the building or structure in a compliant manner.</u></li> </ol>

## Definitions

Add the following definition to the Interpretation chapter:

Amend the definitions nesting table for industrial activity as follows:

Industrial activity

- Freight Depot
  - Warehouse and Storage
- Heavy Industry<sup>20</sup>
- Light Industry<sup>21</sup>
- Manufacturing
- [...]

Amend the definition of 'heavy industry' as follows:

means:

a. ...

j. any industrial activity which may require regional discharge consents; and

k. ancillary activities to the industrial activity involves the discharge of odour or dust beyond the site boundary.<sup>22</sup>

<sup>20</sup> Daiken [145.10]

<sup>21</sup> Daiken [145.10]

<sup>22</sup> Daiken [145.2]

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

Table B 1: Recommended responses to submissions and further submissions - Industrial Definitions

Sub. Ref.	Submitter / Further Submitter	Provision	Relief sought	Section of this Report Where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
145.10	Daiken New Zealand Ltd	Definitions Nesting Tables	Amend the nesting table for Industrial activity: - Freight Depot - Warehouse and Storage - <u>Heavy Industry</u> - Manufacturing - Light manufacturing and servicing	Section 3.2	Accept	See body of the report for the assessment of this submission point.	Yes
145.2	Daiken New Zealand Ltd	Definition of heavy industry	Amend the definition of 'heavy industry':  "means: a. ... j. any industrial activity <u>of a larger scale and which may require regional discharge consents and ancillary activities involves the discharge of odour or dust beyond the site boundary.</u> "	Section 3.2	Accept in part	See body of the report for the assessment of this submission point.	Yes
145.3	Daiken New Zealand Ltd	Definition of industrial activity	Retain definition of 'industrial activity' as notified.		Accept		
295.39	Horticulture New Zealand	Definition of industrial activity	Retain definition of 'industrial activity' as notified.		Accept		
FS80	Christchurch International Airport Ltd	General	<i>CIAL agrees that management of highly productive land must be addressed in the Proposed Plan. In particular, it considers that areas of land which are currently zoned rural and contain LUC 2 and 3 soils are inappropriate for urban rezoning. CIAL notes further that the NPS-HPL is now in force and contains strong direction to avoid urban growth on highly productive land.</i>		Accept		

Table B 2: Recommended responses to submissions and further submissions – General District Plan Wide Submissions

Sub. Ref.	Submitter / Further Submitter	Provision	Relief sought	Section of this Report Where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
284.1	Clampett Investments Ltd	General	Amend all controlled and restricted discretionary activity rules:  <u>"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."</u>	Section 3.3	Reject	See body of the report for the assessment of this submission point.	No
326.1	Rolleston Industrial Developments Ltd	General	Amend the Proposed District Plan to delete the use of absolutes such as 'avoid', 'maximise' and 'minimise'.	Section 3.3	Reject	See body of the report for the assessment of this submission point.	No
FS78	Royal Forest and Bird Protection Society of New Zealand Inc		<i>Oppose</i>		<i>Accept</i>		

Sub. Ref.	Submitter / Further Submitter	Provision	Relief sought	Section of this Report Where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
FS84	Ohoka Residents Association		Oppose		Accept		
FS119	Andrea Marsden		Oppose		Accept		
FS120	Christopher Marsden		Oppose		Accept		
FS137	Ohoka Residents Association		Oppose		Accept		
326.2	Rolleston Industrial Developments Ltd	General	Amend so that all controlled and restricted discretionary activity rules include the following wording, or words to like effect:  " <u>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.</u> "	Section 3.3	Reject	See body of the report for the assessment of this submission point.	No
FS137	Ohoka Residents Association		Oppose		Accept		
FS78	Royal Forest and Bird Protection Society of New Zealand Inc		Oppose		Accept		
FS119	Andrea Marsden		Oppose		Accept		
FS120	Christopher Marsden		Oppose		Accept		
326.3	Rolleston Industrial Developments Ltd	General	Amend controlled and restricted discretionary activity rules to provide direction regarding non-notification.	Section 3.3	Reject	See body of the report for the assessment of this submission point.	No
FS137	Ohoka Residents Association		Oppose		Accept		
FS78	Royal Forest and Bird Protection Society of New Zealand Inc		Oppose		Accept		
275.6	Waka Kotahi NZ Transport Agency	UFD-O2	Provide further clarity on what feasible capacity for commercial and industrial activities entails.	Section 3.3	Reject	See body of the report for the assessment of this submission point.	No
FS53	Southern Capital Ltd		Allow in part		Reject		

Table B 3: Recommended responses to submissions and further submissions - Industrial Objective and Policies

Sub. Ref.	Submitter / Further Submitter	Provision	Relief sought	Section of this Report Where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
145.33	Daiken New Zealand Ltd	Introduction	Amend the General Objectives and Policies for all Industrial Zones introduction:  "... The quantum and distribution of industrial activity plays a key role in the form, identity and growth of <u>district as a whole</u> and urban areas and is vital to the effective and efficient functioning of communities through providing employment, and access to trade and yard-based goods and industrial services. The District Plan <u>recognises existing industrial activity and manages new industrial activities</u> to ensure:	Section 3.4	Accept in part	See body of the report for the assessment of this submission point.	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Relief sought	Section of this Report Where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			- appropriate activities establish in the industrial zones that are of a similar nature, be they light industrial, general industrial or heavy industrial; - industrial activities integrate with infrastructure <u>where available</u> and do not undermine existing commercial centres; and - they avoid more than minor adverse environmental effects and manage all other effects. ..."				
145.34	Daiken New Zealand Ltd	INZ-O1	Retain INZ-O1 as notified.		Accept		
347.86	Ravenswood Developments Ltd	INZ-O1	Retain INZ-O1 as notified.		Accept		
145.35	Daiken New Zealand Ltd	INZ-O2	Retain INZ-O2 as notified.	Section 3.5	Accept in part		
230.9	Concept Services	INZ-O2	Amend INZ-O2: "... 2. <del>avoid</del> <u>manage any actual and potential</u> adverse effects on the role and function of Town Centres; ..."	Section 3.5	Reject	See body of the report for the assessment of this submission point.	No
282.19	Woolworths	INZ-O2	Amend INZ-O2:  "Industrial zones that: 1. provide opportunities for light, general and heavy industrial activities in identified zoned areas to meet the diverse needs of a range of industrial activities; and 2. <u>avoid commercial activities that do not demonstrate a functional need to locate within that zone and that result in significant</u> adverse effects on the role and function of Town Centres; and 3. do not undermine investment in public amenities in the Town and Local Centre Zones."	Section 3.5	Accept in part	See body of the report for the assessment of this submission point.	Yes
303.69	Fire and Emergency NZ	INZ-O2	Retain INZ-O2 as notified.	Section 3.5	Accept in part		
347.87	Ravenswood Developments Ltd	INZ-O2	Amend to delete the "Light Industrial Zone".	Section 3.5	Reject	See body of the report for the assessment of this submission point.	No
145.36	Daiken New Zealand Ltd	INZ-O3	Amend INZ-O3: "... 2. at the interface with non-industrial zones <u>or at other locations as otherwise provided for in the rules</u> , to achieve the anticipated amenity values for those adjacent zones."	Section 3.6	Accept in part	See body of the report for the assessment of this submission point.	Yes
295.194	Horticulture New Zealand -	INZ-O3	Retain INZ-O3 as notified.	Section 3.6	Accept in part		
FS80	Christchurch International Airport Ltd	General	Support		Accept		
347.88	Ravenswood Developments Ltd	INZ-O3	Retain INZ-O3 as notified.	Section 3.6	Accept in part		
52.13	Ara Poutama Aotearoa, the Department of Correction	INZ-P1	Retain INZ-P1 as notified.	Section 3.7	Accept		
145.37	Daiken New Zealand Ltd	INZ-P1	Amend INZ-P1: "... <u>7. a range of heavy industrial activities generating larger scale effects within Heavy Industrial Zones, and ancillary activities.</u> " Or amend to like effect.	Section 3.7	Reject	See body of the report for the assessment of this submission point.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Relief sought	Section of this Report Where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
303.70	Fire and Emergency NZ	INZ-P1	Retain INZ-P1 as notified.	Section 3.7	Accept		
347.89	Ravenswood Developments Ltd	INZ-P1	Delete the Light Industrial Zone.	Section 3.7	Reject	See body of the report for the assessment of this submission point.	No
411.19	Ngai Tahu Property	INZ-P1	Retain INZ-P1 as notified.	Section 3.7	Accept		
230.10	Concept Services	INZ-P2	Amend INZ-P2:  "Avoid <u>Manage</u> retail activity, office, commercial services and other non-industrial activities that could individually or cumulatively adversely affect the role and function of town centres, and undermine investment in public amenities and facilities in the Town and Local Centre Zones."	Section 3.8	Reject	See body of the report for the assessment of this submission point.	No
282.20	Woolworths	INZ-P2	Amend INZ-P2:  "Avoid retail activity, office, commercial services and other non-industrial activities <u>that do not demonstrate a functional need to locate within that zone and</u> that could individually or cumulatively <u>result in significant adverse effects on</u> adversely affect the role and function of town centres, and undermine investment in public amenities and facilities in the Town and Local Centre Zones."	Section 3.8	Accept	See body of the report for the assessment of this submission point.	Yes
145.38	Daiken New Zealand Ltd	INZ-P4	Retain INZ-P4 as notified.		Accept		
230.11	Concept Services	INZ-P5	Amend INZ-P5:  "Maintain and support the function of industrial zones through <u>avoiding managing</u> any sensitive activities, such as residential and visitor accommodation, in industrial zones with the potential to hinder or constrain the establishment or ongoing operation or development of industrial activities."	Section 3.9	Reject	See body of the report for the assessment of this submission point.	No
145.39	Daiken New Zealand Ltd	INZ-P6	Amend INZ-P6: "... 2. at the interface with adjacent non-industrial zones <u>or at other locations as otherwise provided for in the rules</u> , so that the amenity values of those adjacent zones are maintained or enhanced, recognising that amenity values may be lower than that experienced in zones that are not close to industrial activities."	Section 3.10	Accept in part	See body of the report for the assessment of this submission point.	Yes

Table B 4: Recommended responses to submissions and further submissions - LIZ

Sub. Ref.	Submitter / Further Submitter	Provision	Relief sought	Section of this Report Where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
254.126	Christchurch International Airport Ltd	General	Insert new rule:  " <b>GIZ-R[xx] Noise sensitive activities within 50 dBA L<sub>dn</sub> Air Noise Contour</b> <b>Activity status: NC</b> <b>Where:</b> <b>1. any noise sensitive activity within the 50 dBA L<sub>dn</sub> Air Noise Contour.</b> <b>Activity status when compliance not achieved: N/A"</b>	Section 3.3	To be considered as part of Hearing Stream 10A	See body of the report for the assessment of this submission point.	
277.58	Ministry of Education	General	Insert new rule:  " <b>LIZ-RX Educational Facilities</b>	Section 3.11	Reject	See body of the report for the assessment of this submission point.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Relief sought	Section of this Report Where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			Activity Status: RDIS Matters of discretion are restricted to:  1. The scale, intensity and/or character of the buildings and associated activity. 2. Hours of operation. 3. The placement of buildings on the site. 4. Access. 5. The extent of impervious surfaces and landscaping. 6. The effects on matters of reverse sensitivity."				
282.78	Woolworths	General	Insert new rule in Light Industrial Zone for supermarkets as a discretionary activity.	Section 3.11	Reject	See body of the report for the assessment of this submission point.	No
411.20	Ngai Tahu Property	LIZ-O1	Retain LIZ-O1 as notified.		Accept		
411.21	Ngai Tahu Property	LIZ-P1	Retain LIZ-P1 as notified.		Accept		
411.22	Ngai Tahu Property	LIZ-P2	Retain LIZ-P2 as notified.		Accept		
221.16	House Movers Section of New Zealand Heavy Haulage Association - Stuart Ryan and; Jonathan Bhana-Thomson	LIZ-R1	Amend LIZ-R1:  "1. The activity complies with all built form standards (as applicable) 2. A building is moved: a. It shall be fixed to permanent foundations within 2 months (unless being stored as a temporary activity); and b. Reinstatement works to the exterior of the building shall be completed within 12 months, including connection to services, and closing in of the foundations. c. A building pre-inspection report to accompany the application for a building consent for the destination site which identifies all reinstatement works that are to be completed to the exterior of the building and a certification by the property owner that the reinstatement works shall be completed within the specified [12] month period."	Section 3.3	Reject	See body of the report for the assessment of this submission point.	No
282.69	Woolworths	LIZ-R1	Retain LIZ-R1 as notified.		Accept		
411.23	Ngai Tahu Property	LIZ-R1	Retain LIZ-R1 as notified.		Accept		
411.112	Ngai Tahu Property	LIZ-R2	Retain LIZ-R2 as notified.		Accept		
411.113	Ngai Tahu Property	LIZ-R3	Retain LIZ-R3 as notified.		Accept		
411.114	Ngai Tahu Property	LIZ-R4	Retain LIZ-R4 as notified.		Accept		
411.115	Ngai Tahu Property	LIZ-R5	Retain LIZ-R5 as notified.		Accept		
411.116	Ngai Tahu Property	LIZ-R6	Retain LIZ-R6 as notified.		Accept		
52.14	Ara Poutama Aotearoa, the Department of Corrections	LIZ-R7	Retain LIZ-R7 as notified.		Accept		
411.117	Ngai Tahu Property	LIZ-R7	Retain LIZ-R7 as notified.		Accept		
303.71	Fire and Emergency NZ	LIZ-R8	Retain LIZ-R8 as notified.		Accept		
411.118	Ngai Tahu Property	LIZ-R8	Retain LIZ-R8 as notified.		Accept		
411.119	Ngai Tahu Property	LIZ-R9	Retain LIZ-R9 as notified.		Accept		
411.120	Ngai Tahu Property	LIZ-R10	Retain LIZ-R10 as notified.		Accept		
411.121	Ngai Tahu Property	LIZ-R11	Retain LIZ-R11 as notified.		Accept		
411.122	Ngai Tahu Property	LIZ-R12	Retain LIZ-R12 as notified.		Accept		
411.123	Ngai Tahu Property	LIZ-R13	Retain LIZ-R13 as notified.		Accept		
411.124	Ngai Tahu Property	LIZ-R14	Retain LIZ-R14 as notified.		Accept		
411.125	Ngai Tahu Property	LIZ-R15	Retain LIZ-R15 as notified.		Accept		

Sub. Ref.	Submitter / Further Submitter	Provision	Relief sought	Section of this Report Where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
411.126	Ngai Tahu Property	LIZ-R16	Retain LIZ-R16 as notified.		Accept		
411.127	Ngai Tahu Property	LIZ-R17	Retain LIZ-R17 as notified.		Accept		
411.128	Ngai Tahu Property	LIZ-R18	Retain LIZ-R18 as notified.		Accept		
411.129	Ngai Tahu Property	LIZ-R19	Retain LIZ-R19 as notified.		Accept		
411.130	Ngai Tahu Property	LIZ-R20	Retain LIZ-R20 as notified.		Accept		
411.131	Ngai Tahu Property	LIZ-R21	Retain LIZ-R21 as notified.		Accept		
411.132	Ngai Tahu Property	LIZ-R22	Retain LIZ-R22 as notified.		Accept		
411.133	Ngai Tahu Property	LIZ-R23	Retain LIZ-R23 as notified.		Accept		
411.134	Ngai Tahu Property	LIZ-R24	Retain LIZ-R24 as notified.		Accept		
295.195	Horticulture New Zealand	LIZ-BFS2	Retain LIZ-BFS2 as notified.		Accept		
FS80	Christchurch International Airport Ltd		Support		Accept		
295.196	Horticulture New Zealand	LIZ-BFS4	Retain LIZ-BFS4 as notified.		Accept		
FS80	Christchurch International Airport Ltd		Support		Accept		
373.88	KiwiRail Holdings Ltd	LIZ-BFS7	Amend LIZ-BFS7:  "1. All buildings shall be set back a minimum of <del>4m</del> <u>5m</u> from any site boundary with the rail corridor."	Section 3.3	Reject	See body of the report for the assessment of this submission point.	No
367.30	Waimakariri District Council	LIZ-BFS9	Amend LIZ-BFS9:  "1. Any outdoor storage area, other than those associated with yard-based activities and trade suppliers, shall be screened by 1.8m high solid fencing, landscaping or other screening from any adjoining site in Residential Zones, Rural Zones or Open Space and Recreation Zones or the road boundary.  2. All fencing, or walls within 2m of a site boundary with a public reserve, pedestrian or cycle facilities, and greater than 1.2m in height, shall be at least 45% visually permeable for pedestrian and traffic safety. "	Section 3.3	Accept in part	See body of the report for the assessment of this submission point.	Yes

Table B 5: Recommended responses to submissions and further submissions - GIZ

Sub. Ref.	Submitter / Further Submitter	Provision	Relief sought	Section of this Report Where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
25.1	Daniel Smith	General	Accommodate retail activity at the following Flaxton Road properties: 269, 275, 279, 299, 303, 305, 311, 315, 317, 319, 323, 333, 341, 343, 345, 347, and all the west side of Flaxton Road in the submitter's business park (refer to full submission for maps).	3.12  The LFRZ extension component has been re-	Reject	See body of the report for the assessment of this submission point.	No



Sub. Ref.	Submitter / Further Submitter	Provision	Relief sought	Section of this Report Where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
				allocated to the re-zoning hearings (Hearing Stream 12)			
249.126	MainPower NZ Ltd	General	<p>Insert the following new objective:</p> <p><u>"Objective:</u>  <u>The operation and security of critical infrastructure, strategic infrastructure and regionally significant infrastructure is not compromised by other activities."</u></p>	3.12	Accept in part	See body of the report for the assessment of this submission point.	Yes
FS99	KiwiRail Holdings Ltd		<i>Support</i>		<i>Accept</i>		
249.127	MainPower NZ Ltd	General	<p>Insert the following new policy:</p> <p><u>"Policy - Separation of incompatible activities</u>  <u>Protect critical infrastructure, strategic infrastructure and regionally significant infrastructure by avoiding adverse effects, including reverse sensitivity effects, from incompatible activities by avoiding buildings, structures and any sensitive activities that may compromise the operation of Electricity Distribution Lines within an identified buffer corridor."</u></p>	3.12	Accept in part	See body of the report for the assessment of this submission point.	Yes
FS99	KiwiRail Holdings Ltd		<i>Support</i>		<i>Accept</i>		
249.128	MainPower NZ Ltd	General	<p>Insert the following new rule:</p> <p><u>"Earthworks adjacent to major electricity distribution line</u>  <u>Activity Status: PER</u>  <u>Where:</u>  <u>1. Earthworks shall be setback at least 6m from the centreline of the Major Electricity Distribution Line as shown on the planning maps or;</u>  <u>2. Meet the following requirements:</u>  <u>a. be no deeper than 300mm within 2.2m of the foundation of the major electricity distribution line support structure; and</u>  <u>b. be no deeper than 0.75m between 2.2m and 6m from the foundation of the major electricity distribution line support structure; and</u>  <u>c. earthworks shall not destabilise a major 66kV or 33kV electricity distribution line pole or tower; and</u>  <u>d. earthworks shall not result in a reduction in the ground to conductor clearance distances below what is required by Table 4 in NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances, unless the requirements of Clause 2.2.3 of NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances are met.</u>  <u>Activity status when compliance not achieved: NC</u>  <u>Notification</u>  <u>An application for a non-complying activity under this rule is precluded from being publicly notified, but may be limited notified only to the relevant electricity distribution line operator where the consent authority considers this is required, absent its written approval.</u>  <u>Exemptions</u>  <u>This rule does not apply to:</u>  <u>- earthworks undertaken as part of agricultural or domestic cultivation; or repair, sealing or resealing of a road, footpath, driveway or vehicle access track;</u>  <u>- earthworks that are undertaken by a network utility operator or their approved contractor on behalf of the network utility operator (other than for the reticulation and storage of water in canals, dams or reservoirs including for irrigation purposes);</u>  <u>- earthworks for which prior written consent has been granted by the relevant electricity distribution line operator under the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe</u></p>	3.12	Accept in part	See body of the report for the assessment of this submission point.	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Relief sought	Section of this Report Where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<p><u>Distances;</u></p> <p><u>Advisory Notes</u></p> <ul style="list-style-type: none"> <li>- <u>Major electricity distribution lines are shown on the planning maps.</u></li> <li>- <u>Vegetation to be planted around electricity distribution lines should be selected and managed to ensure that it will not breach the Electricity (Hazards from Trees) Regulations 2003.</u></li> <li>- <u>The NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances contains restrictions on the location of activities and development in relation to electricity distribution lines. Activities and development in the vicinity of these lines must comply with NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.</u></li> </ul> <p>Insert the following new rule:</p> <p><u>Network utilities within 6 of the centre line of a major electricity distribution line</u></p> <p><u>Activity status: PER</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> <li>1. <u>the network utility complies with the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.</u></li> </ol> <p><u>Activity status when compliance not achieved: NC</u></p> <p><u>Advisory Note</u></p> <ul style="list-style-type: none"> <li>- <u>Major electricity distribution lines are shown on the planning map.</u></li> </ul> <p>Insert the following new rule:</p> <p><u>Activities and development (other than earthworks or network utilities) adjacent to a major electricity distribution line</u></p> <p><u>Activity status: NC</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> <li>1. <u>activities and development adjacent to a major electricity distribution line involve the following:</u> <ol style="list-style-type: none"> <li>a. <u>new sensitive activity and new buildings within 6m of the centreline of a major electricity distribution line or within 6m of the foundation of a support structure; or</u></li> <li>b. <u>complies with the requirements of NZECP34:2001.</u></li> </ol> </li> </ol> <p><u>Notification</u></p> <p><u>An application under this rule is precluded from being publicly notified, but may be limited notified only to the relevant electricity distribution line operator where the consent authority considers this is required, absent its written approval.</u></p> <p><u>Advisory Notes</u></p> <ul style="list-style-type: none"> <li>- <u>Major electricity distribution lines are shown on the planning map.</u></li> <li>- <u>Vegetation to be planted around electricity distribution lines should be selected and managed to ensure that it will not breach the Electricity (Hazards from Trees) Regulations 2003.</u></li> <li>- <u>The NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances contains restrictions on the location of activities and development in relation to electricity distribution lines. Activities and development in the vicinity of these lines must comply with NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.</u></li> </ul> <p>Insert the following new rule:</p> <p><u>Structures near a major electricity distribution line</u></p> <p><u>Activity status: NC</u></p> <ol style="list-style-type: none"> <li>1. <u>The establishment of a new, or expansion of an existing structure:</u></li> </ol> <p><u>Where:</u></p> <ol style="list-style-type: none"> <li>2. <u>The structure is within 6m of the centreline of a major electricity distribution line as shown on the planning maps; or</u></li> <li>3. <u>The structure is within 6m of the foundation of a support structure of a major electricity distribution line as shown on the planning maps, or</u></li> <li>4. <u>Complies with the requirements of NZECP34:2001</u></li> </ol> <p><u>Notification</u></p>				

Sub. Ref.	Submitter / Further Submitter	Provision	Relief sought	Section of this Report Where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<u>An application under this rule is precluded from being publicly notified, but may be limited notified only to the relevant electricity distribution line operator where the consent authority considers this is required, absent its written approval.</u> <u>Activity status when compliance not achieved: NC"</u>				
254.125	Christchurch International Airport Ltd	General	Insert new rule:  " <u>GIZ-R[xx] Noise sensitive activities within 50 dBA L<sub>dn</sub> Air Noise Contour</u> <u>Activity status: NC</u> <u>Where:</u> <u>1. any noise sensitive activity within the 50 dBA L<sub>dn</sub> Air Noise Contour.</u> <u>Activity status when compliance not achieved: N/A"</u>	Section 3.3	To be addressed in CIAL hearing Stream 10A		
254.135	Christchurch International Airport Ltd	General	Insert provisions for bird strike risk on Christchurch International Airport into all relevant zones for land within 13km radius of the Airport:  " <u>Activity status: PER</u> <u>Where:</u> <u>any Bird Strike Risk Activity is proposed between an 8km and 13km radius of the thresholds of the runways at Christchurch International Airport (as shown on the planning maps), a birdstrike management plan prepared in consultation with CIAL has been provided to the Waimakariri District Council Planning Manager prior to the activity establishing, and accepted (within 10 days of receipt).</u> <u>An updated plan shall be provided to the Waimakariri District Council if the activity expands.</u> <u>Activity status when compliance not achieved: RDIS</u> <u>Matters of discretion:</u> <u>MD[xx] – Bird strike risk</u> <u>Notification: any application arising from this rule will be notified to Christchurch International Airport Limited."</u>  " <u>Activity status: RDIS</u> <u>Where:</u> <u>1. Any Bird Strike Risk Activity is proposed within an 8km radius of the thresholds of the runways at Christchurch International Airport (as shown on the planning maps); and</u> <u>2. with regard to the creation of any new temporary or permanent waterbodies or stormwater basins, the combined areas of all stormwater basins and/or waterbodies that are wholly or partly within 1km of the proposed waterbody's or basin's edge exceed 1000m<sup>2</sup>.</u> <u>Activity status when compliance not achieved: N/A</u> <u>Matters of discretion:</u> <u>MD[xx] – Bird strike risk</u> <u>Notification: any application arising from this rule will be notified to Christchurch International Airport Limited."</u>  " <u>Activity status: NC</u> <u>1. any waste management facility, proposed within 13 km radius of the thresholds of the runways at Christchurch International Airport as shown on the planning maps.</u> <u>Activity status when compliance not achieved: N/A"</u>	Section 3.3	To be addressed in CIAL hearing Stream 10A		
277.59	Ministry of Education	General	Insert new rule:  " <u>GIZ-RX Educational Facilities</u> <u>Activity Status: RDIS</u> <u>Matters of discretion are restricted to:</u>  <u>1. The scale, intensity and/or character of the buildings and associated activity.</u>	3.12	Reject	See body of the report for the assessment of this submission point.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Relief sought	Section of this Report Where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<p>2. Hours of operation.</p> <p>3. The placement of buildings on the site</p> <p>4. Access.</p> <p>5. The extent of impervious surfaces and landscaping.</p> <p>6. The effects on matters of reverse sensitivity."</p>				
282.79	Woolworths	General	Insert new rule in General industrial Zone providing for supermarkets as a discretionary activity.	3.12	Reject	See body of the report for the assessment of this submission point.	No
311.3	Domett Properties Ltd	GIZ-O1	Retain GIZ-O1 as notified.		Accept		
326.741	Rolleston Industrial Developments Ltd	GIZ-O1	Retain GIZ-O1 as notified.		Accept		
FS137	Ohoka Residents Association		Oppose		Reject		
347.90	Ravenswood Developments Ltd	GIZ-O1	Retain GIZ-O1 as notified.		Accept		
411.24	Ngai Tahu Property	GIZ-O1	Retain GIZ-O1 as notified.		Accept		
230.12	Concept Services	GIZ-P1	Amend GIZ-P1:  "Recognise and provide for a range of general industrial and other compatible activities and <del>avoid</del> <u>manage</u> activities which do not support the primary function of the zone."	3.12	Reject	See body of the report for the assessment of this submission point.	No
282.21	Woolworths	GIZ-P1	Amend GIZ-P1:  "Recognise and provide for a range of general industrial and other compatible activities and avoid <u>non-industrial</u> activities which do not <u>demonstrate a functional need to locate within that zone</u> or that otherwise do not support the primary function of the zone."	3.12	Accept in part	See body of the report for the assessment of this submission point.	Yes
303.72	Fire and Emergency NZ	GIZ-P1	Retain GIZ-P1 as notified.	3.12	Accept in part		
311.4	Domett Properties Ltd	GIZ-P1	Retain GIZ-P1 as notified.	3.12	Accept in part		
326.742	Rolleston Industrial Developments Ltd	GIZ-P1	Retain GIZ-P1 as notified.	3.12	Accept in part		
FS137	Ohoka Residents Association		Oppose		Reject		
347.91	Ravenswood Developments Ltd	GIZ-P1	Retain GIZ-P1 as notified.	3.12	Accept in part		
411.25	Ngai Tahu Property	GIZ-P1	Retain GIZ-P1 as notified.	3.12	Accept in part		
311.5	Domett Properties Ltd	GIZ-P2	Retain GIZ-P2 as notified.		Accept		
326.743	Rolleston Industrial Developments Ltd	GIZ-P2	Retain GIZ-P2 as notified.		Accept		
FS137	Ohoka Residents Association		Oppose		Reject		
347.92	Ravenswood Developments Ltd	GIZ-P2	Retain GIZ-P2 as notified.		Accept		
411.26	Ngai Tahu Property	GIZ-P2	Retain GIZ-P2 as notified.		Accept		
221.17	House Movers Section of New Zealand Heavy	GIZ-R1	Amend GIZ-R1:  "1. The activity complies with all built form standards (as applicable)	3.3	Reject	See body of the report for the assessment of this submission point.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Relief sought	Section of this Report Where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
	Haulage Association - Stuart Ryan and; Jonathan Bhana-Thomson		<p>2. A building is moved:</p> <p>a. It shall be fixed to permanent foundations within 2 months (unless being stored as a temporary activity); and</p> <p>b. Reinstatement works to the exterior of the building shall be completed within 12 months, including connection to services, and closing in of the foundations.</p> <p>c. A building pre-inspection report to accompany the application for a building consent for the destination site which identifies all reinstatement works that are to be completed to the exterior of the building and a certification by the property owner that the reinstatement works shall be completed within the specified [12] month period."</p>				
309.3	Hellers Ltd	GIZ-R1	Retain GIZ-R1 as notified.		Accept		
311.6	Domett Properties Ltd	GIZ-R1	Retain GIZ-R1 as notified.		Accept		
326.744	Rolleston Industrial Developments Ltd	GIZ-R1	Retain GIZ-R1 as notified.		Accept		
FS137	Ohoka Residents Association		Oppose		Reject		
411.27	Ngai Tahu Property	GIZ-R1	Retain GIZ-R1 as notified.		Accept		
309.4	Hellers Ltd	GIZ-R2	Retain GIZ-R2 as notified.		Accept		
311.7	Domett Properties Ltd	GIZ-R2	Retain GIZ-R2 as notified.		Accept		
326.745	Rolleston Industrial Developments Ltd	GIZ-R2	Retain GIZ-R2 as notified.		Accept		
FS137	Ohoka Residents Association		Oppose		Reject		
411.135	Ngai Tahu Property	GIZ-R2	Retain GIZ-R2 as notified.		Accept		
309.5	Hellers Ltd	GIZ-R3	Retain GIZ-R3 as notified.		Accept		
311.8	Domett Properties Ltd	GIZ-R3	Retain GIZ-R3 as notified.		Accept		
326.746	Rolleston Industrial Developments Ltd	GIZ-R3	Retain GIZ-R3 as notified.		Accept		
FS137	Ohoka Residents Association		Oppose		Reject		
411.136	Ngai Tahu Property	GIZ-R3	Retain GIZ-R3 as notified.		Accept		
309.6	Hellers Ltd	GIZ-R4	Retain GIZ-R4 as notified.		Accept		
311.9	Domett Properties Ltd	GIZ-R4	Retain GIZ-R4 as notified.		Accept		
326.747	Rolleston Industrial Developments Ltd	GIZ-R4	Retain GIZ-R4 as notified.		Accept		
FS137	Ohoka Residents Association		Oppose		Reject		
411.137	Ngai Tahu Property	GIZ-R4	Retain GIZ-R4 as notified.		Accept		
309.7	Hellers Ltd	GIZ-R5	Retain GIZ-R5 as notified.		Accept		
311.10	Domett Properties Ltd	GIZ-R5	Retain GIZ-R5 as notified.		Accept		
326.748	Rolleston Industrial Developments Ltd	GIZ-R5	Retain GIZ-R5 as notified.		Accept		
FS137	Ohoka Residents Association		Oppose		Reject		
411.138	Ngai Tahu Property	GIZ-R5	Retain GIZ-R5 as notified.		Accept		

Sub. Ref.	Submitter / Further Submitter	Provision	Relief sought	Section of this Report Where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
309.8	Hellers Ltd	GIZ-R6	Retain GIZ-R6 as notified.		Accept		
311.11	Domett Properties Ltd	GIZ-R6	Retain GIZ-R6 as notified.		Accept		
326.749	Rolleston Industrial Developments Ltd	GIZ-R6	Retain GIZ-R6 as notified.		Accept		
FS137	Ohoka Residents Association		Oppose		Reject		
411.139	Ngai Tahu Property	GIZ-R6	Retain GIZ-R6 as notified.		Accept		
52.15	Ara Poutama Aotearoa, the Department of Corrections	GIZ-R7	Retain GIZ-R7 as notified.		Accept		
309.9	Hellers Ltd	GIZ-R7	Retain GIZ-R7 as notified.		Accept		
311.12	Domett Properties Ltd	GIZ-R7	Retain GIZ-R7 as notified.		Accept		
326.750	Rolleston Industrial Developments Ltd	GIZ-R7	Retain GIZ-R7 as notified.		Accept		
FS137	Ohoka Residents Association		Oppose		Reject		
411.140	Ngai Tahu Property	GIZ-R7	Retain GIZ-R7 as notified.		Accept		
303.73	Fire and Emergency NZ	GIZ-R8	Retain GIZ-R8 as notified.		Accept		
309.10	Hellers Ltd	GIZ-R8	Retain GIZ-R8 as notified.		Accept		
311.13	Domett Properties Ltd	GIZ-R8	Retain GIZ-R8 as notified.		Accept		
326.751	Rolleston Industrial Developments Ltd	GIZ-R8	Retain GIZ-R8 as notified.		Accept		
FS137	Ohoka Residents Association		Oppose		Reject		
411.141	Ngai Tahu Property	GIZ-R8	Retain GIZ- R8 as notified.		Accept		
309.11	Hellers Ltd	GIZ-R9	Retain GIZ-R9 as notified.		Accept		
311.14	Domett Properties Ltd	GIZ-R9	Retain GIZ-R9 as notified.		Accept		
326.752	Rolleston Industrial Developments Ltd	GIZ-R9	Retain GIZ-R9 as notified.		Accept		
FS137	Ohoka Residents Association		Oppose		Reject		
411.142	Ngai Tahu Property	GIZ-R9	Retain GIZ-R9 as notified.		Accept		
309.12	Hellers Ltd	GIZ-R10	Retain GIZ-R10 as notified.		Accept		
311.15	Domett Properties Ltd	GIZ-R10	Retain GIZ-R10 as notified.		Accept		
326.753	Rolleston Industrial Developments Ltd	GIZ-R10	Retain GIZ-R10 as notified.		Accept		
FS137	Ohoka Residents Association		Oppose		Reject		
411.143	Ngai Tahu Property	GIZ-R10	Retain GIZ-R10 as notified.		Accept		
309.13	Hellers Ltd	GIZ-R11	Retain GIZ-R11 as notified.		Accept		
311.16	Domett Properties Ltd	GIZ-R11	Retain GIZ-R11 as notified.		Accept		

Sub. Ref.	Submitter / Further Submitter	Provision	Relief sought	Section of this Report Where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
326.754	Rolleston Industrial Developments Ltd	GIZ-R11	Retain GIZ-R11 as notified.		Accept		
<i>FS137</i>	<i>Ohoka Residents Association</i>		<i>Oppose</i>		<i>Reject</i>		
411.144	Ngai Tahu Property	GIZ-R11	Retain GIZ-R11 as notified.		Accept		
309.14	Hellers Ltd	GIZ-R12	Retain GIZ-R12 as notified.		Accept		
311.17	Domett Properties Ltd	GIZ-R12	Retain GIZ-R12 as notified.		Accept		
326.755	Rolleston Industrial Developments Ltd	GIZ-R12	Retain GIZ-R12 as notified.		Accept		
<i>FS137</i>	<i>Ohoka Residents Association</i>		<i>Oppose</i>		<i>Reject</i>		
411.145	Ngai Tahu Property	GIZ-R12	Retain GIZ-R12 as notified.		Accept		
309.15	Hellers Ltd	GIZ-R13	Retain GIZ-R13 as notified.		Accept		
311.18	Domett Properties Ltd	GIZ-R13	Retain GIZ-R13 as notified.		Accept		
326.756	Rolleston Industrial Developments Ltd	GIZ-R13	Retain GIZ-R13 as notified.		Accept		
<i>FS137</i>	<i>Ohoka Residents Association</i>		<i>Oppose</i>		<i>Reject</i>		
411.146	Ngai Tahu Property	GIZ-R13	Retain GIZ-R13 as notified.		Accept		
309.16	Hellers Ltd	GIZ-R14	Retain GIZ-R14 as notified.		Accept		
311.19	Domett Properties Ltd	GIZ-R14	Retain GIZ-R14 as notified.		Accept		
326.757	Rolleston Industrial Developments Ltd	GIZ-R14	Retain GIZ-R14 as notified.		Accept		
<i>FS137</i>	<i>Ohoka Residents Association</i>		<i>Oppose</i>		<i>Reject</i>		
411.147	Ngai Tahu Property	GIZ-R14	Retain GIZ-R14 as notified.		Accept		
309.17	Hellers Ltd	GIZ-R15	Retain GIZ-R15 as notified.		Accept		
311.20	Domett Properties Ltd	GIZ-R15	Retain GIZ-R15 as notified.		Accept		
326.758	Rolleston Industrial Developments Ltd	GIZ-R15	Retain GIZ-R15 as notified.		Accept		
<i>FS137</i>	<i>Ohoka Residents Association</i>		<i>Oppose</i>		<i>Reject</i>		
411.148	Ngai Tahu Property	GIZ-R15	Retain GIZ-R15 as notified.		Accept		
309.18	Hellers Ltd	GIZ-R16	Retain GIZ-R16 as notified.		Accept		
311.21	Domett Properties Ltd	GIZ-R16	Retain GIZ-R16 as notified.		Accept		
326.759	Rolleston Industrial Developments Ltd	GIZ-R16	Retain GIZ-R16 as notified.		Accept		
<i>FS137</i>	<i>Ohoka Residents Association</i>		<i>Oppose</i>		<i>Reject</i>		
411.149	Ngai Tahu Property	GIZ-R16	Retain GIZ-R16 as notified.		Accept		
309.19	Hellers Ltd	GIZ-R17	Retain GIZ-R17 as notified.		Accept		
311.22	Domett Properties Ltd	GIZ-R17	Retain GIZ-R17 as notified.		Accept		

Sub. Ref.	Submitter / Further Submitter	Provision	Relief sought	Section of this Report Where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
326.760	Rolleston Industrial Developments Ltd	GIZ-R17	Retain GIZ-R17 as notified.		Accept		
<i>FS137</i>	<i>Ohoka Residents Association</i>		<i>Oppose</i>		<i>Reject</i>		
411.150	Ngai Tahu Property	GIZ-R17	Retain GIZ-R17 as notified.		Accept		
311.23	Domett Properties Ltd	GIZ-R18	Retain GIZ-R18 as notified.		Accept		
326.761	Rolleston Industrial Developments Ltd	GIZ-R18	Retain GIZ-R18 as notified.		Accept		
<i>FS137</i>	<i>Ohoka Residents Association</i>		<i>Oppose</i>		<i>Reject</i>		
411.151	Ngai Tahu Property	GIZ-R18	Retain GIZ-R18 as notified.		Accept		
311.24	Domett Properties Ltd	GIZ-R19	Retain GIZ-R19 as notified.		Accept		
326.762	Rolleston Industrial Developments Ltd	GIZ-R19	Retain GIZ-R19 as notified.		Accept		
<i>FS137</i>	<i>Ohoka Residents Association</i>		<i>Oppose</i>		<i>Reject</i>		
411.152	Ngai Tahu Property	GIZ-R19	Retain GIZ-R19 as notified.		Accept		
311.25	Domett Properties Ltd	GIZ-R20	Retain GIZ-R20 as notified.		Accept		
326.763	Rolleston Industrial Developments Ltd	GIZ-R20	Retain GIZ-R20 as notified.		Accept		
<i>FS137</i>	<i>Ohoka Residents Association</i>		<i>Oppose</i>		<i>Reject</i>		
411.153	Ngai Tahu Property	GIZ-R20	Retain GIZ-R20 as notified.		Accept		
311.26	Domett Properties Ltd	GIZ-R21	Retain GIZ-R21 as notified.		Accept		
326.764	Rolleston Industrial Developments Ltd	GIZ-R21	Retain GIZ-R21 as notified.		Accept		
<i>FS137</i>	<i>Ohoka Residents Association</i>		<i>Oppose</i>		<i>Reject</i>		
411.154	Ngai Tahu Property	GIZ-R21	Retain GIZ-R21 as notified.		Accept		
311.27	Domett Properties Ltd	GIZ-R22	Retain GIZ-R22 as notified.		Accept		
326.765	Rolleston Industrial Developments Ltd	GIZ-R22	Retain GIZ-R22 as notified.		Accept		
<i>FS137</i>	<i>Ohoka Residents Association</i>		<i>Oppose</i>		<i>Reject</i>		
411.155	Ngai Tahu Property	GIZ-R22	Retain GIZ-R22 as notified.		Accept		
311.28	Domett Properties Ltd	GIZ-R23	Retain GIZ-R23 as notified.		Accept		
326.766	Rolleston Industrial Developments Ltd	GIZ-R23	Retain GIZ-R23 as notified.		Accept		
<i>FS137</i>	<i>Ohoka Residents Association</i>		<i>Oppose</i>		<i>Reject</i>		
411.156	Ngai Tahu Property	GIZ-R23	Retain GIZ-R23 as notified.		Accept		
311.29	Domett Properties Ltd	GIZ-BFS1	Retain GIZ-BFS1 as notified.		Accept		



Sub. Ref.	Submitter / Further Submitter	Provision	Relief sought	Section of this Report Where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
326.767	Rolleston Industrial Developments Ltd	GIZ-BFS1	Retain GIZ-BFS1 as notified.		Accept		
<i>FS137</i>	<i>Ohoka Residents Association</i>		<i>Oppose</i>		<i>Reject</i>		
295.197	Horticulture New Zealand	GIZ-BFS2	Retain GIZ-BFS2 as notified.		Accept		
<i>FS80</i>	<i>Christchurch International Airport</i>		<i>Support</i>		<i>Accept</i>		
311.30	Domett Properties Ltd	GIZ-BFS2	Retain GIZ-BFS2 as notified.		Accept		
326.768	Rolleston Industrial Developments Ltd	GIZ-BFS2	Retain GIZ-BFS2 as notified.		Accept		
<i>FS137</i>	<i>Ohoka Residents Association</i>		<i>Oppose</i>		<i>Reject</i>		
311.31	Domett Properties Ltd	GIZ-BFS3	Retain GIZ-BFS3 as notified.		Accept		
326.769	Rolleston Industrial Developments Ltd	GIZ-BFS3	Retain GIZ-BFS3 as notified.		Accept		
<i>FS137</i>	<i>Ohoka Residents Association</i>		<i>Oppose</i>		<i>Reject</i>		
295.198	Horticulture New Zealand	GIZ-BFS4	Retain GIZ-BFS4 as notified.		Accept		
<i>FS80</i>	<i>Christchurch International Airport</i>		<i>Support</i>		<i>Accept</i>		
311.32	Domett Properties Ltd	GIZ-BFS4	Retain GIZ-BFS4 as notified.		Accept		
326.770	Rolleston Industrial Developments Ltd	GIZ-BFS4	Retain GIZ-BFS4 as notified.		Accept		
<i>FS137</i>	<i>Ohoka Residents Association</i>		<i>Oppose</i>		<i>Reject</i>		
311.33	Domett Properties Ltd	GIZ-BFS5	Retain GIZ-BFS5 as notified.		Accept		
326.771	Rolleston Industrial Developments Ltd	GIZ-BFS5	Retain GIZ-BFS5 as notified.		Accept		
<i>FS137</i>	<i>Ohoka Residents Association</i>		<i>Oppose</i>		<i>Reject</i>		
311.34	Domett Properties Ltd	GIZ-BFS6	Retain GIZ-BFS6 as notified.		Accept		
326.772	Rolleston Industrial Developments Ltd	GIZ-BFS6	Retain GIZ-BFS6 as notified.		Accept		
<i>FS137</i>	<i>Ohoka Residents Association</i>		<i>Oppose</i>		<i>Reject</i>		
311.35	Domett Properties Ltd	GIZ-BFS7	Retain GIZ-BFS7 as notified.		Accept		
326.773	Rolleston Industrial Developments Ltd	GIZ-BFS7	Retain GIZ-BFS7 as notified.		Accept		
<i>FS137</i>	<i>Ohoka Residents Association</i>		<i>Oppose</i>		<i>Reject</i>		

Sub. Ref.	Submitter / Further Submitter	Provision	Relief sought	Section of this Report Where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
373.89	KiwiRail Holdings Ltd	GIZ-BFS7	Amend GIZ-BFS7:  "1. All buildings shall be set back a minimum of <del>4m</del> <u>5m</u> from any site boundary with the rail corridor."	3.3 & 3.12	Reject	See body of the report for the assessment of this submission point.	No
311.36	Domett Properties Ltd	GIZ-BFS8	Retain GIZ-BFS8 as notified.		Accept		
326.774	Rolleston Industrial Developments Ltd	GIZ-BFS8	Retain GIZ-BFS8 as notified.		Accept		
FS137	Ohoka Residents Association		Oppose		Reject		
295.199	Horticulture New Zealand	GIZ-BFS9	Retain GIZ-BFS9 as notified.		Accept		
FS80	Christchurch International Airport		Support		Accept		
311.37	Domett Properties Ltd	GIZ-BFS9	Retain GIZ-BFS9 as notified.	3.12	Accept in part		
326.775	Rolleston Industrial Developments Ltd	GIZ-BFS9	Retain GIZ-BFS9 as notified.	3.12	Accept in part		
FS137	Ohoka Residents Association		Oppose		Reject		
367.29	Waimakariri District Council	GIZ-BFS9	Amend GIZ-BFS9:  "1. Any outdoor storage area, other than those associated with yard-based activities and trade suppliers, shall be screened by 1.8m high solid fencing, landscaping or other screening from any adjoining site in Residential Zones, Rural Zones or Open Space and Recreation Zones or the road boundary.  <u>2. All fencing, or walls within 2m of a site boundary with a public reserve, pedestrian or cycle facilities, and greater than 1.2m in height, shall be at least 45% visually permeable for pedestrian and traffic safety.</u> "	3.3 & 3.12	Accept in part	See body of the report for the assessment of this submission point.	Yes

Table B 6: Recommended responses to submissions and further submissions - HIZ

Sub. Ref.	Submitter / Further Submitter	Provision	Relief sought	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
145.53	Daiken New Zealand Ltd	General	Insert a new rule as HIZ-R12:  " <u>HIZ-R12 Primary Production</u> <u>Activity status: PER</u> <u>Activity status when compliance not achieved: N/A</u> "	Section 3.13	Accept in part	See body of the report for the assessment of this submission point.	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Relief sought	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
254.127	Christchurch International Airport Ltd	General	Insert new rule:  " <b>GIZ-R[xx] Noise sensitive activities within 50 dBA L<sub>dn</sub> Air Noise Contour</b> <b>Activity status: NC</b> <u>Where:</u> 1. any noise sensitive activity within the 50 dBA L <sub>dn</sub> Air Noise Contour. <b>Activity status when compliance not achieved: N/A</b> "	Section 3.3 & 3.13	To be considered as part of Hearing Stream 10A		
277.60	Ministry of Education	General	Insert new rule:  " <b>HIZ-RX Educational Facilities</b> <b>Activity Status: DIS</b> "	Section 3.13	Reject	See body of the report for the assessment of this submission point.	No
145.40	Daiken New Zealand Ltd	HIZ-O1	Amend HIZ-O1:  "Heavy industrial activities are enabled, where the adverse effects of these activities <del>on adjacent non-heavy industrial zones</del> are managed at the interface to provide an acceptable level of amenity <del>in of these more sensitive within other zones.</del> "	Section 3.13	Accept in part	See body of the report for the assessment of this submission point.	Yes
411.28	Ngai Tahu Property	HIZ-O1	Retain HIZ-O1 as notified.	Section 3.13	Accept in part		
145.41	Daiken New Zealand Ltd	HIZ-P1	Amend HIZ-P1:  "Recognise and provide for heavy industrial activities that generate <del>potentially significant and a range of intermittent and continuous effects, including relatively high levels of noise, odour, heavy traffic movements, and the presence of significant amounts of hazardous substances</del> amenity related adverse effects, <u>which may require necessitating separation from more sensitive activities and the consideration of reverse sensitivity management.</u> "	Section 3.13	Accept in part	See body of the report for the assessment of this submission point.	Yes
411.29	Ngai Tahu Property	HIZ-P1	Retain HIZ-P1 as notified.	Section 3.13	Accept in part		
145.42	Daiken New Zealand Ltd	HIZ-R1	Retain HIZ-R1 as notified.	Section 3.13	Accept		
221.18	House Movers Section of New Zealand Heavy Haulage Association - Stuart Ryan and; Jonathan Bhana-Thomson	HIZ-R1	Amend HIZ-R1:  "1. The activity complies with all built form standards (as applicable) 2. A building is moved: a. <u>It shall be fixed to permanent foundations within 2 months (unless being stored as a temporary activity); and</u> b. <u>Reinstatement works to the exterior of the building shall be completed within 12 months, including connection to services, and closing in of the foundations.</u> c. <u>A building pre-inspection report to accompany the application for a building consent for the destination site which identifies all reinstatement works that are to be completed to the exterior of the building and a certification by the property owner that the reinstatement works shall be completed within the specified [12] month period.</u> "	Section 3.3	Reject	See body of the report for the assessment of this submission point.	No
411.157	Ngai Tahu Property	HIZ-R1	Retain HIZ-R1 as notified.	3.13	Accept		
145.43	Daiken New Zealand Ltd	HIZ-R2	Retain HIZ-R2 as notified.		Accept		
411.158	Ngai Tahu Property	HIZ-R2	Retain HIZ-R2 as notified.		Accept		
145.44	Daiken New Zealand Ltd	HIZ-R3	Retain HIZ-R3 as notified.		Accept		
411.159	Ngai Tahu Property	HIZ-R3	Retain HIZ-R3 as notified.		Accept		
145.45	Daiken New Zealand Ltd	HIZ-R4	Retain HIZ-R4 as notified.		Accept		
411.160	Ngai Tahu Property	HIZ-R4	Retain HIZ-R4 as notified.		Accept		

Sub. Ref.	Submitter / Further Submitter	Provision	Relief sought	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
145.46	Daiken New Zealand Ltd	HIZ-R5	Retain HIZ-R5 as notified.		Accept		
411.161	Ngai Tahu Property	HIZ-R5	Retain HIZ-R5 as notified.		Accept		
145.47	Daiken New Zealand Ltd	HIZ-R6	Retain HIZ-R6 as notified.		Accept		
411.162	Ngai Tahu Property	HIZ-R6	Retain HIZ-R6 as notified.		Accept		
145.48	Daiken New Zealand Ltd	HIZ-R7	Retain HIZ-R7 as notified.		Accept		
411.163	Ngai Tahu Property	HIZ-R7	Retain HIZ-R7 as notified.		Accept		
145.49	Daiken New Zealand Ltd	HIZ-R8	Retain HIZ-R8 as notified.		Accept		
411.164	Ngai Tahu Property	HIZ-R8	Retain HIZ-R8 as notified.		Accept		
145.50	Daiken New Zealand Ltd	HIZ-R9	Retain HIZ-R9 as notified.		Accept		
411.165	Ngai Tahu Property	HIZ-R9	Retain HIZ-R9 as notified.		Accept		
145.51	Daiken New Zealand Ltd	HIZ-R10	Amend HIZ-R10: "... 2. it is located on the same site as the primary activity which is permitted in the zone <u>except that these rules do not apply to the HIZ located between Upper and Lower Sefton Roads.</u> "	3.13	Accept in part	See body of the report for the assessment of this submission point.	Yes
411.166	Ngai Tahu Property	HIZ-R10	Retain HIZ-R10 as notified.	3.13	Accept in part		
411.167	Ngai Tahu Property	HIZ-R11	Retain HIZ-R11 as notified.		Accept		
145.52	Daiken New Zealand Ltd	HIZ-R12	Retain HIZ-R12 as notified.	3.13	Accept	See body of the report for the assessment of this submission point.	No
411.168	Ngai Tahu Property	HIZ-R12	Retain HIZ-R12 as notified.	3.13	Accept		
419.140	Department of Conservation	HIZ-R12	Amend HIZ-R12:  "Activity status: <del>CONRES</del> Where: 1. any part of the activity shall comply with the following minimum setback requirements: a. 20m from any water bodies; and b. 20m from the boundary with any other zone. Matters of <del>control</del> discretion are restricted to: INZ-MCD11 - Waste disposal <u>INZ-MCD12 Natural environment values</u> Proposed new Matter of Discretion for the Industrial Zones <u>INZ-MCD12 Natural environment values</u> The term natural environment values describes those matters addressed in the Chapters under the <u>Natural Environment Values heading in the District Plan.</u> <u>1. The extent to which there are any adverse effects on SNAs or effects on the ability to maintain or enhance indigenous biodiversity.</u> <u>2. The extent to which there are any adverse effects on the values of ONL and ONF from an activity adjoining these areas.</u> <u>3. The extent to which there are any adverse effects on the natural character and values of freshwater bodies.</u> <u>4. The extent to which adverse effects on sites, areas or values associated with natural environment values can be avoided, remedied or mitigated.</u> "	3.13	Reject	See body of the report for the assessment of this submission point.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Relief sought	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
FS78	Royal Forest and Bird Protection Society of New Zealand Inc.		Support		Reject		
303.74	Fire and Emergency NZ	HIZ-R13	Insert new provision:  "HIZ-RX Emergency service facility Activity Status: Permitted"	3.13	Reject	See the body of the report	No
FS80	Christchurch International Airport	HIZ-R13	Neutral		N/A		
411.169	Ngai Tahu Property	HIZ-R13	Retain HIZ-R13 as notified.		Accept		
411.170	Ngai Tahu Property	HIZ-R14	Retain HIZ-R14 as notified.		Accept		
411.171	Ngai Tahu Property	HIZ-R15	Retain HIZ-R15 as notified.		Accept		
145.54	Daiken New Zealand Ltd	HIZ-R16	Retain HIZ-R16 as notified,		Accept		
411.172	Ngai Tahu Property	HIZ-R16	Retain HIZ-R16 as notified.		Accept		
145.55	Daiken New Zealand Ltd	HIZ-R17	Retain HIZ-R17 as notified.		Accept		
411.173	Ngai Tahu Property	HIZ-R17	Retain HIZ-R17 as notified.		Accept		
411.174	Ngai Tahu Property	HIZ-R18	Retain HIZ-R18 as notified.		Accept		
145.56	Daiken New Zealand Ltd	HIZ-R19	Retain HIZ-R19 as notified.		Accept		
411.175	Ngai Tahu Property	HIZ-R19	Retain HIZ-R19 as notified.		Accept		
145.57	Daiken New Zealand Ltd	HIZ-R20	Retain HIZ-R20 as notified.		Accept		
411.176	Ngai Tahu Property	HIZ-R20	Retain HIZ-R20 as notified.		Accept		
411.177	Ngai Tahu Property	HIZ-R21	Retain HIZ-R21 as notified.		Accept		
145.58	Daiken New Zealand Ltd	HIZ-BFS1	Amend HIZ-BFS1: "... 2. The maximum height of any chimney or support structure shall be 40m, except that the maximum height for any building or structure applying to the HIZ located between Upper and Lower Sefton Roads shall be 45m."	3.13	Accept in part	See body of the report for the assessment of this submission point.	Yes
145.59	Daiken New Zealand Ltd	HIZ-BFS2	Retain HIZ-BFS2 as notified.		Accept		
295.200	Horticulture New Zealand -	HIZ-BFS2	Retain HIZ-BFS2 as notified.		Accept		
FS80	Christchurch International Airport Ltd		Support		Accept		
145.60	Daiken New Zealand Ltd	HIZ-BFS3	Retain HIZ-BFS3 as notified.		Accept		
145.61	Daiken New Zealand Ltd	HIZ-BFS4	Retain HIZ-BFS4 as notified.		Accept		
295.201	Horticulture New Zealand -	HIZ-BFS4	Retain HIZ-BFS4 as notified.		Accept		
FS80	Christchurch International Airport Ltd		Support		Accept		
145.62	Daiken New Zealand Ltd	HIZ-BFS5	Retain HIZ-BFS5 as notified.		Accept		

Sub. Ref.	Submitter / Further Submitter	Provision	Relief sought	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
145.63	Daiken New Zealand Ltd	HIZ-BFS7	Retain HIZ-BFS7 as notified.		Accept		
373.90	KiwiRail Holdings Ltd	HIZ-BFS7	Amend HIZ-BFS7:  "All buildings shall be set back a minimum of <del>4m</del> 5m from any site boundary with the rail corridor."	3.3 & 3.13	Reject	See body of the report for the assessment of this submission point.	No

Table B 7: Recommended responses to submissions and further submissions – INZ Matters of Discretion

Sub. Ref.	Submitter / Further Submitter	Provision	Relief sought	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
254.148	Christchurch International Airport Ltd	General	Insert new matter of discretion:  "MD[xx] – Bird strike risk The extent to which the proposed activity will be designed, operated and managed to avoid attracting bird species which constitute a hazard to aircraft."	3.3	To be considered as part of Hearing Stream 10A	See body of the report	
295.202	Horticulture New Zealand	INZ-MCD2	Retain INZ-MCD2 as notified.		Accept		
FS80	Christchurch International Airport Ltd		Support		Accept		
295.203	Horticulture New Zealand	INZ-MCD3	Retain INZ-MCD3 as notified.		Accept		
FS80	Christchurch International Airport Ltd		Support		Accept		
316.176	Canterbury Regional Council	INZ-MCD11	Retain INZ-MCD11 as notified, or retain original intent.		Accept		
FS80	Christchurch International Airport Ltd		Support		Accept		
FS41	David Cowley		Oppose		Reject		
FS37	Richard & Geoff Spark		Oppose in part		Reject		

## Appendix C. Section 32AA Evaluation

### C1. Overview and purpose

This evaluation is undertaken in accordance with section 32AA of the RMA. It examines the appropriateness of the recommended amendments to the objectives, policies, rules and definitions for the industrial chapters following the consideration of submissions received on the Proposed Plan.

This further evaluation should be read in conjunction with Part A – Overview and Part B Commercial and Mixed-Use and Industrial Chapters of the Section 32 Report prepared for the development of the Proposed Plan.

### C2. Recommended amendments

The recommended amendments include:

- Changes to the definition of 'heavy industry' and the industrial activity nesting table;
- Minor changes to the INZ introduction for clarity and greater alignment with the chapter provisions;
- Changes to INZ-O2, INZ-P2, and GIZ-P1 to refer to 'functional need';
- Changes to INZ-P2 to refer to 'significant' adverse effects;
- Changes to INZ-O3 and INZ-P6 to enable consideration of effects beyond the zone interface;
- Addition of a cross reference to the EI chapter for major electricity distribution lines;
- Changes to the outdoor storage screening requirements in the GIZ for safety purposes;
- Minor changes to HIZ-O1 and HIZ-P1 to improve clarity and application;
- Addition of primary production as a permitted activity standard in the HIZ;
- Deletion of the maximum office GFA in the HIZ;
- Changes to the height limit in the HIZ.

### C3. Statutory Tests

The District Council must ensure that prior to adopting an objective, policy, rule or other method in a district plan, that the proposed provisions meet the requirements of the RMA through an evaluation of matters outlined in Section 32.

In achieving the purpose of the RMA, the District Council must carry out a further evaluation under section 32AA if changes are made to a proposal as a result of the submissions and hearings process. This evaluation must cover all the matters in sections 32(1)-(4).

### Objectives

The objectives are to be examined in relation to the extent to which they are the most appropriate way to achieve the purpose of the RMA.<sup>25</sup> For the purposes of evaluation under section 32AA the following criteria form the basis for assessing the appropriateness of the proposed objectives:

- Relevance;
- Usefulness;
- Reasonableness; and
- Achievability.

### Provisions

Each provision is to be examined as to whether it is the most appropriate method for achieving the objectives. For a proposed plan, the provisions are defined as the policies, rules, or other methods that implement, or give effect to, the objectives of the proposed plan.<sup>26</sup>

The examination must include assessing the efficiency and effectiveness (including costs and benefits of the environmental, economic, social, and cultural effects, quantified if practicable, and the risk of acting or not acting) and a summary of the reasons for deciding the provisions.

## C4. Evaluation of Recommended Amendments to Objectives

Objectives INZ-O2, INZ-O3, LIZ-O1 and HIZ-O1 are recommended to be amended as set out in **Appendix A**. These changes refer to functional need, significant adverse effects, space extensive activities and the management of adverse effects in the vicinity of the noise producer. They also improve clarity.

The following tables provide an evaluation of the recommended amendments.

**Table C 1: Recommended Amendments to Objectives**

Relevance	Addresses a relevant resource management issue
	<p>The proposed amendments to INZ-O2 introduce a reference to functional need for commercial activities seeking to establish in industrial zones, which is an appropriate test (in addition to avoiding adverse effects on Town Centres) and a 'significance' qualifier for adverse effects. These changes support the appropriate assessment of commercial activities seeking to establish in industrial zones. They help support a centres hierarchy consistent with the CRPS, Chapter 6 commercial directives (Objectives 6.2.1, 6.2.6) and supports the efficient provision of commercial and community services. The addition of the word 'significant' increases the threshold at which adverse distributional effects are to be assessed. Commercial distribution effects are a recognised RMA issue and relevant when creating and supporting a centres hierarchy in accordance the CRPS Chapter 6 commercial directives. The change to LIZ-O1 clarifies that it is space</p>

<sup>25</sup> RMA s32(1)(a)

<sup>26</sup> RMS s32(6)(a)



	<p>extensive activities that can demonstrate a functional need to locate in the LIZ.</p> <p>The proposed amendments to INZ-O3 and HIZ-O1 (which seek to more clearly support the HIZ rule approach by enabling consideration of effects beyond the zone interface, thereby supporting the proposed noise contours) simply help with interpretation of the provisions.</p>
	<p><b>Assists the District Council to undertake its functions under s31</b></p> <p>The proposed amendments are within the Council's functions under s31 .</p>
	<p><b>Gives effect to higher level documents</b></p> <p>The proposed amendments provide greater alignment with the CRPS Chapter 6 commercial provisions (Objectives 6.2.1, 6.2.6 and Policies 6.3.1 and 6.3.6).</p>
<b>Usefulness</b>	<p><b>Guides decision-making</b></p> <p>The proposed amendments provide greater clarity on the outcomes sought for the industrial zones and therefore provide more guidance for decision making.</p>
	<p><b>Meets best practice for objectives</b></p> <p>The proposed amendments provide greater clarity and direction and therefore better meet best practice requirements.</p>
<b>Reasonableness</b>	<p><b>Will not impose unjustifiably high costs on the community / parts of the community</b></p> <p>The proposed changes will lower the development costs relative to the notified objectives as they apply a more accurate assessment of commercial development in the INZs.</p>
	<p><b>Acceptable level of uncertainty and risk</b></p> <p>There is no change in the uncertainty and risk with the proposed amendments.</p>
<b>Achievability</b>	<p><b>Consistent with identified tangata whenua and community outcomes</b></p> <p>There is no change for this criterion between the notified and proposed amended objectives.</p>
	<p><b>Realistically able to be achieved within the District Council's powers, skills and resources</b></p> <p>There is no change for this criterion between the notified and proposed amended objectives.</p>
<b>Conclusion</b>	<p>The recommended amended objectives are the most appropriate way to achieve the purpose of the RMA.</p>

Overall, the recommended amendments proposed to the objectives provide greater consistency with the higher order framework. For the purposes of sections 32 and 32AA, I consider that the revised objectives are the most appropriate way of achieving the purpose of the RMA.

## C5. Evaluation of Policies and Rules

Below I have assessed how the recommended changes to the policies and rules are the most appropriate to implement the objectives. In undertaking this assessment, I have evaluated the recommended amendments with reference to the provisions as notified. I have assessed some changes individually and grouped others where they are related.

There are a number of changes I have proposed that I do not consider require a s32AA evaluation as they do not change the meaning or intent of the provision (e.g. addition of a cross reference).

### *Efficiency and Effectiveness of the Provisions*

I have assessed the efficiency and effectiveness of the recommended amended provisions in achieving the objectives, including identification and assessment of the costs and benefits anticipated from the implementation of the provisions in Table C below.

**Table C 2: Assessment of efficiency and effectiveness – better assessment of non-industrial commercial activities**

Recommended Amendments to Provisions:	
Policy changes (to GIZ-P1 and INZ-P2) to increase the threshold of the adverse distributional effects test to 'significant' adverse distributional effects and introduce a 'functional need' test for non-industrial commercial activities.	
Costs	Benefits
There may be a shift of commercial activity from centres into the INZs where the adverse distribution effects are less than significant.	Greater accuracy of assessments. Possibly increased flexibility and opportunities for commercial activities to establish in INZs (where these do not result in 'significant' adverse effects).
Efficiency	No appreciable change identified between the notified and amended provisions.
Effectiveness	The amended provisions better align with Environment Court case law for managing adverse commercial distribution effects and are therefore more effective.
Summary	
The proposed changes improve the management of commercial activities across the INZ and are therefore more effective and better achieve the Proposed Plan's objectives, the CRPS and the RMA.	

**Table C 3: Assessment of efficiency and effectiveness – better recognition of existing activities at the Daiken HIZ**

Recommended Amendments to Provisions:	
In the HIZ, increased height limits for chimney, tower, plant, equipment, and support structures, permitting rural production, removing the maximum GFA for office activity, changing the activity status for height limit breaches from fully discretionary to discretionary and consequentially adding a matter of discretion for height.	
Costs	Benefits
No significant costs identified – the proposed changes are generally consistent with the	Better recognition of the existing activities and built form, and therefore will allow as

existing activities and built form. Consent is still required for height limit breaches.	permitted changes that are consistent with the current activity.
<b>Efficiency</b>	Re-development efficiency should improve through the more enabling provisions.
<b>Effectiveness</b>	The changes are understandable, respond to submitter requests and are more consistent with the existing activities on site.
<b>Summary</b>	
There will be some benefits if re-development occurs. The changes improve efficiency and can be effective and better achieve the Proposed Plan's objectives and the RMA.	

**Table C 4: Assessment of efficiency and effectiveness – amended definition of 'heavy industry' and amended industrial activity nesting table**

<b>Recommended Amendments to Provisions:</b>	
An amended definition of 'heavy industry' (to reference Regional Council discharges consents), and an amended industrial activity nesting table (to refer to heavy industry).	
<b>Costs</b>	<b>Benefits</b>
None identified.	The proposed changes provide greater clarity and accuracy.
<b>Efficiency</b>	Re-development efficiency should improve through clearer and more accurate definitions.
<b>Effectiveness</b>	The changes are understandable, respond to submitter requests and can be applied.
<b>Summary</b>	
There will be some benefits from increased clarity and accuracy. The changes improve efficiency and can be effective and better achieve the Proposed Plan's objectives and the RMA.	

**Table C 5: Assessment of efficiency and effectiveness – changes to the outdoor screening rule (GIZ-BFS9)**

<b>Recommended Amendments to Provisions:</b>	
Amendments to the outdoor screening rule (GIZ-BFS9) to increase visual permeability above 1.2m in height when the screening is within 2m of a public reserve, pedestrian or cycle facilities and associated amendments to the outdoor storage matter of discretion (INZ-MCD8).	
<b>Costs</b>	<b>Benefits</b>
Potentially reduced screening, potentially leading to poorer amenity outcomes.	Potentially greater visibility of reserves, pedestrian and cycle facilities, improving safety (traffic conflict reduction and CPTED). Potentially a reduction in resource consent applications.
<b>Efficiency</b>	There will potentially be a reduction in resource consent applications as the revised rule better provides for traffic safety.
<b>Effectiveness</b>	The changes are understandable, respond to submitter requests and can be applied. The changes help meet the Council's required levels of service.
<b>Summary</b>	

There will be some benefits from improved safety and potentially a reduction in resource consents. The changes improve efficiency and can be effective and better achieve the Proposed Plan's objectives and the RMA.

**Table C 6: Assessment of efficiency and effectiveness – changes to improve clarity**

<b>Recommended Amendments to Provisions:</b>	
Minor changes are proposed to HIZ-P1 to: improve clarity by referencing both intermittent and continuous effects and clarifying that the effects may not always require separation from more sensitive activities; and delete the adverse effects examples. Minor changes are proposed to the introduction to improve clarity and more accurately describe the topic.	
<b>Costs</b>	<b>Benefits</b>
None identified.	Potentially greater clarity of interpretation.
<b>Efficiency</b>	Greater clarity reduces uncertainty, which improves efficiency.
<b>Effectiveness</b>	The changes are understandable, respond to submitter requests and can be applied.
<b>Summary</b>	
There may be some benefits from improved efficiency. The changes can be effective and better achieve the Proposed Plan's objectives and the RMA.	

Overall, taking into account the assessment above, I consider the recommended amendments to the provisions to be more efficient and effective in achieving the objectives than the notified provisions.

#### *Adequacy of Information and Risk of Acting or Not Acting*

Section 32(2)(c) of the RMA requires an assessment of the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.

Submissions have raised a number of matters that need to be addressed to provide clarity and a more balanced and targeted response. The recommendations are informed by expert advice and I therefore consider there is sufficient information on which to base the recommended revised provisions.

## **C6. Conclusion**

I have evaluated the recommended amendments to objectives to determine the extent to which they are the most appropriate way of achieving the purpose of the RMA where this is necessary, and otherwise to give effect to higher order planning documents. I have also evaluated the recommended amendments to the proposed provisions, including their efficiency and effectiveness of the provisions in achieving the proposed objective(s). I consider the proposed objectives as recommended to be amended are an appropriate way of achieving the purpose of the RMA and the recommended changes to provisions are the most appropriate means of achieving the objectives.

## **Appendix D. Technical Advice from Derek Foy (Formative)**

**IN THE MATTER OF**

**the Resource Management Act 1991**

**AND**

**IN THE MATTER OF**

Submissions and further submissions in relation to  
the proposed Waimakariri District Plan

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**Statement of evidence of Derek Foy**  
**on behalf of Waimakariri District Council**  
**(Economics)**

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## **1. INTRODUCTION**

### ***Qualifications and experience***

- 1.1 My name is Derek Richard Foy. My qualifications are degrees of Bachelor of Science (in Geography) and Bachelor of Laws from the University of Auckland.
- 1.2 I am a member of the New Zealand Association of Economists, the Population Association of New Zealand, and the Resource Management Law Association.
- 1.3 I am a Director of Formative Limited, an independent consultancy specialising in economic, social, and urban form issues. I have held this position for two years, prior to which I was an Associate Director of research consultancy Market Economics Limited for six years, having worked there for 18 years.
- 1.4 I have 23 years consulting and project experience, working for commercial and public sector clients. I specialise in assessment of demand and markets, retail analysis, the form and function of urban economies, the preparation of forecasts, and evaluation of outcomes and effects.
- 1.5 I have applied these specialties in studies throughout New Zealand, across most sectors of the economy, notably assessments of housing, retail, urban form, land demand, commercial and service demand, tourism, and local government.

### ***Code of conduct***

- 1.6 Whilst I acknowledge that this is not an Environment Court hearing, I confirm that I have been provided with a copy of the Code of Conduct for Expert Witnesses contained in the Environment Court's Practice Note dated 1 January 2023. I have read and agree to comply with that Code. This evidence is within my area of expertise, except where I state that I am relying upon the specified evidence of another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

### ***Key Issues***

- 1.7 In my opinion, the key issues requiring consideration when assessing the submissions are how the requested changes will affect the supply of industrial land, and affect the proposed centres hierarchy and operation of the centres and commercial zones, and enable the community to meet their needs.

### ***Scope of Evidence***

- 1.8 I have been asked by Waimakariri District Council ("WDC" or "Council") to provide evidence regarding the economic effects associated with a number of submissions that request changes to the notified Proposed District Plan ("PDP").
- 1.9 This evidence reviews and responds to submissions that request changes to the Light Industrial Zone ("LIZ"), General Industrial Zone ("GIZ"), and Heavy Industrial Zone ("HIZ").

- 1.10 The submissions that required review were identified in consultation with Council officers, and are those that contain some coverage of economics issues. Four such submissions were identified for my review, as follows:
- (a) 277 Ministry of Education
  - (b) 282 Woolworths New Zealand
  - (c) 25 Daniel Smith
  - (d) 145 Daiken New Zealand.
- 1.11 My evidence is structured with a section for each submission, summarising the decision sought, the submission points, and then providing my response to those points. I also summarise the Waimakariri business land environment to establish the context within my response to submissions is made, and address one other issue (in section 7) on which no submissions were made, for clarity in relation to consistency with my evidence on the commercial provisions.
- 1.12 In preparing my evidence I have reviewed the submissions. I have previously read and am generally familiar with a range of relevant planning documents and the PDP.
- 1.13 I note that I prepared a statement of evidence comparable to this statement but relating to provisions in the commercial zones, dated 6 December 2023, and refer to that commercial zones evidence in this parts of this statement.

## **2. WAIMAKARIRI BUSINESS LAND**

- 2.1 In this section I summarise the content and key information about the Waimakariri economy and findings from the latest 2023 business land assessment.<sup>1</sup> The purpose of this update is to provide some context within which the submissions can be assessed.

### **Recent growth**

- 2.2 Over the last two decades, Waimakariri District has experienced rapid growth in population, from around 27,100 in 2000 to 67,900 in 2022. That equates to average annual growth of 3% per annum, which is much faster than almost every other district in New Zealand - only Selwyn and Queenstown Lakes grew at a faster rate. Employment grew at an even faster rate, from around 9,900 jobs in 2000 to 21,700 in 2022 (3.6% per annum).
- 2.3 As the population has grown, the primary sector has become relatively less important to Waimakariri's economy, with the retail and hospitality sector growing ahead of population growth, reflecting an increase in self-sufficiency through locally retained spending. Other sectors that have experienced strong growth include commercial services and community services sectors which both had average annual growth of 4.5% per annum. There has also been strong growth in the construction industry (6.4% per annum) and industrial activity

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<sup>1</sup> Greater Christchurch Partnership (2023) Business Development Capacity Assessment.



(3.7% per annum), and District GDP has almost doubled in that time, averaging annual growth of 4.2%.

- 2.4 While not all of this growth in employment has been accommodated in business zoned land, a significant share has been located within commercial and industrial zoned areas.<sup>2</sup> Over the last five years there has been 37,000m<sup>2</sup> of industrial floorspace consented for new buildings (an average of 7,400m<sup>2</sup> per annum) (Figure 2.1).
- 2.5 The split between factories and industrial space (19,000m<sup>2</sup>), and storage space (18,100m<sup>2</sup>) has been fairly even over the last five years, It is likely that most of that consented space will have been built and much of it will be located within the industrial zones, but the data available is not sufficiently detailed data available to confirm that. The annual development of floorspace in the industrial zones would be accommodated on 2-3 hectares of land, based on average floor area ratios observed in the district.

**Figure 2.1: District Industrial building consents (m<sup>2</sup> GFA, 2018-2022)**

	2018	2019	2020	2021	2022	Total	Avg ann.
Factories and industrial	5,621	761	577	6,313	5,727	18,999	3,800
Storage	4,391	1,494	1,830	3,925	6,477	18,117	3,623
<b>Industrial buildings</b>	<b>10,012</b>	<b>2,255</b>	<b>2,407</b>	<b>10,238</b>	<b>12,204</b>	<b>37,116</b>	<b>7,423</b>

### Forecast growth

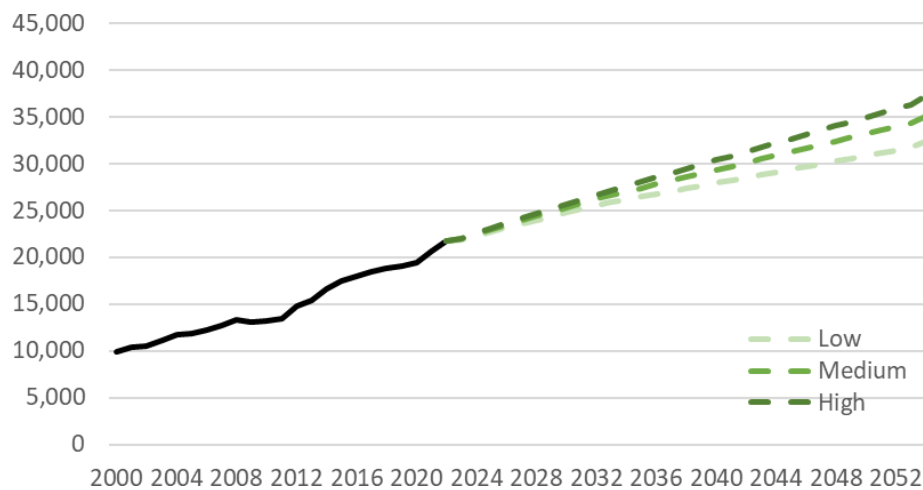
- 2.6 The latest District economic forecasts provided in 2023 have three scenarios, low, medium, and high which relate directly to the population scenarios.<sup>3</sup> The Council has adopted the High projection for National Policy Statement for Urban Development (“NPS-UD”) assessments, both for residential and business assessments.
- 2.7 The economic forecast scenarios show that employment is expected to grow to between 31,700 (Low) and 36,300 (High) jobs by 2053 (Figure 2.2).<sup>4</sup> The Medium scenario has a growth of approximately 410 new jobs per annum, which is slightly slower than has been observed over the last two decades, and would result in total District employment reaching 34,300 by 2053. While this growth in employment represents a large increase in the District economy, there will still be a sizable number of residents that work in Christchurch (and other parts of Canterbury).

<sup>2</sup> It is important to note that a share of employment is accommodated in non-business zoned land – which includes residential zones (home offices, schools, medical, construction, etc) and rural zones.

<sup>3</sup> A previously used medium-high scenario is no longer used for Waimakariri District planning purposes.

<sup>4</sup> Formative (2022) Economic Forecasts – Low, Medium, and High Scenarios.

**Figure 2.2: Formative employment forecasts (2023)**



- 2.8 The latest employment forecast (High scenario) is higher than the range projected in the 2021 forecasts. While Covid19 resulted in short term impacts, the economy and employment has been resilient and has recovered quickly.
- 2.9 The Waimakariri Capacity for Growth Model was updated in 2023 (“WCGM22”), incorporating findings of a field survey of business land in the urban environment conducted in February 2023. This research showed that there was limited vacancy of premises in the commercial zones, and there were a number of buildings under construction in the businesses zones that can be expected to accommodate more businesses and employment.
- 2.10 The results of the WCGM22 suggest that there is expected to be demand for 13,000m<sup>2</sup> per annum of industrial floorspace in the medium term (next ten years), requiring around 2.6ha of industrial zoned land. That forecast is based on the High growth scenario, and is similar to the average observed over the last five years (Figure 2.1).
- 2.11 The NPS-UD requires that councils include a competitiveness margin on top of demand of 20% in the medium term and 15% in the long term. This would mean a requirement for 3.1ha per annum of industrial land in the medium term. Figure 2.3 shows the demand and NPS-UD required competitiveness margin for medium and long term for industrial land.<sup>5</sup> There is a total requirement for 31ha of industrial land in the medium term and 79ha in the long term.

<sup>5</sup> That data is presented in the Greater Christchurch Partnership’s 2023 reporting for business land, and is within the draft Greater Christchurch Spatial Plan (2023).

**Figure 2.3: Formative Industrial zone land requirement forecasts 2023 (ha)**

	Medium (ha)		Long (ha)	
	Total	p.a.	Total	p.a.
Excl competitiveness margin	26	2.6	68	2.3
Incl competitiveness margin	31	3.1	79	2.6

*\*NPS-UD Competitiveness margin of 20% in medium term and 15% Long term.*

### Capacity for Growth context

- 2.12 The WCGM22 is a desktop analysis which is an update of the modelling conducted in 2019 and 2021, and is similar to the methods applied by Formative to other Tier 1 councils in the Greater Christchurch Partnership (Selwyn And Christchurch). In summary, it uses parcel level data to establish the amount of floorspace that can be provided within each parcel. This assessment is ground-truthed via a field survey of activity in the industrial (and commercial) zoned land.
- 2.13 This most recent assessment has shown that in the industrial zones there is 32ha of vacant land and 70ha of vacant potential land (land that could be redeveloped), for a total of 102ha of vacant and vacant potential industrial land (Figure 2.4).<sup>6</sup>

**Figure 2.4: WCGM22 Industrial zones land capacity 2023 (ha)**

	Vacant	Vacant Potential	Total
Industrial Zones	32	70	102

- 2.14 The WCGM22 adopts a conservative stance as it assumes that none of the vacant potential is developable in the medium term and is only capacity in the long term, and so medium term capacity is assumed to be 32ha for the industrial zones.

### Sufficiency of Business land

- 2.15 The comparison of the business land capacity to demand, as required by the NPS-UD, suggests that there is sufficient capacity to meet expected demand in Waimakariri over the medium and long terms for industrial land.
- 2.16 For industrial land, supply is more than sufficient in both the medium term (32ha of capacity, 31ha of demand including competitiveness margin, for 1ha of capacity more than demand) and long term (102ha capacity, 79ha of demand, for 23ha of capacity more than demand) (Figure 2.5).

<sup>6</sup> These data are included in the Greater Christchurch Partnership’s 2023 business land reporting and in the draft Spatial Plan.

**Figure 2.5: Waimakariri business land sufficiency (ha)**

	Medium term	Long term
<b>Industrial zones</b>		
Supply (capacity)	32	102
Demand (land required)	31	79
NPS-UD industrial sufficiency	1	23

- 2.17 The NPS-UD sufficiency test is framed as a minimum level of development capacity required, not a maximum, and if a council determines that there is insufficient development capacity then it must act as soon as practicable to provide more capacity via changes to the planning framework. Further, the NPS-UD has a wider set of objectives beyond simply providing the bare minimum capacity that is sufficient to meet expected demand. This then means that Council could allow for more urban capacity than the minimum required to accommodate expected growth, in order to meet the wider objectives of the NPS-UD. The provision of additional capacity can be assessed according to the merits, but this does not mean that all additional developments should be adopted as being beneficial.
- 2.18 In the case of industrial land, the NPS-UD does not require assessments of the demand or supply for specific land uses. As an example, the NPS-UD does not require councils to model the land or supply for storage vs factories, so while there is sufficient land at an aggregate (i.e. industrial) level, it may be that there is need for more land for a specific use. Any such need can be assessed on its merits, and is beyond the scope of the WCGM22 or NPS-UD reporting.

### **3. MINISTRY OF EDUCATION (277)**

- 3.1 In this section I review the Ministry of Education submission, dated 26 November 2021. I have also reviewed relevant parts of the PDP and the most recent council assessments of business land to assist with context of the submission. As with the other submissions, the following review relates only to submission points on the Industrial zones, and not the Commercial zones, which were the subject of a separate statement of evidence.

#### **Decision sought**

- 3.2 The Ministry of Education submission relates to the education purpose definition and education facilities activities in the District. In the case of the business provisions, the submission seeks to have “Educational Facilities” enabled in more zones. The submission requests that the following activity statuses be applied for Educational Facilities:
- (a) LIZ – Restricted Discretionary (point 58 add “LIZ-RX”).
  - (b) GIZ – Restricted Discretionary (point 59 add “GIZ-RX”).
  - (c) HIZ – Discretionary (point 60 add “HIZ-RX”).

### **Submission points**

3.3 The submission makes the following points relevant to assessing the economic merits of the submission:

- (a) LIZ, GIZ and HIZ: The Ministry considers that Educational Facilities should be provided for where there is potential for a population to support them, including in the industrial zones. This will support active modes of transport and reduce trip lengths and times. The Ministry recognises the potential for operational sensitivities to arise in this zone and therefore request an activity status of Restricted Discretionary for Educational Facilities in these zones, which provides flexibility without unreasonable restrictions for education facilities that may be best placed within industrial zones to serve the education needs of industrial areas.

### **Response to submission points**

3.4 The submission notes that Council has an obligation under the NPS-UD to ensure sufficient “additional infrastructure” (which includes schools) is provided in urban growth and development (see Policy 10 and 3.5 of Subpart 1 of Part 3: Implementation, in particular). I agree that Educational Facilities are essential social infrastructure, and that councils are required to consider additional infrastructure, including schools, within the NPS-UD framework. Accordingly, I agree that the Council should engage with providers of Educational Facilities, including the Ministry, to achieve integrated land use.

3.5 However, this does not in my opinion mean that Educational Facilities should be enabled across all business zones, because there can be negative economic effects of being broadly enabling of Educational Facilities. Such enablement can, for example, have adverse effects on how business areas function by crowding out other activities and generating traffic movement which impacts the operation of those business areas. I address the requested activity status changes to the industrial zones below.

3.6 In my opinion there are two main issues relating to the request to enable Educational Facilities in the industrial zones. First, there is the potential for adverse economic effects arising from reverse sensitivity on industrial activities. Second, there is the potential for education facilities to occupy part of the industrial zone to the exclusion of industrial activities, which are intended to be the primary focus of the zone.

3.7 Similar changes were requested in relation to the Large Format Retail Zone (“LFRZ”), however, unlike the LFRZ, these issues will be more difficult to manage in industrial zones. Industrial zones tend to have lower land values than the LFRZ in relation to the price Educational Facilities might be prepared to pay to occupy space. That means that it is more likely that Educational Facilities might crowd out industrial activities in the industrial zones. As discussed in section 2 there is only just sufficient capacity within the industrial zones to accommodate expected demand in the medium term.

3.8 Enabling Educational Facilities in the industrial zones may result in less land being available for industrial activity, which could result in a shortage of supply. For that reason I do not

agree that it would be appropriate to make Educational Facilities Restricted Discretionary activities in Waimakariri's industrial zones as requested in the submission, and instead favour retention of the Discretionary status proposed in the notified PDP.

- 3.9 My position is further supported by the potential for activities in the industrial zones to be constrained as a result of reverse sensitivity effects. Industrial zones are intended to accommodate businesses that generate noise, heavy traffic and other negative externalities which would have the potential to negatively impact Educational Facilities, and that potential conflict may give rise to complaints that seek to constrain the operation of industrial activities in the industrial zones. While I acknowledge the submission's proposed inclusion of reverse sensitivity as a matter of discretion, successfully managing any reverse sensitivity tension is likely to prove challenging, and in my opinion it would be better to avoid the potential for reverse sensitivity effects to arise in the first place.

#### **4. WOOLWORTHS NEW ZEALAND (282)**

- 4.1 As with the other submissions, the following review relates only to submission points on the Industrial zones, and not the Commercial zones, which were the subject of a separate statement of evidence.

##### **Decision sought**

- 4.2 The Woolworths submission relates to the floorspace thresholds and where supermarket activities are enabled in the District. In the case of the business provisions, the submission seeks to apply what it refers to as a "centres plus" approach in which supermarkets would be more broadly enabled than proposed in the notified PDP. The submission requests a new Discretionary activity status for supermarkets in the LIZ and GIZ.

##### **Submission points**

- 4.3 The submission makes the following key points:
- (a) Woolworths supports the "centres" approach adopted by the higher order provisions of the PDP, insofar as it recognises that town centres can and should be the primary focal point for business activity in the District, noting the importance of supermarkets in helping to achieve prosperous centres. However, Woolworths prefers and recommends the "centres plus" approach for retail provisions which recognises the primacy of town centres but also that business activity ought to be properly enabled in other zones, where appropriate.
  - (b) Functional need and catchment drivers may dictate the location of supermarket operations on the fringe, or in some cases, outside of identified centres. The proposed centres plus approach also enables the PDP to make efficient use of all of the commercial zones while still considering the centres hierarchy, noting that the LFRZ and the Mixed Use Zone ("MUZ") have their own parts to play in delivering a healthy economy for the District, complementary to and cognisant of the centres they support. The District Plan must be adaptive and responsive to evolving

retailing to achieve the best outcomes for the district and its communities.

- (c) A supermarket by its form and function, is required to be of a sufficient scale to serve its catchment, and whilst that scale varies, the provisions do not comfortably provide for the necessarily larger scale of supermarket activity. In all commercial zones the proposed provisions would require a resource consent for any building over 450m<sup>2</sup>, which would capture most supermarkets. Also the maximum tenancy sizes in the LCZ and NCZ are too small.
- (d) There is no “feasibly zoned land” for supermarket development to support the PDP’s growth agenda for its centres (i.e. a resource consent is required which can be protracted, complex and uncertain).

#### **Response to submission points**

4.4 First I respond to the general tenor of the submission. Woolworths is correct that the population is expected to continue growing strongly in the future and there will be a need for additional supermarkets in the District. I agree that supermarkets serve an important part of the retail needs of the community and should be provided for within the District. In my opinion the provision of supermarkets is most appropriate in locations which are easily accessible to the community that they serve, and supermarkets should generally be provided within the commercial zones to support the successful functioning and hierarchy of centres.

4.5 Next I respond to specific submission points.

#### ***Supermarkets in industrial zones***

4.6 Woolworths has suggested that supermarkets could be enabled within the LIZ and GIZ. To support that request, the submission notes that there is sufficient capacity in the industrial zones to meet expected demands, which means that the provision for supermarkets in these zones will not negatively harm the operation of the economy. It is suggested that commercial activity can be located in LIZ and GIZ if there is a demonstrated functional need and the activity does not significant adversely affect the TCZ or LCZ (INZ-P2).

4.7 As discussed in section 2, there is projected to be sufficient capacity to meet expected demand for industrial zoned land in the medium and long term, albeit only just in the medium term. However, the NPS-UD sets a minimum threshold for future land capacity, and the provision of more capacity may be desirable. The enabling of supermarkets in the LIZ and GIZ may result in less land being available for industrial activity, which could result in a shortage of industrial land supply.

4.8 This potential shortage of industrial land supply is particularly a concern outside of Rangiora. While at the urban environment level there is (just) sufficient capacity to meet demand in the medium-term, most of that supply is located in Rangiora, and were a supermarket to seek to establish on industrial land in other towns, it would be likely that there would be insufficient supply within those towns in the medium term. To some extent industrial land supply can be provided for in different townships, and adequately provide

for industrial activities' needs because Waimakariri's townships are relatively close together, however that is not true for all industrial activities, and it will be important to adequately enable local provision of industrial zoned land. In my opinion enabling supermarkets on that land would make it more difficult to ensure sufficiency of industrial land supply.

- 4.9 Further, in my opinion the location of supermarkets within the LIZ or GIZ could result in a less efficient urban form, with an increase in single purpose trips being generated and a reduction of multi-purpose trips, because industrial zones are not typically locations frequently visited by members of the public, with public visitation relatively infrequent, and trips to many industrial activities dominated by business trips. A high volume of private vehicles entering industrial zones may also have some minor adverse effects on the operation of the industrial activities in those zones due to traffic volumes.
- 4.10 I agreed in my (December 6 2023) statement responding to Woolworths' submission points on the commercial zones with their request to be more enabling of supermarket activities in some commercial and business zones, and in light of that greater enablement, and due to the potential adverse economic effects identified in relation to industrial zones, I consider that there would, if my other recommendations are accepted, be adequate enablement of supermarket activities in the District, and so I do not agree with the request to allow supermarkets as a discretionary activity in the LIZ or GIZ.

## **5. DANIEL SMITH (25)**

- 5.1 This submission will also be reviewed and discussed in relation to the rezoning hearings, because it requests an extension of the notified LFRZ to include land that is zoned Business 2 under the operative Plan, and is proposed to be GIZ under the PDP. My review following responds only to the submission point identified below about retail activities in the industrial zone.

### **Decision sought**

- 5.2 The submission requests that retail activity be accommodated at a number of properties on Flaxton Road.<sup>7</sup>

### **Submission point**

- 5.3 The submission point relevant to this hearing (25.1) is that retail activity has historically been permitted in the operative Business 2 Zone and under Council approved land use consents, and existing retail tenants on the submitter's land will become non-complying activities in the proposed GIZ.

### **Response to submission point**

- 5.4 It should be clarified that retail activity is not and has not been permitted in the operative

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<sup>7</sup> The following addresses in Flaxton road, numbers: 269, 275, 279, 299, 303, 305, 311, 315, 317, 319, 323, 333, 341, 343, 345, 347, and all the west side of Flaxton Road in the submitter's business park.



Business 2 zone. Under rule 31.23.1.8 any retail activity in the Business 2 zone shall not exceed 20% of the net floor area of the sum of all buildings on any site, and under rule 31.23.1.9 goods retailed from any site in any Business 2 zone have to be produced and/or processed on the site, including ancillary products and goods. Under Rule 31.26.1 any land use which does not comply with one or more of the conditions under Rule 31.23.1 is a discretionary activity.

- 5.5 That discretionary activity status for retail in the Business 2 zone means that the PDP would not substantially disenable existing retail activity on the submitter's land, or elsewhere in Waimakariri's Business 2 zones where a GIZ is proposed.
- 5.6 As I have discussed above in response to the Woolworths submission, in my opinion there are a number of potential negative economic effects and reasons why it is appropriate to not have retail activity be a permitted activity in the GIZ. Those reasons include:
- (a) While there is projected to be sufficient capacity to meet expected demand for industrial zoned land in the medium and long term, the provision of more capacity for industrial activities rather than less may be desirable. The enabling of retail activity in the GIZ may result in less land being available for industrial activity, which could result in a shortage of industrial land supply.
  - (b) The location of retail activity in the GIZ could result in a less efficient urban form because industrial zones are not typically locations frequently visited by members of the public, and enabling retail activity in the GIZ would disperse retail over a potentially large area rather than concentrating it in centres.
  - (c) That potential dispersal would have adverse effects on the centres hierarchy and health of centres.
  - (d) The introduction of new trips to industrial zones by retail consumers may have some minor adverse effects on the operation of the industrial activities in those zones due to traffic volumes.
- 5.7 Due to the potential adverse economic effects identified, I agree with the notified non-complying activity status for retail in the GIZ, and do not consider that there is merit to submission point 25.1, including because the proposed non-complying activity status is not much differently enabling than the operative discretionary status of retail activities. I also note that many (or perhaps most) of the 'retail activities' on the submitter's land would be permitted activities in the GIZ, either as industrial activities (GIZ-R2), trade suppliers (GIZ-R3), or yard-based activities (GIZ-R4). In my opinion those type of activities would all appropriately be enabled in that location, because they are less likely to create significant adverse distribution effects on Waimakariri's centres.

## **6. DAIKEN NEW ZEALAND (145)**

### **Decision sought**

- 6.1 The submission requests that an exception be added to HIZ-R10, so that the rule does not apply to the HIZ at Sefton (the “Daiken site”).

### **Submission points**

- 6.2 The submission (145.51) supports provision for ancillary offices as a permitted activity in the HIZ, however states that as notified HIZ-R10 does not adequately recognize the nature of activities established on the Daiken site. The submission point notes that there are several reasons why the rule is impractical for the Daiken site, including:
- (a) The Daiken site comprises land held in a number of certificates of title and over a substantial area.
  - (b) It is impractical to require ancillary offices to be located on the same site as the primary activity permitted within the zone.
- 6.3 The submission point further notes that it is unnecessary to limit the area of office activity when it is ancillary to the industrial activity and does not provide for independent office activity that could undermine the intent of the zone.

### **Response to submission points**

- 6.4 In my opinion it is appropriate to limit office space in the HIZ for two main reasons. First, to limit the potential for reverse sensitivity effects arising from the interface between industrial activities and office space. Second, to avoid office activity (other than ancillary offices) from establishing in the HIZ in preference to commercial zones, particularly the town centres where office activity plays an important role in supporting the efficient functioning of the economy and access to office activities.
- 6.5 My interpretation is that rules that impose some limits on ancillary office activity in industrial zones (for there are comparable rules in other district plans around the country) are intended to ensure that office activity in the HIZ (or equivalent elsewhere) is a subservient activity to the primary (industrial) activity, and does not become the focal point of the zone. Without rules such as HIZ-R10, there could be the potential for a significant presence of office activity to establish contrary to objectives and policies of the HIZ.
- 6.6 For that reason I support the intent of HIZ-R10.
- 6.7 However, in the case of Waimakariri I accept the submission point that the risk of any substantial office presence establishing in the HIZ is very limited, because there are only two HIZ zones proposed, being the Daiken site at Sefton, and the Ashley Industrial Services property (a timber processing facility) at Oxford. Both Sefton and Oxford are relatively remote with Waimakariri, being respectively 7km north and 35km west of Rangiora.

- 6.8 That remoteness limits the attractiveness of both HIZ blocks to office activity, and in my opinion makes it highly unlikely that either HIZ would be attractive to office activity that might seek to exploit any more permissive status for office activity in the HIZ. Further, the submission point relates only to ancillary office activity, and in my opinion it is even more unlikely that making ancillary office more permissive on the Daiken site as requested would have any negative economic outcomes for Waimakariri's centres, or other activity in the HIZ.
- 6.9 I accept the submitter's points that relate to the challenges associated with linking ancillary office space with a parent activity when the two activities are part of the same business but located on different property parcels, and that it will not always be possible to have the two types of activities located on the same parcel.
- 6.10 However, my interpretation is that all (or at least nearly all) of the buildings on the Daiken site are located within a single parcel (Lot 1 DP 68953), with the other 11 parcels making up the Daiken site appearing from aerial photos to be either undeveloped (other than for agriculture) or used for settling ponds. That would seem to limit the difficulty of linking ancillary office space with a parent activity when the two activities are within the same parcel, although the large number of parcels may give rise to a future difficulty if the Daiken site is further developed across the other parcels.
- 6.11 The scale of the existing activity on the Daiken site indicates that the proposed office floorspace limit (250m<sup>2</sup>) may be too low to adequately provide for the needs of the large amount of industrial activity on the site, particularly considering that there appears to be nearly 30,000m<sup>2</sup> of building footprint on the main parcel within the Daiken site (Lot 1 DP 68953). The large area of buildings on the site could be justification for more than 250m<sup>2</sup> of office space on the site.
- 6.12 For those two reasons (challenges associated with a multi-parcel site, and the large scale of activity on the site) I support submission point 145.51, and agree that the relief requested is appropriate from an economics perspective.
- 6.13 I note that there remains the possibility that plan changes could be advanced to establish new areas of HIZ within the life of the PDP, and so there will be merit in retaining HIZ-R10 so that it would apply to any other potential new HIZ zones that may be established.

## **7. FOOD AND BEVERAGE SEPARATION RULES**

- 7.1 The PDP as notified includes GIZ-R10(2)(b) and LIZ-R10(2)(b) which are identical, and make Food and Beverage outlets permitted activities only when they are "located more than 50m from the footprint of another food and beverage outlet".
- 7.2 There were no submissions on either rule, but it is a matter I wish to comment on, given the opinion I presented in my evidence on the commercial zones, where a comparable rule (LFRZ-R9(2)) was the subject of submission 284 (Clampett Investments) in relation to the LFRZ. That submission requested the removal of the rule, which as notified would restrict food and beverages activities to being no closer than 50m from other food and beverages

activities.

7.3 In my response to submission 284 I noted that:

- (a) The likely intent of the rule is to limit the amount of food and beverage activity that is able to locate in the LFRZ, and reduce adverse distributional effect on centres of hospitality activity locating outside centres.
- (b) There are benefits of food and beverage activities co-locating with other such activities, including the ability to share facilities such as toilets, rubbish collection and accessways.
- (c) Allowing multiple food and beverage within 50m in the LFRZ is unlikely to generate adverse distributional effects on existing centres when set alongside the other proposed rules and policies that recognise the importance of avoiding such effects (e.g. LFRZ-O1 and LFRZ-P1).
- (d) It would be appropriate to remove LFRZ-R9(2), subject to some alternative maximum limit on the total food and beverage activity enabled in each LFRZ, and that a maximum total area of food and beverage activity (of say 1,000-1,500m<sup>2</sup> per LFRZ) would have better economics outcomes than the 50m rule.

7.4 I note that while I favoured replacing the 50m rule with an alternative maximum total food and beverages floorspace limit for the LFRZ, in my opinion the LIZ and GIZ are subject to different influences which lead me to distinguish them from the LFRZ in relation to the 50m rule.

7.5 First, there are very large areas of GIZ/LIZ identified in the PDP, and they tend to be in much more diverse ownership, and with a much broader range of activities than the LFRZ. That means that there is unlikely to be a well-defined focal point with the LIZ or GIZ that an agglomeration of food and beverages activities would need to serve (as opposed to an LFRZ complex of retail stores), and individual food and beverages outlets would be more appropriate in the industrial zones to provide convenient access to food and beverages activities.

7.6 Second, a core role of the LFRZ is providing a range of retail stores in on location to enable efficient access to multiple retailers, and allow comparison shopping to be undertaken on a single visit. That may involve shoppers staying in the LFRZ for several hours, and wishing to purchase food and beverages to allow them to stay longer without leaving the area to eat or drink. In that way food and beverages activities can support the efficient functioning of the LFRZ, and will allow, for example, multiple members of one family or shopping party to purchase from different outlets depending on their preferences. There are benefits of those outlets being co-located, for the shopping party's convenience. In the GIZ/LIZ, however, food and beverages activities will be provided primarily for the convenience of workers in the area, and there is much less value in having multiple food and beverages outlets co-located.

7.7 In my opinion there is merit in some limitation on how much food and beverages activity

should be enabled in the GIZ/LIZ, for the same reasons as I note above in relation to the LFRZ. The proposed rules GIZ-R10(2)(b) and LIZ-R10(2)(b) are in my opinion appropriate to impose a limitation on how much food and beverages activity can establish in the GIZ/LIZ, and applying that limitation differently to in the LFRZ (i.e. the 50m rule in the GIZ/LIZ and a total maximum limit on floorspace in the LFRZ) is appropriate.

7.8 Accordingly, I support retention of rules GIZ-R10(2)(b) and LIZ-R10(2)(b) as notified.

## **8. CONCLUSION**

8.1 In my opinion the recommendations I have made in this statement would be beneficial in clarifying part of the PDP and are appropriate ways of responding to requests made by submitters.

Derek Foy

27 February 2024

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

I hold the following qualifications: Bachelor of Science in Ecology and a Masters of Science in Resource Management. I am a full member of the New Zealand Planning Institute (NZPI) and a former Deputy Chair of the NZPI Board. I received a Distinguished Service Award from NZPI in 2017 for contributions to planning and the planning profession and been awarded NZPI and SOLGM awards for planning projects I have worked on.

I have approximately 27 years' experience working as a planner for local and central government (in New Zealand and the UK), as well as planning consultancies. I have been the sole director of Planning Matters Limited (a town planning consultancy) since its inception in 2012. I have been engaged by the Waimakariri District Council on the district plan review since 2017 as a consultant planner within the Development Planning Unit.

My relevant work experience includes, amongst other matters:

- Drafting the commercial and industrial chapters of the Proposed Plan;
- Drafting the Natural Hazards Chapter and s42A report for the Proposed Plan;
- Drafting the Strategic Directions chapter of the Proposed Plan;
- Drafting the Waimkariri Residential Red Zone Recovery Plan;
- Drafting the Kaiapoi Town Centre Plan;
- Drafting various chapters of the CRPS;
- Co-drafting the Land Use Recovery Plan and Chapter 6 of the CRPS;
- Drafting various chapters of the Proposed Timaru District Plan; and
- Hearing submissions (as an independent hearings commissioner) on various chapters of the proposed Selwyn District Plan and proposed plan changes to the Mackenzie District Plan.

**Appendix F. LIZ and GIZ Comparison Table**

LIZ	GIZ
Activity Status: PER	
Industrial	Industrial
Trade supplier	Trade supplier
Yard based	Yard based
Gym	Gym
Service station	Service station
Corrections facility	Corrections facility
Emergency services	Emergency services
Parking lots and buildings	Parking lots and buildings
Food and beverage	Food and beverage
Ancillary retail	Ancillary retail
Ancillary office	Ancillary office
Funeral related	Funeral related
<i>Trade and industry training</i>	
Recreation facility	Recreation facility
Activity Status: RDIS	
Community facility	Community facility
Activity Status: DIS	
Activities not otherwise listed	Activities not otherwise listed
Commercial services	Commercial services
	<i>Trade and industry training</i>
	<i>Heavy industry</i>
Activity Status: NC	
Retail	Retail
Office	Office
Residential unit and activity	Residential unit and activity
Visitor accommodation	Visitor accommodation
<i>Heavy industry</i>	
Built Form Standards	
Same standard across the two zones	
Noise	
The notified limits were the wrong way around. These were as follows: LIZ: 65 dB LAeq (day) and 55 dB LAeq (night) GIZ: 60 dB LAeq (day) and 50 dB LAeq (night)	
The s42A report recommends the same limit for LIZ, GIZ, LFRZ and HIZ zones being: 65 dB LAeq (day) and 55 dB LAeq (night) (TCZ & MUZ are 60dB LAeq and 50 dB LAeq)	
Glare	
Same standard across the two zones	
Earthworks	
Same standard across the two zones	
Signage	
Same standard across the two zones	