

REZONING REQUESTS – EASTERN SELWYN COMMERCIAL AND INDUSTRIAL

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1 Scope of Report

- [1] This Recommendation Report relates to the submissions and further submissions that were received in relation to requests to rezone land in Eastern Selwyn for 'Commercial and Mixed Use' or General Industrial' purposes.
- [2] The Hearing Panel members were:
- Andrew Willis
 - Nicole Reid
 - Raewyn Solomon
 - Rob van Voorthuysen (Chair)
- [3] The Section 42A Reports¹ were:
- Rezoning: Commercial and Mixed Use and General Industrial Rezoning Requests in Eastern Selwyn, Jessica Tuilaepa, 3 February 2023
 - Addendum to the S42A Report for Hearing 30.8, 14 February 2023
 - Addendum to the S42A Report for Hearing 30.8, 9 March 2023
 - Memorandum, 10 March 2023
 - Memorandum, 4 May 2023
- [4] Our recommended amendments to the provisions of the PDP are set out in Appendix 1.

2 Our Approach

- [5] The Section 42A Report helpfully outlined relevant background information on a number of matters:
- Overview of the Eastern Selwyn area;
 - Resource Management Act 1991;
 - Rezoning Framework Section 42A Report, which sets out the higher order planning framework, including the relationship between the NPS-UD and the CRPS with respect rezoning land for urban purposes;
 - Rolleston Structure Plan, Lincoln Structure Plan;
 - Private plan change requests in Rolleston, Lincoln and West Melton;
 - Business capacity assessment (December 2017);
 - National Policy Statement on Highly Productive Land 2022 (NPS-HPL);
 - LUC soil classes; and
 - Maps showing the areal extent of each rezoning request.
- [6] We adopt that background information without repeating it here.

2.1 National Policy Statement on Highly Productive Land

- [7] Most of the GRUZ that is subject to rezoning requests contains LUC 1, 2 or 3 soils. NPS-HPL Part 3 clause 3.6 means that we can only recommend urban rezoning of highly productive land

¹ No Section 42A Reply Reports were provided for the rezoning request hearings.

where it is required to meet housing or business demand; there are no other reasonably practicable or feasible options to achieve a well-functioning urban environment; and the benefits outweigh the costs associated with the loss of highly productive land.

- [8] We received legal submissions from submitters on the applicability of the NPS-HPL for land that was zoned Rural (Inner Plains) in the Operative District Plan or GRUZ SCA-RD1 in the PDP. By way of Minute 38 we requested a legal opinion on that matter from counsel for the SDC.
- [9] Having considered the legal advice from both Council's solicitors and counsel for submitters, we agree that the application of the NPS-HPL depends on whether the land is zoned the equivalent of Rural Lifestyle (as defined in the National Planning Standards), either in the Operative District Plan, or, if not in the Operative District Plan, in the PDP. The assessment required is a comparison between the way the land is described in the relevant Plan (in the round), and the descriptions of the zones in the National Planning Standards.
- [10] We adopt the Adderley Head assessment which concluded that land identified as Rural (Inner Plains) in the Operative District Plan is not the equivalent of the Rural Lifestyle Zone in the National Planning Standards. Instead, General Rural or Rural Production is the appropriate equivalent National Planning Standards zone. Similarly, land identified as GRUZ SCA-RD1 in the PDP is the equivalent of the General Rural Zone in the National Planning Standards, not the Rural Lifestyle Zone.
- [11] Consequently, other than in the particular situation outlined below, the NPS-HPL applies to land identified as Rural (Inner Plains) in the Operative District Plan, or GRUZ SCA-RD1 in the PDP, (provided the other requirements of the NPS-HPL are met). We consider this interpretation to be consistent with the intent of the NPS-HPL, which is to avoid the loss of productive land to rural lifestyle activities, and to allow for the preservation of productive land pending a more detailed assessment under the NPS-HPL.
- [12] However, we are cognisant the National Planning Standards zone descriptions also refer to 'use' and the MfE guidance states "...It is appropriate to consider specific characteristics of the site and reasonably foreseeable opportunities for using the land for land-based primary production (over a 30-year period) in forming these conclusions."
- [13] Consequently, if it can be demonstrated that an area of land identified as Rural (Inner Plains) in the Operative District Plan, or GRUZ SCA-RD1 in the PDP, for which a rezoning submitter seeks a 'urban zoning' has been previously subdivided and developed to such an extent that the lot sizes effectively preclude the area of land being predominantly used for productive purposes, and instead the area of land is being predominantly used for residential purposes, then in that particular situation we would consider a Rural Lifestyle zoning to be the most appropriate National Planning Standards zone description for the area of land. In such situations the NPS-HPL would not apply because NPS-HPL clause 3.5(7) exempts Rural Lifestyle Zoned land from the coverage of the National Planning Standards. For this 'exemption' to apply we consider that lot sizes within the area of land would generally be less than 4ha, and the land not occupied by housing and housing curtilage would be used for non-productive activities, including but not limited to domestic orchards, gardens and mown lawns.

2.2 Recommendation Report Format

- [14] We do not adopt the same format in this Report that was used by Ms Tuilaepa. Instead for those submitters who chose not to provide or table expert evidence and did not appear at the hearing to speak to their particular submission points, we adopt Ms Tuilaepa's recommendations for the reasons that she cites. Those submitters are:

Sub #	Submitter	Submission Points
DPR-0132	The Paul Cockburn Family Trust & Helen Cockburn Family Trust	001
DPR-0145	Bunnings	016
DPR-0157	Kevin & Bonnie Williams	001
DPR-0204	JP Singh	011
DPR-0284	Z Rakovic	003
DPR-0351	Next Level Developments Ltd - Shane Kennedy	001, 002
DPR-0373	Foodstuffs	010, 021, 024
DPR-0386	Rolleston Square Limited	001
DPR-0396	Woolworths New Zealand Limited	030
DPR-0445	Rebecca Bennett	001
DPR-0453	LPC	019

- [15] In the remainder of this Recommendation Report we assess the rezoning requests from submitters who either:
- chose to attend the hearing; or
 - tabled evidence but chose not to attend the hearing.

3 Hearing and Parties Heard

- [16] The hearing was held on Tuesday 14 March 2023. The submitter parties who wished to be heard and who appeared at the hearing were:

Sub #	Name
DPR-0124	The Paul Cockburn Family Trust & Helen Cockburn Family Trust
DPR-0160	West Melton Three Ltd
DPR-0358	Rolleston West Residential Limited (RWRL)
DPR-0363	Iport Rolleston Holdings Limited (IRHL)
DPR-0374	Rolleston Industrial Holdings Limited (RIHL)
DPR-0384	Rolleston Industrial Developments Limited (RIDL)
DPR-0392	CSI Property Limited
DPR-0399	Gulf Central Properties Ltd & Apton Developments Ltd

- [17] The witnesses and counsel we heard from in person are listed in Appendix 2. A copy of their evidence and legal submissions is held by the Council. We do not separately summarise that material here, but we refer to or quote from some of it in the remainder of this Recommendation Report.

4 DPR-0118 Diane and Andrew Henderson

- [18] This submission relates to land bounded by State Highway 73 and Weedons Ross Road in West Melton. The site presently contains an existing, consented BP station.
- [19] The submitters' original proposal requested rezoning of the entire site to LCZ. However, they amended their proposal to retain GRZ zoning on 19 Corriedale Lane and rezone 21/23 Corriedale Lane and 727 Weedons Ross Road as LCZ.

- [20] With regard to the original proposal, Ms Tuilaepa recommended rezoning the site containing the consented BP station (727 Weedons Ross Road) as LCZ and rejecting the remaining requests.
- [21] Evidence for the submitters was provided by Nicole Lauenstein (urban design), Wayne Gallot (transport) and Helen Pickles (planning). Having read that evidence, we find in favour of the submitters' amended rezoning request because:
- the reduced LCZ area is still a good shape and size to accommodate commercial activities of a scale suitable for a West Melton local centre;
 - the reduced LCZ area is of sufficient size to enable a built form consistent with the respective LCZ standards, including with regard to building setbacks;
 - 19 Corriedale Lane will be amalgamated with the access lot to 21/23 Corriedale Lane and so the frontage to Corriedale Lane will remain residential;
 - the revised ODP retains the Right of Way along the western boundary of the reduced LCZ area (21/23 Corriedale Lane) to ensure pedestrian movement from the community centre and domain in the south continues to connect the school and existing commercial area in the north;
 - a new east-west pedestrian connection will connect the north-south link through to Weedons Ross Road;
 - retaining 19 Corriedale Lane as GRZ ensures the residential amenity of Corriedale Lane will be maintained;
 - all vehicle access to and from the LCZ zoned land will be via SH73 and Weedons Ross Road. That resolves concerns about potential increases in vehicle volumes and heavy vehicle movements on Corriedale Lane; and
 - SDC peer reviewer Derek Foy considered that significant retail distribution effects will not arise from the rezoning and he was of the view that additional business space in West Melton should be made during the life of the PDP.
- [22] In her 10 March 2023 Memorandum Ms Tuilaepa recommended that the submission be accepted in part and the site be rezoned from GRZ to LCZ in accordance with the ODP provided in Ms Pickles rebuttal evidence.
- [23] In that regard we note that Ms Pickles provided a recommended ODP forming Attachment 1 to her 24 February 2023 rebuttal evidence. She also included a proposed new rule 'LCZ-REQ10: Outline Development Plan' that would make any development not undertaken in accordance with the ODP a non-complying activity. We did not consider that an ODP or new rule was necessary as the ODP did little other than indicate that the site (727 Weedons Ross Road and 21 and 23 Corriedale Road) was LCZ.
- [24] We asked Ms Pickles about that² and she advised³ it would be sufficient to rezone the land LCZ. She noted that the ODP was included as it was Ms Lauenstein's preference that the desired pedestrian routes be incorporated into an ODP, however given the relatively small size of the site and thus ease of navigation through or around it, Ms Pickles not did consider that to be a

² In written questions as the submitter chose not to attend the hearing.

³ By way of email to the Hearings Secretary dated 13 March 2023.

critical matter for inclusion. Ms Pickles also confirmed that should the ODP be omitted there would be no need for the recommended LCZ-REQ10.

[25] However, we find that in order to provide certainty that the existing public pedestrian accessway will be retained, the ODP that formed Attachment 1 to Ms Pickles evidence should be inserted into the PDP, along with a new LCZ rule requirement LCZ-REQ10.

[26] We recommend that:

- 727 Weedons Ross Road and 21 and 23 Corriedale Road are zoned Local Centre Zone (LCZ),
- LCZ-SCHED1 Weedons Ross Road ODP as shown in Attachment 1 to the 24 February 2023 evidence of Helen Pickles is included in the PDP; and
- LCZ-REQ10 Outline Development Plan as shown in Attachment 1 to the 24 February 2023 evidence of Helen Pickles.

[27] We have however recommended a range of amendments to the provisions in Appendix 1 to ensure consistency with PDP provision drafting protocols. Any such amendments are also shown in red font.

[28] We recommend that the following submissions are accepted in part.

Sub #	Submitter	Submission Point
DPR-0118	Diane & Andrew Henderson	001, 002

[29] We are satisfied that with regard to s32AA of the RMA, the reasons set out above demonstrate that our recommendations are appropriate. In that regard we also adopt Ms Tuilaepa's s32AA assessment forming paragraphs 13.10 to 13.14 of the Section 42A Report.

5 DPR-0124 and DPR-0132 The Paul Cockburn Family Trust and Helen Cockburn Family Trust

[30] The submitters lodged two submissions.⁴

[31] One sought to rezone the land legally identified as Rural Section 6180 and Lot 2 DP 12766 from GRUZ to GIZ (DPR-0132). That land is shown in Figure 15A of the Section 42A Report. No expert evidence in support of that submission was provided. We understand that this rezoning request is no longer being pursued by the submitter. Ms Tuilaepa recommended that the submission be rejected and we adopt her recommendation.

[32] The submitters also sought to rezone 49.2ha of GRUZ land in Rolleston to GIZ (DPR-0124). That site is located within the Urban Growth Overlay (UGO) and the tail end of the Fault Investigation Overlay. The submission was supported by expert evidence from Andrew Metherell (transport), Firas Salman (geotechnical), Hamish Clarke (real estate) and Dean Chrystal (planning). Verbal legal submissions were provided at the Hearing by John Hardie.

[33] We note that the NPS-HPL does not need to be considered as the site is within the UGO.

[34] Ms Tuilaepa recommended rejecting the submission because of concerns about:

- whether the site was geotechnically suitable for industrial development;
- the ability for the site to be serviced;

⁴ Commissioner Reid recused herself from the consideration of these submissions due to a conflict of interest.

- the absence of urban design or landscaping evidence about the effects on adjacent rural properties; and
- there being no shortfall of available industrial land in Rolleston in the life of the PDP.

[35] Mr Chrystal provided rebuttal planning evidence that referred to the rebuttal evidence of the submitters' original technical experts on traffic and geotechnical matters. Additional evidence was provided on landscape matters (Tony Milne) and Deon Marias (infrastructural servicing). Mr Chrystal advised:

- While there are several natural flow paths across the site (that land is at risk of inundation to a maximum 0.5m during 200 year and 500-year annual recurrence events) no part of the site is identified as being within a high hazard area under the PDP definition. Mr Salman noted that the risk of inundation was low and could be mitigated by appropriate civil design work;
- Mr Salman concluded that the site is geotechnically suitable for industrial development, but site-specific geotechnical investigations, assessments and reporting will be required to support subdivision and building consent applications;
- Based on the evidence of Mr Marias's Infrastructure Serviceability Assessment for the site the proposal can be serviced in terms of wastewater, stormwater and potable water supply, albeit that:
 - if detailed assessment or modelling identifies any wastewater system capacity constraints, a storage sump and pump system or network upgrades will have to be incorporated into the overall design; and
 - during the development of the site the overland flow paths across the site would need to be considered and any increase in runoff mitigated;
- The proposed rezoning would be subject to the standard GIZ-PREC6 bulk and location standards in the PDP. These include a maximum building height of 15m and a minimum 10m building setback from the road and rural zone boundaries. The landscaping requirements for PREC6 would be retained and applied to the site boundaries;
- The bulk and scale of industrial buildings anticipated to be developed on the site would be consistent with that of the adjoining industrial zoned land; and
- Mr Milne concluded that the landscape effects resulting from the rezoning would be very low due to the interface treatment between GRUZ and GIZ remaining consistent. Visual effects from both public and private locations would also be very low due to the proposed roadside landscape treatment, while individual dwellings are currently buffered from the site by existing vegetation.

[36] On the basis of Mr Chrystal's rebuttal evidence, we are satisfied that the matters that were of concern to Ms Tuilaepa have been addressed.

[37] This leaves us with a consideration of the need for additional GIZ zoned land in Rolleston.

[38] Evidence on industrial land demand was provided by Hamish Clarke who is a real estate agent. We understand from Mr Clarke's evidence that at that time he considered there was a significant demand in the Christchurch area for industrial land, and specifically, unencumbered freehold greenfield sites. We understand he assessed there to be approximately 29ha of industrial land available in Rolleston. Mr Clarke also advised that in his view over the last 13

years the average annual land sales of Industrial land in Rolleston had been approximately 18.5 hectares per annum.

- [39] Mr Clarke's August 2022 evidence predated Commissioner Caldwell's decision on PC80 and the SDC's adoption of that decision. In that regard Ms Tuilaepa produced an Addendum to her Section 42A Report recommending that the submissions of CSI⁵ and Pinedale Enterprises Ltd & Kintyre Pacific Holdings Ltd⁶ (the PC80 proponents) which sought the rezoning of the PC80 land to GIZ be accepted. As set out in section 12 of this Recommendation Report, we have adopted her recommendation. That yields an additional 98ha of GIZ land.
- [40] Referring to the evidence of Derek Foy presented as part of the PC80 hearing, Mr Chrystal had this to say about the need for GIZ additional land:
- providing industrial land supply somewhat in excess of existing demand is consistent with the objectives of the NPS-UD's objectives to encourage competitive land development markets, by enabling a variety of sites to suit the needs of varying sectors, and providing for long term demand; and
 - The economic benefits of rezoning the land for industrial activities are considered to be broadly similar to those of PC80, and relate to increased efficiency for businesses that relocate onto the site, increased competition in the land market, and potentially increased economic activity in the district.
- [41] We were unclear what Mr Foy's position was as his PC80 evidence was not before us. We issued Minute 46 requesting him to advise us what his opinion was on the need for GIZ land in Rolleston. We received Mr Foy's assessment on 15 March 2023. Mr Foy advised that his company had recently completed land supply-demand modelling for SDC as part of SDC's obligations under the NPS-UD using the Selwyn Capacity for Growth Model 2022 (SCGM 2022). Mr Foy concluded that the long-term sufficiency of Rolleston's industrial land supply is contingent on the following being available for industrial land in the long-term:
- the notified industrial zones in Rolleston; and
 - the PC66 and PC80 sites;
 - at least one, but not necessarily both, of the two UGO Areas (the Cockburn site and the Jones Road block).
- [42] We understand that the 'Jones Road Block' is the area of GRUZ land within the UGO immediately to the south and east of the PC66 land between Maddisons Road and Jones Road. As far as we are aware there was no submission seeking the rezoning of the 'Jones Road block'. Accordingly, we are satisfied that the rezoning sought by the Paul Cockburn Family Trust DPR-0124 is appropriate to meet long-term demand for GIZ in Rolleston.
- [43] In her 10 March 2023 Memorandum Ms Tuilaepa maintained her recommendation that the rezoning request be rejected in the absence of SDC peer reviews of the recently provided evidence⁷. She stated that if peer reviews had concluded that the rebuttal evidence was accurate, given the subject site is in the UGO and would provide a compact urban form and the

⁵ DPR-0392

⁶ DPR-0137

⁷ She advised that the submitter's rebuttal evidence from Deon Marais (infrastructure) and Tony Milne (landscaping) had not been peer reviewed.

amendments relating to the ODP and Transport are included, she would have recommended that rezoning should proceed.

[44] Notwithstanding Ms Tuilaepa's concerns, on the evidence we find that the submitters' rezoning request should be accepted. As noted by Mr Chrystal, that will introduce competitiveness into the industrial land market. Our finding also recognises the land in question is within the UGO and thus has clearly been earmarked for future industrial land use.

[45] We recommend :

- the 49.2ha of GRUZ land in Rolleston on Hoskyns Road [Lot 1 DP 501038] is rezoned from GRUZ to GIZ;
- that land is included in 'PREC 6: Rolleston Industrial Precinct' as 'Area 4', including the ODP details and Landscape treatments shown in Appendix 1 to the 3 March 2023 rebuttal evidence of Dean Chrystal.

[46] We have however recommended a range of amendments to the provisions in Appendix 1 to ensure consistency with PDP provision drafting protocols. Any such amendments are also shown in red font.

[47] We recommend that the following submission is accepted.

Sub #	Submitter	Submission Point
DPR-0124	The Paul Cockburn Family Trust (The Trust)	001

[48] On that basis we recommend that the submission of CSI DPR-0392.004 rejected.⁸

6 DPR-0160 West Melton Three

[49] West Melton Three Ltd sought to rezone the 1.1ha West Melton Tavern site from GRUZ to LCZ. The submission was supported by expert evidence from Dwayne Wilson (geotechnical), Dave Compton-Moen (urban design), Ivan Thomson (planning), Adam Thompson (economics), Andy Carr (transport), Andrew Tisch (infrastructure) and Nicole Lauenstein (urban design). That evidence was peer reviewed by experts for the SDC. Legal submissions were provided by Katherine Forward.

[50] Ms Lauenstein⁹ advised that the intention was to develop the vacant part of the site with a group of neighbourhood shops in an L shaped design (along the western and southern site boundaries). The anticipated gross floor area would comprise 1,500m² of retail space; a 300m² café/restaurant; and a small motel with a manager's unit at the southern end of the site. Upgrades to the existing tavern would include a drive through bottle store, and one of the bars would be converted into a café with an adjoining landscaped outdoor garden and eating area. Ms Lauenstein noted that the café would provide an attractive amenity for the West Melton township, as it currently has no local daytime café facilities.

[51] Ms Tuilaepa's conclusion was that while the site can be serviced; there appeared to be no traffic issues, nor issues with ground conditions; and urban design evidence indicated the site was of a suitable size and dimension to accommodate the types of activities the LCZ zoning would anticipate, the rezoning should nevertheless not proceed as there was insufficient evidence to

⁸ That submission sought to 'Retain as notified'.

⁹ EIC Lauenstein, paragraph 19.

demonstrate that the proposed rezoning would meet the thresholds as set out in clause 3.6 the NPS-HPL.

- [52] We agree that the evidence addresses the above technical matters. In particular we consider that type of development envisaged for the site, as shown in figures 4 and 5 of Ms Lauenstein's primary evidence, would benefit West Melton. As counsel for the applicant submitted¹⁰ *"There is no question of the substantive merit of the proposal"*.
- [53] We therefore focus our assessment on the NPS-HPL clause 3.6. We understand the site to be LUC 3. However, it is currently largely occupied by a tavern and gravel carpark.
- [54] Counsel for the submitter noted that the site is zoned GRUZ with an SDA-RD1 overlay. Ms Forward submitted that we must therefore firstly identify what the 'predominant use' of the 'area' was, and then allocate a definition under the Planning Standards to the land. Counsel submitted that process should consider both the predominant use enabled by the PDP and that which is established on the ground. Ms Forward's view was, when considering the land use established on the ground, that the 'nearest equivalent' zoning was actually LCZ. That being the case the NPS-HPL would not apply.
- [55] We find there is some merit to that proposition and it generally accords with the 'exception' to the NPS-HPL applying to GRUZ SCA-RD1 land that we set out in section 2.1 of this Report, albeit that exception was expressed in the context of residential rezoning requests.
- [56] Counsel also submitted a second proposition that the exemption within NPS-HPL clause 3.5(7)(b)(ii) ought to apply in this case as submissions (and evidence) were filed on the PDP at the date the NPS-HPL came into force and so the site was therefore 'subject to' this plan change. We find that submission to be less persuasive.
- [57] For the sake of certainty, notwithstanding the merits of counsel's first proposition, we have nevertheless assessed the rezoning request against the clause 3.6 of the NPS-HPL.
- [58] We firstly note that the 1.2ha site is not part of any cohesive, larger productive farming enterprise. It is surrounded by a skatepark to the west, a SDC reserve to the south and roads to the north and east.
- [59] Regarding clause 3.6(1)(a) we note that SDC peer reviewer Derek Foy generally agreed that additional commercial land in West Melton would be required in the future. We consider that we do not need to be forensic about the required amount of additional land required given the relatively small size of this DPR-0160 site. We also note Mr Thompson's observation¹¹ that the NPS-UD requires a capacity buffer of 20% and a 'competitive land and development market'.
- [60] Regarding clause 3.6(1)(b) we are satisfied that there are no other reasonably practicable and feasible options for providing LCZ land in West Melton having regard to the rezoning requests that are 'on the table' before us. In saying that we observe that West Melton is surrounded by LUC 1, 2 or 3 land. We acknowledge that we have recommended accepting the revised proposal for LCZ rezoning from DPR-0118 Diane and Andrew Henderson¹², but that will provide less than

¹⁰ Legal Submissions on behalf of West Melton Three Limited, 3 March 2023, paragraph 6.

¹¹ Rebuttal evidence, Thompson, paragraph 3.5.

¹² Counsel for DPR-0160 acknowledged that we should give priority to the DPR-0118 request given that land is currently zoned GRZ and so is not subject to the NPS-HPL.

0.4ha¹³ of additional development capacity only as around half of the revised area now sought to be rezoned by DPR-0118 is occupied by an existing petrol station and the revised ODP for DPR-0118 retains the Right of Way along the western boundary of the reduced LCZ area (21/23 Corriedale Lane).

- [61] We note the DPR-0118 site is directly across SH73 from the West Melton Three site so rezoning the latter site would result in a compact and well-functioning urban environment.
- [62] Regarding clause 3.6(1)(c), Mr Thompson described the economic and employment value that would result if the balance of the West Melton Three site is developed as intended by the submitter. We are satisfied that rezoning the site to LCZ would recognise the long-standing use of the land for a tavern¹⁴. We are satisfied that the environmental, social, cultural and economic benefits of that rezoning and the type of development anticipated for the balance of the site (as described by Ms Lauenstein) outweigh any long-term environmental, social, cultural and economic costs associated with the loss of highly productive land. In that regard, as observed by Mr Thomson¹⁵, the small area of undeveloped LUC 3 land has no productive potential and we acknowledge that small area is not currently used for primary productive purposes. If it was to be used for that purpose in the future, it would likely be subject to reverse sensitivity concerns from users of the adjoining SDC reserve and the tavern.
- [63] We conclude that the need to give effect to the NPS-HPL does not weigh against a favourable consideration of the submitter's rezoning request.
- [64] In her 10 March 2023 Memorandum Ms Tuilaepa maintained her recommendation that the rezoning request be rejected, citing the lack of peer reviews of additional evidence provided by the submitter. We disagree with that recommendation and on the evidence before us we find that the submission should be accepted.
- [65] We do not consider that either an ODP or a staging plan is required for this small site.
- [66] We therefore recommend that the West Melton Tavern site legally described as Lot 1 DP 23436, comprising 1.21 ha, is zoned Local Centre Zone (LCZ) and the following submission is accepted.

Sub #	Submitter	Submission Point
DPR-0160	West Melton Three Ltd	001

- [67] We have however recommended a range of amendments to the provisions in Appendix 1 to ensure consistency with PDP provision drafting protocols. Any such amendments are also shown in red font.
- [68] We are satisfied that with regard to s32AA of the RMA, the reasons set out above demonstrate that our recommendations are appropriate.

7 DPR-0399 Gulf Central Properties Ltd and Apton Developments Limited

- [69] Gulf Central Properties Ltd & Apton Developments Ltd (GCP) originally sought to rezone 86ha of GRUZ near Templeton to GIZ. However, they amended their request to retain GRUZ and to apply a Rural Business Precinct (RBP) over a smaller number of properties within a 11.2 ha site.

¹³ DPR-0160 legal submissions, paragraph 49

¹⁴ Which we understand to be well-patronised with associated social and cultural benefits.

¹⁵ Rebuttal evidence Thomson, paragraph 4.9.

The RBP would enable the establishment of Rural Industrial Activities of a larger scale than currently permitted in the GRUZ. SDC obtained legal advice that the amended request was within the scope of the original request and we agree that it is.

- [70] The submission was supported by expert evidence from Andrew Craig (landscape), Andrew Leckie (transportation), Ivan Thomson (planning), Andrew Tisch (infrastructure) and Simon Pollock (site contamination). That evidence was peer reviewed by SDC. The submitters provided rebuttal evidence from Sharn Hainswoth (soils) and Stuart Ford (agricultural economics). Legal submissions were provided by Sarah Everleigh.
- [71] The amended site is outside the UGO and the majority of it is located within the Noise Control Overlays for SH1, the Midland Railway and CIAL. As outlined by counsel for the submitter, the amended site is divided into the FarmChief site to the south (2 ha), the former Go-Kart site to the north (1.5 ha) and the balance site in the centre (7.72 ha) which includes a dwelling and a stand of pine trees. The site is wedged between the Christchurch Southern Motorway and the adjacent railway line and Jones Road, limiting the possibility of connecting with other pieces of land for large-scale primary productive use. Additionally, the site is surrounded by a range of business activities including wood-chip processing, a nursery, timber supplies, commercial trucking and chicken processing. Fulton Hogan's Roydon Quarry will be located immediately across the railway line and Jones Road to the north. More widely, the site is located between Templeton township and the Rolleston Izone site.
- [72] Around three quarters of the site comprises LUC 2 and 3 soil. Urban zoning is no longer sought so NPS-HPL clause 3.6 is not engaged. In that regard it is clear from the NPS-HPL that a 'precinct' does not come within the definition of 'urban'. Consequently, it does not constitute an 'urban rezoning' to an 'urban zone'. Ms Tuilaepa suggested that clause 3.9 of the NPS-HPL was relevant but from Table 1 of the MfE guidance document it is clear that clause 3.9 is intended to apply to decisions on land use consent applications. Ms Tuilaepa also considered that clause 3.10 of the NPS-HPL should be considered. In that regard we note that clause 3.10 provides a series of specific and deliberately stringent tests to determine whether the permanent or long-term constraint on the land justifies the HPL being used for a purpose that is not land-based primary production. We accept Ms Everleigh's submissions that the requirements of NPS-HPL clause 3.10 have been satisfied and that given the very limited, and uneconomic, primary production potential of the site, it is appropriate for it to be made available for business activities which support rural activities. Consequently, we do not consider the NPS-HPL to be relevant in terms of establishing a precinct as now sought by the submitter.
- [73] At the Hearing we put our above assessment of the NPS-HPL to Ms Everleigh as we considered it to be a matter of legal interpretation. She agreed with our assessment.
- [74] On the basis of the current landuse and the surrounding environment (as outlined above) we consider that the 11.2ha site is ill-suited to the 'normal' application of the GRUZ, insofar as it would provide primarily for rural production activities. We agree in principle with Ms Everleigh's submission that:

"Applying a Rural Business Precinct overlay to the Site would enable efficient use of the Site for activities that can successfully locate there, in a way that appropriately reflects and responds to the character of environment and the existing uses of both the Site and

surrounding land, and is consistent with the PSDP and CRPS direction for activities on rural land.”

- [75] However, we consider that the definition of ‘Rural Precinct Activity’ proposed by GCP¹⁶ to be potentially problematic. As Ms Tuilaepa noted in her 4 May 2023 Memorandum¹⁷, the variety of activities that this definition would enable in the Precinct could result in unintended consequence as there are no limitations on the ‘*functional or operational need*’ for an activity to locate on the land in question. That is particularly so given the rather wide definition of ‘rural production activity’ in the PDP.
- [76] It appears to us that the types of activity contemplated by GCP would be readily catered for by the inclusion of the Rural Industry Rule in the sought after Precinct (GRUZ-R8). On that basis we find it is appropriate to establish a new Rural Precinct (called PREC12), but that the definition of ‘Rural Precinct Activity’ proposed by GCP is omitted.
- [77] We understand that the only significant outstanding matters relate to transportation and access to the site. In saying that we find that the additional rules recommended by landscape peer reviewer James Bentley for fencing, building aesthetics, and signage are not necessary given the existing nature of the site and its location. Nor do we consider that a new GRUZ-REQ18 and associated GRUZ-MAT6 that were recommended by Mr Thomson to deal with impermeable surfaces and stormwater are necessary. Those provisions were not supported by Ms Tuilaepa and we do not consider they are necessary as GRUZ-MAT2.5 already deals with stormwater flooding.
- [78] Ms Everleigh summarised the transportation situation as follows:
- “... evidence in chief was provided by Mr Leckie assessing the effect of the proposed RBP on the transport network. Mr Leckie concluded that safe and efficient vehicle access to and from the Site onto Dawsons Road could occur, provided certain restrictions were made. These restrictions have been incorporated into the relief sought and include limits on right turns onto and out of the Site. Mr Leckie's assessment was peer reviewed by Mr Matt Collins, who generally supported Mr Leckie's conclusion and recommendations, while also suggesting additional provisions. Mr Leckie has agreed with these additions, except to note that the existing fence does not need to be removed from the sightline setback.”*
- [79] We consider that resolves the transportation matters.¹⁸
- [80] For the above reasons we find that the amended proposal for the 11.2ha site should proceed.
- [81] A consolidated suite of amendments to the GRUZ provisions required to implement the new Precinct was tabled at the Hearing. We asked Ms Tuilaepa to review those provisions which she did in her 4 May 2023 Memorandum. Having regard to her comments, the provisions we find to be appropriate are set out in Appendix 1 to this Report. In that regard we have recommended a range of amendments to the provisions in Appendix 1 to ensure consistency with PDP provision drafting protocols. Any such amendments are also shown in red font.

¹⁶ A business undertaken in a rural environment that directly services a rural production activity and/or has a functional or operational need to locate in a Rural Precinct overlay.

¹⁷ Provided in response to our request made at the 14 March 2023 Hearing.

¹⁸ We note Mr Leckie has addressed the issues of concern to Waka Kotahi.

[82] We also recommend that a new PREC12 is included on the PDP planning maps. The location of the Precinct is also shown in Appendix 1.

[83] We recommend that the following submission is accepted in part.

Sub #	Submitter	Submission Point
DPR-0399	Gulf Central Properties Ltd & Apton Developments Ltd	001

8 DPR-0135 Lilley Family Trust

[84] Lilley Family Trust sought to rezone the land bounded by SH1, Tennyson Street, Brookside Road and the existing Rolleston Motels in Rolleston. A split zoning was sought to reflect the existing and consented environment – Neighbourhood Centre Zone (NCZ) (eastern portion) and Town Centre Zone (TCZ) (western portion). The submission was supported by expert evidence from Fiona Aston (planning) and Adam Thomson (economics).

[85] Ms Tuilaepa considered that the entire area should be rezoned TCZ as it is currently non-residential in character, comprising of a mix of commercial activities. Having reviewed the evidence, we agree with Ms Tuilaepa. We therefore adopt her recommendations to rezone the following land from GRZ to TCZ¹⁹:

- 6 and 10 Brookside Road (Lot 1 DP 507294)
- 7 Brookside Road (Lot 6 Blk II DP 307)
- Brookside Road (Lot 7 Blk II DP 307)
- 3 Brookside Road (Lot 6 Blk II DP 307)
- 6 Tennyson Street (Lot 2 Blk II DP 307)
- 8 Tennyson Street (Lot 1 DP 28343)
- 4 Brookside Road (Lot 15 Blk 1 DP 307)
- Unknown - Brookside Road (Lot 14 Blk 1 DP 307)
- 8 Brookside Road (Lot 2 DP 72278)
- 10A-10C Brookside Road (Lot 1 DP 508250)
- 10D Brookside Road (Lot 4 DP 307924), (Lot 5 DP 307924), (Lot 1 DP 505348).

[86] The amendments recommended to the PDP planning maps are set out in Appendix 1.

[87] We recommend that the following submission is accepted in part.

Sub #	Submitter	Submission Point
DPR-0135	Lilley Family Trust	001, 002

9 DPR-0374 RIHL and DRP-0384 RIDL – Large Format Retail Zone in Rolleston

[88] RIHL and RIDL sought to rezone the land bounded by Link Drive, Iport Drive, Jones Road and Hoskyns Road in Rolleston as LFRZ. The submission was supported by expert evidence from Nicholas Fuller (transport), Dave Compton-Moen (urban design), Jeremy Phillips (planning), Natalie Hampson (economics) and Tim Carter (company representative). That evidence was

¹⁹ We note this does not include 10 Tennyson Street as that property was not included in the original submission.

peer reviewed by experts for the SDC. Legal submissions were provided by Lucy Forrester and Jo Appleyard.

[89] Ms Tuilaepa noted that resource consents have been obtained by the submitter to enable Large Format Retail activities across the entire site. She recommended that the submissions be accepted because:

- LFRZ over the entire site would ensure the zone framework reflected the consented development;
- modelling has demonstrated a need for additional land for LFRZ activities in Selwyn in the medium term; and
- the rezoning has no adverse transportation effects and there are no geotechnical issues with the site. As the underlying land is already GIZ it can be assumed that there are no issues with servicing.

[90] Having reviewed the evidence, we agree with Ms Tuilaepa. We adopt Ms Tuilaepa's s32AA assessment set out in paragraphs 12.10 to 12.14 of her Section 42A Report.

[91] We recommend that the site (Lot 600 DP 520689) is rezoned LFRZ, as indicated in the figure titled 'PREC 6: Rolleston Industrial Precinct' shown in Appendix 1 to this Report.

[92] We note that by way of email dated 10 March 2023 counsel for RIHL and RIDL advised there were no other amendments to the PDP required to give effect to the rezoning request that were not already included in the updated Appendix 2 of the Section 42A Report.

[93] We understand counsel's response to refer to Ms Tuilaepa's 10 March 2023 Memorandum. As part of that Memorandum Ms Tuilaepa provided an updated version of her Appendix 2. It is that version of the amended provisions that we recommend be adopted for this submitter.

[94] We have however recommended a range of amendments to the provisions in Appendix 1 to ensure consistency with PDP provision drafting protocols. Any such amendments are also shown in red font.

[95] We recommend that the following submissions are accepted in part.

Sub #	Submitter	Submission Point
DPR-0374	RIHL	001, 003
DPR-0384	RIDL	001, 003

10 DPR-0384 RIDL – PC69 Site South Lincoln

[96] RIDL sought to rezone land to the south of Lincoln from GRUZ to LCZ. The land in question is within PC69. As a result of the PC69 process the submitter amended their submission to instead rezone unspecified areas of land within the PC69 from GRUZ to NCZ. The submission was supported by the experts engaged by the submitter in relation to PC69²⁰. Legal submissions were provided by Lucy Forrester and Jo Appleyard.

[97] In her 10 March 2023 Memorandum Ms Tuilaepa stated that she agreed with the rebuttal evidence from Mr Phillips²¹ that a SUB-REQ amendment was required to make clear the need

²⁰ As listed at paragraph 14.3 of the Section 42A Report.

²¹ Rebuttal evidence, Jeremy Phillips.

for a consent notice mechanism for planned commercial centres identified on ODPs. However, she considered that should only apply to a NCZ and not LCZ as the latter are intended to be the sole commercial centre of a township. Conversely, NCZ's feature in townships that have a TCZ as a main centre, with the NCZ playing a supporting role. We agree.

- [98] The Ministry of Education DPR-0378 tabled a letter in support of their further submission FS011. They sought that education facilities be RDIS in the GIZ instead of non-complying. We are not persuaded that is appropriate or that it was actually sought by the primary submitter.
- [99] We recommend that the following submission is rejected, but that a clause 16(2) amendment to SUB-REQ3 is made as outlined in Appendix 1 to this Report.

Sub #	Submitter	Submission Point
DPR-0384	RIDL	009, 393

11 DPR-0363 IRHL – PC66 Site Hoskyns Road

- [100] IHRL sought to rezone 27 hectares of GRUZ land in Rolleston to GIZ. The land in question is bounded by Maddisons Road, the existing iPort industrial development and rural land. It is located within the UGO and comprises the PC66 site which was rezoned from Rural to Business 2A in the Operative District Plan. PC66 became operative on 11 February 2022. The evidence provided during the PC66 process was provided to support the request for rezoning²². Legal submissions were provided by Lucy Forrester and Jo Appleyard.
- [101] Ms Tuilaepa recommended that the submission point relating to the PC66 site be accepted because the land has been rezoned Business 2A in the Operative District Plan and the submitter's evidence confirmed the request to be appropriate, subject to site specific conditions managing traffic and landscaping, which should be transferred into the PDP.
- [102] We agree that the rezoning request should be accepted. In that regard we adopt Ms Tuilaepa's s32AA assessment set out in paragraphs 7.12 to 7.14 of the Section 42A Report. For completeness we note that the NPS-HPL does not apply to the site because at the commencement of the NPS-HPL the site was zoned Business 2A in the Operative District Plan.
- [103] We asked counsel²³ for RIHL and RIDL to provide us with a consolidated suite of amendments (wording amendments and figures) to the PDP that would give effect to the rezoning request with that suite to be developed in consultation with SDC. By way of email dated 10 March 2023 counsel for RIHL and RIDL advised there were no other amendments to the PDP required to give effect to the rezoning request that were not already included in Ms Tuilaepa's updated 9 March 2023 Appendix 2 of the Section 42A Report.
- [104] We recommend that:
- the PDP Planning Maps are amended to rezone the PC66 site to GIZ;
 - a figure titled 'PREC6: Rolleston Industrial Precinct' is inserted into the PDP that reflects 'Attachment 1: Amended GIZ-PREC6: Rolleston Industrial Precinct' that was part of the

²² The experts who provided that evidence are listed in paragraph 7.3 of the Section 42A Report.

²³ Through our Hearing Secretary.

Import rebuttal evidence of Kim Seaton dated 24 February 2023²⁴ and is now included in Appendix 1 of this Report; and

- consequential amendments are made to GIZ-REQ5, GIZ-REQ6, TRAN-REQ2, TRAN-REQ7, TRAN-REQ21 and GIZ-R1 to ensure the planning provisions imposed in the PC66 decision are carried forward into the PDP, as shown in Appendix 1 to this Report.

[105] We have however recommended a range of amendments to the provisions in Appendix 1 to ensure consistency with PDP provision drafting protocols. Any such amendments are also shown in red font.

[106] We recommend that the following submission is accepted.

Sub #	Submitter	Submission Point
DPR-0363	IRHL	001

12 DPR-0392 CSI and DPR-0137 Pinedale Enterprises Ltd & Kintyre Pacific Holdings Ltd – PC80 Site Two Chain Road

[107] CSI and Pinedale Enterprises Ltd & Kintyre Pacific Holdings Ltd (PC80 proponents) sought to rezone 98 hectares of GRUZ land on Two Chain Road in Rolleston to GIZ. The submission was supported by numerous briefs of expert evidence²⁵ which we understand to be the same evidence that was provided for PC80. Legal submissions were provided by Lucy Forrester and Jo Appleyard.

[108] Ms Tuilaepa's assessment of the submission was necessarily undertaken prior to the release of Commissioner Caldwell's 14 February 2023 decision to approve PC80. The Commissioner's decision has been confirmed by the SDC. We issued Minute 43 directing an Addendum to the Section 42A Report. That Addendum was provided on 9 March 2023 and Ms Tuilaepa advised:

Commissioner Caldwell, based on the site-specific evidence provided through the hearing process concluded that there is need for additional industrial land in Rolleston and the PC80 proposal would provide that and that the 18ha of land identified as HPL are indeed HPL, however, there is evidence to demonstrate the proposal meets the threshold tests in clause 3.6 of the NPS-HPL which relates to rezoning land.

[109] Ms Tuilaepa reassessed the proposal against the Business Land Framework and revised her s32AA assessment. She recommended accepting the PC80 proponents' submissions. We agree that would be appropriate and, in that regard, we adopt Ms Tuilaepa's s32AA assessment. We also adopt her recommendations to:

- amend the Planning Maps to rezone the PC80 site to General Industrial Zone (GIZ);
- insert a figure titled 'PREC6A – Rolleston West Industrial Precinct' as shown in Appendix 1 to this Report into the GIZ Schedules; and
- make consequential amendments to GIZ-REQ5, GIZ-REQ6, TRAN-REQ2, TRAN-REQ7, TRAN-REQ21, GIZ-R1 to ensure those provisions determined through the PC80 process are carried forward into the PDP as shown in Appendix 1.

²⁴ Rebuttal evidence of Kim Marie Seaton regarding iPort Block rezoning request (Planning). Dated: 24 February 2023.

²⁵ As listed at paragraph 8.5 of the Section 42A Report.

- [110] We note that by way of email dated 10 March 2023 counsel for RIHL and RIDL advised there were no other amendments to the PDP required to give effect to the rezoning request that were not already included in Ms Tuilaepa's 9 March 2023 version of Appendix 2 of the Section 42A Report.
- [111] We understand counsel's response to refer to Ms Tuilaepa's 9 March 2023 Memorandum which addressed SDC's approval of independent Commissioner David Caldwell's recommendation for the rezoning of the PC80 site. As part of that Memorandum Ms Tuilaepa provided an updated version of her Appendix 2. It is that version the amended provisions that we recommend be adopted for this submitter.
- [112] We have however recommended a range of amendments to the provisions in Appendix 1 to ensure consistency with PDP provision drafting protocols. Any such amendments are also shown in red font.
- [113] We recommend the following submissions are accepted.

Sub #	Submitter	Submission Point
DPR-0392	CSI	007
DPR-0137	Pinedale Enterprises Ltd & Kintyre Pacific Holdings Ltd	001

13 Other matters

- [114] The recommended amendments to the PDP provisions contained in Appendix 1 are those that result from this Hearing Panel's assessment of submissions and further submissions. However, readers should note that further or different amendments to these provisions may have been recommended by:
- Hearing Panels considering submissions and further submissions on other chapters of the PDP;
 - the Hearing Panels considering rezoning requests, and
 - the Independent Hearing Panel (IHP) considering submissions and further submissions on Variation 1 to the PDP
- [115] Any such further or different amendments are not shown in Appendix 1 of this Recommendation Report. However, the Chair²⁶ and Deputy Chair²⁷ of the PDP Hearing Panels have considered the various recommended amendments and have ensured that the overall final wording of the consolidated version of the amended PDP is internally consistent.
- [116] In undertaking that 'consistency' exercise, care was taken to ensure that the final wording of the consolidated version of the amended PDP did not alter the intent of the recommended amendments contained in Appendix 1 of this Recommendation Report.
- [117] No other matters were brought to our attention.

²⁶ Who is also the Chair of the IHP.

²⁷ Who chaired one stream of hearings.

Appendix 1: Recommended Amendments

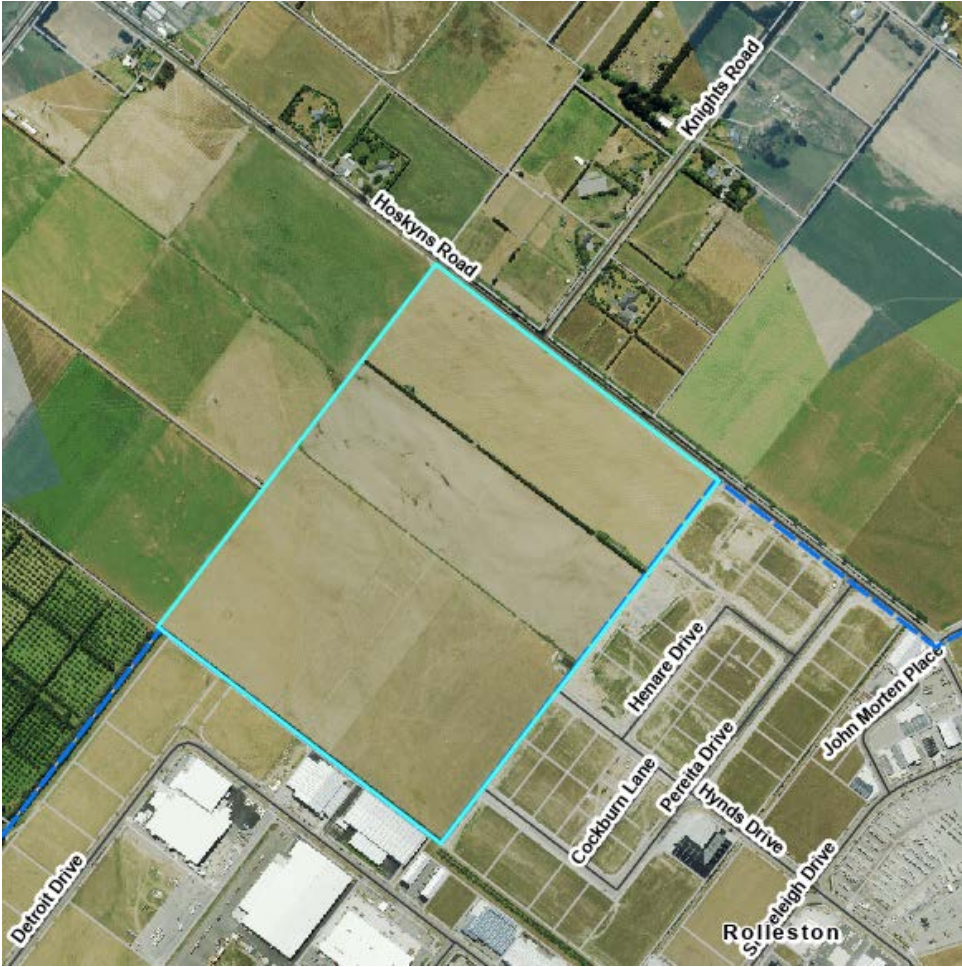
Note to readers: Only provisions that have recommended amendments are included below. All other provisions remain as notified. Amendments recommended by the Section 42A Report author that have been adopted by the Hearing Panel are shown in strike out and underlining. Further or different amendments recommended by the Hearing Panel are shown in strike out, underlining and red font.

Amendments to the PDP Maps

The following spatial amendments are recommended to PDP Planning Maps:

Map Layer	Description of recommended amendment
Zones	<ul style="list-style-type: none"> Amend the following properties from GRZ to LRZ <ul style="list-style-type: none"> <u>727 Weedons Ross Road and 21 and 23 Corriedale Road</u> with the ROW servicing the sites <u>remaining GRZ</u>.²⁸ 


²⁸ DPR-0118.001 Diane & Andrew Henderson

Map Layer	Description of recommended amendment
	<ul style="list-style-type: none"> Amend the following property from GRUZ to GIZ <ul style="list-style-type: none"> Lot 1 DP 501038²⁹ 

²⁹ DPR-0124.001 The Paul Cockburn Family Trust

Map Layer	Description of recommended amendment
	<ul style="list-style-type: none"> Amend the following property from GRUZ to LCZ <ul style="list-style-type: none"> Lot 1 DP 23436³⁰ 

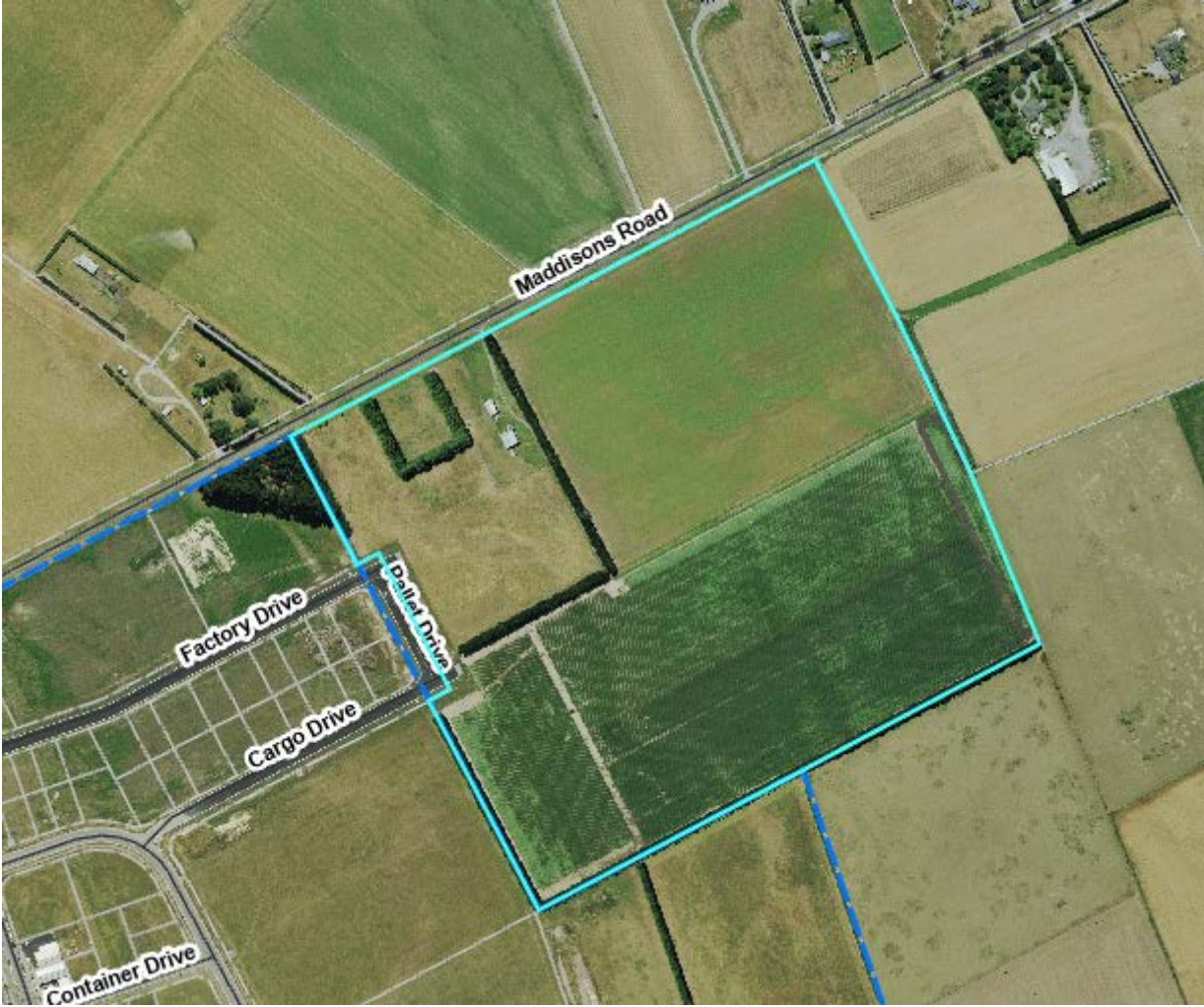
³⁰ DPR-0160.001 West Melton Three Limited

Map Layer	Description of recommended amendment
	<ul style="list-style-type: none"> Amend the following properties from GRZ to TCZ: <ul style="list-style-type: none"> 6 and 10 Brookside Road (Lot 1 DP 507294) 7 Brookside Road (Lot 6 Blk II DP 307) Brookside Road (Lot 7 Blk II DP 307) 3 Brookside Road (Lot 6 Blk II DP 307) 6 Tennyson Street (Lot 2 Blk II DP 307) 8 Tennyson Street (Lot 1 DP 28343) 4 Brookside Road (Lot 15 Blk 1 DP 307) Unknown - Brookside Road (Lot 14 Blk 1 DP 307) 8 Brookside Road (Lot 2 DP 72278) 10A-10C Brookside Road (Lot 1 DP 508250) 10D Brookside Road (Lot 4 DP 307924), (Lot 5 DP 307924), (Lot 1 DP 505348).³¹ 


³¹ DPR-0135.001, 002 Lilley Family Trust

Map Layer	Description of recommended amendment
	<ul style="list-style-type: none"> Amend the following property from GRUZ/LFRZ to LFRZ <ul style="list-style-type: none"> Lot 600 DP 520689³² 

³² DPR-0374.001 RIHL and DPR-0384.001 RIDL

Map Layer	Description of recommended amendment
	<ul style="list-style-type: none"> Amend the following property from GRUZ to GIZ <ul style="list-style-type: none"> Lot 504 DP 551164³³ 

³³ DPR-0363.001 IRHL

Map Layer	Description of recommended amendment
	<ul style="list-style-type: none"> Amend the following properties from GRUZ to GIZ <ul style="list-style-type: none"> Lots 1 and 2 DP 33398 Lots 1, 2, 3, 5 and 6 DP 33996 Lots 1 and 2 DP 305466 Lots 1 and 2 DP 27804 Lot 3 DP 59950³⁴ 
EIB Management Overlay	<ul style="list-style-type: none"> Remove the following properties from the EIB Canterbury Plains Area: <ul style="list-style-type: none"> Lot 1 DP 501038³⁵

³⁴ DPR-0392.007 CSI Property Ltd and DPR-0137.001 Pinedale Enterprises Ltd & Kintyre Pacific Holdings Ltd

³⁵ DPR-0124.001 The Paul Cockburn Family Trust

Map Layer	Description of recommended amendment
	<ul style="list-style-type: none"> - Lot 1 DP 23436³⁶ - Lot 504 DP 551164³⁷ <p>and</p> <ul style="list-style-type: none"> - Lots 1 and 2 DP 33398 - Lots 1, 2, 3, 5 and 6 DP 33996 - Lots 1 and 2 DP 305466 - Lots 1 and 2 DP 27804 - Lot 3 DP 59950³⁸
Specific Control Areas: Access	<ul style="list-style-type: none"> • Insert a new SCA-AC1 over <u>727 Weedons Ross Road and 21 and 23 Corriedale Road</u> with the ROW servicing the sites <u>remaining outside the specific control area</u>³⁹
Specific Control Areas: Rural Density	<ul style="list-style-type: none"> • Remove the following properties from SCA-RD1: <ul style="list-style-type: none"> - Lot 1 DP 501038⁴⁰ - Lot 1 DP 23436⁴¹ - Lot 504 DP 551164⁴² <p>and</p> <ul style="list-style-type: none"> - Lots 1 and 2 DP 33398 - Lots 1, 2, 3, 5 and 6 DP 33996 - Lots 1 and 2 DP 305466 - Lots 1 and 2 DP 27804 - Lot 3 DP 59950⁴³
Urban Growth Overlay	<ul style="list-style-type: none"> • Remove the following properties from the overlay: <ul style="list-style-type: none"> - Lot 1 DP 501038⁴⁴ - Lot 504 DP 551164⁴⁵

³⁶ DPR-0160.001 West Melton Three Limited

³⁷ DPR-0363.001 IRHL

³⁸ DPR-0392.007 CSI Property Ltd and DPR-0137.001 Pinedale Enterprises Ltd & Kintyre Pacific Holdings Ltd

³⁹ DPR-0118.001 Diane & Andrew Henderson

⁴⁰ DPR-0124.001 The Paul Cockburn Family Trust


⁴¹ DPR-0160.001 West Melton Three Limited

⁴² DPR-0363.001 IRHL

⁴³ DPR-0392.007 CSI Property Ltd and DPR-0137.001 Pinedale Enterprises Ltd & Kintyre Pacific Holdings Ltd

⁴⁴ DPR-0124.001 The Paul Cockburn Family Trust

⁴⁵ DPR-0363.001 IRHL

Map Layer	Description of recommended amendment
Precincts	<ul style="list-style-type: none"> • Include the following properties in the Industrial Precincts layer: <ul style="list-style-type: none"> - Lot 1 DP 501038⁴⁶ - Lot 504 DP 551164⁴⁷ and <ul style="list-style-type: none"> - Lots 1 and 2 DP 33398 - Lots 1, 2, 3, 5 and 6 DP 33996 - Lots 1 and 2 DP 305466 - Lots 1 and 2 DP 27804 - Lot 3 DP 59950⁴⁸ • Insert a new Rural Precinct being PREC12 Rural Business Precinct on land bound by Curraghs Road, SH1, Dawsons Road and Jones Road as outlined in red on the figure below: ⁴⁹  <ul style="list-style-type: none"> • Remove Lot 600 DP 520689 from PREC6⁵⁰

⁴⁶ DPR-0124.001 The Paul Cockburn Family Trust

⁴⁷ DPR-0363.001 IRHL

⁴⁸ DPR-0392.007 CSI Property Ltd and DPR-0137.001 Pinedale Enterprises Ltd & Kintyre Pacific Holdings Ltd

⁴⁹ DPR-0399.001 Gulf Central Properties & Apton Developments Ltd

⁵⁰ DPR-0374.001 RIHL and DPR-0384.001 RIDL

Amendments to the PDP Text

Part 1 – Introduction and General Provisions

How the Plan works

HPW26 – Precincts		
Name	Code	Description
<u>Rolleston West Industrial Precinct</u>	<u>PREC6A</u>	<u>The purpose of this precinct is to manage landscaping along road frontages and the interfaces with the surrounding rural area.</u>
<u>Rural Business Precinct</u>	<u>PREC12</u>	<u>The purpose of this precinct is to manage landscaping along road frontages and the interfaces with the surrounding rural area.</u>

HPW27 – Specific Control Area Descriptions		
Name	Code	Description
<u>West Melton Pedestrian Management</u>	<u>SCA-AC1</u>	<u>An area subject to controls to manage pedestrian access.</u>

Part 2 – District Wide Matters

Energy, Infrastructure and Transport

TRAN – Transport

TRAN-Rules

TRAN-R4 Vehicle Crossing		
GRUZ (excluding PREC12)	... 1. ...	...
<u>PREC12⁵¹</u>	<u>Activity status: PER</u> <u>10. The establishment of a vehicle crossing to PREC12 – Rural Services Precinct.</u>	<u>Activity status where compliance is not achieved:</u> <u>11. when compliance with any of TRAN-R4.10 is not achieved: RDIS</u> <u>Matters for discretion:</u>

⁵¹ DPR-0399.001 Gulf Central Properties & Apton Developments Ltd

<p>Where:</p> <p>a. <u>The Dawsons Road / Jones Road intersection has been upgraded in accordance with TRAN-DIAGRAM15.</u></p> <p>b. <u>The solid median strip on Dawsons Road has been extended in accordance with TRAN-DIAGRAM16.</u></p> <p>c. <u>There are no fences, structures or vegetation higher than 1.1m in the area identified in TRAN-DIAGRAM17.</u></p> <p>d. <u>The vehicle crossing does not service any activity that generates more than 90 vm/day.</u></p>	<p><u>12. The exercise of discretion in relation to TRAN-R4.11 is restricted to the following matters:</u></p> <p>a. <u>TRAN-MAT1 Effects on the wider network</u></p> <p>b. <u>TRAN-MAT9 Vehicle movements</u></p>
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TRAN-Rule Requirements

TRAN-REQ2	Vehicle crossing access restrictions	
PREC6	<p>6. The vehicle crossing is not formed:</p> <p>a. directly onto Hoskyns Road within Area 2 in PREC6 - Rolleston Industrial Precinct; or</p> <p>b. within Railway Road within Area 1 in PREC6 - Rolleston Industrial Precinct; or</p> <p>c. <u>directly onto Maddisons Road within Area 3 in PREC6 - Rolleston Industrial Precinct.</u>⁵²</p>	<p>Activity status where compliance is not achieved:</p> <p>7. ...</p> <p><u>9. When compliance with any of TRAN-REQ2.6.c is not achieved: RDIS⁵³</u></p> <p>Matters for discretion</p> <p>10. The exercise of discretion in relation to TRAN-REQ2.7 and <u>TRAN-REQ2.9⁵⁴</u> is restricted to the following matters:</p> <p>a. TRAN-MAT6 Landscape treatment strip protection</p>
PREC6A	<p><u>14. The vehicle crossing is not formed directly to Two Chain Road, Runners Road or Walkers Road (north of the primary road intersection) from the area identified in PREC6A - Rolleston West Industrial Precinct.</u>⁵⁵</p>	<p>Activity status where compliance is not achieved:</p> <p><u>15. When compliance with any of TRAN-REQ2.14 is not achieved: RDIS</u></p> <p>Matters for discretion</p> <p><u>16. The exercise of discretion in relation to TRAN-REQ2.15 is restricted to the following matters:</u></p> <p>a. <u>TRAN-MAT2 Vehicle Crossings and Accessways</u></p>

⁵² DPR-0363.001 IRHL

⁵³ DPR-0363.001 IRHL

⁵⁴ DPR-0363.001 IRHL and DPR-0392.007 CSI Property Ltd and DPR-0137.001 Pinedale Enterprises Ltd & Kintyre Pacific Holdings Ltd

⁵⁵ DPR-0363.001 IRHL and DPR-0392.007 CSI Property Ltd and DPR-0137.001 Pinedale Enterprises Ltd & Kintyre Pacific Holdings Ltd

		b. for Two Chain Road only, TRAN-MAT6 Landscape treatment strip protection. ⁵⁶
TRAN-REQ7	Accessway design and formation	
... GIZ ...	<p>1. Accessway(s) shall:</p> <p>a. be formed to comply with the design requirements listed in TRAN-TABLE3 and illustrated in TRAN-DIAGRAM4; and</p> <p>b. have a minimum height clearance of 4.5m; and</p> <p>c. not directly access to:</p> <p>i. Railway Road from the area identified in PREC6 - Rolleston Industrial Precinct; or</p> <p>ii. Hoskyns Road from the area identified as Area 2 in PREC6 - Rolleston Industrial Precinct; <u>or</u></p> <p>iii. <u>Maddisons Road from the area identified as Area 3 in PREC6 - Rolleston Industrial Precinct;</u>⁵⁷ <u>or</u></p> <p>iv. <u>Two Chain Road, Runners Road or Walkers Road (north of the primary road intersection) from the area identified in PREC6A- Rolleston West Industrial Precinct.</u>⁵⁸</p>	<p>Activity status where compliance is not achieved:</p> <p>2. When compliance with TRAN-REQ7.1.a or TRAN-REQ7.1.b is not achieved: RDIS</p> <p><u>3. When compliance with TRAN-REQ7.a.c.iii or TRAN-REQ7.a.c.iv is not achieved: RDIS</u></p> <p>3 4. When compliance with TRAN-REQ7.1.c.i or .ii is not achieved: NC</p> <p>Matters for discretion</p> <p>4 5. The exercise of discretion in relation to TRAN-REQ7.2 is restricted to the following matters:</p> <p>a. TRAN-MAT2 Vehicle crossings and access</p> <p><u>56. The exercise of discretion in relation to TRAN-REQ7.3 is restricted to the following matters:</u></p> <p><u>a. TRAN-MAT2 Vehicle crossings and accessways.</u></p> <p><u>b. for Two Chain Road only, TRAN-MAT6 Landscape treatment strip protection.</u>⁵⁹</p>
TRAN-REQ21	Road formation in the Rolleston Industrial Precinct (PREC6)	
PREC6	<p>1. There shall be no break in the future planting strip required by Landscape Treatment 2 along Hoskyns Road, <u>and Landscape Treatment 1 along Maddisons Road within Area 3,</u>⁶⁰ as identified in PREC6 - Rolleston Industrial Precinct.</p>	Activity status where compliance is not achieved: 2. ...

⁵⁶ DPR-0363.001 IRHL and DPR-0392.007 CSI Property Ltd and DPR-0137.001 Pinedale Enterprises Ltd & Kintyre Pacific Holdings Ltd

⁵⁷ DPR-0363.001 IRHL

⁵⁸ DPR-0363.001 IRHL and DPR-0392.007 CSI Property Ltd and DPR-0137.001 Pinedale Enterprises Ltd & Kintyre Pacific Holdings Ltd

⁵⁹ DPR-0363.001 IRHL and DPR-0392.007 CSI Property Ltd and DPR-0137.001 Pinedale Enterprises Ltd & Kintyre Pacific Holdings Ltd

⁶⁰ DPR-0363.001 IRHL

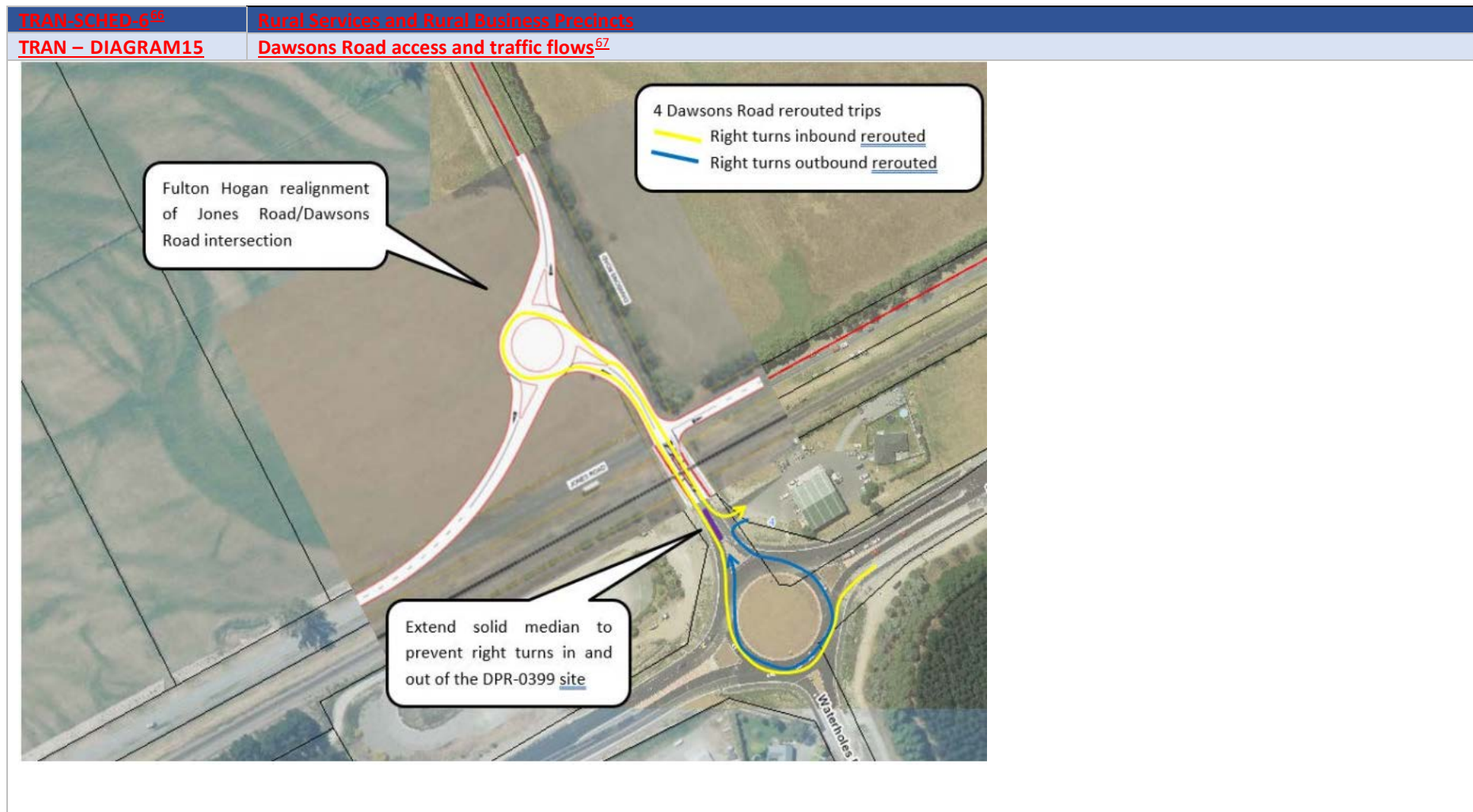
TRAN-REQ29	Road formation in the Rolleston West Industrial Precinct (PREC6A)	
PREC6A ⁶¹	<p><u>1. The maximum number of new land transport corridors from Two Chain Road into PREC6A – Rolleston West Industrial Precinct shall be two.</u></p> <p><u>2. No land transport corridors shall be established from Runners Road into PREC6A – Rolleston West Industrial Precinct.</u>⁶²</p>	<p>Activity status where compliance is not achieved:</p> <p><u>3. When compliance with</u></p> <p>a. TRAN-REQ29.1 is not achieved: RDIS</p> <p>b. TRAN-REQ29.2 is not achieved: RDIS</p> <p>Matters for discretion:</p> <p><u>4. The exercise of discretion in relation to TRAN-REQ29.3.a. is restricted to the following matters:</u></p> <p>a. TRAN-MAT6 Landscape treatment strip protection.</p> <p>b. TRAN-MAT2 Vehicle crossings and accessways</p> <p><u>5. The exercise of discretion in relation to TRAN-REQ29.3.b. is restricted to the following matters:</u></p> <p>a. TRAN-MAT2 Vehicle crossings and accessways⁶³</p>

TRAN-Matters for Control or Discretion

TRAN-MAT2	Vehicle Crossings and Accessways	
PREC6A	<p><u>1. The effects of the accessway on the safe and efficient operation of Two Chain Road and the shared pedestrian/cycle path on that road.</u></p> <p><u>2. In relation to any vehicle accessway to Runners Road, the necessity, extent and cost of upgrades to Runners Road, the safe and efficient operation of the Runners Road/Walkers Road intersection, and effects on the safe and efficient operation of the Walkers Road level rail crossing.</u></p> <p><u>3. The effects on persons residing in properties with frontage on, or access to, that part of Two Chain Road opposite PREC6A – Rolleston West Industrial Precinct.</u></p> <p><u>4. In relation to vehicle accessway or crossings to Walkers Road (north of the primary road intersection), the effects of the accessway or crossing on Rolleston Prison and people residing within the prison.</u>⁶⁴</p>	
TRAN-MAT6	Landscape Treatment strip protection	
PREC6 PREC6A ⁶⁵	...	

⁶¹ DPR-0363.001 IRHL and DPR-0392.007 CSI Property Ltd and DPR-0137.001 Pinedale Enterprises Ltd & Kintyre Pacific Holdings Ltd⁶² DPR-0363.001 IRHL and DPR-0392.007 CSI Property Ltd and DPR-0137.001 Pinedale Enterprises Ltd & Kintyre Pacific Holdings Ltd⁶³ DPR-0363.001 IRHL and DPR-0392.007 CSI Property Ltd and DPR-0137.001 Pinedale Enterprises Ltd & Kintyre Pacific Holdings Ltd⁶⁴ DPR-0363.001 IRHL and DPR-0392.007 CSI Property Ltd and DPR-0137.001 Pinedale Enterprises Ltd & Kintyre Pacific Holdings Ltd⁶⁵ DPR-0363.001 IRHL and DPR-0392.007 CSI Property Ltd and DPR-0137.001 Pinedale Enterprises Ltd & Kintyre Pacific Holdings Ltd

TRAN-Schedules

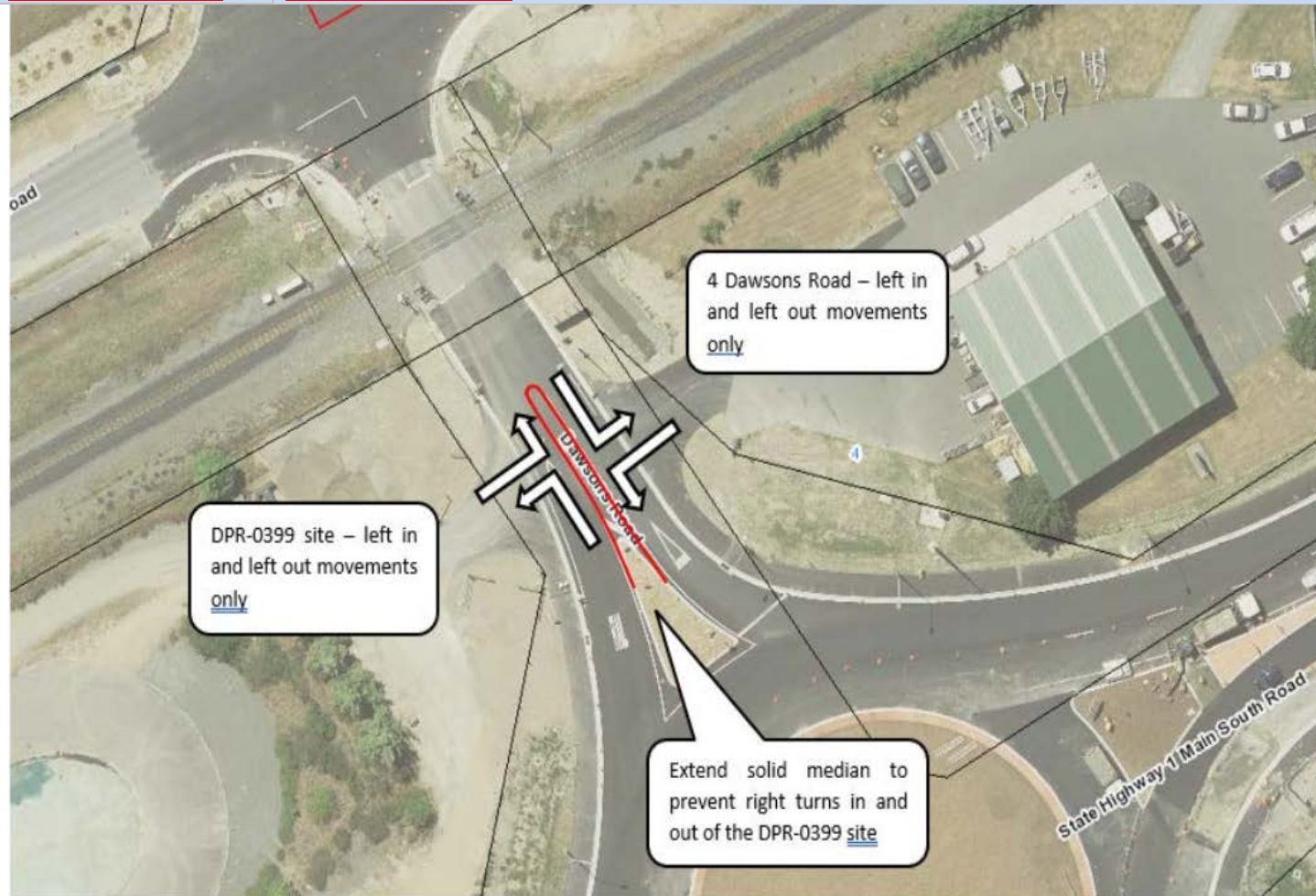


⁶⁶ DPR-0399.001 Gulf Central Properties & Apton Developments Ltd

⁶⁷ DPR-0399.001 Gulf Central Properties & Apton Developments Ltd

TRAN – DIAGRAM16

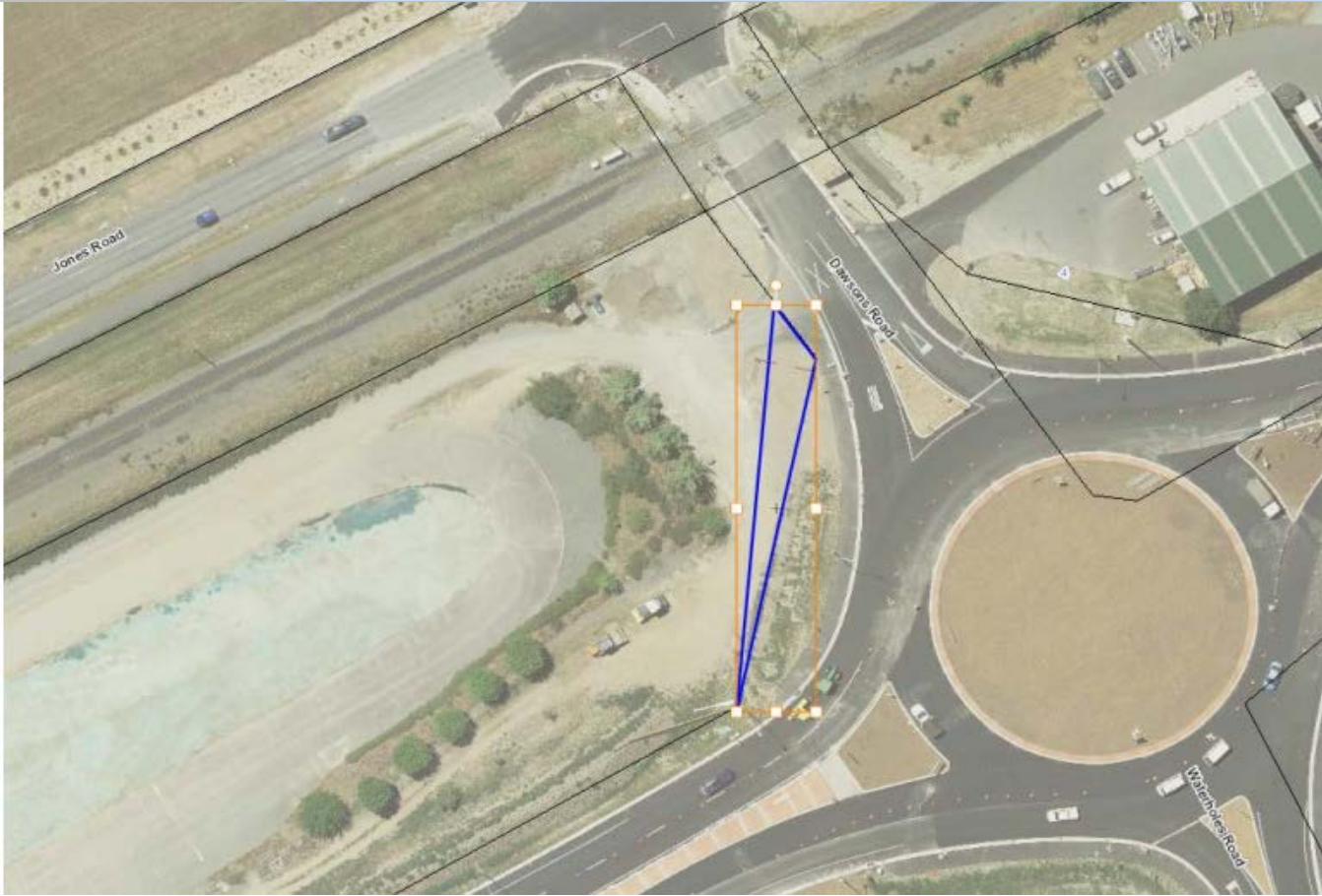
Dawsons Road Access ⁶⁸



⁶⁸ DPR-0399.001 Gulf Central Properties & Apton Developments Ltd

TRAN – DIAGRAM17

Site Visibility⁶⁹



⁶⁹ DPR-0399.001 Gulf Central Properties & Apton Developments Ltd

SUB – Subdivision

SUB-Rule Requirements

SUB-REQ3	Outline Development Plan
All Zones	<p>1.. If the site is within an area that is subject to an operative Outline Development Plan within the District Plan; <u>a. the subdivision complies with that Outline Development Plan; and</u> <u>b. where the site is within any area shown within the Outline Development Plan as a Neighbourhood Centre, it shall be subject to the provisions of the NCZ, with a consent notice or similar mechanism to be registered on the Certificate of Title for these sites advising owners that the site is subject to the NCZ Chapter provisions.</u> ⁷⁰</p> <p>Activity status when compliance not achieved: 2. When compliance with any of SUB-REQ3.1 is not achieved: DIS</p>

General District Wide Matters

EW – Earthworks

EW-Rule Requirements

EW-REQ1	Volume of Earthworks	
All Zones (excluding PREC6A)	<p>1. The volume of earthworks is not to exceed the threshold outlined in Table 1: Earthworks Volumes by Zone over any consecutive twelve month period. Note: for ONL and VAL Overlays see the Natural Features and Landscapes Chapter. ...</p>	<p>Activity status where compliance is not achieved: 2. When compliance with EW-REQ1.1. is not achieved: RDIS.</p> <p>Matters for discretion: 3. The exercise of discretion in relation to EW-REQ1.2. is restricted to the following matters: ...</p>
PREC6A	<p>A. The volume of earthworks is not to exceed the threshold outlined in Table 1: Earthworks Volumes by Zone over any consecutive twelve month period.</p> <p>Where:</p>	<p>Activity status where compliance is not achieved: <u>B. When compliance with EW-REQ1.A is not achieved: NC⁷²</u></p>

⁷⁰ Clause 16(2) amendment following DPR-0384 009 and 393 RIDL

⁷² DPR-0392.007CSI Property Ltd and DPR-0137.001 Pinedale Enterprises Ltd & Kintyre Pacific Holdings Ltd

	a. no earthworks associated with the development of the precinct for urban purposes shall occur prior to the commencement of the upgrade of the SH1/ Dunns Crossing Road/ Walkers Road intersection. ⁷¹	
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Part 3 – Area Specific Matters

Rural Zones

GRUZ – General Rural Zone

GRUZ-Rules

GRUZ-R8	Rural Service Activity Rural Industry ⁷³	
... (excluding PREC12) ⁷⁴	... 1. ...	...
<u>PREC12⁷⁵</u>	<u>Activity status: PER</u> <u>9. The establishment of a new, or expansion of an existing rural industry.</u> <u>And this activity complies with the following rule requirements:</u> <u>GRUZ-REQ6 Hours of Operation</u> <u>GRUZ-REQ4A Outdoor Storage</u>	<u>Activity status when compliance not achieved:</u> <u>10. When compliance with any rule requirement listed in this rule is not achieved: Refer to relevant rule requirement</u>

GRUZ-Rule Requirements

GRUZ-REQ1	Building Coverage	
GRUZ (excluding PREC12) ⁷⁶	...	...
<u>PREC12⁷⁷</u>	<u>5. The building coverage on a site shall not exceed:</u> <u>a. a maximum of 35% or 500m².</u>	<u>Activity status when compliance not achieved:</u>

⁷¹ DPR-0392.007CSI Property Ltd and DPR-0137.001 Pinedale Enterprises Ltd & Kintyre Pacific Holdings Ltd

⁷³ Consequential change for DPR-0353.066 HortNZ and DPR-0370.010 Fonterra

⁷⁴ DPR-0399.001 Gulf Central Properties & Apton Developments Ltd

⁷⁵ DPR-0399.001 Gulf Central Properties & Apton Developments Ltd

⁷⁶ DPR-0399.001 Gulf Central Properties & Apton Developments Ltd

⁷⁷ DPR-0399.001 Gulf Central Properties & Apton Developments Ltd

	<p><u>whichever is the lesser for sites less than 1 ha; or</u></p> <p><u>b. a maximum of 20% for all other sites greater than 1 ha.</u></p> <p><u>Excludes:</u></p> <p><u>a. temporary activities and public amenity structures</u></p> <p><u>b. tunnel houses, crop covers, glasshouses and crop protection structures where the building has no built-in floor</u></p> <p><u>c. movable pig shelters, including farrowing huts 10m² in area and less than 2m in height</u></p>	<p><u>6. When compliance with any of the GRUZ-REQ1.5 is not achieved: RDIS</u></p> <p><u>Matters for discretion:</u></p> <p><u>7. The exercise of discretion in relation to GRUZ-REQ1.6 is restricted to the following matters:</u></p> <p><u>a. GRUZ-MAT2 Building Coverage</u></p> <p><u>b. NH-MAT5 Wildfire</u></p> <p><u>Notification:</u></p> <p><u>8. Any application arising from GRUZ-REQ1.6 shall not be subject to public notification.</u></p>	
GRUZ-REQ4	Structure Setbacks		
GRUZ-TABLE1 Structure Setbacks			
Structure Type	Internal Boundary	Road Boundary with Arterial/Strategic Road	Road Boundary with Other Road
...			
Any accessory building	5m	10m, excluding PREC12 20m in PREC12	10m
...			
GRUZ-REQ4A ⁷⁸	Outdoor Storage		
PREC12	<p><u>1. All outdoor storage shall comply with the minimum setbacks listed in GRUZ-TABLE2.</u></p>		<p><u>Activity status when compliance not achieved:</u></p> <p><u>2. When compliance with GRUZ-REQ17.1. is not achieved: RDIS</u></p> <p><u>Matters for discretion:</u></p> <p><u>3. The exercise of discretion in relation to GRUZ-REQ17.2 is restricted to the following matters:</u></p> <p><u>a. GRUZ-MAT3 Internal Boundary Setback</u></p> <p><u>b. GRUZ-MAT4 Road Boundary Setback</u></p> <p><u>c. NH-MAT5 Wildfire</u></p>
GRUZ-TABLE2 Outdoor Storage			
	Internal Boundary	Road Boundary with Arterial/Strategic Road	Road Boundary with Other Road
PREC12	5m	20m	10m

⁷⁸ DPR-0399.001 Gulf Central Properties & Apton Developments Ltd

GRUZ-REQ4B	Landscaping	
<u>PREC12</u> ⁷⁹	<p><u>7. A landscape strip at least 5m width shall be provided on all road frontages.</u></p> <p><u>8. Landscaping shall include at least one tree per 10 metres of road frontage capable of growing to a minimum height of 10m at maturity and to be located, along all road frontage setbacks.</u></p> <p><u>9. All trees shall be maintained so as to achieve the above standard.</u></p> <p><u>10. All outdoor storage areas adjoining a required setback under GRUZ-REQ4 shall be screened throughout their length by vegetation capable of reaching a minimum height of 3m.</u></p>	<p><u>Activity status when compliance not achieved:</u></p> <p><u>11. When compliance with any of GRUZ-REQ4B.7, GRUZ-R4B.8, GRUZ-R4B.9 or GRUZ-R4B.10 is not achieved: RDIS</u></p> <p><u>Matters for discretion:</u></p> <p><u>12. The exercise of discretion in relation to GRUZ-REQ4B.11 is restricted to the following matters:</u></p> <p><u>a. alternative landscape treatments proposed.</u></p>

Commercial and Mixed Use Zones

LCZ – Local Centre Zone

LCZ-Rule Requirements

LCZ-REQ10	Outline Development Plan ⁸⁰
<u>SCA-AC1</u>	<p><u>1. All development shall be undertaken shall be in accordance with the ODP in LCZ-SCHED1.</u></p> <p><u>Activity status when compliance not achieved:</u></p> <p><u>2. When compliance with any of LCZ-REQ10.1 is not achieved: NC.</u></p>

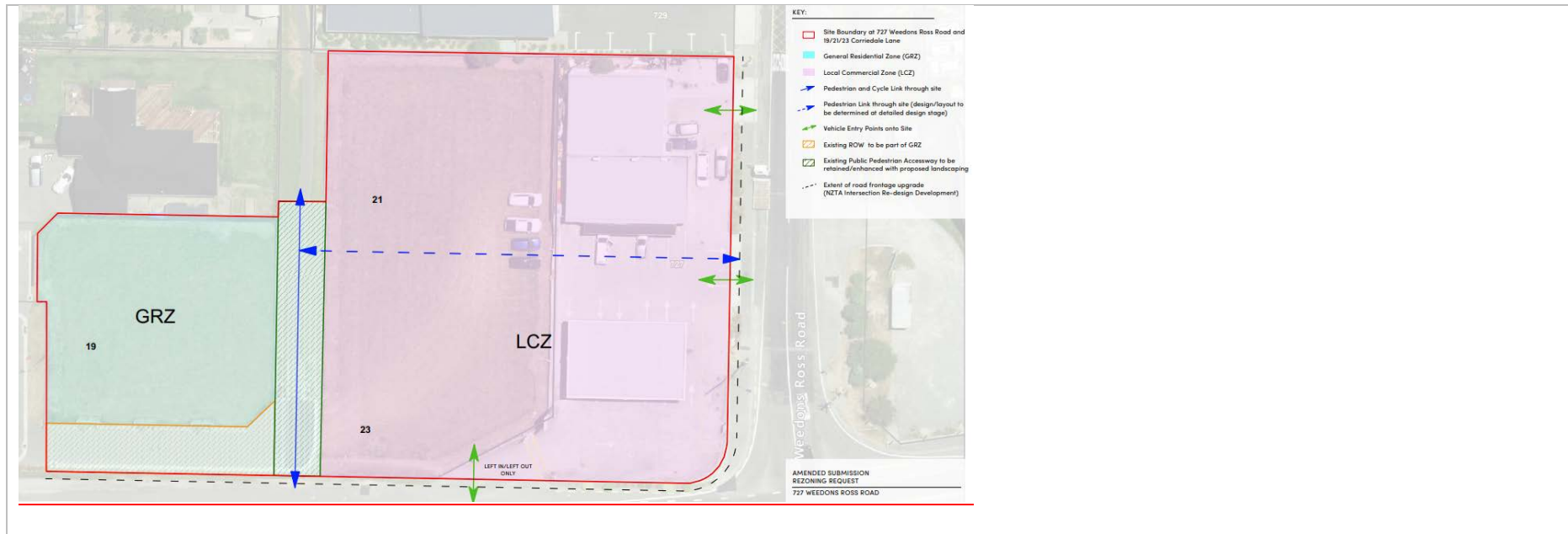
LCZ-Schedules⁸¹

<u>LCZ-SCHED1 – Outline Development Plan</u>	
<u>SCA-AC1</u>	<u>West Melton Pedestrian Management Precinct</u>
<p><u>1. Redraw the ODP for consistency with PDP symbology and update the legend accordingly:</u></p>	

⁷⁹ DPR-0399.001 Gulf Central Properties & Apton Developments Ltd

⁸⁰ DPR-0118.001 and 002 Diane & Andrew Henderson

⁸¹ DPR-0118.001 and 002 Diane & Andrew Henderson



Industrial Zones

GIZ – General Industrial Zone

GIZ-Rules

GIZ-R1	Any building or structure that is not otherwise specified in GIZ-R2	
	Activity status: PER ... Where this activity complies with the following rule requirements: ... <u>GIZ-REQ11 Sequencing</u> ⁸²	...
GIZ-R4 ⁸³	Industrial Activities	

⁸² DPR-0363.001 IRHL

⁸³ CI 16(2) amendment, restructure GIZ-R4 for consistency and clarity.

	<p>Activity status: PER</p> <p><u>1. Any industrial activity.</u></p> <p>Where:</p> <p>a. The industrial activity is not specified in GIZ-Schedule 1 – Offensive Trades; b. If located within the Rolleston Industrial Precinct PREC6, the industrial activity is not a scrap yard, including automotive dismantling or wrecking yard or scrap metal yard; c. If located in the Leeston Industrial Precinct PREC8, the industrial activity is not a wet industry.</p> <p>And this activity complies with the following rule requirements: GIZ-REQ1 Servicing GIZ-REQ7 Outdoor storage GIZ-REQ8 Impermeable surfaces GIZ-REQ11 Sequencing GIZ -REQ12 Hours of operation</p>	<p>Activity status when compliance not achieved:</p> <p>2. When compliance with GIZ-R4.1.a. or GIZ-R4.1.b. is not achieved: DIS 3. When compliance with GIZ-R4.1.c. is not achieved: RDIS 4. When compliance with any rule requirement listed in this rule is not achieved: Refer to GIZ-Rule Requirements</p> <p>Matters for discretion:</p> <p>5. The exercise of discretion in relation to GIZ-R4.3. is restricted to the following matters: a. The impact of the wet industry on wastewater infrastructure, taking into account the capacity required for permitted development of the full PREC8 (Leeston Industrial Precinct). Any upgrades required to wastewater infrastructure to cater for the development.</p>
PREC6 ⁸⁴	<p>Activity status: PER</p> <p><u>A. Any industrial activity,</u></p> <p>Where:</p> <p><u>a. the industrial activity is not a scrap yard, including automotive dismantling or wrecking yard or scrap metal yard,</u></p>	<p>Activity status when compliance not achieved:</p> <p><u>B. When compliance with GIZ-R4.A. is not achieved: DIS</u></p>
PREC6A ⁸⁵	<p>Activity status: PER</p> <p><u>F. Any industrial activity listed in GIZ-SCHED3 Specified Activities;</u></p> <p>Where:</p> <p><u>a. the industrial activity is set back a minimum of 500m of the Walkers Road boundary of Rolleston Prison.</u></p>	<p>Activity status when compliance not achieved:</p> <p><u>G. When compliance with GIZ-R4.F. is not achieved: DIS</u></p>
PREC8 ⁸⁶	<p>Activity status: PER</p> <p><u>C. Any industrial activity,</u></p> <p>Where:</p>	<p>Activity status when compliance not achieved:</p> <p><u>D. When compliance with GIZ-R4.C. is not achieved: RDIS</u></p> <p>Matters for discretion:</p>

⁸⁴ CI10(2) consequential amendment

⁸⁵ CI10(2) consequential amendment

⁸⁶ CI10(2) consequential amendment

	a. <u>the industrial activity is not a wet industry.</u>	E. <u>The exercise of discretion in relation to GIZ-R4.D. is restricted to the following matters:</u> a. <u>The impact of the wet industry on wastewater infrastructure, taking into account the capacity required for permitted development of the full PREC8 - Leeston Industrial Precinct.</u> b. <u>Any upgrades required to wastewater infrastructure to cater for the development.</u>
GIZ-R5	Trade Retail and Trade Supply Activities	
	... <u>GIZ -REQ12 Hours of operation</u> ⁸⁷	...
GIZ-R6	Automotive Activities	
	... <u>GIZ -REQ12 Hours of operation</u> ⁸⁸	...
GIZ-R7	Research Activities	
	... <u>GIZ -REQ12 Hours of operation</u> ⁸⁹	...
GIZ-R8	Retail Activities	
	... <u>GIZ -REQ12 Hours of operation</u> ⁹⁰	...
GIZ-R9	Food and Beverage Activities	
	... <u>GIZ -REQ12 Hours of operation</u> ⁹¹	...
GIZ-R10	Office Activities	
	... <u>GIZ -REQ12 Hours of operation</u> ⁹²	...

GIZ-Rule Requirements

⁸⁷ DPR-0363.001 IRHL and DPR-0392.007 CSI Property Ltd and DPR-0137.001 Pinedale Enterprises Ltd & Kintyre Pacific Holdings Ltd

⁸⁸ DPR-0363.001 IRHL and DPR-0392.007 CSI Property Ltd and DPR-0137.001 Pinedale Enterprises Ltd & Kintyre Pacific Holdings Ltd

⁸⁹ DPR-0363.001 IRHL and DPR-0392.007 CSI Property Ltd and DPR-0137.001 Pinedale Enterprises Ltd & Kintyre Pacific Holdings Ltd

⁹⁰ DPR-0363.001 IRHL and DPR-0392.007 CSI Property Ltd and DPR-0137.001 Pinedale Enterprises Ltd & Kintyre Pacific Holdings Ltd

⁹¹ DPR-0363.001 IRHL and DPR-0392.007 CSI Property Ltd and DPR-0137.001 Pinedale Enterprises Ltd & Kintyre Pacific Holdings Ltd

⁹² DPR-0363.001 IRHL and DPR-0392.007 CSI Property Ltd and DPR-0137.001 Pinedale Enterprises Ltd & Kintyre Pacific Holdings Ltd

GIZ-REQ4	Setbacks	
GIZ (excluding PREC6, <u>PREC6A</u> ⁹³ PREC7 , and PREC8)	...	...
PREC6 <u>PREC6A</u> ⁹⁴	...	...
GIZ-REQ5	Landscaping – Road Boundaries	
GIZ (excluding PREC6, <u>PREC6A</u> ⁹⁵ PREC7 , and PREC8	...	...
PREC6	<p>4. Prior to the erection of any principal building, a landscaping strip of at least 3m width shall be provided along the road frontage of the site, excluding where specified in GIZ-REQ5.7., or GIZ-REQ5.8. <u>or</u> GIZ-REQ5.10. below.</p> <p>...</p> <p><u>A. Along the frontage of Maddisons Road Area 3, a landscaping strip shall be provided along the road frontage of the site, which:</u></p> <p><u>a. At the time of planting, shall be a minimum height of 1m and at a maximum spacing of 3m; and</u></p> <p><u>b. Shall achieve, once matured, a minimum width of 2.5m and a minimum height of 6.5m.</u></p> <p><u>c. Shall consist of one or more species of Cupressus macrocarpa; macrocarpa, cupressus × leylandii; leyland cyprus, pinus radiata; pine, dacrycarpus dacrydioides; kahikatea and/or podocarpus totara; totara.</u></p>	<p>Activity status where compliance is not achieved:</p> <p>10. When compliance with any of GIZ-REQ5.4., GIZ-REQ5.5., GIZ-REQ5.6., GIZ-REQ5.7., GIZ-REQ5.8., or GIZ-REQ5.9., <u>GIZ-REQ5.A or GIZ-REQ5.B</u>⁹⁷ is not achieved: DIS</p>

⁹³ DPR-0392.007 CSI Property Ltd and DPR-0137.001 Pinedale Enterprises Ltd & Kintyre Pacific Holdings Ltd

⁹⁴ DPR-0392.007 CSI Property Ltd and DPR-0137.001 Pinedale Enterprises Ltd & Kintyre Pacific Holdings Ltd

⁹⁵ DPR-0392.007 CSI Property Ltd and DPR-0137.001 Pinedale Enterprises Ltd & Kintyre Pacific Holdings Ltd

⁹⁷ DPR-0363.001 IRHL

	<p><u>B. Along the frontage of Maddisons Road Area 3, a landscape bund a minimum height of 2.5m shall be provided along the road frontage of the site.</u>⁹⁶</p>	
PREC6A ⁹⁸	<p><u>C. Prior to the erection of any principal building, a landscaping strip of at least 3m width shall be provided along the road frontage of the site, excluding where specified in GIZ-REQ5.23 below.</u></p> <p><u>D. The landscaping required in GIZ-REQ5.C above shall consist only of those species listed in APP4 - Landscape Planting, and for each allotment shall include:</u></p> <ul style="list-style-type: none"> <u>a. A minimum of two trees from Group A for every 10m of road. For boulevard roads the species selected shall match any Group A species in the adjacent road reserve.</u> <u>i. At least 35% of the landscaping strip shall be planted in species from Group C</u> <u>ii. At least 10% of the landscaping strip shall be planted in species from Group D</u> <u>b. All plants shall be of the following maximum spacings:</u> <ul style="list-style-type: none"> <u>i. Group B and Group C – 1.5 metre centres</u> <u>ii. Group D – 700mm centres</u> <u>c. All new planting areas shall be mulched</u> <p><u>E. No fences or structures shall be erected within the 3-metre landscaping strip required in GIZ-REQ5.C above.</u></p> <p><u>F. Footpaths may be provided within the 3m landscape strip required in GIZ-REQ5.C. above, provided that they are:</u></p> <ul style="list-style-type: none"> <u>a. No more than 1.5m in width; and b. Generally, at right angles to the road frontage.</u> <p><u>G. Along the frontage with Two Chain Road:</u></p> <ul style="list-style-type: none"> <u>a. A 15m wide landscape strip shall be created consisting of:</u> <ul style="list-style-type: none"> <u>i. A landscape strip of 5m width incorporating the retention and supplementation of existing shelterbelts (except where access is required) within 3m of the road boundary. Where existing gaps occur, tree species of either Cupressus macrocarpa, Leyland cypress or Pinus Radiata (minimum 600mm high at the time of planting) are to be planted</u> 	<p><u>Activity status where compliance is not achieved:</u></p> <p><u>H. When compliance with any of GIZ-REQ5.C., GIZ-REQ5.D., GIZ-REQ5.E., GIZ-REQ5.F. or GIZ-REQ5.G is not achieved:</u></p> <p><u>DIS</u>¹⁰⁰</p>

⁹⁶ DPR-0363.001 IRHL

⁹⁸ DPR-0392.007 CSI Property Ltd and DPR-0137.001 Pinedale Enterprises Ltd & Kintyre Pacific Holdings Ltd

¹⁰⁰ DPR-0392.007 CSI Property Ltd and DPR-0137.001 Pinedale Enterprises Ltd & Kintyre Pacific Holdings Ltd

	<p>at 3.0m centres. Trees shall be maintained, at maturity, at a minimum height of 8m.</p> <p>ii. <u>Provision for maintenance access on the southern side of the retained shelter belts.</u></p> <p>iii. <u>Construction of a 2.5m high earth bund with a northern slope of 1:3. The southern slope may be between 1:1 and 1:4.</u></p> <p>iv. <u>Planting of two rows of native plants on the upper section of the northern slope, and the top, of the earth bund. The rows shall be 2m apart, with plants at 1.5m centres and alternative offsets to create a dense native belt 3-5m in height. The plant species shall be selected from <i>Kunzea ericoides</i>, <i>Pittosporum tenuifolium</i>, <i>Pittosporum eugenioides</i>, <i>Phormium tenax</i>, and <i>Pseudopanax arboreus</i>. The plants are to be 0.5L pots with a minimum height of 300mm at the time of planting.</u></p> <p>v. <u>All landscaping shall be maintained, and if dead, diseased, or damaged, shall be removed and replaced.</u>⁹⁹</p>	
GIZ-REQ6	Landscaping – Internal Boundaries	
PREC6	<p>4. Prior to erection of any principal building, where a site adjoins the area along the common boundary of the General Industrial Zone and the General Rural Zone that is identified in Rolleston Industrial Precinct PREC6 as Landscape Treatment Area 1 or 4, landscaping shall be established for the full distance along the General Industrial Zone side of the common boundary as follows:</p> <p>...</p> <p>c. in Landscape Treatment Area 4 the landscaping shall achieve, once matured, a minimum width of 2.5m¹⁰¹ and a minimum height of 6.5 m¹⁰²; and Activity status where compliance is not achieved:</p> <p>...</p> <p>6. Within Area 3 where the site adjoins the General Rural Zone, prior the erection of any principal building, a landscape bund a minimum height of 2.5m shall be provided along the full length of the site boundary.¹⁰³</p>	<p>Activity status where compliance is not achieved:</p> <p>7. When compliance with any of GIZ-REQ6.4., or GIZ-REQ6.5. or GIZ-REQ6.6¹⁰⁴ is not achieved: DIS</p>

⁹⁹ DPR-0363.001 IRHL and DPR-0392.007 CSI Property Ltd and DPR-0137.001 Pinedale Enterprises Ltd & Kintyre Pacific Holdings Ltd

¹⁰¹ DPR-0363.001 IRHL

¹⁰² DPR-0363.001 IRHL

¹⁰³ DPR-0363.001 IRHL

¹⁰⁴ DPR-0363.001 IRHL

PREC6A	<p>9. Prior to the erection of any principal building adjoining the common boundary of PREC6A and the railway reserve, the area between the principal building and the common boundary shall be landscaped to the following standards:</p> <p>a. Trees shall be planted along the PREC6A side of the common boundary, except across any rail sidings, or where unobstructed sight lines to and from any rail siding is required.</p> <p>b. The landscaping shall achieve, once matured, a minimum width of 5 metres and a minimum height of 8 metres.</p> <p>c. At the time of planting, trees shall be a minimum height of 2 metres, and at a maximum spacing of 3 metres, or 5 metres if the species is oak.</p> <p>d. The trees planted shall consist of one or more of the following species: Oak, Macrocarpa, Leyland cypress, Radiata pine, Totara.¹⁰⁵</p>	<p>Activity status where compliance is not achieved:</p> <p>10. When compliance with any of GIZ-REQ6.9 is not achieved: <u>DIS</u></p>
GIZ-REQ11	Sequencing¹⁰⁶	
PREC6¹⁰⁷	<p>1. No building shall be occupied within Area 3 until:</p> <p>i. the over bridge of State Highway 1 between Rolleston Drive and Jones Road is operational; and</p> <p>ii. vehicular access is provided between the PORTZ (Lot 2 DP 475847) and a legal road within Area 3¹⁰⁸</p> <p>2. Such access shall be secured via a right of way easement in favour of Lot 2 DP 475847 and/or a direct connection from Lot 2 DP 475847 to a legal road vested in Council.¹⁰⁹</p>	<p>Activity status where compliance is not achieved:</p> <p>3. When compliance with any of GIZ-REQ11.1 or GIZ-REQ11.2 is not achieved: <u>NC</u></p>
PREC6A	<p>5. No building shall be constructed within PREC6A until:</p> <p>i. the State Highway 1/Walkers Road/Dunns Crossing Road intersection is upgraded as a double lane roundabout, and the Walkers Road intersection with Runners Road is realigned; and¹¹⁰</p> <p>ii. Walkers Road between State Highway 1 and Two Chain Road is upgraded to an arterial standard, inclusive of a flush median on Walkers Road; and¹¹¹</p>	<p>Activity status where compliance is not achieved:</p> <p>6. When compliance with any of GIZ-REQ11.5 is not achieved: <u>NC</u></p>

¹⁰⁵ DPR-0363.001 IRHL and DPR-0392.007 CSI Property Ltd and DPR-0137.001 Pinedale Enterprises Ltd & Kintyre Pacific Holdings Ltd

¹⁰⁶ DPR-0363.001 IRHL

¹⁰⁷ DPR-0363.001 IRHL and DPR-0392.007 CSI Property Ltd and DPR-0137.001 Pinedale Enterprises Ltd & Kintyre Pacific Holdings Ltd

¹⁰⁸ DPR-0363.001 IRHL

¹⁰⁹ DPR-0363.001 IRHL

¹¹⁰ DPR-0392.007 CSI Property Ltd and DPR-0137.001 Pinedale Enterprises Ltd & Kintyre Pacific Holdings Ltd

¹¹¹ DPR-0392.007 CSI Property Ltd and DPR-0137.001 Pinedale Enterprises Ltd & Kintyre Pacific Holdings Ltd

	<p>iii. Two Chain Road is widened between Walkers Road and Jones Road to a Rural Arterial Road standard and Two Chain Road/Wards Road intersection realigned; and¹¹²</p> <p>iv. Either a primary road link is operational within PREC6A, linking Two Chain Road and Walkers Road or the intersection of Two Chain Road and Walkers Road is upgraded to a roundabout; and¹¹³</p> <p>v. The Two Chain Road rail level crossing is upgraded to include barrier arms.¹¹⁴</p>	
GIZ-REQ12	<u>Hours of Operation</u>	
<u>PREC6A</u>	<p>1. For any activity within 150m of the Walkers Road boundary of Rolleston Prison, no activity shall operate between the hours of 10.00pm and 7.00am</p>	<p><u>Activity status where compliance is not achieved:</u></p> <p>2. When compliance with any of GIZ-REQ12.1 is not achieved: <u>RDIS</u></p> <p><u>Matters for discretion</u></p> <p>3. The exercise of discretion in relation to GIZ-REQ12.2 is restricted to the following matters:</p> <p>a. GIZ-MAT8 <u>Hours of operation</u>¹¹⁵</p>

GIZ-Matters for Control or Discretion

<u>GIZ-MAT8</u>	<u>Hours of operation</u>
	1. Any actual or potential noise effects on Rolleston Prison and people residing within the prison. ¹¹⁶

¹¹² DPR-0392.007 CSI Property Ltd and DPR-0137.001 Pinedale Enterprises Ltd & Kintyre Pacific Holdings Ltd

¹¹³ DPR-0392.007 CSI Property Ltd and DPR-0137.001 Pinedale Enterprises Ltd & Kintyre Pacific Holdings Ltd

¹¹⁴ DPR-0392.007 CSI Property Ltd and DPR-0137.001 Pinedale Enterprises Ltd & Kintyre Pacific Holdings Ltd

¹¹⁵ DPR-0363.001 IRHL and DPR-0392.007 CSI Property Ltd and DPR-0137.001 Pinedale Enterprises Ltd & Kintyre Pacific Holdings Ltd

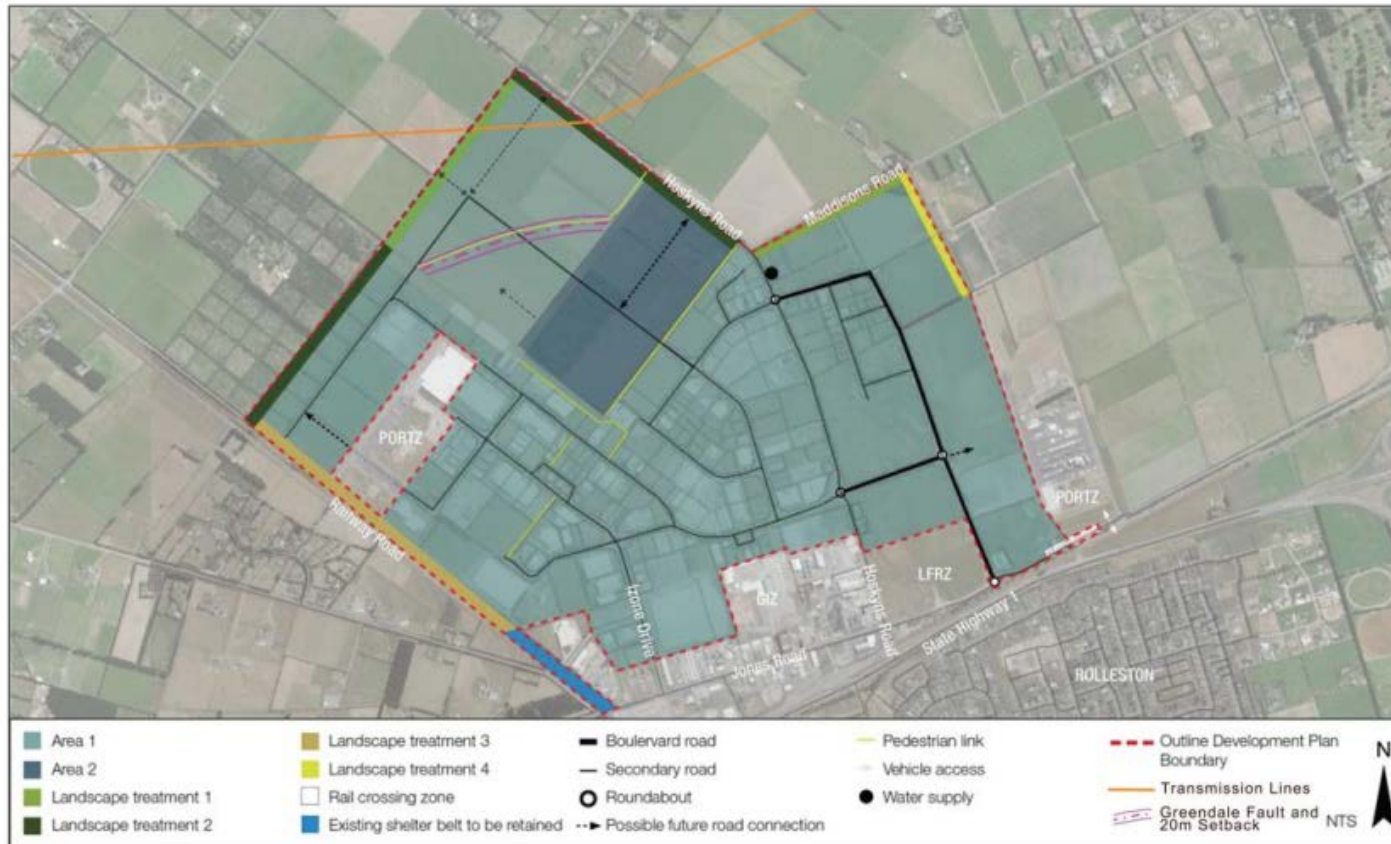
¹¹⁶ DPR-0363.001 IRHL and DPR-0392.007 CSI Property Ltd and DPR-0137.001 Pinedale Enterprises Ltd & Kintyre Pacific Holdings Ltd

GIZ-Schedules

GIZ-SCHED2 – Industrial Precinct ODPs

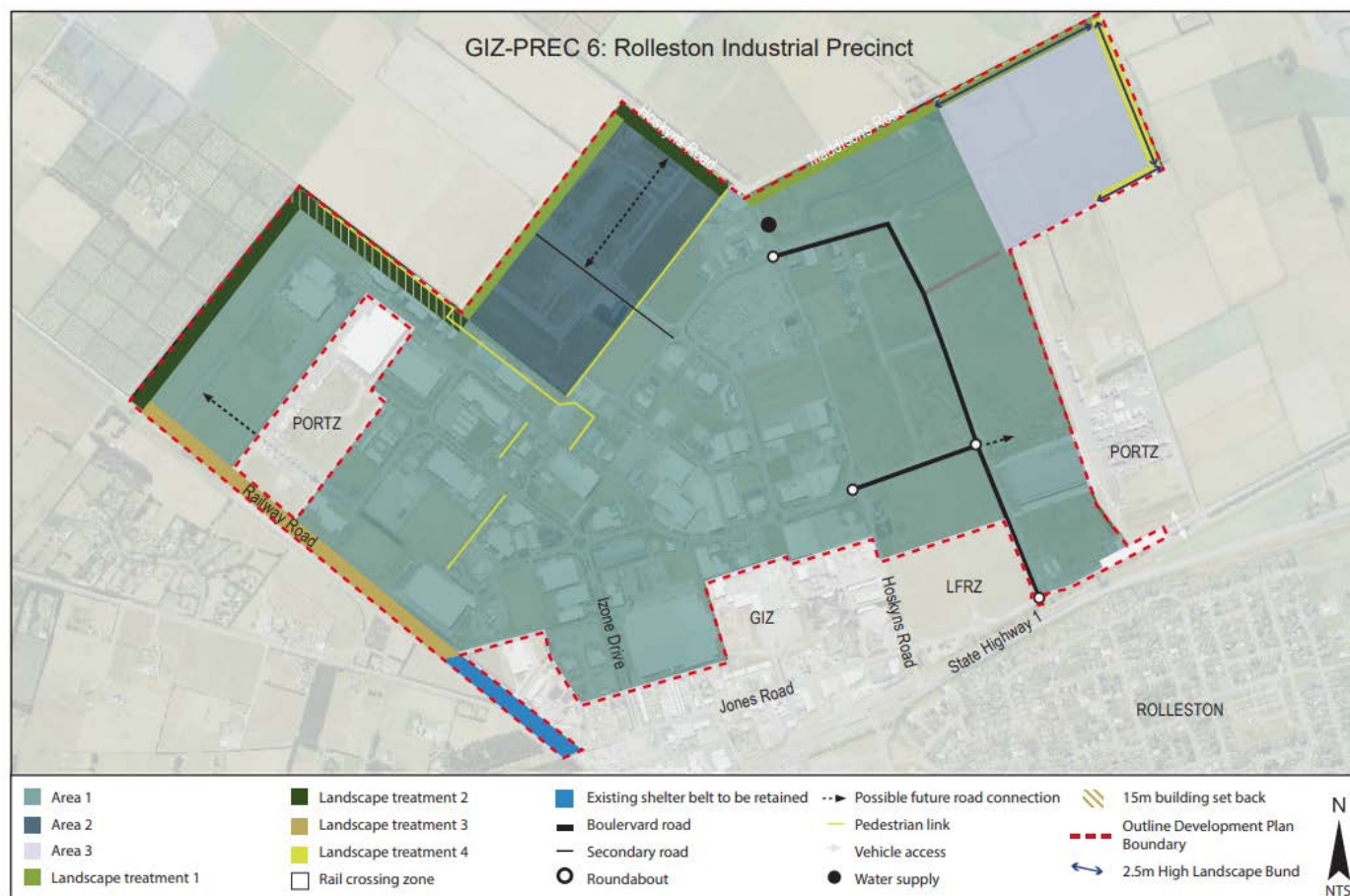
PREC6 Rolleston Industrial Precinct ODP

- Amend the PREC6 outline development plan as follows:
 - Include Lot 1 DP 501038 as 'Area 4' and details and landscape treatments as shown in Appendix 1 to the 3 March 2023 rebuttal evidence of Dean Chrystal.¹¹⁷



¹¹⁷ DPR-0124.001 The Paul Cockburn Family Trust and Helen Cockburn Family Trust

- Remove Lot 600 DP 520689¹¹⁸
- Include Lot 504 DP 551164 as 'Area 3' as shown in the rebuttal evidence of Kim Seaton dated 24 February 2023¹¹⁹, amended to ensure that it is consistent with the adopted ODP for PC66 under the Operative District Plan.¹²⁰

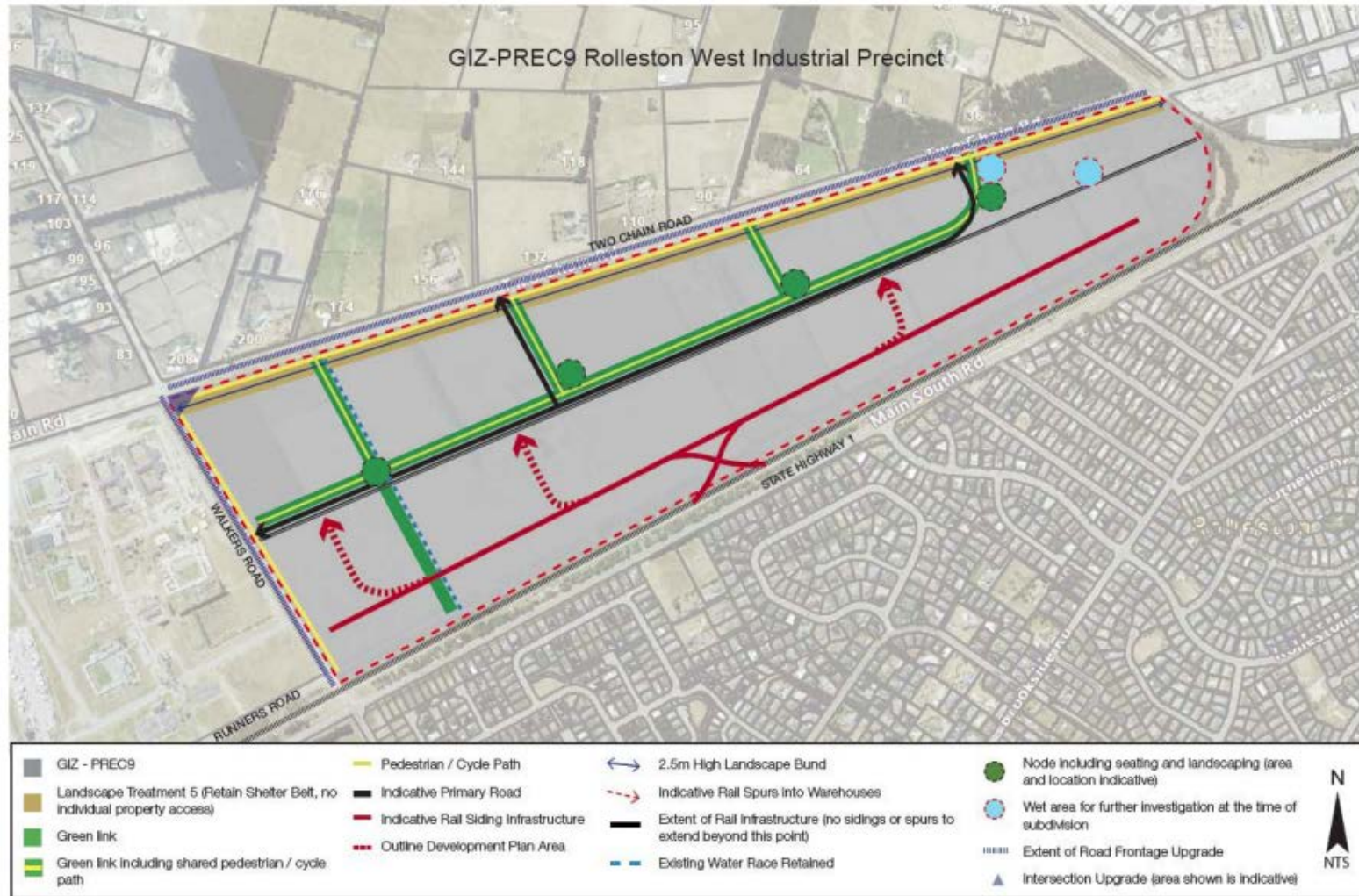


¹¹⁸ DPR-0374.001, 003 RIHL and DPR-0384.001, 003 RIDL

¹¹⁹ DPR-0363.001 IRHL

¹²⁰ We record that the adopted PC66 ODP includes a flood hazard area that was not shown in the evidence of Kim Seaton, however we record that the accompanying statement of Ms Seaton indicates that the adopted ODP is the more appropriate ODP.

PREC6A Rolleston West Industrial Precinct ODP ¹²¹



¹²¹ DPR-0392.007 CSI Property Ltd and DPR-0137.001 Pinedale Enterprises Ltd & Kintyre Pacific Holdings Ltd

GIZ-SCHED3 – Specified Activities	
PREC6A	<ol style="list-style-type: none"> 1. <u>cement manufacture;</u> or 2. <u>hot mix, asphalt paving manufacture;</u> or 3. <u>glass or fibreglass manufacture;</u> or 4. <u>foundry processes, electroplating works, melting of metal, steel manufacture and galvanising;</u> or 5. <u>manufacture of hardboard, chipboard or particle board;</u> or 6. <u>timber treatment;</u> or 7. <u>chemical fertiliser manufacture;</u> or 8. <u>waste incineration;</u> or 9. <u>crematorium;</u> or 10. <u>timber processing, including sawmills and wood chipping,</u> or 11. <u>tyre storage and shredding;</u> or 12. <u>commercial composting other than a Waste and Diverted Material Facility.</u> ¹²²

¹²² 001-IRHL and 007-CSI Property Ltd and DPR-0137 Pinedale Enterprises Ltd & Kintyre Pacific Holdings Ltd

Appendix 2: List of Appearances and Tabled Evidence

Hearing Appearances

Sub #	Submitter	Author	Role
DPR-0124	The Paul Cockburn Family Trust & Helen Cockburn Family Trust	John Hardie Andrew Metherell Firas Salaman Hamish Clarke Dean Chrystal	Counsel Transportation Geotechnical Real estate Planning
DPR-0140	West Melton Three Ltd	Katherine Forward Ivan Thomson	Counsel Planning
DPR-0358 DPR-0363 DPR-0374 DPR-0384 DPR-0392	Rolleston West Residential Limited (RWRL) Iport Rolleston Holdings Limited (IRHL) Rolleston Industrial Holdings Limited (RIHL) Rolleston Industrial Developments Limited (RIDL) CSI Property Limited	Lucy Forrester Tim Carter	Counsel Representative
DPR-0399	Gulf Central Properties Ltd & Apton Developments Ltd	Sarah Everleigh Ivan Thomson Stuart Ford Sharn Hainsworth Andrew Leckie	Counsel Planning Landuse Soils Transport

Tabled evidence

Sub #	Submitter	Author	Role
DPR-0032	Christchurch City Council	Kirk Lightbody	Planning
DPR-0118	Diane & Andrew Henderson	Wayne Gallot Nicole Lauenstein Helen Pickles	Transport Urban design Planning
DPR-0375	Waka Kotahi NZ Transport Agency	Stewart Fletcher	Planning
DPR-0378	Ministry of Education	Lydia Shirley	Planning