

# Proposed Selwyn District Plan



## Section 42A Report

Report on submissions and further submissions

General Industrial Zone

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## List of submitters and further submitters addressed in this report

Submitter ID	Submitter Name	
DPR-0032	Christchurch City Council	CCC
DPR-0101	Chorus New Zealand Limited, Spark New Zealand Trading Limited & Vodafone New Zealand Limited	-
DPR-0122	Frews Quarries Ltd	Frews
DPR-0126	Foster Commercial	-
DPR-0145	Dean Williams, Bunnings Group Limited	Bunnings
DPR-0157	Kevin & Bonnie Williams	-
DPR-0258	Coal Action Network Aotearoa	-
DPR-0298	Trices Road Re-zoning Group	-
DPR-0300	Ara Poutama Aotearoa the Department of Corrections	Ara Poutama Aotearoa
DPR-0343	Canterbury District Health Board	CDHB
DPR-0353	Horticulture New Zealand	HortNZ
DPR-0358	Rolleston West Residential Limited	RWRL
DPR-0362	John Ferguson	-
DPR-0363	Iport Rolleston Holdings Limited	IRHL
DPR-0365	Stuart PC Limited	-
DPR-0367	Orion New Zealand Limited	Orion
DPR-0371	Christchurch International Airport Limited	CIAL
DPR-0374	Rolleston Industrial Holdings Limited	RIHL
DPR-0375	Waka Kotahi NZ Transport Agency	Waka Kotahi
DPR-0378	The Ministry of Education	MoE
DPR-0384	Rolleston Industrial Developments Limited	RIDL
DPR-0396	Woolworths New Zealand Limited	Woolworths
DPR-0392	CSI Property Limited	-
DPR-0407	Royal Forest & Bird Protection Society of New Zealand Inc.	Forest & Bird
DPR-0414	Kāinga Ora - Homes & Communities	Kāinga Ora
DPR-0415	Fulton Hogan Limited	Fulton Hogan
DPR-0422	Federated Farmers of New Zealand - North Canterbury	NCFF
DPR-0439	Rayonier Matariki Forests	Rayonier
DPR-0453	Midland Port, Lyttelton Port Company Limited	LPC
DPR-0455	Paul & Fay McOscar	-
DPR-0456	Four Stars Development & Gould Developments Ltd	Four Stars & Gould
DPR-0458	KiwiRail Holdings Limited (KiwiRail)	KiwiRail

Please refer to **Appendix 1** to see where each submission point is addressed within this report.

## Abbreviations

Abbreviations used throughout this report are:

Abbreviation	Full text
CMUZ	Commercial and Mixed-Use Zones
CON	Controlled Activity Status
CRPS	Canterbury Regional Policy Statement 2013
DIS	Discretionary Activity Status
EI	Energy and Infrastructure Chapter of the PDP
GFA	Gross Floor Area
GIZ	General Industrial Zone
HRTB	Height in Relation to Boundary
IMP	Mahaanui Iwi Management Plan 2013
LFRZ	Large Format Retail Zone
NC	Non-Complying Activity Status
NESPF	National Environmental Standard for Plantation Forestry
ODP	Outline Development Plan
PDP	Proposed Selwyn District Plan
PER	Permitted Activity Status
PORTZ	Port Zone Chapter of the PDP
PREC	Precinct
RDIS	Restricted Discretionary Activity Status
RESZ	Residential Zones Chapter of the PDP
RMA	Resource Management Act 1991
SD	Strategic Directions
The Council	Selwyn District Council
TRAN	Transport Chapter of the PDP

## 1. Purpose of report

- 1.1 This report is prepared under s42A of the RMA in relation to the GIZ Chapter in the PDP. The purpose of this report is to provide the Hearing Panel with a summary and analysis of the submissions received on this topic and to make recommendations on either retaining the PDP provisions without amendment or making amendments to the PDP in response to those submissions.
- 1.2 The recommendations are informed by the evaluation undertaken by myself. In preparing this report I have had regard to the s42A report on Strategic Directions prepared by Mr Love and the Overview s42A report that addresses the higher order statutory planning and legal context.
- 1.3 The conclusions reached and recommendations made in this report are not binding on the Hearing Panel. It should not be assumed that the Hearing Panel will reach the same conclusions having considered all the information in the submissions and the evidence to be brought before them, by the submitters.

## 2. Qualifications and experience

- 2.1 My full name is Jessica Barbara Tuilaepa. I have been employed by the Council within the planning team for the past eleven years, being a Senior Strategy and Policy Planner for the past three years. My qualifications include a Bachelor of Commerce from Otago University and Master of Environmental Policy from Lincoln University. I am a graduate member of the New Zealand Planning Institute.
- 2.2 I have 12 years' experience as a resource management planner, with this work including various resource management positions in local government and private companies since 2008. My predominant experience has been in statutory policy and resource consent planning in the Selwyn District. My experience includes processing and reporting on resource consent applications, district plan formulation and policy advice for the Council, preparation of Assessment of Environmental Effects, monitoring and compliance of consent conditions. My role as part of the District Plan Review Team includes consultation, research and reporting and as Topic Lead for Part 1, and the CMUZ, DPZ, KNOZ and PORTZ chapters in addition to the GIZ chapter discussed in this report.
- 2.3 I confirm that I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2014 and that I have complied with it when preparing this report. I have also read and am familiar with the Resource Management Law Association / New Zealand Planning Institute "Role of Expert Planning Witnesses" paper. Having reviewed the submitters and further submitters relevant to this topic I advise there are no conflicts of interest that would impede me from providing independent advice to the Hearings Panel. The opinions expressed in this evidence are based on my qualifications and experience and are within my area of expertise. If I rely on the evidence or opinions of another, my evidence will acknowledge that position.

## 3. Scope of report and topic overview

- 3.1 This report considers the submissions and further submissions that were received in relation to the General Industrial Zone.

- 3.2 Recommendations are made to either retain provisions without amendment, or delete, add to, or amend the provisions. All recommended amendments are shown by way of strikeout and underlining in **Appendix 2** to this Report. Footnoted references to a submitter number, submission point and the abbreviation for their title provide the scope for each recommended change. Where it is considered that an amendment may be appropriate, but it would be beneficial to hear further evidence before making a final recommendation, this is made clear within the report. Where no amendments are recommended to a provision, submissions points that sought the retention of the provision without amendment are not footnoted. Appendix 2 also contains a table setting out recommended spatial amendments to the PDP Planning Maps.
- 3.3 The assessment of submissions generally follows the following format:
- Submission Information
  - Analysis
  - Recommendation and Amendments
- 3.4 Clause 16(2) of the RMA allows a local authority to make an amendment to a proposed plan without using a Schedule 1 process, where such an alteration is of minor effect, or may correct any minor errors. Several alterations have already been made to the PDP using cl.16(2) and these are documented in reports available on the Council's website. Where a submitter has requested the same or similar changes to the PDP that fall within the ambit of cl.16(2), then such amendments will continue to be made and documented as cl.16(2) amendments and identified by way of a footnote in this s42A report.

## 4. Statutory requirements

### ***Resource Management Act 1991***

- 4.1 The PDP must be prepared in accordance with the Council's functions under section 31 of the RMA; Part 2 of the RMA; the requirements of sections 74 and 75, and its obligation to prepare, and have particular regard to, an evaluation report under section 32 of the RMA, any further evaluation required by section 32AA of the RMA; any national policy statement, the New Zealand coastal policy statement, national planning standards; and any regulations<sup>1</sup>. Regard is also to be given to the CRPS, any regional plan, district plans of adjacent territorial authorities, and the IMP.
- 4.2 As set out in the 'Overview' Section 32 Report, there are a number of higher order planning documents and strategic plans that provide direction and guidance for the preparation and content of the PDP. These documents are discussed in more detail within this report where relevant to the assessment of submission points. This report also addresses any definitions that are specific to this topic, but otherwise relies on the s42A report that addresses definitions more broadly.
- 4.3 The assessment of submission points is made in the context of the Section 32 reports already undertaken with respect to this topic, being:
- [s32 Overview Report](#)
  - [Strategic Directions](#)

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<sup>1</sup> Section 74 RMA

- 4.4 All recommended amendments to provisions since the initial s32 evaluation was undertaken must be documented in a subsequent s32AA evaluation and this has been undertaken for each sub-topic addressed in this report.

## 5. Procedural matters

- 5.1 At the time of writing this s42A report there have not been any pre-hearing conferences, clause 8AA meetings or expert witness conferencing in relation to submissions on this topic.

## 6. Consideration of submissions

### ***Overview of submissions***

- 6.1 460 submissions points including 213 further submission points are addressed in the s42A report on GIZ.

### ***Structure of this report***

- 6.2 Given the number, nature and extent of the submissions and further submissions received, this Section 42A Report has been structured based on sections as they appear in the PDP. For the Interpretation Section, the order of appearance is broadly based on the origin of the definition.
- 6.3 Where an amendment is recommended the applicable s32AA will follow on from the Recommendations section for that issue.
- 6.4 The submissions will be assessed in the order set out below:
- GIZ Chapters in General and the use of non-notification clauses
  - Objectives
  - Policies
  - Rules
  - Rule Requirements
  - Matters for Control or Discretion
  - Schedules, Precincts and Mapping

## 7. General

### Chapter in General

#### ***Submissions***

- 7.1 11 submission points, including six further submissions points, were received in relation to the GIZ chapter in general.

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
DPR-0363	IRHL	355	GIZ-Overview	Support In Part	Amend as follows: ... There are also three precincts location within the General Industrial Zone, one in Lincoln which applies to the entire zone,



Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
					and one in Rolleston which applies to a large portion of the zone. <del>These precincts reflect those areas within the General Industrial Zone that were zoned Business 2A and Business 2B under the previous District Plan. ....</del>
DPR-0157	Kevin & Bonnie Williams	FS797	GIZ-Overview	Support In Part	Accept the submission in part
DPR-0374	RIHL	399	GIZ-Overview	Support In Part	Amend as follows: ... There are also three precincts location within the General Industrial Zone, one in Lincoln which applies to the entire zone, and one in Rolleston which applies to a large portion of the zone. <del>These precincts reflect those areas within the General Industrial Zone that were zoned Business 2A and Business 2B under the previous District Plan. ....</del>
DPR-0157	Kevin & Bonnie Williams	FS616	GIZ-Overview	Support In Part	Accept the submission in part
DPR-0384	RIDL(RIDL)	433	GIZ-Overview	Support In Part	Amend as follows: ... There are also three precincts location within the General Industrial Zone, one in Lincoln which applies to the entire zone, and one in Rolleston which applies to a large portion of the zone. <del>These precincts reflect those areas within the General Industrial Zone that were zoned Business 2A and Business 2B under the previous District Plan. ....</del>
DPR-0365	Stuart PC Limited	022	New	Oppose	Amend provisions to make it clear that activities within the GIZ can operate on a 24/7 basis.
DPR-0358	RWRL	FS250	New	Support	Adopt.
DPR-0363	IRHL	FS250	New	Support	Adopt.
DPR-0374	RIHL	FS250	New	Support	Adopt.
DPR-0384	RIDL(RIDL)	FS250	New	Support	Adopt.
DPR-0365	Stuart PC Limited	031	GIZ	Oppose	Require restricted discretionary activity consents for a proposal or activity that does not comply with the Rule Requirements.

### Analysis

- 7.2 RIHL, RIDL and IRHL<sup>2</sup> seek an amendment to the overview to delete reference to the proposed precincts within the GIZ being based on current zonings in the operative District Plan. On review, I consider the relief sought by the submitter is appropriate, as this is a forward-looking document and there is no benefit to referencing the previous zoning of Industrial land. Also, as future plan change requests may create additional Industrial land, which may include application of these precincts, this reference will become even more obsolete. I recommend these submission points be accepted.
- 7.3 Stuart PC Limited<sup>3</sup> seeks the inclusion of a reference to operations being permitted 24/7 in the GIZ chapter. Where activities are time restricted this is specifically referenced in the Plan, where there are no time limits, the Plan is silent on this, meaning that there are no time limits. I consider this to be an appropriate approach. The hours of operation are not limited in the GIZ, however, there may be limitations placed on the zone by other chapters e.g., NOISE which may mean an activity could be restricted during certain hours of operation. I recommend this submission point be rejected.
- 7.4 Stuart PC Limited<sup>4</sup> also seeks where there is non-compliance with a GIZ-REQ that a RDIS activity status applies. The decision to vary the activity status between RDIS, DIS or NC for the various GIZ-REQ's was in acknowledgement of the different effects that arise due to the different types of non-compliance. The GIZ-REQ's are considered in further detail in Section 11 of this report and if it is decided that an RDIS status is appropriate, the provision will be amended to reflect this, rather than a blanket RDIS status being applied to all GIZ-REQ's. For this reason, I recommend that this submission point be rejected.

### Recommendation

- 7.5 I recommend, for the reasons given above, that the Hearings Panel:
- Amend the GIZ-Overview as shown in **Appendix 2** to remove reference to ODP zoning.
- 7.6 It is recommended that submissions and further submissions are either accepted, accepted in part, or rejected as shown in **Appendix 1**.

### Non-notification clauses

#### Submissions

- 7.7 36 submission points, including 32 further submissions, were received in relation to the use of non-notification clauses in the GIZ.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0358	RWRL	430	Oppose	Insert the following words, or words to the like effect, to all controlled and restricted discretionary activity rules: <u>Applications shall not be limited or publicly notified, on the basis of effects associated specifically with this rule and the associated matters of control or discretion.</u>

<sup>2</sup> RIDL DPR-0384.433 and RIHL DPR-0374.399, IRHL DPR-0363.355

<sup>3</sup> Stuart PC Limited DPR-0365.022

<sup>4</sup> Stuart PC Limited DPR-0365.031

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0032	CCC	FS216	Oppose In Part	<i>Do not limit notification where neighbouring properties, communities, or the wider district are potentially directly affected, and the adverse effects are potentially more than minor or where the Act requires notification.</i>
DPR-0157	Kevin & Bonnie Williams	FS476	Support In Part	<i>Accept the submission in part</i>
DPR-0298	Trices Road Re-zoning Group	FS947	Support	<i>Accept submission</i>
DPR-0371	CIAL	FS068	Support In Part	<i>Accept in part</i>
DPR-0375	Waka Kotahi	FS395	Oppose	<i>Retain relevant provisions without a non-notification clause.</i>
DPR-0414	Kāinga Ora	FS141	Support	<i>Not Specified</i>
DPR-0453	LPC (LPC)	FS068	Support In Part	<i>Accept in part</i>
DPR-0456	Four Stars & Gould	FS037	Support	<i>Accept submission</i>
DPR-0363	IRHL	450	Oppose	Insert the following words, or words to the like effect, to all controlled and restricted discretionary activity rules: <u>Applications shall not be limited or publicly notified, on the basis of effects associated specifically with this rule and the associated matters of control or discretion.</u>
DPR-0032	CCC	FS245	Oppose In Part	<i>Do not limit notification where neighbouring properties, communities, or the wider district are potentially directly affected, and the adverse effects are potentially more than minor or where the Act requires notification.</i>
DPR-0157	Kevin & Bonnie Williams	FS867	Support In Part	<i>Accept the submission in part</i>
DPR-0298	Trices Road Re-zoning Group	FS976	Support	<i>Accept submission</i>
DPR-0371	CIAL	FS166	Support In Part	<i>Accept in part</i>
DPR-0375	Waka Kotahi	FS396	Oppose	<i>Retain relevant provisions without a non-notification clause.</i>
DPR-0414	Kāinga Ora	FS170	Support	<i>Not Specified</i>
DPR-0422	NCFE	FS223	Support In Part	<i>Allow the submission on controlled activity. Disallow the submission point that notification is not required for all restricted discretionary applications.</i>
DPR-0453	LPC (LPC)	FS164	Support In Part	<i>Accept in part</i>
DPR-0456	Four Stars & Gould	FS066	Support	<i>Accept submission</i>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0374	RIHL	496	Oppose	Insert the following words, or words to the like effect, to all controlled and restricted discretionary activity rules: <u>Applications shall not be limited or publicly notified, on the basis of effects associated specifically with this rule and the associated matters of control or discretion.</u>
DPR-0032	CCC	FS283	Oppose In Part	<i>Do not limit notification where neighbouring properties, communities, or the wider district are potentially directly affected, and the adverse effects are potentially more than minor or where the Act requires notification.</i>
DPR-0157	Kevin & Bonnie Williams	FS664	Support In Part	Accept the submission in part
DPR-0298	Trices Road Re-zoning Group	FS1003	Support	Accept submission
DPR-0371	CIAL	FS096	Support In Part	Accept in part
DPR-0375	Waka Kotahi	FS397	Oppose	Retain relevant provisions without a non-notification clause.
DPR-0414	Kāinga Ora	FS204	Support	Not Specified
DPR-0453	LPC (LPC)	FS096	Support In Part	Accept in part
DPR-0456	Four Stars & Gould	FS100	Support	Accept the submission
DPR-0384	RIDL(RIDL)	529	Oppose	Insert the following words, or words to the like effect, to all controlled and restricted discretionary activity rules:  Applications shall not be limited or publicly notified, on the basis of effects associated specifically with this rule and the associated matters of control or discretion.
DPR-0032	CCC	FS318	Oppose In Part	<i>Do not limit notification where neighbouring properties, communities, or the wider district are potentially directly affected, and the adverse effects are potentially more than minor or where the Act requires notification.</i>
DPR-0298	Trices Road Re-zoning Group	FS1037	Support	Accept submission
DPR-0371	CIAL	FS130	Support In Part	Accept in part
DPR-0375	Waka Kotahi	FS398	Oppose	Retain relevant provisions without a non-notification clause.
DPR-0414	Kāinga Ora	FS238	Support	Not Specified
DPR-0453	LPC (LPC)	FS130	Support In Part	Accept in part

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0456	Four Stars & Gould	FS134	Support	Accept the submission

### Analysis

- 7.8 RIDL, RIHL, IRHL and RWRL<sup>5</sup> seek additional non-notification clauses across the PDP, including in the GIZ chapter. The notification requirements of both Rules and Rule Requirements were considered at the time of drafting, and where appropriate a non-notification clause was included. Given the potential impacts of these breaches, I consider that not including a non-notification clause in all cases, is appropriate. This is a similar approach across the PDP, where a non-notification clause has not been used where Council seeks to retain the ability to notify dependent on the nature of any breach. I recommend these submission points be rejected and note that there are additional 'non-notification' submission points against specific provisions (as opposed to these 'general' requests) and if a non-notification clause is deemed appropriate following an amendment to a Rule or Rule Requirement, then this would be applied as necessary.

### Recommendation

- 7.9 I recommend, for the reasons given above, that the Hearings Panel retain the use of non-notification clauses as notified, except where specifically varied below.
- 7.10 It is recommended that submissions and further submissions are either accepted, accepted in part, or rejected as shown in **Appendix 1**.

## 8. Objectives

### General Industrial Zone Objectives

#### Submissions

- 8.1 17 submission points, including six further submissions, were received in relation to the Objectives of the GIZ chapter.

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
DPR-0363	IRHL	356	GIZ-O1	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS798	GIZ-O1	Support In Part	Accept the submission in part
DPR-0365	Stuart PC Limited	002	GIZ-O1	Oppose	Amend as follows: The General Industrial Zone <u>enables a range of industrial activities to establish, operate and grow in an effective and efficient manner</u> <del>contains a range of industrial and other compatible activities as well as activities to support the functioning of industrial areas.</del>
DPR-0374	RIHL	400	GIZ-O1	Support	Retain as notified

<sup>5</sup> IRHL DPR-0363.450, RIHL DPR-0374.496, RIDL DPR-0384.529 and RWRL DPR-0358.430

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
DPR-0157	Kevin & Bonnie Williams	FS617	GIZ-O1	Support In Part	Accept the submission in part
DPR-0384	RIDL(RIDL)	434	GIZ-O1	Support	Retain as notified
DPR-0353	HortNZ	295	GIZ-O2	Support	Retain as notified
DPR-0363	IRHL	357	GIZ-O2	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS799	GIZ-O2	Support In Part	Accept the submission in part
DPR-0374	RIHL	401	GIZ-O2	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS618	GIZ-O2	Support In Part	Accept the submission in part
DPR-0384	RIDL(RIDL)	435	GIZ-O2	Support	Retain as notified
DPR-0363	IRHL	358	GIZ-O3	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS912	GIZ-O3	Support In Part	Accept the submission in part
DPR-0374	RIHL	402	GIZ-O3	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS619	GIZ-O3	Support In Part	Accept the submission in part
DPR-0384	RIDL(RIDL)	436	GIZ-O3	Support	Retain as notified

### Analysis

- 8.2 Stuart PC<sup>6</sup> considers that the objectives for the zone need to more clearly focus on attracting and enabling industrial activities as the primary focus of the zone and seeks an amendment to GIZ-O1. I consider that the GIZ-O1 as notified better encompasses the activities anticipated within the GIZ. Whilst this does include Industrial activities, there are also other activities which are appropriate within the zone. I recommend this submission point be rejected.
- 8.3 RIDL, IRHL and RIHL<sup>7</sup> support GIZ-O1 as notified. I recommend these submission points be accepted.
- 8.4 RIDL, IRHL and RIHL<sup>8</sup> support GIZ-O2 and GIZ-O3 as notified. HortNZ<sup>9</sup> also support GIZ-O2 as notified. As no amendments have been sought to these provisions, I recommend these submission points be accepted.

### Recommendation

- 8.5 I recommend, for the reasons given above, that the Hearings Panel retain the GIZ-Objectives as notified.
- 8.6 It is recommended that submissions and further submissions are either accepted, accepted in part, or rejected as shown in **Appendix 1**.

### NEW-Objectives

#### Submissions

- 8.7 Four submission points, including three further submissions points, seeking the insertion of a new Objective in the GIZ chapter.

<sup>6</sup> Stuart PC Limited DPR-0365.002

<sup>7</sup> RIHL DPR-0374.400, RIDL DPR-0384.434 and IRHL DPR-0363.356

<sup>8</sup> RIHL DPR-0374.401, DPR-0374.402, RIDL DPR-0384.435, RIDL DPR-0384.436, IRHL DPR-0363.357 and IRHL DPR-0363.358

<sup>9</sup> Horticulture New Zealand DPR-0353.295

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
DPR-0367	Orion	151	New	Neither Support nor Oppose	Insert as follows: <u>The operation and security of important infrastructure is not compromised by other activities.</u>
DPR-0375	Waka Kotahi	FS269	New	Support In Part	Suggest including a new objective to this effect but expanding to cover other infrastructure e.g., regionally significant infrastructure.
DPR-0407	Forest & Bird (Forest & Bird)	FS720	New	Oppose	Reject aspects of the submission which do not directly relate to electricity lines and services as critical infrastructure.
DPR-0414	Kāinga Ora	FS043	New	Oppose	Not specified

### Analysis

- 8.8 Orion<sup>10</sup> seeks to amend the PDP to include one additional Objective to manage activities in proximity to important infrastructure in the GIZ chapter. I note that important Infrastructure is currently managed through provisions located in the SD and EI chapters. I do not consider additional support is required in the GIZ chapter. I recommend this submission point be rejected.

### Recommendation

- 8.9 I recommend, for the reasons given above, that the Hearings Panel do not insert additional GIZ-Objectives.
- 8.10 It is recommended that submissions and further submissions are either accepted, accepted in part, or rejected as shown in **Appendix 1**.

## 9. Policies

### General Industrial Zone Policies

#### Submissions

- 9.1 35 submission points, including 13 further submission points, were received in relation to the Policies of the GIZ as notified.

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
DPR-0363	IRHL	359	GIZ-P1	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS801	GIZ-P1	Support In Part	Accept the submission in part
DPR-0374	RIHL	403	GIZ-P1	Support	Retain as notified

<sup>10</sup> Orion DPR-0367.151

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
DPR-0157	Kevin & Bonnie Williams	FS620	GIZ-P1	Support In Part	Accept the submission in part
DPR-0384	RIDL(RIDL)	437	GIZ-P1	Support	Retain as notified
DPR-0363	IRHL	360	GIZ-P2	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS802	GIZ-P2	Support In Part	Accept the submission in part
DPR-0374	RIHL	404	GIZ-P2	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS621	GIZ-P2	Support In Part	Accept the submission in part
DPR-0384	RIDL(RIDL)	438	GIZ-P2	Support	Retain as notified
DPR-0453	LPC	081	GIZ-P2	Support	Retain as notified
DPR-0363	IRHL	361	GIZ-P3	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS803	GIZ-P3	Support In Part	Accept the submission in part
DPR-0374	RIHL	405	GIZ-P3	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS622	GIZ-P3	Support In Part	Accept the submission in part
DPR-0384	RIDL(RIDL)	439	GIZ-P3	Support	Retain as notified
DPR-0363	IRHL	362	GIZ-P4	Support In Part	Amend as follows: Avoid commercial activities that will undermine the viability and function of the Town Centre, <del>and</del> <u>Local Centre Zones and the Large Format Retail Zone.</u>
DPR-0157	Kevin & Bonnie Williams	FS804	GIZ-P4	Support In Part	Accept the submission in part
DPR-0374	RIHL	406	GIZ-P4	Support In Part	Amend as follows: Avoid commercial activities that will undermine the viability and function of the Town Centre, <del>and</del> <u>Local Centre Zones and the Large Format Retail Zone.</u>
DPR-0157	Kevin & Bonnie Williams	FS623	GIZ-P4	Support In Part	Accept the submission in part
DPR-0384	RIDL(RIDL)	440	GIZ-P4	Support In Part	Amend as follows: Avoid commercial activities that will undermine the viability and function of the Town Centre, <del>and</del> <u>Local Centre Zones and the Large Format Retail Zone.</u>
DPR-0396	Woolworths	005	GIZ-P4	Oppose In Part	Avoid commercial activities <u>that do not demonstrate a functional need to locate within the zone and that result in unacceptable adverse effects that</u> undermine the viability and function of the Town Centre and Local Centre Zones.
DPR-0392	CSI Property Limited	FS013	GIZ-P4	Oppose	Reject
DPR-0363	IRHL	363	GIZ-P5	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS805	GIZ-P5	Support In Part	Accept the submission in part
DPR-0365	Stuart PC Limited	003	GIZ-P5	Oppose	Amend as follows:



Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
					<u>Manage the adverse visual effects of development</u> <u>Enable a scale and form of development which recognises the functional and operational requirements of industrial activities whilst also managing adverse effects to an appropriate level.</u>
DPR-0374	RIHL	407	GIZ-P5	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS624	GIZ-P5	Support In Part	Accept the submission in part
DPR-0384	RIDL(RIDL)	441	GIZ-P5	Support	Retain as notified
DPR-0353	HortNZ	296	GIZ-P6	Support	Retain as notified
DPR-0363	IRHL	364	GIZ-P6	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS806	GIZ-P6	Support In Part	Accept the submission in part
DPR-0374	RIHL	408	GIZ-P6	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS625	GIZ-P6	Support In Part	Accept the submission in part
DPR-0384	RIDL(RIDL)	442	GIZ-P6	Support	Retain as notified

### Analysis

- 9.2 IRHL, RIDL and RIHL<sup>11</sup> support GIZ-P1, GIZ-P2 and GIZ-P3 as notified. LPC<sup>12</sup> support GIZ-P2 as notified. As no amendments have been sought to these provisions, I recommend these submission points be accepted.
- 9.3 IRHL, RIDL and RIHL<sup>13</sup> seek an amendment to GIZ-P4 to include reference to the Large Format Retail Zone. On review, I cannot see a reason for the LFRZ to be excluded from this Policy and given the focus of GIZ-P4 is to ensure that commercial activities in the GIZ do not undermine the TCZ or LCZ including the LFRZ is appropriate. Woolworths<sup>14</sup> also seeks amendment to GIZ-P4, however, their amendment seeks to limit the commercial activities being able to establish in the GIZ to those that demonstrate a functional need to locate within the zone and do not undermine the viability of the TCZ and LCZ. I recommend these submission points be accepted in part, as accepting all submitters submission points will result in amendments not requested by IRHL, RIDL and RIHL not having been requested by Woolworths and vice versa.
- 9.4 Stuart PC<sup>15</sup> seek amendment to GIZ-P5. The submitter considers that the policies for the zone need to more clearly be a method by which the objectives are to be achieved as opposed to being a repeat of the objectives. The relief sought by the submitter proposes alternative wording for GIZ-P5 that they consider would achieve their desired outcome. On review, I consider the wording proposed by Stuart PC would provide more clarity to the end plan user as to what outcome is being sought by GIZ-P5 as to the scale and form of activities anticipated in the GIZ versus the management of adverse

<sup>11</sup> RIHL DPR-0374.403, DPR-0374.404, DPR-0374.405, RIDL DPR-0384.437, DPR-0384.438, DPR-0384.439 and IRHL DPR-0363.359, DPR-0363.360 and DPR-0363.361

<sup>12</sup> LPC DPR-0453.081

<sup>13</sup> RIHL DPR-0374.400, RIDL DPR-0384.434 and IRHL DPR-0363.356

<sup>14</sup> Woolworths DPR-0396.005

<sup>15</sup> Stuart PC DPR-0365.003

effects. IRHL, RIDL and RIHL<sup>16</sup> support GIZ-P5 as notified. Based on my recommendation to accept the submission of Stuart PC I recommend that these submission points be accepted in part, as the policy will be amended, but not deleted.

- 9.5 HortNZ, IRHL, RIDL and RIHL<sup>17</sup> support GIZ-P6 as notified. As no amendments have been sought to these provisions, I recommend these submission points be accepted.

### **Recommendation**

- 9.6 I recommend, for the reasons given above, that the Hearings Panel:
- Amend the GIZ-P4 as shown in **Appendix 2** to include reference to both the functional need of a commercial activity to establish in the GIZ and to undermining the viability of the LFRZ.
  - Amend GIZ-P5 as shown in **Appendix 2** to acknowledge the scale and form of activities anticipated in the GIZ and the management of adverse effects.
- 9.7 It is recommended that submissions and further submissions are either accepted, accepted in part, or rejected as shown in **Appendix 1**.

### **NEW-Policies**

#### **Submissions**

- 9.8 Nine submission points, including seven further submission points, were received in relation to the insertion of new policies in the GIZ chapter.

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
DPR-0365	Stuart PC Limited	004	New	Oppose	Insert as follows: <u>Recognise that industrial activities generate higher levels of noise, dust, odour, and visual effects than other activities but that this is a necessary part of facilitating industry to operate efficiently and effectively.</u>
DPR-0358	RWRL	FS249	New	Support	Adopt.
DPR-0363	IRHL	FS249	New	Support	Adopt.
DPR-0374	RIHL	FS249	New	Support	Adopt.
DPR-0384	RIDL(RIDL)	FS249	New	Support	Adopt.
DPR-0367	Orion	152	New	Neither Support nor Oppose	Insert as follows: <u>Avoid any activity in industrial zones with the potential to hinder or constrain the establishment or ongoing operation or development of industrial activities and important infrastructure. This includes but is not limited to avoiding structures and buildings near identified significant electricity distribution lines.</u>

<sup>16</sup> RIHL DPR-0374.400, RIDL DPR-0384.434 and IRHL DPR-0363.356

<sup>17</sup> HortNZ DPR-353.296, RIHL DPR-0374.408, RIDL DPR-0384.442 and IRHL DPR-0363.364

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
DPR-0375	Waka Kotahi	FS270	New	Support	Consider altering the proposed wording so that it relates to a wider range of infrastructure types.
DPR-0407	Forest & Bird (Forest & Bird)	FS721	New	Oppose	Reject aspects of the submission which do not directly relate to electricity lines and services as critical infrastructure.
DPR-0414	Kāinga Ora	FS044	New	Oppose	Not specified

### Analysis

- 9.9 Orion<sup>18</sup> seeks to amend the PDP to include an additional Policy to manage activities in proximity to important infrastructure in the GIZ chapter. Important Infrastructure is currently protected through provisions located in the SD chapter via SD-IR-O1 and SD-IR-O2 and the EI chapter through EI-O1, EI-O2 and EI-O3. I do not consider additional support is required in the GIZ chapter. I recommend these submission points be rejected.
- 9.10 Stuart PC<sup>19</sup> seeks to insert a new Policy recognising that industrial activities generate higher levels of noise, dust, odour, and visual effects than other activities, but that this is a necessary part of facilitating industry to operate efficiently and effectively. I consider that GIZ-P5 as notified already recognises the functional and operational requirements of Industrial Activities, this is further supported by GIZ-P3 and GIZ-P6 which aim to avoid incompatible activities from establishing in the General Industrial Zone and managing the interface of the General Industrial Zone with adjoining zones. I recommend this submission point be rejected.

### Recommendation

- 9.11 I recommend, for the reasons given above, that the Hearings Panel do not insert additional GIZ-Policies.
- 9.12 It is recommended that submissions and further submissions are either accepted, accepted in part, or rejected as shown in **Appendix 1**.

## 10. Rules

### Rules supported as notified

#### Submissions

- 10.1 94 submission points, including 32 further submission points, were received in relation to: GIZ-R1 Buildings and Structures, GIZ-R4 Industrial Activities, GIZ-R5 Trade Retail and Trade Supply Activities, GIZ-R6 Automotive Activities, GIZ-R7 Research Activities, GIZ-R8 Retail Activities, GIZ-R9 Food and Beverage Activities, GIZ-R10 Office Activities, GIZ-R12 Community Facilities, GIZ-R13 Firearms Range Activities, GIZ-R15 Public Amenities, GIZ-R16 Keeping of Animals, GIZ-R20 Camping Ground Facilities,

<sup>18</sup> Orion DPR-0367.152

<sup>19</sup> Stuart PC DPR-0365.004

GIZ-R22 Waste and Diverted Materials Facilities, GIZ-R23 Commercial Activities not otherwise listed and GIZ-R24 Any other activity not otherwise listed.

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
DPR-0363	IRHL	366	GIZ-R1	Support	Retain as notified
<i>DPR-0157</i>	<i>Kevin &amp; Bonnie Williams</i>	<i>FS808</i>	<i>GIZ-R1</i>	<i>Support In Part</i>	<i>Accept the submission in part</i>
DPR-0365	Stuart PC Limited	5	GIZ-R1	Support	Retain as notified
DPR-0374	RIHL	410	GIZ-R1	Support	Retain as notified
<i>DPR-0157</i>	<i>Kevin &amp; Bonnie Williams</i>	<i>FS627</i>	<i>GIZ-R1</i>	<i>Support In Part</i>	<i>Accept the submission in part</i>
DPR-0384	RIDL(RIDL)	444	GIZ-R1	Support	Retain as notified
DPR-0363	IRHL	369	GIZ-R4	Support	Retain as notified
<i>DPR-0157</i>	<i>Kevin &amp; Bonnie Williams</i>	<i>FS811</i>	<i>GIZ-R4</i>	<i>Support In Part</i>	<i>Accept the submission in part</i>
DPR-0365	Stuart PC Limited	8	GIZ-R4	Support	Retain as notified
DPR-0374	RIHL	413	GIZ-R4	Support	Retain as notified
<i>DPR-0157</i>	<i>Kevin &amp; Bonnie Williams</i>	<i>FS630</i>	<i>GIZ-R4</i>	<i>Support In Part</i>	<i>Accept the submission in part</i>
DPR-0384	RIDL(RIDL)	447	GIZ-R4	Support	Retain as notified
DPR-0145	Bunnings	10	GIZ-R5	Support	Retain as notified.
DPR-0363	IRHL	370	GIZ-R5	Support	Retain as notified
<i>DPR-0157</i>	<i>Kevin &amp; Bonnie Williams</i>	<i>FS812</i>	<i>GIZ-R5</i>	<i>Support In Part</i>	<i>Accept the submission in part</i>
DPR-0365	Stuart PC Limited	9	GIZ-R5	Support	Retain as notified
DPR-0374	RIHL	414	GIZ-R5	Support	Retain as notified
<i>DPR-0157</i>	<i>Kevin &amp; Bonnie Williams</i>	<i>FS631</i>	<i>GIZ-R5</i>	<i>Support In Part</i>	<i>Accept the submission in part</i>
DPR-0384	RIDL(RIDL)	448	GIZ-R5	Support	Retain as notified
DPR-0363	IRHL	371	GIZ-R6	Support	Retain as notified

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
DPR-0157	Kevin & Bonnie Williams	FS813	GIZ-R6	Support In Part	Accept the submission in part
DPR-0374	RIHL	415	GIZ-R6	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS632	GIZ-R6	Support In Part	Accept the submission in part
DPR-0384	RIDL(RIDL)	449	GIZ-R6	Support	Retain as notified
DPR-0363	IRHL	372	GIZ-R7	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS814	GIZ-R7	Support In Part	Accept the submission in part
DPR-0374	RIHL	416	GIZ-R7	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS633	GIZ-R7	Support In Part	Accept the submission in part
DPR-0384	RIDL(RIDL)	450	GIZ-R7	Support	Retain as notified
DPR-0363	IRHL	373	GIZ-R8	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS815	GIZ-R8	Support In Part	Accept the submission in part
DPR-0365	Stuart PC Limited	10	GIZ-R8	Support	Retain as notified
DPR-0374	RIHL	417	GIZ-R8	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS634	GIZ-R8	Support In Part	Accept the submission in part
DPR-0384	RIDL(RIDL)	451	GIZ-R8	Support	Retain as notified
DPR-0453	LPC	84	GIZ-R8	Support	Retain as notified
DPR-0363	IRHL	374	GIZ-R9	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS816	GIZ-R9	Support In Part	Accept the submission in part
DPR-0365	Stuart PC Limited	11	GIZ-R9	Support	Retain as notified
DPR-0374	RIHL	418	GIZ-R9	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS635	GIZ-R9	Support In Part	Accept the submission in part
DPR-0384	RIDL(RIDL)	452	GIZ-R9	Support	Retain as notified

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
DPR-0363	IRHL	375	GIZ-R10	Support	Retain as notified
<i>DPR-0157</i>	<i>Kevin &amp; Bonnie Williams</i>	<i>FS817</i>	<i>GIZ-R10</i>	<i>Support In Part</i>	<i>Accept the submission in part</i>
DPR-0365	Stuart PC Limited	12	GIZ-R10	Support	Retain as notified
DPR-0374	RIHL	419	GIZ-R10	Support	Retain as notified
<i>DPR-0157</i>	<i>Kevin &amp; Bonnie Williams</i>	<i>FS636</i>	<i>GIZ-R10</i>	<i>Support In Part</i>	<i>Accept the submission in part</i>
DPR-0384	RIDL(RIDL)	453	GIZ-R10	Support	Retain as notified
DPR-0453	LPC	85	GIZ-R10	Support	Retain as notified
DPR-0363	IRHL	377	GIZ-R12	Support	Retain as notified
<i>DPR-0157</i>	<i>Kevin &amp; Bonnie Williams</i>	<i>FS819</i>	<i>GIZ-R12</i>	<i>Support In Part</i>	<i>Accept the submission in part</i>
DPR-0365	Stuart PC Limited	14	GIZ-R12	Support	Retain as notified
DPR-0374	RIHL	421	GIZ-R12	Support	Retain as notified
<i>DPR-0157</i>	<i>Kevin &amp; Bonnie Williams</i>	<i>FS638</i>	<i>GIZ-R12</i>	<i>Support In Part</i>	<i>Accept the submission in part</i>
DPR-0384	RIDL(RIDL)	455	GIZ-R12	Support	Retain as notified
DPR-0453	LPC	87	GIZ-R12	Support In Part	Retain as notified
DPR-0363	IRHL	378	GIZ-R13	Support	Retain as notified
<i>DPR-0157</i>	<i>Kevin &amp; Bonnie Williams</i>	<i>FS820</i>	<i>GIZ-R13</i>	<i>Support In Part</i>	<i>Accept the submission in part</i>
DPR-0374	RIHL	422	GIZ-R13	Support	Retain as notified
<i>DPR-0157</i>	<i>Kevin &amp; Bonnie Williams</i>	<i>FS639</i>	<i>GIZ-R13</i>	<i>Support In Part</i>	<i>Accept the submission in part</i>
DPR-0384	RIDL(RIDL)	456	GIZ-R13	Support	Retain as notified
DPR-0363	IRHL	379	GIZ-R14	Support	Retain as notified
<i>DPR-0157</i>	<i>Kevin &amp; Bonnie Williams</i>	<i>FS821</i>	<i>GIZ-R14</i>	<i>Support In Part</i>	<i>Accept the submission in part</i>
DPR-0365	Stuart PC Limited	015	GIZ-R14	Support	Retain as notified
DPR-0374	RIHL	423	GIZ-R14	Support	Retain as notified

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
DPR-0157	Kevin & Bonnie Williams	FS640	GIZ-R14	Support In Part	Accept the submission in part
DPR-0384	RIDL(RIDL)	457	GIZ-R14	Support	Retain as notified
DPR-0363	IRHL	380	GIZ-R15	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS822	GIZ-R15	Support In Part	Accept the submission in part
DPR-0374	RIHL	424	GIZ-R15	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS641	GIZ-R15	Support In Part	Accept the submission in part
DPR-0384	RIDL(RIDL)	458	GIZ-R15	Support	Retain as notified
DPR-0363	IRHL	381	GIZ-R16	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS823	GIZ-R16	Support In Part	Accept the submission in part
DPR-0374	RIHL	425	GIZ-R16	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS642	GIZ-R16	Support In Part	Accept the submission in part
DPR-0384	RIDL(RIDL)	459	GIZ-R16	Support	Retain as notified
DPR-0363	IRHL	385	GIZ-R20	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS827	GIZ-R20	Support In Part	Accept the submission in part
DPR-0365	Stuart PC Limited	18	GIZ-R20	Support	Retain as notified
DPR-0374	RIHL	429	GIZ-R20	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS646	GIZ-R20	Support In Part	Accept the submission in part
DPR-0384	RIDL(RIDL)	463	GIZ-R20	Support	Retain as notified
DPR-0363	IRHL	387	GIZ-R22	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS829	GIZ-R22	Support In Part	Accept the submission in part
DPR-0374	RIHL	431	GIZ-R22	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS648	GIZ-R22	Support In Part	Accept the submission in part

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
DPR-0384	RIDL(RIDL)	465	GIZ-R22	Support	Retain as notified
DPR-0363	IRHL	388	GIZ-R23	Support	Retain as notified
<i>DPR-0157</i>	<i>Kevin &amp; Bonnie Williams</i>	<i>FS830</i>	<i>GIZ-R23</i>	<i>Support In Part</i>	<i>Accept the submission in part</i>
DPR-0365	Stuart PC Limited	19	GIZ-R23	Support	Retain as notified
DPR-0374	RIHL	432	GIZ-R23	Support	Retain as notified
<i>DPR-0157</i>	<i>Kevin &amp; Bonnie Williams</i>	<i>FS649</i>	<i>GIZ-R23</i>	<i>Support In Part</i>	<i>Accept the submission in part</i>
DPR-0384	RIDL(RIDL)	466	GIZ-R23	Support	Retain as notified
DPR-0363	IRHL	389	GIZ-R24	Support	Retain as notified
<i>DPR-0157</i>	<i>Kevin &amp; Bonnie Williams</i>	<i>FS831</i>	<i>GIZ-R24</i>	<i>Support In Part</i>	<i>Accept the submission in part</i>
DPR-0365	Stuart PC Limited	21	GIZ-R24	Support	Retain as notified
DPR-0374	RIHL	433	GIZ-R24	Support	Retain as notified
<i>DPR-0157</i>	<i>Kevin &amp; Bonnie Williams</i>	<i>FS650</i>	<i>GIZ-R24</i>	<i>Support In Part</i>	<i>Accept the submission in part</i>
DPR-0384	RIDL(RIDL)	467	GIZ-R24	Support	Retain as notified

### ***Analysis***

10.2 There is full support for the following rules as notified:

- GIZ-R1 Buildings and Structures
- GIZ-R4 Industrial Activities
- GIZ-R5 Trade Retail and Trade Supply Activities
- GIZ-R6 Automotive Activities
- GIZ-R7 Research Activities
- GIZ-R8 Retail Activities
- GIZ-R9 Food and Beverage Activities
- GIZ-R10 Office Activities
- GIZ-R12 Community Facilities
- GIZ-R13 Firearms Range
- GIZ-R14 Airfields and Helicopter Landing Areas
- GIZ-R15 Public Amenities
- GIZ-R16 Keeping of Animals
- GIZ-R20 Camping Ground Facilities



- GIZ-R22 Waste and Diverted Materials Facilities
- GIZ-R23 Commercial Activities not otherwise listed
- GIZ-R24 Any Activity not otherwise listed

10.3 As no amendments have been sought to these provisions, I recommend these submission points<sup>20</sup> be accepted.

#### **Recommendation**

10.4 I recommend, for the reasons given above, that the Hearings Panel retain these provisions as notified.

10.5 It is recommended that submissions and further submissions are either accepted, accepted in part, or rejected as shown in **Appendix 1**.

#### **Residential units and activities**

##### **Submissions**

10.6 14 submission points, including four further submission points, were received in relation to the GIZ-R2 and GIZ-R3.

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
DPR-0363	IRHL	367	GIZ-R2	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS809	GIZ-R2	Support In Part	Accept the submission in part
DPR-0365	Stuart PC Limited	006	GIZ-R2	Support	Retain as notified
DPR-0374	RIHL	411	GIZ-R2	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS628	GIZ-R2	Support In Part	Accept the submission in part
DPR-0384	RIDL(RIDL)	445	GIZ-R2	Support	Retain as notified
DPR-0453	LPC	082	GIZ-R2	Oppose	Amend as follows: 1. The establishment of any residential unit: Where:

GIZ-R1 IRHL DPR-0363.366, RIHL DPR-0374.410, RIDL DPR-0384.444 and Stuart PC Limited DPR-0365.005  
 GIZ-R4 IRHL DPR-0363.369, RIHL DPR-0374.413, RIDL DPR-0384.447 and Stuart PC Limited DPR-0365.008  
 GIZ-R5 Bunnings DPR-0145.010, IRHL DPR-0363.370, RIHL DPR-0374.414, RIDL DPR-0384.448 and Stuart PC Limited DPR-0365.009  
 GIZ-R6 IRHL DPR-0363.371, RIHL DPR-0374.415 and RIDL DPR-0384.449  
 GIZ-R7 IRHL DPR-0363.372, RIHL DPR-0374.416 and RIDL DPR-0384.450  
 GIZ-R8 IRHL DPR-0363.373, RIHL DPR-0374.417, RIDL DPR-0384.451, LPC DPR-0453.084 and Stuart PC Limited DPR-0365.010  
 GIZ-R9 IRHL DPR-0363.374, RIHL DPR-0374.418, RIDL DPR-0384.452 and Stuart PC Limited DPR-0365.011  
 GIZ-R10 IRHL DPR-0363.375, RIHL DPR-0374.419, RIDL DPR-0384.453, LPC DPR-0453.085 and Stuart PC Limited DPR-0365.012  
 GIZ-R12 IRHL DPR-0363.377, RIHL DPR-0374.421, RIDL DPR-0384.455, LPC DPR-0453.087 and Stuart PC Limited DPR-0365.014  
 GIZ-R13 IRHL DPR-0363.378, RIHL DPR-0374.422 and RIDL DPR-0384.456  
 GIZ-R13 IRHL DPR-0363.379, RIHL DPR-0374.423 and RIDL DPR-0384.457 and Stuart PC DPR-0365.015  
 GIZ-R15 IRHL DPR-0363.380, RIHL DPR-0374.424 and RIDL DPR-0384.458  
 GIZ-R16 IRHL DPR-0363.381, RIHL DPR-0374.425 and RIDL DPR-0384.459  
 GIZ-R20 IRHL DPR-0363.385, RIHL DPR-0374.429, RIDL DPR-0384.463 and Stuart PC Limited DPR-0365.018  
 GIZ-R22 IRHL DPR-0363.387, RIHL DPR-0374.431 and RIDL DPR-0384.465  
 GIZ-R23 IRHL DPR-0363.388, RIHL DPR-0374.432, RIDL DPR-0384.466 and Stuart PC Limited DPR-0365.019  
 GIZ-R24 IRHL DPR-0363.389, RIHL DPR-0374.433, RIDL DPR-0384.467 and Stuart PC Limited DPR-0365.021

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
					... <u>c. Is not located within the Port45dBA LAeq Noise Control Overlay.</u>
DPR-0365	Stuart PC Limited	007	GIZ-R3	Support	Retain as notified
DPR-0363	IRHL	368	GIZ-R3	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS810	GIZ-R3	Support In Part	Accept the submission in part
DPR-0374	RIHL	412	GIZ-R3	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS629	GIZ-R3	Support In Part	Accept the submission in part
DPR-0384	RIDL(RIDL)	446	GIZ-R3	Support	Retain as notified
DPR-0453	LPC	083	GIZ-R3	Oppose In Part	Amend as follows: 1. Any residential activity, Where: a. The activity takes place in a residential unit; and <u>b. Is not located within the Port45dBA LAeq Noise Control Overlay.</u>

### ***Analysis***

10.7 LPC<sup>21</sup> seek to amend both GIZ-R2 and GIZ-R3 to restrict residential units and their associated activities from easily establishing in the GIZ, where also located within the Noise Control Overlay for the PORTZ. One of the matters of control for such an activity to establish is the consideration of 'measures' proposed to minimise the effects of activities within the Zone, including acoustic insulation. Given that the activity would be CON for custodial on-site security purposes, which could occur on properties within the noise control overlay of the PORTZ, I consider that the matter for control would ensure that the impacts that LPC are concerned about are suitably addressed and that a NC status to establish a residential unit for custodial purposes within the 45dBA noise control overlay is not necessary in the GIZ chapter. I note that such an activity is already subject to limitation under NOISE-R5 which manages noise sensitive activities located within the Noise Control Overlay. The relief sought by the submitters would result in duplication with the provisions in the NOISE chapter. I recommend these submission points be rejected.

10.8 Stuart PC, IRHL, RIHL and RIDL<sup>22</sup> support GIZ-R2 and GIZ-R3 as notified. I recommend these submission points be accepted.

### ***Recommendation***

10.9 I recommend, for the reasons given above, that the Hearings Panel retain GIZ-R2 and GIZ-R3 as notified.

<sup>21</sup> LPC DPR-0453.082 and DPR-0453.083

<sup>22</sup>Stuart PC DPR-0365.015, RIHL DPR-0374.426, RIDL DPR-0384.360 and IRHL DPR-0363.382 and Stuart PC DPR-0365.016, RIHL DPR-0374.427, RIDL DPR-0384.361 and IRHL DPR-0363.383

10.10 It is recommended that submissions and further submissions are either accepted, accepted in part, or rejected as shown in **Appendix 1**.

### Educational facilities

#### **Submissions**

10.11 13 submission points, including seven further submission points, were received in relation to GIZ-R11.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0363	IRHL	376	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS818	Support In Part	Accept the submission in part
DPR-0365	Stuart PC Limited	013	Support	Retain as notified
DPR-0374	RIHL	420	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS637	Support In Part	Accept the submission in part
DPR-0378	MoE	032	Oppose	Amend as follows: 1. Any education facility Activity Status: <del>NC</del> RDIS
DPR-0358	RWRL	FS243	Oppose	Reject
DPR-0363	IRHL	FS243	Oppose	Reject
DPR-0374	RIHL	FS243	Oppose	Reject
DPR-0384	RIDL(RIDL)	FS243	Oppose	Reject
DPR-0453	LPC (LPC)	FS025	Oppose	Reject
DPR-0384	RIDL(RIDL)	454	Support	Retain as notified
DPR-0453	LPC	086	Support	Retain as notified

#### **Analysis**

10.12 MoE<sup>23</sup> seek a change in activity status for educational facilities in the GIZ from NC to RDIS. The focus of the GIZ is to enable industrial activities and I consider educational facilities are well provided for in the district's other zones and that a NC status is appropriate as educational facilities fall outside of the activities provided for in GIZ-P1 and GIZ-P2 and the potential for reverse sensitivity means they are also unlikely to align with GIZ-P3. I therefore recommend this submission point be rejected. IRHL, RIDL, RIHL and Stuart PC<sup>24</sup> support GIZ-R11 as notified. I recommend these submission points be accepted.

#### **Recommendation**

10.13 I recommend, for the reasons given above, that the Hearings Panel retain the provision as notified.

10.14 It is recommended that submissions and further submissions are either accepted, accepted in part, or rejected as shown in **Appendix 1**.

<sup>23</sup> MoE DPR-0378.032

<sup>24</sup> IRHL DPR-0363.376, RIHL DPR-0374.420, DPR-0384.454, LPC DPR-0453.086, and Stuart PC Limited DPR-0365.013

## Corrections activities

### Submissions

10.15 Seven submission points, including two further submission points, were received in relation to GIZ-R18.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0300	Ara Poutama Aotearoa	015	Oppose	Amend as follows: GIZ-R18 <u>Community Corrections Activities</u> Activity Status: <del>NC</del> PER 1. Any <u>community</u> corrections activity  <u>Where the activity complies with the following rule requirements:</u> GIZ-REQ1 Servicing GIZ-REQ7 Outdoor storage GIZ-REQ18 Impermeable Surfaces GIZ-REQ10 Street interfaces <u>Activity status when compliance not achieved:</u> 2. <u>When compliance with any rule requirement listed in this rule is not achieved:</u> <u>Refer to GIZ-Rule Requirements.</u>
DPR-0363	IRHL	383	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS825	Support In Part	Accept the submission in part
DPR-0365	Stuart PC Limited	016	Support	Retain as notified
DPR-0374	RIHL	427	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS644	Support In Part	Accept the submission in part
DPR-0384	RIDL(RIDL)	461	Support	Retain as notified

### Analysis

10.16 Ara Poutama Aotearoa<sup>25</sup> seek an amendment to GIZ-R18, which, as notified manages 'Corrections Activities' as a non-complying activity. However, through the PART 1 hearing, the Officers Recommendation was to delete the definition of 'Corrections Activity' and to instead separate rules regarding 'Community Corrections Activities' as defined in the Planning Standards and 'Corrections Prisons' as defined in s2 of the Corrections Act 2004.

10.17 The amendment sought by the submitter would alter the activity status of 'Community Corrections Activities', as these activities would become PER in the GIZ, whereas other Corrections Activities, (now proposed to be defined as 'Corrections Prisons') will remain NC. The PER status for Community Corrections Activities would be consistent with the approach in CMUZ, however, the NC status, as notified, is consistent with the approach taken in the KNOZ and PORTZ as it was deemed these activities were less appropriate to establish in the General Industrial Zone and other Special Purpose Zones due to the potential for reverse sensitivity effects. I continue to agree with this approach. I consider that GIZ-R18 should be amended to reflect the deletion of the 'Corrections Activities'

<sup>25</sup> Ara Poutama Aotearoa DPR-0300.015

definition and the proposed inclusion of the 'Corrections Prison' definition, I recommend this submission be accepted in part.

10.18 IRHL, Stuart PC, RIHL and RIDL<sup>26</sup> support GIZ-R18 as notified. I recommend these submissions be accepted in part due to the changes proposed above.

### **Recommendation**

10.19 I recommend, for the reasons given above, that the Hearings Panel:

- a. Amend the GIZ-R18 as shown in **Appendix 2** to recognise the deletion of the 'Corrections Activity' definition.
- b. Insert a new GIZ-Rule as show in **Appendix 2** to recognise the inclusion of the proposed definition of 'Corrections Prison'.

10.20 It is recommended that submissions and further submissions are either accepted, accepted in part, or rejected as shown in **Appendix 1**.

### **Primary production**

#### **Submissions**

10.21 Nine submission points, including three further submission points, were received in relation to GIZ-R17.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0258	Coal Action Network Aotearoa	002	Oppose In Part	Amend provisions to exclude mining and extraction of fossil fuels from the list of allowed primary production activities in any zone, including General Industrial Zones.
<i>DPR-0415</i>	<i>Fulton Hogan</i>	<i>FS024</i>	<i>Oppose</i>	<i>Disallow the submission.</i>
DPR-0363	IRHL	382	Support	Retain as notified
<i>DPR-0157</i>	<i>Kevin &amp; Bonnie Williams</i>	<i>FS824</i>	<i>Support In Part</i>	<i>Accept the submission in part</i>
DPR-0365	Stuart PC Limited	020	Oppose In Part	Amend the activity status of Primary Production Activities from permitted to restricted discretionary and require such activities to demonstrate that they are not sensitive to the existing and future possible Industrial Activities.
DPR-0374	RIHL	426	Support	Retain as notified
<i>DPR-0157</i>	<i>Kevin &amp; Bonnie Williams</i>	<i>FS643</i>	<i>Support In Part</i>	<i>Accept the submission in part</i>
DPR-0384	RIDL(RIDL)	460	Support	Retain as notified
DPR-0439	Rayonier	015	Oppose In Part	Amend GIZ-R17.1.a.iii to refer to Plantation Forestry Activity as defined in the NESPF.

<sup>26</sup> IRHL DPR-0363.383, Stuart PC DPR-0365.016, RIHL DPR-0374.427 and RIDL DPR-0384.461

### **Analysis**

- 10.22 Rayonier<sup>27</sup> seek that the definition of “Plantation Forestry” is replaced with ‘Plantation Forestry Activity’. Both definitions are taken from Section 3 of the NESPF. The rules in the PDP are managing the ‘principle’ of the activity establishing or expanding in a particular location. In GIZ, Plantation Forestry is a non-complying activity. If consent is applied for such an activity to establish in the GIZ, the specifics of the activity would still be managed by NES-PF. I consider the definition as notified, aligns with the intent of the activity the provisions are intending to manage and therefore recommend that this submission point be rejected.
- 10.23 Coal Action Network Aotearoa<sup>28</sup> seek amendment to GIZ-R17 to exclude mining and extraction of fossil fuels from the list of allowed primary production activities in any zone, including the GIZ. GIZ-R17 as notified proposes a NC status for mineral extraction, and though this doesn’t explicitly reference fossil fuels, they would be covered by default. I recommend this submission point be rejected.
- 10.24 Stuart PC<sup>29</sup> seek to amend the activity status of Primary Production Activities from PER to RDIS and require such activities to demonstrate that they are not sensitive to existing and future possible Industrial Activities. I note that the Objectives and Policies (GIZ-O1 and GIZ-P1, GIZ-P2 and GIZ-P3) of the GIZ set a clear direction that a range of activities should be enable in the GIZ, however, incompatible activities should be avoided. The status of activities has been selected based on this clear directive, for example, activities that may be sensitive to the effects expected in the industrial zone, including noise, such as residential or healthcare activities. Primary Production Activities are not deemed to be Noise Sensitive, and primary production activities include activities such as some processing of materials, which is an activity anticipated in Industrial Zones. I consider the PER activity status of Primary Production Activities should be retained and I recommend this submission point be rejected.
- 10.25 IRHL, RIHL and RIDL<sup>30</sup> support GIZ-R17 as notified. I recommend these submission points be accepted.

### **Recommendation**

- 10.26 I recommend, for the reasons given above, that the Hearings Panel retain GIZ-R17 as notified.
- 10.27 It is recommended that submissions and further submissions are either accepted, accepted in part, or rejected as shown in **Appendix 1**.

### **Visitor Accommodation**

#### **Submissions**

- 10.28 Seven submission points, including two further submission points, were received in relation to the Visitor Accommodation rules in the GIZ.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0363	IRHL	384	Support	Retain as notified

<sup>27</sup> Rayonier DPR-0439.015

<sup>28</sup> Coal Action Network Aotearoa DPR-0258.002

<sup>29</sup> Stuart PC DPR-0365.020

<sup>30</sup> RIHL DPR-0374.426, RIDL DPR-0384.360 and IRHL DPR-0363.382

DPR-0157	Kevin & Bonnie Williams	FS826	Support In Part	Accept the submission in part
DPR-0365	Stuart PC Limited	017	Support	Retain as notified
DPR-0374	RIHL	428	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS645	Support In Part	Accept the submission in part
DPR-0384	RIDL(RIDL)	462	Support	Retain as notified
DPR-0455	Paul & Fay McOscar	012	Oppose In Part	The Council may wish to consider establishing graded categories and apply appropriate rules and charges that are relative to bed spaces available.

### Analysis

10.29 Paul and Fay McOscar<sup>31</sup> oppose GIZ-R19 in part. The submitters consider there are anomalies relating to properties consented as accommodation providers, who are required to meet industry standards as well as general regulations such as fire, egress, health, and safety, and those who do not. I consider the relief sought is not something that can be managed by the PDP. I recommend this submission point be rejected.

10.30 IRHL, RIDL, RIHL and Stuart PC Limited<sup>32</sup> support GIZ-19 as notified. I recommend these submission points be accepted.

### Recommendation

10.31 I recommend, for the reasons given above, that the Hearings Panel retain GIZ-R19 as notified.

10.32 It is recommended that submissions and further submissions are either accepted, accepted in part, or rejected as shown in **Appendix 1**.

### Landfills

#### Submissions

10.33 Six submission points, including two further submission points, were received in relation to the GIZ-R21

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0122	Frews Quarries Ltd	033	Oppose	Amend plan objectives, policies, and methods, including rules, to recognise the landfill classification system in WasteMINZ Guidelines, and establish appropriate policy and rules that reflect the classification of the landfill.
DPR-0363	IRHL	386	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS828	Support In Part	Accept the submission in part
DPR-0374	RIHL	430	Support	Retain as notified

<sup>31</sup> Paul and Fay McOscar DPR0455.012

<sup>32</sup> IRHL DPR-0363.384, RIHL DPR-0374.428, RIDL DPR-0384.462 and Stuart PC Limited DPR-0365.017

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0157	Kevin & Bonnie Williams	FS647	Support In Part	Accept the submission in part
DPR-0384	RIDL(RIDL)	464	Support	Retain as notified

### Analysis

10.34 Frews<sup>33</sup> oppose GIZ-R21. This rule applies a NC status to landfills in the GIZ as it is not an activity anticipated in the zone. Historically (under the ODP) disposal of cleanfill in Industrial Zones was a DIS activity. Landfills accept a variety of types of waste for disposal, not just cleanfill. While it is noted that these activities are necessary to ensure members of the public have suitable waste disposal options available, control is required to ensure adverse effects are avoided or mitigated. Specific Rules were included in the GIZ Chapter to ensure that Landfills would have an NC status instead of the default DIS status. I consider the existing suite of Objectives, Policies and methods contained in the GIZ chapter, including a NC status for landfills, are generally appropriate to manage to potential adverse effects of a landfill locating a GIZ. I recommend these submission points be rejected.

10.35 IRHL, RIHL and RIDL<sup>34</sup> support GIZ-R21 as notified, I recommend these submission points be accepted.

### Recommendation

10.36 I recommend, for the reasons given above, that the Hearings Panel retain GIZ-R21 as notified.

10.37 It is recommended that submissions and further submissions are either accepted, accepted in part, or rejected as shown in **Appendix 1**.

### NEW-Rules

#### Submissions

10.38 21 submission points, including 13 further submission points, were received requesting additional rules in the GIZ chapter.

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
DPR-0363	IRHL	365	New	Support In Part	Insert new GIZ rules that permit the following defined activities: -On-site public space -Public transport facilities -Temporary activities -Port Activities, for that part of the GIZ east of Hoskyns Road and north of Jones Road.
DPR-0157	Kevin & Bonnie Williams	FS807	New	Support In Part	Accept the submission in part
DPR-0375	Waka Kotahi	FS267	New	Support In Part	Further consideration is given to the submission prior to determining

<sup>33</sup> Frews DPR-0122.033

<sup>34</sup> IRHL DPR-0363.386, RIHL DPR-0374.430, RIDL DPR-0384.464



Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
					<i>whether provision for public transport facilities is appropriate.</i>
DPR-0367	Orion	153	New	Neither Support nor Oppose	<p>Insert Rule EI-R4.1. (From the Energy and Infrastructure Chapter) into GIZ and reword as follows:</p> <p><u>GIZ-RXX Structures near Significant Electricity Distribution Line</u></p> <p><u>Activity Status: PER</u></p> <p><u>1. The establishment of a new, or expansion of an existing fence.</u></p> <p><u>Where:</u></p> <p><u>a. The fence's primary material consists of conductive qualities, the fence shall be setback a minimum of:</u></p> <p><u>i. 6m from the foundation of a support structure for both any the Significant Electricity Distribution Line (Islington to Springston) Line and all other Significant Electricity Distribution Lines. greater than 51kV;</u></p> <p><u>or</u></p> <p><u>ii. 2.2m from the foundation of a support structure for any other Significant Electricity Distribution Line between 1-50kV.</u></p> <p><u>Activity status when compliance not achieved:</u></p> <p><u>2. When compliance with GIZ-RXX is not achieved: NC</u></p> <p><u>Notification:</u></p> <p><u>3. Any application arising from GIZ-RXX shall not be subject to public notification and shall be limited notified to the following parties: the network utility operator with responsibility for the Significant Electricity Distribution Line unless their written approval is provided.</u></p>
DPR-0407	Forest & Bird (Forest & Bird)	FS722	New	Oppose	<i>Reject aspects of the submission which do not directly relate to electricity lines and services as critical infrastructure.</i>
DPR-0414	Kāinga Ora	FS045	New	Oppose	<i>Not specified</i>
DPR-0367	Orion	154	New	Neither Support nor Oppose	<p>Insert Rule EI-R4 4. into GIZ and reword as follows:</p> <p><u>GIZ-RXX Structures near Significant Electricity Distribution Line</u></p> <p><u>Activity Status: PER</u></p> <p><u>4. The establishment of a new, or expansion of an existing, structure within greater than 10m from:</u></p> <p><u>a. the centreline and foundation of a support structure of the Significant</u></p>

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
					<p><u>Electricity Distribution Line (Islington to Springston) as shown on the planning maps; or</u>  <u>b. the foundation of a support structure of the Significant Electricity Distribution Line (Islington to Springston) as shown on the planning maps</u>  <u>5. The establishment of a new, or expansion of an existing, structure greater than 5m from:</u>  <u>a. the centreline of other Significant Electricity Distribution Lines as shown on the planning maps; or</u>  <u>b. the foundation of a support structure of other Significant Electricity Distribution Lines as shown on the planning maps (Islington to Springston), or the foundation of a support structure of the Significant Electricity Distribution Line (Islington to Springston).</u>  <u>Where:</u>  <u>a. The structure is not used for:</u>  <u>i. habitation;</u>  <u>ii. produce packing;</u>  <u>iii. a milking shed;</u>  <u>iv. a wintering barn;</u>  <u>v. intensive primary production; or</u>  <u>vi. a commercial greenhouse.</u>  <u>b. The expansion of the existing structure does not occur to a structure listed in EI-R4.4.a.</u>  <u>Activity status when compliance not achieved:</u>  <u>5. When compliance with GIZ-XX is not achieved: NC</u>  <u>Notification:</u>  <u>6. Any application arising from GIZ-RXX shall not be subject to public notification and shall be limited notified to the following parties: the network utility operator with responsibility for the Significant Electricity Distribution Line, unless their written approval is provided.</u></p>
DPR-0407	Forest & Bird (Forest & Bird)	FS723	New	Oppose	Reject aspects of the submission which do not directly relate to electricity lines and services as critical infrastructure.
DPR-0414	Kāinga Ora	FS046	New	Oppose	Not specified
DPR-0367	Orion	155	New	Neither Support	<p>Insert as follows:  <u>GIZ-RXX Trees near Significant Electricity Distribution Lines</u></p>

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
				nor Oppose	<p><u>Activity Status: PER</u></p> <p><u>1. Any tree located near a Significant Electricity Distribution Line</u></p> <p><u>Where:</u></p> <p><u>a. The tree will be set back a minimum of 5m from the centreline of any Significant Electricity Distribution Line; and</u></p> <p><u>b. The species at full maturity, will be a maximum of 3m in height.</u></p> <p><u>Activity Status when compliance not achieved</u></p> <p><u>2. When compliance with any of GIZ-RXX.1 is not achieved: NC</u></p> <p><u>Notification:</u></p> <p><u>3. Any application arising from GIZ-RXX.2 shall not be subject to public notification and shall be limited notified to the following parties: the network utility operator with responsibility for the Significant Electricity Distribution Line unless their written approval is provided.</u></p>
DPR-0407	Forest & Bird (Forest & Bird)	FS724	New	Oppose	<p><i>Reject aspects of the submission which do not directly relate to electricity lines and services as critical infrastructure.</i></p>
DPR-0367	Orion	156	New	Support In Part	<p>Insert EI-R3 (from the Energy and Infrastructure Chapter) into GIZ and reword as follows:</p> <p><u>GIZ-RXX Sensitive Activities</u></p> <p><u>Activity Status: PER</u></p> <p><u>1. The establishment of a new, or expansion of an existing sensitive activity.</u></p> <p><u>Where:</u></p> <p><u>a. The activity is not within:</u></p> <p><u>i. the National Grid Yard; and</u></p> <p><u>ii. 10m from the centreline or foundation of a support structure of the Significant Electricity Distribution Line (Islington to Springston); and</u></p> <p><u>iii. 10m from the foundation of a support structure of the Significant Electricity Distribution Line (Islington to Springston)</u></p> <p><u>iv. 5m from the centreline or foundation of a support structure of any other Significant Electricity Distribution Line; and</u></p> <p><u>v. 5m from the foundation of a support structure of any other Significant Electricity Distribution Line; and</u></p> <p><u>vi. 250m of any lawfully established</u></p>

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
					<p><u>noise generating infrastructure used for renewable electricity generation as set from the notional boundary of the sensitive activity. Except that this shall not apply to any small and community scale distributed electricity generation and small and community scale distributed electricity generation activity or any sensitive activity within Settlement Zone - Lake Coleridge Township.</u></p> <p><u>And this activity complies with the following rule requirements:</u></p> <p><u>EI-REQ1 Access</u></p> <p><u>Activity status when compliance not achieved:</u></p> <p><u>2. When compliance with any of GIZ-RXX.1. is not achieved: NC</u></p> <p><u>3. When compliance with EI-R3. a. iv is not achieved: DIS</u></p> <p><u>3.4. When compliance with any rule requirement listed in this rule is not achieved: Refer to relevant Rule Requirement.</u></p> <p><u>Notification:</u></p> <p><u>5.4. Any application arising from GIZ-RXX.2 shall not be subject to public notification and shall be limited notified to the following parties: the network utility operator with responsibility for the infrastructure, infrastructure unless their written approval is provided.</u></p>
DPR-0407	Forest & Bird (Forest & Bird)	FS725	New	Oppose	Reject aspects of the submission which do not directly relate to electricity lines and services as critical infrastructure.
DPR-0414	Kāinga Ora	FS047	New	Oppose	Not specified
DPR-0374	RIHL	409	New	Support In Part	<p>Insert new GIZ rules that permit the following defined activities:</p> <ul style="list-style-type: none"> <li>-On-site public space</li> <li>-Public transport facilities</li> <li>-Temporary activities</li> <li>-Port Activities, for that part of the GIZ east of Hoskyns Road and north of Jones Road.</li> </ul>
DPR-0157	Kevin & Bonnie Williams	FS626	New	Support In Part	Accept the submission in part
DPR-0375	Waka Kotahi	FS271	New	Support In Part	Further consideration is given to the submission prior to determining whether provision for public transport facilities is appropriate.

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
DPR-0384	RIDL(RIDL)	443	New	Support In Part	Insert new GIZ rules that permit the following defined activities: - On-site public space - Public transport facilities - Temporary activities - Port Activities, for that part of the GIZ east of Hoskyns Road and north of Jones Road.
DPR-0375	Waka Kotahi	FS274	New	Support In Part	Further consideration is given to the submission prior to determining whether provision for public transport facilities is appropriate.
DPR-0396	Woolworths	021	New	Oppose	Insert as follows: <u>Activity status: DIS</u> <u>1. Any supermarket activity</u> <u>And this activity complies with the following rule requirements:</u> <u>GIZ-REQ1 Servicing</u> <u>GIZ-REQ7 Outdoor storage</u> <u>GIZ-REQ8 Impermeable surfaces</u> <u>GIZ-REQ10 Street interfaces</u> <u>Activity status when compliance not achieved:</u> <u>2. When compliance with GIZ-R8A.1 is not achieved: Refer GIZ-R8.1</u> <u>3. When compliance with any rule requirement listed in this rule is not achieved: Refer to GIZ-Rule Requirements</u>
DPR-0392	CSI Property Limited	FS017	New	Oppose	Reject

### Analysis

10.39 Orion<sup>35</sup> seeks to amend the PDP to include an additional Rule in the GIZ chapter to further protect Important Infrastructure. As this is currently managed through both the EI chapter via EI-R1, EI-R2, EI-R3, EI-R4, EI-R7, EI-R16 and EI-R35, which aligns with the requirements of the Planning Standards, I do not consider additional support is required in the GIZ chapter. I recommend these submission points be rejected.

10.40 IRHL, RIHL and RIDL<sup>36</sup> seek additional Rules in the GIZ for on-site public space, temp activities and public transport facilities and port activities. On-site public space is not technically an activity, but a term used in the Signage chapter to help manage the location of signage. I do not consider that a new rule is required to specifically permit 'On-site public space' and I also note that the definition of 'on-site public space' covers parking areas, private lanes and accessways, which are managed by TRAN-R6.

<sup>35</sup> Orion DPR-0367.0153, DPR-0367.0154, DPR-0367.0155 and DPR-0367.0156

<sup>36</sup> IRHL DPR-0363.365, RIHL DPR-0374.409 and RIDL DPR-0384.0443

- 10.41 In the same submission point, IRHL, RIHL and RIDL<sup>37</sup> also seek a new rule specifically permitting Temporary Activities in the GIZ. I do not consider this is necessary as the Temporary Activities chapter provides for these. The submitters also seek an additional rule permitting Public Transport Facilities in the GIZ. These activities would technically be covered by GIZ-R24 'Any activity not otherwise listed' as a DIS activity. Due to the nature of such activities that lead to an increase in pedestrian movements, I consider that retaining the DIS status would ensure that safety and site appropriateness, amongst other things, can be assessed.
- 10.42 IRHL, RIHL and RIDL<sup>38</sup> also seek to include an additional rule enabling Port Activities to occur in the GIZ where it adjoins the PORTZ. Port Activities are anticipated in the special purpose Port Zone, which has been specifically developed for such activities. Some such activities classified within the definition of 'Port Activities' may also be considered industrial activities and therefore may also be carried out within the GIZ, however, when such an activity does not also align with the GIZ Rules, I consider that the default DIS status for these activities to be assessed as 'Any activity not otherwise listed' is appropriate as it allows for consideration of whether any activity that is not within the definition of an industrial activity would still align with GIZ-P2 and GIZ-P3. I recommend these submission points<sup>39</sup> be rejected.
- 10.43 Woolworths<sup>40</sup> seeks an additional rule to allow supermarkets in industrial zones as a DIS. As a retail activity, supermarkets currently have a NC status in the GIZ. Supermarkets are not provided for in the GIZ, they would be unlikely to align with GIZ-P2 and GIZ-P3, however I note these activities are anticipated and therefore enabled in the TCZ and LFRZ, therefore I recommend this submission point be rejected.

### **Recommendation**

- 10.44 I recommend, for the reasons given above, that the Hearings Panel do not insert new rules into the GIZ chapter.
- 10.45 It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.

## **11. Rule Requirements**

### **GIZ-REQ1 Servicing**

#### **Submissions**

- 11.1 Seven submission points, including two further submission points, were received in relation to GIZ-REQ1.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0145	Bunnings	011	Support	Retain as notified.
DPR-0343	CDHB	062	Support In Part	Amend as follows: <u>4. The exercise of discretion in relation to GIZ-REQ1.1. or GIZ-REQ1.2. is restricted to the following matters: a. GIZ-MAT8 Servicing</u>

<sup>37</sup> IRHL DPR-0363.365, RIHL DPR-0374.409 and RIDL DPR-0384.0443

<sup>38</sup> IRHL DPR-0363.365, RIHL DPR-0374.409 and RIDL DPR-0384.0443

<sup>39</sup> IRHL DPR-0363.365, RIHL DPR-0374.409 and RIDL DPR-0384.0443

<sup>40</sup> Woolworths DPR-0396.021

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0363	IRHL	390	Support In Part	Amend this rule to note that any corresponding applications shall not require public or limited notification.
<i>DPR-0157</i>	<i>Kevin &amp; Bonnie Williams</i>	<i>FS028</i>	<i>Support In Part</i>	<i>Accept the submission in part</i>
DPR-0374	RIHL	434	Support In Part	Amend to note that any corresponding applications shall not require public or limited notification.
<i>DPR-0157</i>	<i>Kevin &amp; Bonnie Williams</i>	<i>FS651</i>	<i>Support In Part</i>	<i>Accept the submission in part</i>
DPR-0384	RIDL(RIDL)	468	Support In Part	Amend this rule to note that any corresponding applications shall not require public or limited notification.

### ***Analysis***

- 11.2 CDHB<sup>41</sup> seek amendment to GIZ-REQ1 to require consideration of a new GIZ-MAT, relating to servicing, which they are also proposed through their submission (DPR-0346.063). Their concerns relate to the treatment of trade waste and the reticulated systems' ability to deal with such waste. The 2016 SDC Trade Waste Bylaw sets certain controls on the discharge of potentially harmful trade waste. Any business (including food businesses) that discharges or wants to discharge trade waste into the wastewater system must apply for a trade waste discharge consent. No plumbing or drainage works associated with the discharge of trade wastewater to the Council's system is to be started without agreement from the Council. As the issue raised by the submitter is dealt with through a different avenue, I do not consider a new GIZ-MAT is necessary, nor an amendment to GIZ-REQ1, therefore I recommend this submission point be rejected.
- 11.3 IRHL, RIDL and RIHL<sup>42</sup> support GIZ-REQ1 in part but seek to have the provision be 'non-notifiable'. This issue of non-notification clauses was discussed in detail in section 8 of this report. In this specific instance, I do not consider a non-notification clause appropriate where the breach in activity status in NC, therefore I recommend that these submission points be rejected.
- 11.4 Bunnings<sup>43</sup> supports GIZ-REQ1 as notified, I recommend this submission point be accepted.

### ***Recommendation***

- 11.5 I recommend, for the reasons given above, that the Hearings Panel retain GIZ-REQ1 as notified.
- 11.6 It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.

<sup>41</sup> CDHB DPR-0343.062

<sup>42</sup> IRHL DPR-0363.390 RIDL DPR-0384.468 and RIHL DPR-0374.434

<sup>43</sup> Bunnings DPR-0145.011

## GIZ-REQ2 Height

**Submissions**

11.7 Fifteen submission points, including eight further submission points, were received in relation to height limits.

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
DPR-0363	IRHL	391	GIZ-REQ2	Oppose	Amend as follows: 1. The maximum height of any building shall be 15m, <u>except that for the GIZ bounded by the PORTZ, Jones Road, Hoskyns Road and Maddisons Road the maximum height of any building shall be 20m.</u>
DPR-0157	Kevin & Bonnie Williams	FS833	GIZ-REQ2	Support In Part	Accept the submission in part
DPR-0363	IRHL	392	GIZ-REQ2	Oppose	Amend provision to note that any corresponding applications in that part of the GIZ bounded by the PORTZ, Jones Road, Hoskyns Road and Maddisons Road shall not require public or limited notification.
DPR-0157	Kevin & Bonnie Williams	FS834	GIZ-REQ2	Support In Part	Accept the submission in part
DPR-0365	Stuart PC Limited	023	GIZ-REQ2	Oppose	Amend as follows: 2. The maximum height of any structure that is not a building shall be <u>30.25m.</u>
DPR-0358	RWRL	FS244	GIZ-REQ2	Support	Adopt.
DPR-0363	IRHL	FS244	GIZ-REQ2	Support	Adopt.
DPR-0374	RIHL	FS244	GIZ-REQ2	Support	Adopt.
DPR-0384	RIDL(RIDL)	FS244	GIZ-REQ2	Support	Adopt.
DPR-0374	RIHL	435	GIZ-REQ2	Oppose	Amend as follows: 1. The maximum height of any building shall be 15m, <u>except that for the GIZ bounded by the PORTZ, Jones Road, Hoskyns Road and Maddisons Road the maximum height of any building shall be 20m.</u>
DPR-0157	Kevin & Bonnie Williams	FS085	GIZ-REQ2	Support In Part	Accept the submission in part
DPR-0374	RIHL	436	GIZ-REQ2	Oppose	Amend provision to note that any corresponding applications in that part of the GIZ bounded by the PORTZ, Jones Road, Hoskyns Road and Maddisons Road shall not require public or limited notification.
DPR-0157	Kevin & Bonnie Williams	FS086	GIZ-REQ2	Support In Part	Accept the submission in part



Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
DPR-0384	RIDL(RIDL)	469	GIZ-REQ2	Oppose	Amend as follows: 1. The maximum height of any building shall be 15m, <u>except that for the GIZ bounded by the PORTZ, Jones Road, Hoskyns Road and Maddisons Road the maximum height of any building shall be 20m.</u>
DPR-0384	RIDL(RIDL)	470	GIZ-REQ2	Oppose	Amend provision to note that any corresponding applications in that part of the GIZ bounded by the PORTZ, Jones Road, Hoskyns Road and Maddisons Road shall not require public or limited notification.

### Analysis

- 11.8 IRHL, RIDL and RIHL<sup>44</sup> seek to amend GIZ-REQ2. The submitters consider the maximum height of any building shall be 15m, except that for the GIZ bounded by the PORTZ, Jones Road, Hoskyns Road and Maddisons Road the maximum height of any building shall be 20m. The height limit is one method by which the interface between the GIZ and any adjoining GRUZ, RESZ or CMUZ is managed. In addition to height limits, there are also HRTB requirements. In Rolleston the PORTZ has a higher height limit than the GIZ. This is due to the operational and functional requirements of the Port, which is deemed to be important infrastructure. A resource consent could be obtained as a RDIS activity, if an activity within the GIZ required an increased height limit and the matters of discretion would be limited to those listed in GIZ-MAT1 which includes consideration of the functional and operational requirements of the activity. I consider a 15m height limit is appropriate as height in relation to boundary and setbacks are not always applicable, therefore the capped height limit ensure amenity for those operating within the zone it maintained across the GIZ and that the RDIS status would allow for an increased height if deemed appropriate.
- 11.9 IRHL, RIDL and RIHL<sup>45</sup> also seek to amend GIZ-REQ2 to note that any corresponding applications in that part of the GIZ bounded by the PORTZ, Jones Road, Hoskyns Road and Maddisons Road shall not require public or limited notification. I do not consider that removing the notification requirement for a breach in height limit is appropriate, given that there is no 'upper limit' on how high a building may go, beyond the HRTB requirements that do not necessarily apply along all boundaries in the Zone. Given the potential visual impacts and possible impact on important infrastructure, I consider that the ability to notify an application must be retained. I recommend these submission points be rejected.
- 11.10 Stuart PC<sup>46</sup> support GIZ-REQ2 but seek an increase in the maximum height of structure from 25m to 30m. For the reasons discussed in 11.9 above, I consider that the height limits contained in the plan as notified, are appropriate to balance the operational and functional requirements of activities within the zone and protecting amenity for adjoining GRUZ, RESZ and CMUZ sites. A breach in height would trigger the need for a resource consent, the breach would be assessed as an RDIS activity, and the matters of discretion would be limited to those listed in GIZ-MAT1. I consider a 25m height limit

<sup>44</sup> IRHL DPR-0363.391, RIDL DPR-0384.469 and RIHL DPR-0374.435

<sup>45</sup> IRHL DPR-0363.392, RIDL DPR-0384.470 and RIHL DPR-0374.436

<sup>46</sup> StuartPC DPR-0365.023

for any structure that is not a building is appropriate across the GIZ and that the RDIS status would allow for an increased height if deemed appropriate. I recommend this submission point be rejected.

### **Recommendation**

11.11 I recommend, for the reasons given above, that the Hearings Panel retain GIZ-REQ2 as notified.

11.12 It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.

### **GIZ-REQ3 Height in Relation to Boundary**

#### **Submissions**

11.13 Twelve submission points, including six further submission points, were received in relation to the HRTB requirements.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0126	Foster Commercial	020	Neither Support nor Oppose	Amend to clarify which clause of the APP3 Height in Relation to Boundary applies to this provision.
DPR-0363	IRHL	393	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS835	Support In Part	Accept the submission in part
DPR-0365	Stuart PC Limited	024	Oppose In Part	Amend the height in relation to boundary control to reflect the increased 30m height limit requested by submitter.
DPR-0358	RWRL	FS245	Support	Adopt.
DPR-0363	IRHL	FS245	Support	Adopt.
DPR-0374	RIHL	FS245	Support	Adopt.
DPR-0384	RIDL(RIDL)	FS245	Support	Adopt.
DPR-0365	Stuart PC Limited	025	Oppose In Part	Retain the exemption for internal boundaries from the application of Height in Relation to Boundary C, in relation to GIZ.
DPR-0374	RIHL	437	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS087	Support In Part	Accept the submission in part
DPR-0384	RIDL(RIDL)	471	Support	Retain as notified

#### **Analysis**

11.14 Foster Commercial<sup>47</sup> seek an amendment to GIZ-REQ3 to confirm which HRTB applies. On review, Height in relation to boundary A applies to "... all buildings and structures within all other zones where the site adjoins any Residential zone, or the General Rural Zone shall be determined using the indicator and shall be measured from a point **2.5m** vertically above the reference point". Height in relation to boundary is not intended to apply where the PORTZ adjoins the GIZ and vice versa. This is not implicitly stated in either GIZ-REQ3 or APP3, therefore I agree with the submitter that confirmation in GIZ-REQ3 would make it clearer for Plan Users to determine how to measure HRTB. I recommend this submission point be accepted.

<sup>47</sup> Foster DPR-0126.020

11.15 Stuart PC<sup>48</sup> seeks a consequential amendment to the HRTB rule requirement as a consequence of seeking to amend the height limit to 30m. As I did not recommend the acceptance of that submission point, consequently, I recommend that this submission point also be rejected. Stuart PC<sup>49</sup> also sought that the exemption for internal boundaries in HRTB Boundary C is retained. I recommend this submission point be accepted.

### **Recommendation**

11.16 I recommend, for the reasons given above, that the Hearings Panel:

- a. Amend the GIZ-REQ3 as shown in **Appendix 2** to clarify height in relation to boundary requirements.

11.17 It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.

### **GIZ-REQ4 Setbacks**

#### **Submissions**

11.18 22 submission points, including 13 further submission points, were received in relation to setbacks in the GIZ chapter.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0353	HortNZ	297	Oppose In Part	Amend as follows: .... 2. Any building shall be setback a minimum of <del>3m</del> <u>8m</u> from the internal boundary with any residential or rural zone. ....
DPR-0358	RWRL	FS246	Oppose	Reject
DPR-0363	IRHL	FS246	Oppose	Reject
DPR-0374	RIHL	FS246	Oppose	Reject
DPR-0384	RIDL(RIDL)	FS246	Oppose	Reject
DPR-0363	IRHL	394	Oppose	Amend as follows for PREC6: 6. Any building shall be setback a minimum of <del>10m</del> <u>2m</u> from the road boundary, <u>or 3m from the road boundary when opposite a residential or rural zone.</u>
DPR-0157	Kevin & Bonnie Williams	FS836	Support In Part	Accept the submission in part
DPR-0363	IRHL	395	Oppose	Amend provision to note that any corresponding applications shall not require public or limited notification. Refer to original submission for full decision requested.
DPR-0157	Kevin & Bonnie Williams	FS837	Support In Part	Accept the submission in part

<sup>48</sup> Stuart PC DPR-0365.024

<sup>49</sup> Stuart PC DPR-0365.025

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0365	Stuart PC Limited	026	Oppose	Amend as follows: 6. Any building shall be setback a minimum of <del>10m</del> 4m from the road boundary.
DPR-0358	RWRL	FS247	Support	Adopt.
DPR-0363	IRHL	FS247	Support	Adopt.
DPR-0374	RIHL	FS247	Support	Adopt.
DPR-0384	RIDL(RIDL)	FS247	Support	Adopt.
DPR-0374	RIHL	438	Oppose	Amend as follows for PREC6: 6. Any building shall be setback a minimum of <del>10m</del> 2m from the road boundary, <u>or 3m from the road boundary when opposite a residential or rural zone.</u>
DPR-0157	Kevin & Bonnie Williams	FS913	Support In Part	Accept the submission in part
DPR-0374	RIHL	439	Oppose	Amend provision to note that any corresponding applications shall not require public or limited notification. Refer to original submission for full decision requested.
DPR-0157	Kevin & Bonnie Williams	FS088	Support In Part	Accept the submission in part
DPR-0384	RIDL(RIDL)	472	Oppose	Amend as follows for PREC6: 6. Any building shall be setback a minimum of <del>10m</del> 2m from the road boundary, <u>or 3m from the road boundary when opposite a residential or rural zone.</u>
DPR-0384	RIDL(RIDL)	473	Oppose	Amend provision to note that any corresponding applications shall not require public or limited notification. Refer to original submission for full decision requested.
DPR-0375	Waka Kotahi	FS275	Oppose	Reject insertion of a non-notification clause.
DPR-0458	KiwiRail	057	Support	Retain as notified.

### Analysis

11.19 RIHL, RIDL and IRHL<sup>50</sup> seek reduced setbacks in PREC6. The submitter considers that the setback proposed is unnecessary and unreasonable and inconsistent with the setback requirements across the majority of the GIZ. On review, the setbacks in PREC6 are significantly larger than other GIZ locations across the district, and the large road reserves and landscaping requirements would enable the character of the area to be retained even with a reduced setback. I consider that the 10m setback at the zone interface should still be retained, however, internally a reduced setback of 3m would be acceptable as long as the 3m landscaping strip and road width requirements are retained. I recommend these submission points be accepted in part.

11.20 Stuart PC<sup>51</sup> also seek reduced setbacks. In PREC6, they consider that reducing the road boundary setback from 10m to 4m would make more efficient use of scarce industrial land. I recommend this

<sup>50</sup> RIHL DPR-0374.438, RIDL DPR-0384.472, IRHL DPR-0363.394

<sup>51</sup> Stuart PC DPR-0365.026

submission point be accepted in part, as the 3m setback proposed in 11.20 above would enable more of the site to be used for activities, whilst retaining the space required for landscaping.

11.21 HortNZ<sup>52</sup> seeks an increased setback, where the boundary adjoins a rural or residential site. The submitter opposes a 3m setback from the boundary with the rural zone and considers that such a distance may be insufficient to mitigate adverse effects. The submitter also considers that a greater setback allows for shelter belt and amenity planting to occur on the boundary. In addition to the setback requirements, the zone interface boundaries are also required to comply with a lower HRTB requirement, and there is a requirement under GIZ-REQ6 for amenity landscaping and trees or shelterbelts to be planted along the zone interface boundary, within the GIZ. I recommend this submission point be rejected as I consider the concerns of the submitter are sufficiently addressed by the landscaping and HRTB requirements also applicable to the zone.

11.22 RIHL, RIDL and IRHL<sup>53</sup> seek the inclusion of a non-notification clause in GIZ-REQ4. The submitters consider that applications under this provision in that part of the GIZ bounded by the PORTZ, Jones Road, Hoskyns Road and Maddisons Road location should not require public or limited notification given their distance from other zones or activities sensitive to building height. Given that the setback is to be reduced from 10m to 3m, I consider the retention of the ability to notify an application should be retained. I recommend these submission points be rejected.

11.23 KiwiRail<sup>54</sup> seeks GIZ-REQ4.3 be retained as notified, the submitter considers setback will ensure all structures are able to be constructed and maintained without requiring entry into the rail corridor, which will help to ensure that the rail network can operate in a safe and efficient manner. I recommend this submission point be accepted.

### **Recommendation**

11.24 I recommend, for the reasons given above, that the Hearings Panel:

- a. Amend the GIZ-REQ4 as shown in **Appendix 2** to reduce setback in PREC6 to be more consistent with setbacks across other GIZ locations in the district.

11.25 It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.

### **GIZ-REQ5 and GIZ-REQ6 Landscaping**

#### **Submissions**

11.26 Twenty-six submission points, including ten further submission points, were received in relation to the landscaping requirements for both internal and road boundaries.

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
DPR-0363	IRHL	396	GIZ-REQ5	Oppose	Amend as follows: 4. Prior to the erection of any principal building, a landscaping strip of at least <del>3m</del> <b>2m</b> width shall be provided along the road

<sup>52</sup> HortNZ DPR-03353.

<sup>53</sup> RIHL DPR-0374.439, RIDL DPR-0384.473, IRHL DPR-0363.395

<sup>54</sup> KiwiRail DPR-0458.057

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
					frontage of the site, excluding where specified in GIZ-REQ5.7. or GIZ-REQ5.8. below.
DPR-0157	Kevin & Bonnie Williams	FS838	GIZ-REQ5	Support In Part	Accept the submission in part
DPR-0363	IRHL	397	GIZ-REQ5	Oppose	Amend provision to note that any corresponding applications shall not require public or limited notification.
DPR-0157	Kevin & Bonnie Williams	FS839	GIZ-REQ5	Support In Part	Accept the submission in part
DPR-0363	IRHL	398	GIZ-REQ5	Oppose	Amend provision to specify that non-compliance requires consent as a RDIS (rather than DIS) activity, with corresponding assessment matters.
DPR-0157	Kevin & Bonnie Williams	FS840	GIZ-REQ5	Support In Part	Accept the submission in part
DPR-0365	Stuart PC Limited	027	GIZ-REQ5	Oppose	Amend the standard to require landscaping in more general terms and to provide more flexibility.
DPR-0365	Stuart PC Limited	028	GIZ-REQ5	Oppose	Amend the standard so that non-compliance is a restricted discretionary activity rather than full discretionary.
DPR-0374	RIHL	440	GIZ-REQ5	Oppose	Amend as follows: 4. Prior to the erection of any principal building, a landscaping strip of at least <del>3m</del> <u>2m</u> width shall be provided along the road frontage of the site, excluding where specified in GIZ-REQ5.7. or GIZ-REQ5.8. below.
DPR-0157	Kevin & Bonnie Williams	FS089	GIZ-REQ5	Support In Part	Accept the submission in part
DPR-0374	RIHL	441	GIZ-REQ5	Oppose	Amend provision to note that any corresponding applications shall not require public or limited notification.
DPR-0157	Kevin & Bonnie Williams	FS090	GIZ-REQ5	Support In Part	Accept the submission in part
DPR-0374	RIHL	442	GIZ-REQ5	Oppose	Amend provision to specify that non-compliance requires consent as a RDIS (rather than DIS) activity, with corresponding assessment matters.
DPR-0157	Kevin & Bonnie Williams	FS776	GIZ-REQ5	Support In Part	Accept the submission in part
DPR-0384	RIDL(RIDL)	474	GIZ-REQ5	Oppose	Amend as follows: 4. Prior to the erection of any principal building, a landscaping strip of at least <del>3m</del> <u>2m</u> width shall be provided along the road frontage of the site, excluding

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
					where specified in GIZ-REQ5.7. or GIZ-REQ5.8. below.
DPR-0384	RIDL(RIDL)	475	GIZ-REQ5	Oppose	Amend provision to note that any corresponding applications shall not require public or limited notification.
DPR-0384	RIDL(RIDL)	476	GIZ-REQ5	Oppose	Amend provision to specify that non-compliance requires consent as a RDIS (rather than DIS) activity, with corresponding assessment matters.
DPR-0396	Woolworths	022	GIZ-REQ5	Oppose	Amend as follows: 3. When compliance with any of GIZ-REQ5.1. or GIZ-REQ5.2. is not achieved: <del>DIS</del> <u>RDIS</u> .... 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. is not achieved: <del>DIS</del> <u>RDIS</u> .... 12. When compliance with any of GIZ-REQ5.11. is not achieved: <del>DIS</del> <u>RDIS</u> .... 15. When compliance with any of GIZ-REQ5.13. or GIZ-REQ5.14. is not achieved: <del>DIS</del> <u>RDIS</u> .... 18. When compliance with any of GIZ-REQ5.16. or GIZ-REQ5.17. is not achieved: <del>DIS</del> <u>RDIS</u>
DPR-0392	CSI Property Limited	FS014	GIZ-REQ5	Oppose	Reject
DPR-0363	IRHL	399	GIZ-REQ6	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS841	GIZ-REQ6	Support In Part	Accept the submission in part
DPR-0374	RIHL	443	GIZ-REQ6	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS777	GIZ-REQ6	Support In Part	Accept the submission in part
DPR-0384	RIDL(RIDL)	477	GIZ-REQ6	Support	Retain as notified
DPR-0396	Woolworths	023	GIZ-REQ6	Oppose	Amend as follows: 3. When compliance with any of GIZ-REQ6.1. or GIZ-REQ6.2. is not achieved: <del>DIS</del> <u>RDIS</u> .... 6. When compliance with any of GIZ-REQ6.4. or GIZ-REQ6.5. is not achieved: <del>DIS</del> <u>RDIS</u> .... 8. When compliance with any of GIZ-REQ6.7. is not achieved: <del>DIS</del> <u>RDIS</u>

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
					.... 10. When compliance with any of GIZ-REQ6.9. is not achieved: <del>DIS</del> RDIS
DPR-0392	CSI Property Limited	FS015	GIZ-REQ6	Oppose	Reject

### Analysis

- 11.27 RIDL, RIHL and IRHL<sup>55</sup> seek to reduce the road boundary landscaping strip width requirements in GIZ-REQ5, from 3m to 2m. At 3m, the landscaping strip would be wider than the minimum 2m road boundary setback they seek for GIZ-REQ4 (Road boundary setback proposed to be reduced from 10m to 2m). Whilst I recommended that their relief sought for GIZ-REQ4 be accepted in part (reduction from 10m to 3m), that a somewhat reduced setback in PREC6 would be appropriate, and better aligned with the roading boundary setback requirements in other GIZ locations across the district, I consider that in order to maintain the character of PREC6 the existing landscaping requirements should be retained, including the minimum width of the landscaping strip. I recommend that these submission points be rejected.
- 11.28 Woolworths<sup>56</sup> seeks a change in activity status for GIZ-REQ5 from DIS to RDIS where the landscaping requirements are not met. Stuart PC, RIDL, RIHL and IRHL<sup>57</sup> also seek to amend the activity status of GIZ-REQ5 from DIS to RDIS. I consider that the matters which Council would consider for such an application, based on a review of existing resource consents granted by SDC under the ODP, could be limited to the following issues: The extent to which reduced landscaping results in adverse effects on amenity and visual streetscape values, especially where the frontage is to an arterial road or collector road that has a gateway function to a township; the extent to which the reduced landscaping is opposite any residential or open space and recreation zones and the effects of any reduction in landscaping on the amenity values and outlook of those zones; and the extent to which the visual effects of reduced landscaping are mitigated through the location of ancillary offices, showrooms, the display of trade supplier or yard-based goods for sale, along the site frontage. I recommend these submission points be accepted.
- 11.29 Stuart PC<sup>58</sup> also sought that GIZ-REQ5 be amended to require landscaping in more general terms and to provide more flexibility. I consider that the landscaping requirements provide a minimum of what can be done and a RDIS status allows flexibility and provides a pathway allowing for resource consent applications to be made where the standardised plan requirements are unable to be met due to the functional and operational requirements of the activity. I recommend this submission point be rejected.
- 11.30 RIDL, RIHL and IRHL<sup>59</sup> also sought that GIZ-REQ5 be amended to include a non-notification requirement, however, given the proposal to amend the activity status from RDIS to DIS I think that

<sup>55</sup> IRHL DPR-0363.396, RIDL DPR-0384.474 and RIHL DPR-0374.440

<sup>56</sup> Woolworths DPR-0396.022 and DPR-0396.023

<sup>57</sup> Stuart PC DPR-0365.028, IRHL DPR-0363.397, RIDL DPR-0384.475 and RIHL DPR-0374.441

<sup>58</sup> Stuart PC DPR-0365.027

<sup>59</sup> IRHL DPR-0363.398, RIDL DPR-0384.476 and RIHL DPR-0374.442



retention of the ability to notify such an application if deemed necessary is appropriate. I recommend these submission points be rejected.

11.31 Woolworths<sup>60</sup> seeks a change in activity status for GIZ-REQ6 from DIS to RDIS where the landscaping requirements are not met. I consider that the matters which Council would consider for such an application, based on a review of existing resource consents granted by SDC under the ODP, could be limited to the following issues: The extent of visual effects of outdoor storage and car parking areas, or buildings (taking account of their scale and appearance), as a result of reduced landscaping; the extent to which the site is visible from adjoining sites in residential zones, rural zones, or open space and recreation zones and the likely consequences of any reduction in landscaping or screening on the amenity and privacy of those sites; and the extent to which there are any compensating factors for reduced landscaping or screening, including the nature or scale of planting proposed, the location of parking areas, manoeuvring areas or storage areas, or the location of ancillary offices/wholesale display of goods/showrooms. I recommend this submission point be accepted.

11.32 RIDL, RIHL and IRHL<sup>61</sup> sought to retain GIZ-REQ6 as notified. I recommend these submission points are accepted in part, based on the change on activity status recommended above.

### **Recommendation**

11.33 I recommend, for the reasons given above, that the Hearings Panel:

- a. Amend the GIZ-REQ5 as shown in **Appendix 2** to change activity status from DIS to RDIS.
- b. Amend the GIZ-REQ6 as shown in **Appendix 2** to change activity status from DIS to RDIS.

11.34 It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.

### **GIZ-REQ7 Outdoor Storage**

#### **Submissions**

11.35 19 submission points, including ten further submission points, were received in relation to GIZ-REQ7.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0145	Bunnings	012	Support	Retain as notified.
DPR-0363	IRHL	400	Support In Part	Amend provision to note that any corresponding applications shall not require public or limited notification.
DPR-0157	Kevin & Bonnie Williams	FS842	Support In Part	Accept the submission in part
DPR-0375	Waka Kotahi	FS268	Oppose	Retain the rule without a non-notification clause.
DPR-0363	IRHL	401	Support In Part	Amend provision to specify that non-compliance requires consent as a RDIS (rather than DIS) activity, with corresponding assessment matters.
DPR-0157	Kevin & Bonnie Williams	FS843	Support In Part	Accept the submission in part

<sup>60</sup> Woolworths DPR-0396.022 and DPR-0396.023

<sup>61</sup> IRHL DPR-0363.399, RIDL DPR-0384.477 and RIHL DPR-0374.443

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0365	Stuart PC Limited	029	Oppose	Require consent as a restricted discretionary for non-compliance with this requirement.
DPR-0374	RIHL	444	Support In Part	Amend provision to note that any corresponding applications shall not require public or limited notification.
DPR-0157	Kevin & Bonnie Williams	FS782	Support In Part	Accept the submission in part
DPR-0375	Waka Kotahi	FS272	Oppose	Retain the rule without a non-notification clause.
DPR-0374	RIHL	445	Support In Part	Amend provision to specify that non-compliance requires consent as a RDIS (rather than DIS) activity, with corresponding assessment matters.
DPR-0157	Kevin & Bonnie Williams	FS784	Support In Part	Accept the submission in part
DPR-0375	Waka Kotahi	FS273	Oppose	Retain the rule without a non-notification clause.
DPR-0384	RIDL(RIDL)	478	Support In Part	Amend provision to note that any corresponding applications shall not require public or limited notification.
DPR-0375	Waka Kotahi	FS276	Oppose	Retain the rule without a non-notification clause.
DPR-0384	RIDL(RIDL)	479	Support In Part	Amend provision to specify that non-compliance requires consent as a RDIS (rather than DIS) activity, with corresponding assessment matters.
DPR-0375	Waka Kotahi	FS277	Oppose	Retain the rule without a non-notification clause.
DPR-0396	Woolworths	024	Oppose	3. When compliance with any of GIZ-REQ7.1. or GIZ-REQ7.2. is not achieved: <del>DIS</del> <u>RDIS</u> .... 5. When compliance with any of GIZ-REQ7.4. is not achieved: <del>CON</del> <u>RDIS</u>
DPR-0392	CSI Property Limited	FS016	Oppose	Reject

### Analysis

11.36 RIHL, RIDL, IRHL and Woolworths<sup>62</sup> seek a change in activity status from DIS to RDIS where the rule requirement for outdoor storage is breached. The submitters consider an assessment of this infringement could be reasonably carried out using the existing or an additional matter for discretion. Given the wide variety of items that could potentially be stored, especially given this is an industrial zone, I consider that the DIS status is appropriate. I recommend these submission points be rejected.

11.37 IRHL, RIDL and RIHL<sup>63</sup> also seek to amend GIZ-REQ7 to note that any corresponding applications shall not require public or limited notification. I do not consider that removing the notification options

<sup>62</sup>RIDL DPR-0384.479 and RIHL DPR-0374.401, IRHL DPR-0363.445, Woolworths DPR-0396.024

<sup>63</sup>IRHL DPR-0363.444, RIDL DPR-0384.478 and RIHL DPR-0374.400

for a breach of the outdoor storage requirement is appropriate, given that there is no 'upper limit' on the extent of the breach. Given the potential visual impacts the ability to notify an application must be retained. I recommend these submission points be rejected.

11.38 Bunnings<sup>64</sup> seek to retain GIZ-REQ7 as notified. I recommend this submission point be accepted.

#### **Recommendation**

11.39 I recommend, for the reasons given above, that the Hearings Panel retain the provision as notified.

11.40 It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.

### GIZ-REQ8 Impermeable Surfaces

#### **Submissions**

11.41 Seven submission points, including two further submission points were received in relation to GIZ-REQ8.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0145	Bunnings	013	Support	Retain as notified.
DPR-0363	IRHL	402	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS844	Support In Part	Accept the submission in part
DPR-0365	Stuart PC Limited	030	Support	Retain as notified
DPR-0374	RIHL	446	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS832	Support In Part	Accept the submission in part
DPR-0384	RIDL(RIDL)	480	Support	Retain as notified

#### **Analysis**

11.42 Bunnings, IRHL, Stuart PC, RIHL and RIDL<sup>65</sup> support GIZ-REQ8 as notified. As no amendments have been sought to these provisions, I recommend these submission points be accepted.

#### **Recommendation**

11.43 I recommend, for the reasons given above, that the Hearings Panel retain the provision as notified.

11.44 It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.

### GIZ-REQ9 Roof length

#### **Submissions**

11.45 Five submission points, including two further submission points were received in relation to GIZ-REQ9.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
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<sup>64</sup> DPR-0145.012

<sup>65</sup> Bunnings DPR-0145.013, IRHL DPR-0363.402, Stuart PC DPR-0365.030, RIHL DPR-0374.446 and RIDL DPR-0384.480

DPR-0363	IRHL	403	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS845	Support In Part	Accept the submission in part
DPR-0374	RIHL	447	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS862	Support In Part	Accept the submission in part
DPR-0384	RIDL(RIDL)	481	Support	Retain as notified

### Analysis

11.46 IRHL, RIHL and RIDL<sup>66</sup> support GIZ-REQ9 as notified. As no amendments have been sought to these provisions, I recommend these submission points be accepted.

### Recommendation

11.47 I recommend, for the reasons given above, that the Hearings Panel retain the provision as notified.

11.48 It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.

### GIZ-REQ10 Street Interface

#### Submissions

11.49 Seven submission points, including two further submission points were received in relation to GIZ-REQ10.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0145	Bunnings	014	Support In Part	Delete the requirement for a discretionary activity resource consent for non-compliance with this rule, and instead require restricted discretionary activity resource consent.
DPR-0363	IRHL	404	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS846	Support In Part	Accept the submission in part
DPR-0374	RIHL	448	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS886	Support In Part	Accept the submission in part
DPR-0384	RIDL(RIDL)	482	Support	Retain as notified
DPR-0396	Woolworths	025	Oppose	2. When compliance with any of GIZ-REQ10.1. is not achieved: <del>DIS</del> <u>RDIS</u>

### Analysis

11.50 Bunnings and Woolworths<sup>67</sup> seek an amendment in the activity status from DIS to RDIS when this Rule Requirement is not achieved. The RDIS status is currently only applicable to developments in Leeston's PREC8. The decision not to require a DIS status was made during drafting due to the nature of compliance in the other Industrial Precincts being less restricted than in PREC8, therefore non-

<sup>66</sup> IRHL DPR-0363.403, RIHL DPR-0374.447 and RIDL DPR-0384.481

<sup>67</sup> Bunnings DPR-0145.014 and Woolworths DPR-0396.025

compliance with the less restrictive requirement should enable Council to use their full discretion to assess a proposal. I recommend these submission points be rejected.

11.51 IRHL, RIHL and RIDL<sup>68</sup> support GIZ-REQ10 as notified. I recommend these submission points be accepted.

### **Recommendation**

11.52 I recommend, for the reasons given above, that the Hearings Panel retain the provision as notified.

11.53 It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.

## **12. Matters of Control or Discretion**

### **GIZ-MAT1 - GIZ-MAT7**

#### **Submissions**

12.1 38 submission points, including 15 further submission points were received in relation to the GIZ-Matters for Control or Discretion.

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
DPR-0101	Chorus New Zealand Limited, Spark New Zealand Trading Limited & Vodafone New Zealand Limited	047	GIZ-MAT1	Oppose	Insert matters of control or discretion to each zone requiring consideration of any reverse sensitivity effects on important infrastructure where the zone height standard is exceeded by more than 2m and do not include any rules on notification in the Proposed Plan that preclude consideration of important infrastructure as affected parties under s95E of the RMA where resource consent to exceed height limits is required.
DPR-0414	Kāinga Ora	FS106	GIZ-MAT1	Oppose	Not Specified
DPR-0363	IRHL	405	GIZ-MAT1	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS847	GIZ-MAT1	Support In Part	Accept the submission in part
DPR-0374	RIHL	449	GIZ-MAT1	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS893	GIZ-MAT1	Support In Part	Accept the submission in part
DPR-0384	RIDL(RIDL)	483	GIZ-MAT1	Support	Retain as notified
DPR-0363	IRHL	406	GIZ-MAT2	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS848	GIZ-MAT2	Support In Part	Accept the submission in part
DPR-0374	RIHL	450	GIZ-MAT2	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS903	GIZ-MAT2	Support In Part	Accept the submission in part
DPR-0384	RIDL(RIDL)	484	GIZ-MAT2	Support	Retain as notified

<sup>68</sup> IRHL DPR-0363.404, RIHL DPR-0374.448 and RIDL DPR-0384.482

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
DPR-0363	IRHL	407	GIZ-MAT3	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS849	GIZ-MAT3	Support In Part	Accept the submission in part
DPR-0374	RIHL	451	GIZ-MAT3	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS904	GIZ-MAT3	Support In Part	Accept the submission in part
DPR-0384	RIDL(RIDL)	485	GIZ-MAT3	Support	Retain as notified
DPR-0458	KiwiRail	058	GIZ-MAT3	Support	Retain as notified.
DPR-0363	IRHL	408	GIZ-MAT4	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS850	GIZ-MAT4	Support In Part	Accept the submission in part
DPR-0374	RIHL	452	GIZ-MAT4	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS905	GIZ-MAT4	Support In Part	Accept the submission in part
DPR-0384	RIDL(RIDL)	486	GIZ-MAT4	Support	Retain as notified
DPR-0363	IRHL	409	GIZ-MAT5	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS851	GIZ-MAT5	Support In Part	Accept the submission in part
DPR-0374	RIHL	453	GIZ-MAT5	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS906	GIZ-MAT5	Support In Part	Accept the submission in part
DPR-0384	RIDL(RIDL)	487	GIZ-MAT5	Support	Retain as notified
DPR-0363	IRHL	410	GIZ-MAT6	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS852	GIZ-MAT6	Support In Part	Accept the submission in part
DPR-0374	RIHL	454	GIZ-MAT6	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS907	GIZ-MAT6	Support In Part	Accept the submission in part
DPR-0384	RIDL(RIDL)	488	GIZ-MAT6	Support	Retain as notified
DPR-0363	IRHL	411	GIZ-MAT7	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS853	GIZ-MAT7	Support In Part	Accept the submission in part
DPR-0374	RIHL	455	GIZ-MAT7	Support	Retain as notified
DPR-0157	Kevin & Bonnie Williams	FS908	GIZ-MAT7	Support In Part	Accept the submission in part
DPR-0384	RIDL(RIDL)	489	GIZ-MAT7	Support	Retain as notified

### Analysis

- 12.2 Chorus<sup>69</sup> seeks an amendment to insert matters of control or discretion in the GIZ, requiring consideration of any reverse sensitivity effects on important infrastructure where the zone height standard is exceeded by more than 2m. I consider it would be appropriate to add a clause to GIZ-MAT 1 to consider the potential impact of a height breach. The submitter also seeks that resource consent to exceed height limits are not precluded from notification. GIZ-REQ2 does not contain a non-notification clause. I recommend this submission point be accepted.

<sup>69</sup> Chorus DPR-0101.047

- 12.3 RIDL, IRHL and RIHL<sup>70</sup> support GIZ-MAT1 as notified. I recommend these submission points be accepted in part.
- 12.4 RIDL, IRHL and RIHL<sup>71</sup> support GIZ-MAT2 as notified. I recommend these submission points be accepted.
- 12.5 RIDL, IRHL and RIHL and KiwiRail<sup>72</sup> support GIZ-MAT3 as notified. I recommend these submission points be accepted.
- 12.6 RIDL, IRHL and RIHL<sup>73</sup> support GIZ-MAT4 as notified. I recommend these submission points be accepted.
- 12.7 RIDL, IRHL and RIHL<sup>74</sup> support GIZ-MAT5 as notified. I recommend these submission points be accepted.
- 12.8 RIDL, IRHL and RIHL<sup>75</sup> support GIZ-MAT6 as notified. I recommend these submission points be accepted.
- 12.9 RIDL, IRHL and RIHL<sup>76</sup> support GIZ-MAT7 as notified. I recommend these submission points be accepted.

### ***Recommendation***

- 12.10 I recommend, for the reasons given above, that the Hearings Panel:
- Amend GIZ-MAT1 as shown in **Appendix 2** to enable the consideration of additional impacts from an increase in height limit.
- 12.11 It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.

### **NEW-Matter for Control or Discretion**

#### ***Submissions***

- 12.12 Six submission points, including four further submission points were received in relation to the inclusion of new Matters for Control or Discretion.

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
DPR-0343	CDHB	063	New	Support In Part	Insert Matter as follows: <u>GIZ-MAT8</u> <u>1. The appropriateness of the measures proposed to manage the capacity and nature of waste produced by the activity.</u> <u>2. Any adverse effects of waste on reticulated wastewater systems.</u>

<sup>70</sup> IRHL DPR-0363.405, RIHL DPR-0374.449 and RIDL DPR-0384.483

<sup>71</sup> IRHL DPR-0363.406, RIHL DPR-0374.450 and RIDL DPR-0384.484

<sup>72</sup> IRHL DPR-0363.407, RIHL DPR-0374.451, RIDL DPR-0384.485 and KiwiRail DPR-0458.058

<sup>73</sup> IRHL DPR-0363.408, RIHL DPR-0374.452 and RIDL DPR-0384.486

<sup>74</sup> IRHL DPR-0363.409, RIHL DPR-0374.453 and RIDL DPR-0384.487

<sup>75</sup> IRHL DPR-0363.410, RIHL DPR-0374.454 and RIDL DPR-0384.488

<sup>76</sup> IRHL DPR-0363.411, RIHL DPR-0374.455 and RIDL DPR-0384.489

DPR-0396	Woolworths	026	New	Oppose	Insert a new Matter for Discretion to address the effects of one or more of infringements of rule requirements to support a change in activity status from DIS to RDIS in addition to relying on existing GIZ-Matters for Control or Discretion
DPR-0358	RWRL	FS251	New	Oppose	Reject
DPR-0363	IRHL	FS001	New	Oppose	Reject
DPR-0374	RIHL	FS251	New	Oppose	Reject
DPR-0384	RIDL(RIDL)	FS251	New	Oppose	Reject

### Analysis

- 12.13 CDHB<sup>77</sup> supports GIZ-REQ1 in part but considers that a new GIZ-MAT should be included to allow for Council to consider whether there is sufficient and appropriate capacity for wastewater treatment systems to handle some of the waste from industrial activities. The 2016 SDC Trade Waste Bylaw sets certain controls on the discharge of potentially harmful trade waste. Any business (including food businesses) that discharges or wants to discharge trade waste into the wastewater system must apply for a trade waste discharge consent. No plumbing or drainage works associated with the discharge of trade wastewater to the Council's system is to be started without agreement from the Council. As the issue raised by the submitter is dealt with through a different avenue, I do not consider a new GIZ-MAT is necessary, therefore I recommend this submission point be rejected.
- 12.14 Woolworths<sup>78</sup> request the insertion of new matters for control or discretion in the GIZ chapter to reflect the acceptance of their relief sought in relation to changing the status for a non-compliance with any of GIZ-REQ5, GIZ-REQ6, GIZ-REQ7 or GIZ-REQ10 to RDIS.
- 12.15 Based on a review of existing resource consents granted by SDC under the ODP, I agreed with the relief sought by the submitter to amend the activity status for GIZ-REQ5 and GIZ-REQ6, but not for GIZ-REQ7 and GIZ-REQ10, as it appeared more often than not Council by default was restricting their discretion in relation to consents of this nature. I consider two new matters for discretion, one in relation to road boundary landscaping and the other internal boundary landscaping are necessary as a consequence of amending the activity status to RDIS.
- 12.16 In terms of discretion of non-compliance with the road boundary, I consider discretion should be limited to the following: The extent to which reduced landscaping results in adverse effects on amenity and visual streetscape values, especially where the frontage is to an arterial road or collector road that has a gateway function to a township; the extent to which the reduced landscaping is opposite any residential or open space and recreation zones and the effects of any reduction in landscaping on the amenity values and outlook of those zones; and the extent to which the visual effects of reduced landscaping are mitigated through the location of ancillary offices, showrooms, the display of trade supplier or yard-based goods for sale, along the site frontage.
- 12.17 For internal boundaries: The extent of visual effects of outdoor storage and car parking areas, or buildings (taking account of their scale and appearance), as a result of reduced landscaping; the extent to which the site is visible from adjoining sites in residential zones, rural zones, or open space

<sup>77</sup> CDHB DPR-0343.063

<sup>78</sup> Woolworths DPR-0396.026



and recreation zones and the likely consequences of any reduction in landscaping or screening on the amenity and privacy of those sites; and the extent to which there are any compensating factors for reduced landscaping or screening, including the nature or scale of planting proposed, the location of parking areas, manoeuvring areas or storage areas, or the location of ancillary offices/wholesale display of goods/showrooms.

12.18 I recommend this submission point<sup>79</sup> be accepted in part and that new matters for discretion are insert into the GIZ chapter to assess any non-compliance with the landscaping on any road or internal boundary as an RDIS activity.

#### **Recommendation**

12.19 I recommend, for the reasons given above, that the Hearings Panel:

- a. Insert two new matters GIZ-MATX and GIZ-MATZ as shown in **Appendix 2** to outline matters to which Council's discretion is limited in relation to landscaping non-compliances along road and internal boundaries.

12.20 It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.

## 13. Schedules, Precincts and Mapping

#### **Submissions**

13.1 Thirteen submission points, including seven further submission points were received in relation to GIZ Schedules, Precincts and Maps.

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
DPR-0145	Bunnings	015	Industrial Precincts	Neither Support nor Oppose	Amend Industrial Precincts Overlay to correctly define the boundary of the PREC6 overlay as it relates to the GIZ/LFRZ interface north of Jones Road, Rolleston.
DPR-0358	RWRL	FS248	Industrial Precincts	Support	Adopt.
DPR-0363	IRHL	FS248	Industrial Precincts	Support	Adopt.
DPR-0374	RIHL	FS248	Industrial Precincts	Support	Adopt.
DPR-0384	RIDL(RIDL)	FS248	Industrial Precincts	Support	Adopt.
DPR-0363	IRHL	412	GIZ-SCHED2	Support In Part	Amend PREC6 to include Lot 504 DP 551164 as part of Area 1 and realign the boundaries of the ODP and Landscape treatment 4 accordingly. Refer to original submission for full decision requested, including attachment.

<sup>79</sup> Woolworths DPR-0396.026

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
DPR-0157	Kevin & Bonnie Williams	FS854	GIZ-SCHED2	Support In Part	Accept the submission in part
DPR-0374	RIHL	003	GIZ	Support	Retain the GIZ zoning of that part of Iport excluding Lot 600 DP 520689, Lot 50 DP 521248, Lot 1 DP 518573 and Lot 2 DP 518573.
DPR-0157	Kevin & Bonnie Williams	FS477	GIZ	Support In Part	Accept the submission in part
DPR-0374	RIHL	456	GIZ-SCHED2	Support In Part	Amend GIZ-PREC6 in GIZ-SCHED2 to include Lot 504 DP 551164 as part of Area 1 and realign the boundaries of the ODP and Landscape treatment 4 accordingly.
DPR-0157	Kevin & Bonnie Williams	FS909	GIZ-SCHED2	Support In Part	Accept the submission in part
DPR-0384	RIDL(RIDL)	003	GIZ	Support	Retain the GIZ zoning of that part of Iport excluding Lot 600 DP 520689, Lot 50 DP 521248, Lot 1 DP 518573 and Lot 2 DP 518573.
DPR-0384	RIDL(RIDL)	490	GIZ-SCHED2	Support In Part	Amend PREC6 to include Lot 504 DP 551164 as part of Area 1 and realign the boundaries of the ODP and Landscape treatment 4 accordingly. Refer to original submission for full decision requested, including attachment.

### Analysis

- 13.2 RIDL and RIHL<sup>80</sup> seek to retain the GIZ zoning of that part of iPort excluding Lot 600 DP 520689, Lot 50 DP 521248, Lot 1 DP 518573 and Lot 2 DP 518573. As no amendments have been sought to this zoning, I recommend this submission point be accepted.
- 13.3 RIDL, RIHL and IRHL<sup>81</sup> seek to amend GIZ-PREC6 in GIZ-SCHED2 to include Lot 504 DP 551164 as part of Area 1 and realign the boundaries of the ODP and Landscape treatment 4 accordingly. This site is subject to PC66 which has rezoned the area to B2A under the ODP, the Plan Change became operative on 11 February 2022. In addition to this request in relation to GIZ-SCHED2, the submitters have also sought for the rezoning from the ODP to be incorporated into the PDP through the rezoning hearing. If the land is rezoned through the rezoning hearings, then PREC6 and GIZ-SCHED2 should be amended to reflect this change. The inclusion of Lot 504 DP 551164 in PREC6 is sensible, as the land has had an ODP applied to it via PC66, which includes roading connections from other sites currently located in PREC6 and the landscaping provisions have been designed to provide

<sup>80</sup> RIDL DPR-0384.003 and RIHL DPR-0374.003

<sup>81</sup> RIDL DPR-0384.490 and RIHL DPR-0374.412, IRHL DPR-0363.465

consistency. I recommend this submission point be accepted, subject to the rezoning request for Lot 504 DP 551164 being accepted.

- 13.4 Bunnings<sup>82</sup> seek to amend the extent of PREC6 on planning maps and subsequently update in GIZ-SCHED2. The misalignment of the PREC6 with the underlying GIZ boundary is an error, the PREC6 boundary should follow edge of the GIZ and not cross over into the LFRZ. I recommend these submission points be accepted.

### ***Recommendation***

- 10.2 I recommend, for the reasons given above, that the Hearings Panel:
- a. Amend the planning maps as shown in **Appendix 2** to demonstrate to the geographical extent of PREC6.
  - b. Amend the GIZ-SCHED2 as shown in **Appendix 2** to demonstrate the geographical extent of PREC6.
- 13.5 It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.

## **14. Conclusion**

- 14.1 For the reasons included throughout this report, I consider that the amended provisions will be efficient and effective in achieving the purpose of the RMA, the relevant objectives of this plan and other relevant statutory documents.

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<sup>82</sup> Bunnings DPR-0145.015