Before Hearings Panel appointed by the Christchurch City Council

Under	the Resource Management Act 1991 (**Act**)
And	
In the Matter of	Proposed Plan Change 19 to the Christchurch District Plan: Marshs Road Industrial

Legal Submissions on behalf of **Calder Stewart Development Limited**

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INTRODUCTION

1. These legal submissions are presented on behalf of Calder Stewart Development Limited (**Calder Stewart**) in relation to an application by Calder Stewart for Private Plan Change 19: Marshs Road Industrial (**PC19**) to the Christchurch District Plan (**District Plan**).

2. Calder Stewart is a large industrial property developer based in the South Island. Calder Stewart has been undertaking a staged industrial business park in southwest Hornby, known as the 'Hornby Quadrant' for the past 25 years.

3. Over this time, Calder Stewart has progressively acquired land in the Hornby area, converted rural-zoned land to industrial zoning and released land packages for industrial use in stages.

4. PC19 will enable part of Stage 5 of Calder Stewart's broader Hornby Quadrant industrial development. PC19 seeks to rezone approximately 19.5 ha of land bounded in part by Marshs Road and Main South Road/State Highway 1 (**SH1**) (**Site**) from Rural Urban Fringe Zone (**RUFZ**) to an industrial zoning. The Site is located adjacent to an existing heavy industrial development that formed part of an earlier stage of the Hornby Quadrant development.

5. PC19 will provide additional capacity for industrial-zoned land in the Christchurch region. The evidence of Mr McCracken, as well as the Section 42A Report prepared by Mr Lightbody on behalf of the Christchurch City Council (**Council**), demonstrate that there is a projected shortfall of industrial land in the Christchurch region.

6. In our submission, delivering that capacity as an extension of the Hornby Quadrant in this strategic location, rather than elsewhere, produces a materially better outcome for Christchurch.

REZONING SOUGHT

7. Calder Stewart initially sought that the entire Site be rezoned to Industrial Heavy Zone (**IHZ**). However, the rezoning relief and associated provisions have been amended following feedback from the Council's Section 42A reporting officer, Mr Lightbody, and the submissions received on PC19.

8. As shown in the revised plan at Appendix 1 to the statement of evidence of Mr Paul Smith, Calder Stewart now seeks that:

   (a) The residential properties along Marshs Road and Main South Road are excluded from the PC19 area and remain zoned as RUFZ as they are currently.

(b) The Site is split zoned as follows:

(i) IHZ zoning on the part of the Site that is owned by Calder Stewart, which sits adjacent to the existing IHZ; and

(ii) Industrial General Zone (**IGZ**) on the remainder of the Site.

(c) A 20m building setback from the residential properties bordering the Site, with no expiration date applying to the setback.

(d) Site-specific provisions regarding landscaping, lighting and access.

9. Calder Stewart and the Council are largely agreed that a rezoning of the Site to enable industrial use is appropriate. The point of difference relates to how that industrial zoning outcome should be achieved and which industrial zone should apply.

10. Overall, the key legal issues before the Commissioner are as follows:

(a) scope for the amended relief sought;

(b) whether the Site is captured by the National Policy Statement for Highly Productive Land 2022 (**NPS-HPL**);

(c) appropriateness of an IHZ zoning on the Site as opposed to IG zoning;

(d) appropriate building setback distances; and

(e) whether a planning response is required to address the risk of bird strike.

SCOPE

11. As the proposed rezoning now being sought by Calder Stewart was amended after the Section 42A Report was drafted, the Commissioner is required to be satisfied that the amended rezoning is within scope of PC19 and the submissions received on it. In our submission, the proposed amendments to PC19 are entirely within scope.

12. The test is whether the amendments are fairly and reasonably within the general scope of the plan change as notified, a submission on the plan change, or somewhere in between.[1]

[1] *Re Vivid Holdings Limited* (1999(5 ELRNZ 265 at [19], *Countdown Properties (Northlands) Ltd v Dunedin City Council* [1994] NZRMA 145(HC).

13. The amended rezoning seeks a split-zoning of IHZ and IGZ across the Site and removes the residential properties on Marshs Road and SH1 from the PC19 area. This amendment was made directly in response to submitters' concerns and the recommendations made by Mr Lightbody in the Section 42A Report.

14. Accordingly, the rezoning and associated provisions now being sought for PC19 results in a reduced scale of industrial activities that can take place on some parts of the Site. The amended rezoning achieves a more targeted response to the presence of residential activity occurring adjacent to the Site and provides for industrial activities in a more focused way.

15. This approach is consistent with *Oyster Bay Developments Ltd v Marlborough District Council*.[2] In that case, the plan change proponent offered amendments at the hearing to reduce the scale and effects of the proposal in response to submitters' concerns, including reducing the area to be rezoned. The Court held that these amendments were within scope of the original request and of what could fairly and reasonably be understood from the submissions.

16. We therefore submit that the amended rezoning and associated provisions for PC19 are entirely within scope of the original PC19 application and the submissions made on PC19.

STATUTORY FRAMEWORK

17. The statutory framework for district plan changes is set out in the Reporting Officer's Section 42A Report. We agree with the Reporting Officer's summary and in the interests of efficiency do not repeat that framework here. We emphasise that Section 32 of the RMA is of particular relevance to PC19.

18. We also agree with Mr Lightbody's assessment of the National Policy Statement for Urban Development 2020 (**NPS-UD**), National Policy Statement for Indigenous Biodiversity 2023 (**NPS-IB**) and National Policy Statement for Freshwater Management 2020 (**NPS-FM**).

19. This section focuses on the following issues that remain outstanding between Calder Stewart and the Council in relation to the statutory framework:

    (a) assessment of PC19 against Sections 32 and 32AA of the RMA; and

    (b) the NPS-HPL.

[2] *Oyster Bay Developments Limited v Marlborough District Council* (C081/09).

Section 32 and Section 32AA

20. Under Section 32 of the RMA, an evaluation report on a proposed plan provision must examine whether proposed objectives are the most appropriate way to achieve the purpose of the RMA, and whether the provisions are the most appropriate way of achieving the objectives. To do that, a council must identify other reasonably practicable options and assess the efficiency and effectiveness of the proposed provisions through identifying the benefits and costs of the environmental, economic, social and cultural effects including opportunities for economic growth and employment.

21. Section 32AA requires a further evaluation to be undertaken for any changes made or proposed to the PDP since the Section 32 evaluation was completed. This further evaluation can be published as a separate report or referred to in the decision-making record in sufficient detail to demonstrate it was carried out in accordance with Section 32AA of the RMA.

22. Mr McCracken has completed a Section 32AA analysis on the amended rezoning relief sought.[3] Relying on that evidence, we submit that the amended relief sought by Calder Stewart is more appropriate than Mr Lightbody's recommendation to rezone the entire Site IGZ. The split-zoning approach retains an IGZ buffer next to the residential properties, where protection is needed. It also applies IHZ to Calder Stewart's landholdings as a natural extension of the existing IHZ block to the south and east of the Site.

23. As Property Economics noted in its Economics Assessment report filed in support of PC19, IHZ land is difficult to rezone and service because of its significant infrastructure requirements. Extending IHZ onto the Site would therefore provide significant infrastructure and servicing efficiencies. The proposal before the Commissioner strikes a balance between providing that IHZ to appropriate parts of the Site while ensuring an appropriate response to amenity values of existing adjoining residents.

National Policy Statement for Highly Productive Land 2022

24. Pursuant to Section 74(1)(ea) of the RMA, the Council is required to prepare and change its district plan in accordance with a national policy statement. The Panel's decision must therefore be in accordance with the NPS-HPL.

25. Ultimately, Mr McCracken and Mr Lightbody are aligned that the NPS-HPL provides a pathway to the rezoning of the Site.

[3] Statement of Evidence of Kim McCracken, 2 October 2026.

Is the Site Highly Productive Land?

26. The evidence of Mr McCraken notes his opinion that it is uncertain whether the NPS-HPL applies to the Site given the underlying RUFZ does not neatly fit into either the General Rural or Rural Production zone descriptions contained in the National Planning Standards 2019 (**National Planning Standards**).[4]

27. As discussed below, in our submission the nearest equivalent zone to the RUFZ is neither the General Rural or Rural Production zones, and the Site is therefore not captured by the interim definition of highly productive land which we expand on below. However, even if the Site were to be captured by the NPS-HPL, we agree with the assessment of Mr McCracken and Mr Lightbody that the NPS-HPL is not a barrier to PC19 being approved.

28. Highly productive land is defined in the NPS-HPL as land that has been mapped as highly productive land in an Operative Regional Policy Statement. As the Canterbury Regional Council has not yet undertaken this mapping exercise, the interim definition of highly productive land applies, which the NPS-HPL defines as.[5]

> *(i) land that is:*
>
> > *(A) zoned General Rural or Rural Production at the commencement date; and*
> >
> > *(B) LUC 1, 2 or 3; but*
>
> *(ii) is not:*
>
> > *(A) identified for future urban development at the commencement date; or*
> >
> > *(B) subject to a council initiated, or an adopted, notified plan change to rezone it land from general rural or rural production to urban or rural lifestyle at the commencement date; or*
> >
> > (C) *subject to a resource consent application for subdivision, use or development on LUC 3 land for any activity other than rural lifestyle, where that consent has been lodged at or after the commencement date.*

29. The Site contains LUC2 soils and therefore meets the criteria in Clause 3.5(7)(a)(ii) of the NPS-HPL.

[4] Statement of Evidence of Mr McCraken, 2 October 2026, at para [78].
[5] National Policy Statement for Highly Productive Land 2022, clause 3.5(7).

30. However, the Site is currently zoned RUFZ, which is neither the General Rural or Rural Production zones as required in Clause 3.5(7)(a)(i) of the NPS-HPL. In this situation, Clause 1.3 of the NPS-HPL requires the "nearest equivalent" zone to the RUFZ to be identified. If the "nearest equivalent" zone to the RUFZ is General Rural or Rural Production, the Site will meet the interim definition of highly productive land.

31. The National Planning Standards contains the following zone descriptions for the General Rural and Rural Production zones:

    (a) General Rural Zone – areas used predominantly for primary production activities, including intensive indoor primary production. The zone may also be used for a range of activities that support primary production activities, including associated rural industry, and other activities that require a rural location.

    (b) Rural Production Zone – areas used predominantly for primary production activities that rely on the productive nature of the land and intensive indoor primary production. The zone may also be used for a range of activities that support primary production activities, including associated rural industry, and other activities that require a rural location.

Nearest Equivalent to the Rural Urban Fringe Zone

32. In our submission, the RUFZ is not the "nearest equivalent" to the General Rural or Rural Production zones. The provisions of the RUFZ direct planning outcomes that enable rural residential, rural lifestyle and peri-urban activities to occur that do not sit neatly in either the General Rural or Rural Production zone descriptions in the National Planning Standards. In particular:

    (a) Rule 17.5.1.1(P5): the minimum lot size in the RUFZ is 4ha, the smallest minimum of any rural zone in the District Plan. In other rural zones, the minimum lot size ranges from 20ha[6] to 100ha[7];

    (b) Rule 17.5.1.1: the RUFZ permits a range of non-rural activities including retail[8] and rural produce manufacturing,[9] residential activities,[10] vet facilities[11] and visitor accommodation;[12] and

[6] Rural Waimakariri Zone.
[7] Rural Port Hills Zone.
[8] Christchurch District Plan, Rule 17.5.1.1(P8).
[9] Christchurch District Plan, Rule 17.5.1.1(P4).
[10] Christchurch District Plan, Rule 17.5.1.1(P5).
[11] Christchurch District Plan, Rule 17.5.1.1(P15).
[12] Christchurch District Plan, Rule 17.5.1.1(P22).

(c) Rule 17.5.1.3(RD6): intensive farming is a restricted discretionary activity rather than a permitted activity.

33. There are contradicting decisions on this point in relation to the RUFZ:

(a) An Expert Panel (**Panel**) appointed the Fast-track Approvals Act 2024 (**FTA**) to determine the Pound Road Industrial Development application has recently determined that the RUFZ is not the "closest equivalent" to the General Rural or the Rural Production zones. The Panel rightly found that the Pound Road site did not meet the interim definition of highly productive land.[13] The site in that case is located in South Hornby approximately 600m north of the Site and is situated between Pound Road and Barters Road. The proposal's site is 60ha and sits entirely within the RUFZ under the District Plan.

(b) In that case, the Panel was satisfied that the rules and standards of the RUFZ are directed at managing rural living and peri-urban development. This is reflected in the comparatively small minimum lot sizes, the wide range of non-rural activities that are anticipated and enabled, and the constraints placed on intensive farming activities.[14] We agree with that decision and seek the same determination here.

(c) In contrast, the Panel appointed to determine the Ryans Road Industrial Development under the FTA found that the General Rural Zone is the nearest equivalent to the RUFZ, so the NPS-HPL applied to that site. Its main reason was that the District Plan's rural objectives and policies consistently seek to maintain rural productive activities in all rural zones, including the RUFZ.[15] The Panel went on to say that the RUFZ activity standards are generally consistent with the District Plan's main rural zones in relation to farming, intensive farming and non-rural activities, with the only major difference being the minimum lot size for residential activities.[16] While the Panel noted that there is some tension between the 4ha minimum lot size for residential activities and subdivision, and the direction to maintain rural production in the broader rural zone objectives and policies, the Panel found that on balance the nearest equivalent zone to the RUFZ is the General Rural Zone.

[13] Decision on the Pound Road Industrial Development Fast Track Approvals Application, at paras [342]-[343].
[14] Decision on the Pound Road Industrial Development Fast Track Approvals Application, at paras [345].
[15] Decision on the Ryans Road Industrial Development Fast Track Approvals Application, at para [499].
[16] Decision on the Ryans Road Industrial Development Fast Track Approvals Application, at para [500].

34. We disagree with Mr Lightbody's conclusion in his Section 42A assessment that the Pound Road decision is inconsistent with the Environment Court's finding in *Drinnan v Selwyn District Council* that:[17]

> *[82] Deciding which of the zones is the 'nearest equivalent zone' does not involve an evaluation of the extent of rural land use activities taking place within the relevant zone. This approach risks the court inadvertently making new policy rather than interpreting the same.*

35. Mr Lightbody notes that the approach taken by the Panel in the Pound Road decision bases the assessment of the 'nearest equivalent' zone on "*land use reality and expertise to come to a 'most appropriate' nearest equivalent*."[18] In our submission, this is an over-simplification of the Panel's assessment on 'nearest equivalent' in Pound Road. While the Panel did make comments regarding the practical constraints and use of land, it also forensically interrogated the RUFZ rules and standards to reach a conclusion that General Rural Zone or the Rural Production Zone is not the nearest equivalent zone to the RUFZ.

36. We submit that the main point of difference in the Panels' reasoning for the Pound Road and Ryans Road projects is which District Plan provisions the Panel treated as revealing the predominant purpose of the RUFZ. The Panel in Ryans Road gave primacy to the rural objectives and policies in Chapter 17. Those provisions apply to all rural zones in the Christchurch district, including the RUFZ, and consistently seek to maintain rural productive activities. In contrast, the Panel in Pound Road considered that the high-level objective shared by all rural zones does not of itself determine the predominant purpose or intended outcomes of each zone. In the absence of purpose statements for each individual rural zone, it found that the purpose of the RUFZ is revealed through the structure and implementation of the zone-specific rules and the subdivision framework.[19]

37. In our submission, the approach in Pound Road should be preferred. The National Planning Standards describe the General Rural and Rural Production zones as areas used predominantly for primary production activities, and the Rural Production zone places greater emphasis on reliance on the productive nature of the land. As set out in paragraph [32] above, when the zone-specific rules and standards of the RUFZ are closely examined against those descriptions, it is clear that the RUFZ is not the nearest equivalent to the General Rural or Rural Production zones.

38. Taken together, we submit that these provisions demonstrate that the RUFZ is directed at managing rural living and peri-urban development, not at providing

[17] *Drinnan v Selwyn District Council* [2023] NZEnvC 180.
[18] Section 42A Report at [6.3.6].
[19] Decision on the Pound Road Industrial Development Fast Track Approvals Application, at paras [345].

predominantly for primary production. Having regard to the Pound Road decision, the provisions of the RUFZ and the zone descriptions contained in the National Planning Standards, we submit that the RUFZ is not the "nearest equivalent" to the General Rural or Rural Production zones. Accordingly, we submit that the Site does not meet the interim definition of highly productive land in Clause 3.5(7), and the NPS-HPL does not apply.

Rezoning of Highly Productive Land

39. In the event that the Panel finds that the "nearest equivalent" zone to the RUFZ is the General Rural or Rural Production Zone, the statement of evidence of Mr McCracken, as well as Mr Lightbody's Section 42A report, conclude that the restrictions on the urban rezoning of highly productive land in the NPS-HPL do not apply to the Site. Accordingly, even if the Site were to meet the interim definition of highly productive land, we submit that the NPS-HPL is not a legal barrier to the approval of PC19 and there is a pathway through the NPS-HPL for the rezoning.

40. Clause 3.6 of the NPS-HPL outlines that the Council may only approve the urban rezoning of highly productive land where:[20]

    (a) the rezoning is required to provide sufficient development capacity under the NPS-UD;

    (b) there are no other reasonably practicable or feasible options to achieve a 'well-functioning urban environment" within the same locality and market; and

    (c) the benefits outweigh the costs associated with the loss of highly productive land.

41. With respect to the requirement to demonstrate that the urban rezoning is required to provide sufficient development capacity, the evidence of Mr McCracken and Mr Lightbody's Section 42A report both conclude that there is a shortfall in long-term industrial land supply in the Christchurch region. This is supported by the Research Report on Christchurch Industrial Land Market prepared by Colliers in support of the PC19 application, and more recently in the Council's Greater Christchurch Business Capacity Assessment 2026. On the basis of that evidence, we submit that PC19 is consistent with the requirement in Clause 3.6(1)(a) of the NPS-HPL.

42. Turning to the requirement in Clause 3.6(1)(b) of the NPS-HPL, the evidence of Mr McCracken and Mr Lightbody's Section 42A assessment is that there are no reasonably practicable options for urban expansion that would avoid the rezoning of

[20] National Policy Statement for Highly Productive Land 2022, clause 3.6(1)(a)-(c).

highly productive land.[21] This is because Christchurch City is bordered by LUC 1 and 2 soils. Accordingly, we submit that PC19 meets the requirement for urban rezoning in clause 3.6(1)(b) of the NPS-HPL.

43. Finally, with respect to the cost benefit analysis required in Clause 3.6(1)(c) of the NPS-HPL, the statements of evidence of Mr McCracken and Mr Gordon conclude that the benefits of rezoning the Site to IHZ and IGZ outweigh the costs associated with the loss of highly productive land.

44. The evidence of Mr Gordon concludes that the Site is subject to the following constraints that render the Site unsuitable for productive use:

(a) the scale of the Site that is able to used for productive purposes is 13.5 ha, which Mr Gordon opines is marginal in size for most farm systems;[22]

(b) consolidating ownership to create a large contiguous block that can be farmed intensely is very unlikely due to the geographical constraints of the Site's location ;[23]

(c) as the Site is bordered by residential activity, the use of the Site for productive purposes would result in reverse sensitivity effects on agricultural and productive activities in the future;[24]

(d) the Site would be difficult to irrigate as the Christchurch West-Melton Groundwater Allocation Zone is over-allocated;[25] And

(e) the Site has a low baseline (2009-2013) nutrient loss, and as the Site is in the over-allocated West Melton Zone, this will limit future production systems.[26]

45. Given the constraints on the productive use of the Site, we agree with Mr McCracken, Mr Gordon and Mr Lightbody that the benefits of rezoning the Site under PC19 outweigh the long-term environmental, social, cultural and economic costs of losing highly productive land for land-based primary production, in terms of Clause 3.6(1)(c) of the NPS-HPL.

46. In light of the above, we submit that Site meets the test for the urban rezoning of highly productive land under the NPS-HPL.

[21] Statement of Evidence of Kim McCracken at para [82], Section 42A Report, at [6.3.22].
[22] Statement of Evidence of Jamie Gordon,2 October 2026, at para [23].
[23] Statement of Evidence of Jamie Gordon, 2 October 2026 at para [23]-[24].
[24] Statement of Evidence of Jamie Gordon,2 October 2026, at para [25].
[25] Statement of Evidence of Jamie Gordon,2 October 2026, at para [27].
[26] Statement of Evidence of Jamie Gordon,2 October 2026, at para [26].

KEY ISSUES

Compatibility of Heavy Industrial Zoning

47. Mr Lightbody considers that an IHZ zoning on the Site is incompatible with the residential activity occurring adjacent to the Site.[27] He considers that the activities that are permitted in the IHZ have the potential to produce high levels of noise, odour, heavy traffic movements and the presence of significant amounts of hazardous substances.[28]

48. Instead, Mr Lightbody considers that a zoning of IGZ is more appropriate for the Site.[29]

49. Calder Stewart has considered Mr Lightbody's recommendation and has amended PC19 to reduce the extent of IHZ being sought on the Site to respond to those concerns. Calder Stewart now seeks an IHZ over the landholdings in PC19 that it owns, and an IGZ zoning over the remainder of the Site. The sections of the Site that are proposed to be zoned IHZ are those with the greatest separation from the residential properties adjacent to the Site, and are appropriately located adjacent to existing IHZ-zoned land to the east and south of the Site.

50. The sections of the Site that are proposed to be zoned IGZ are the closest to the existing residential properties. This graduated zoning pattern is deliberate. It locates the less intensive IGZ at the residential interface and reserves the IHZ for the southern portion of the Site, which adjoins land already zoned, and substantially developed, for heavy industrial purposes.

51. Under Policy 16.2.1.3(a)(i)(A),[30] the District Plan intends for the IGZ to sit between residential areas and the IHZ, because its activities can operate close to sensitive zones. Objective 3.3.15[31] of the District Plan directs that the location of activities be controlled, primarily by zoning, to minimise conflicts between incompatible activities, and that conflicts be avoided where there may be significant adverse effects on the health, safety and amenity of people and communities.

52. In light of the above, we submit that the zoning now being sought by Calder Stewart adopts the very mechanism which the District Plan contemplates for managing an

[27] Section 42A Report at [7.3.8].
[28] Section 42A Report at [7.3.8].
[29] Section 42A Report at [7.16.5].
[30] Recognise and provide for industrial and other compatible activities that can operate in close proximity to more sensitive zones due to the nature and limited effects of activities including noise, odour and traffic, providing a buffer between residential areas and the Industrial Heavy Zone.
[31] The location of activities is controlled, primarily by zoning, to minimise conflicts between incompatible activities, and conflicts between incompatible activities are avoided where they may be significant adverse effects on health, safety and amenity of people and communities.

interface between industrial and residential activities. Accordingly, in our submission the amended rezoning sought by Calder Stewart better achieves the objectives and policies of the District Plan.

Landscape

53. PC19 includes landscape mitigation design including landscaping, temporary retention of existing shelterbelts, lighting and access controls and building setback controls which have been designed to:[32]

    (a) integrate future industrial development within the Site;

    (b) be consistent with the existing design measures of the South West Hornby Industrial Area ODP; and

    (c) mitigate potential landscape and visual effects.

54. Mr Smith considers that with these measures in place, PC19 will result in a low to low-moderate degree of adverse landscape effects, representing an appropriate and logical extension of the existing South West Hornby Industrial Area.[33]

55. Mr Lightbody does not dispute this conclusion but considers the proposed building setback should be increased from 20m to 25m based on the Trents Road ODP 16.8.6.[34] Mr Lightbody also considers that the building setback should be in place in perpetuity.[35]

56. Following receipt of the Section 42A Report, Calder Stewart has amended PC19 to apply the 20m setback with no expiry date.[36]

57. However, in relation Council's preference for a 25m setback, the Trents Road ODP is materially different from PC19.

    (a) Mr Smith's evidence outlines that the Trents Road ODP relates to the Cookie Time Factory Site in Templeton.[37] The Trents Road ODP requires future industrial buildings to be set back 25m from the residential properties and a 5m wide landscape strip to be implemented alongside these properties. The Trents Road ODP does not specify plant species or mature plant height requirements for this boundary treatment, in which native shrubs/hedging could all be below 2m tall.[38]

[32] Statement of Evidence of Paul Smith, 2 October 2026 at [18].
[33] Statement of Evidence of Paul Smith, 2 October 2026 at [64] and [67].
[34] Section 42A Report at [7.5.4]-[7.5.9].
[35] Section 42A Report at [7.5.7].
[36] Statement of Evidence of Kim McCracken, 2 October 2026 at [25(d)].
[37] Statement of Evidence of Paul Smith, 2 October 2026 at [58].
[38] Statement of Evidence of Paul Smith, 2 October 2026 at [59].

(b) Mr Smith considers this is a substantial difference between the Trents Road ODP and PC19. The Trents Road ODP does not specify plant species or mature heights, so its 5m landscape strip could be planted entirely with shrubs or hedging under 2m. In contrast, PC19 requires a 10m strip of trees that reach 6m+ and shrubs that reach 3-5m.[39] In his view, PC19's narrower 20m setback is therefore offset by more effective screening and will adequately mitigate the effects of future industrial development.[40]

(c) Mr Smith considers that the combination of multiple rows of native shrubs and tall amenity trees will provide a layered appearance that will visually screen the lower sections of built form and the associated outdoor storage of goods and movement of vehicles around these buildings.[41] The 20m setback combined with the proposed landscape treatment will therefore adequately mitigate future industrial development.[42] The landscaping recommendations provided by Mr Smith will be secured in the PC19 provisions through site-specific setback and landscaping requirements that take precedent over the IGZ and IHZ zone rules.[43]

58. Council did not request a peer review of the landscape assessment prepared by Mr Smith. We therefore submit that the evidence for Calder Stewart that a 20m setback is appropriate, based on Mr Smith's expert opinion, should be preferred.

Economic Effects

59. PC19 will provide a range of positive economic effects including:[44]

(a) Safeguarding the land from unsuitable development. The rezoning of the Site will "round out" the wider IHZ block. This reduces the risk of incompatible land uses and reverse sensitivity effects that could affect the existing heavy industrial area.

(b) Enabling economies of scale and industrial agglomeration effects. As the Site adjoins existing IHZ land, PC19 would gain benefits and efficiencies working within the same environment and clustering with similar businesses. This would reduce the marginal cost of infrastructure to Christchurch residents.

[39] Statement of Evidence of Paul Smith, 2 October 2026 at [59].
[40] Statement of Evidence of Paul Smith, 2 October 2026 at [62].
[41] Statement of Evidence of Paul Smith, 2 October 2026 at [61].
[42] Statement of Evidence of Paul Smith, 2 October 2026 at [62].
[43] Statement of Evidence of Paul Smith, 2 October 2026 at [14].
[44] Plan Change 19 Application, Annexure B – Economic Assessment, March 2023 at [6].

(c) PC19 will promote the efficient use of existing infrastructure and future infrastructure investment given the Site's proximity to existing heavy industrial activities and urbanised areas. This would reduce the marginal cost of infrastructure to Christchurch residents.

(d) PC19 will encourage larger scale capital investment in the area by securing the entire block as an industrial zoned location and future proofing the area it to provide more market certainty on the activities that will be established in the area. It will also provide opportunities to compete with Selwyn's Port Zone industrial area.

(e) Potential for downward pressure on industrial land prices through providing additional industrial land supply. This will also reduce the likelihood of industrial land banking.

(f) PC19 will address a long-term shortfall in industrial land in Christchurch.[45]

60. Mr Heath concludes that these economic benefits outweigh any potential economic costs arising from rezoning.[46]

61. On the topic of economic effects, Mr Lightbody does not dispute the above but addresses submissions which raise concerns regarding property value and rates increases.[47] He states that no assessment on the economic benefits or costs on the frontage properties has been provided and considers that PC19 has the potential to significantly impact the value of these homes.[48] Mr Lightbody also confirms rates will be unaffected by PC19.[49] Mr Lightbody made his comments on the economic effects on these residential properties when they were still within the PC19 area. In response to those concerns, those properties have since been removed from the PC19 area and will keep their existing RUFZ zoning.

62. Under the RMA, effects on property values are generally not a relevant consideration. Diminution of property values will generally be found to be a measure of adverse effects on amenity values and the like.[50] In our submission, amenity values have been addressed in the manner that the RMA contemplates through the proposed PC19 provisions.

63. We therefore submit that an assessment of effects on property values of the frontage properties is not required.

[45] Greater Christchurch Business Capacity Assessment 2026 at [11.3].
[46] Plan Change 19 Application, Annexure B – Economic Assessment, March 2023 at [7].
[47] Section 42A Report at [7.4.4].
[48] Section 42A Report at [7.4.5].
[49] Section 42A Report at [7.4.6].
[50] *Tram Lease Ltd v Auckland Transport* [2015] NZEnvC 137, [2015] NZEnvC 137 at [57]; *Foot v Wellington City Council* ENC Wellington W73/98, 2 September 1998, [1998] ELHNZ 338 at [256].

Bird Strike

64. CIAL's submission seeks that provisions that address bird strike risk be included in PC19.[51]

65. In our submission, the existing provisions regarding the risk of bird strike in the District Plan appropriately manage the risk of bird strike in the Christchurch District. There is no evidence before the Commissioner that the Bird Strike Management Area should be extended beyond the existing 3km radius. If CIAL have concerns regarding the district-wide framework for the management of bird strike risk, the correct approach would be to seek a district-wide amendment to that framework, rather than introduce site-specific provisions that manage bird strike risk outside of the Bird Strike Management Area.

66. Mr Lightbody agrees with CIAL that bird strike effects are a matter that requires management and mitigation. However, Mr Lightbody considers that the management of bird strike risk has been considered during the formation of, and is provided for, within the District Plan.[52] He therefore considers that the provisions sought by CIAL are not required.[53]

67. The effects of bird strike are managed in Chapter 6.7.4.3 of the District Plan through the creation of a Bird Strike Management Area. As shown in the map at Appendix 6.11.7.5 of the District Plan, the Bird Strike Management Area and associated provisions apply to land within 3km of the Christchurch Airport runway.

68. At the hearing for the Christchurch Replacement District Plan (**CRDP**), CIAL advocated for a second Bird Strike Management Area that extended out to an 8km radius. However, this was ultimately rejected by the Independent Hearings Panel (**IHP**) appointed to the CRDP as the IHP considered there was insufficient evidence to justify the need for regulatory control for activities that created bird strike risk beyond the 3km radius.[54] The IHP accepted evidence that while an 8km radius was used in various international guidelines, the guidelines are not site-specific and are not directly applicable to Christchurch International Airport or its surroundings.[55]

69. As the Site is more than 6km away from the runway, we agree with Mr Lightbody that additional provisions for bird strike within PC19 are not required. In our submission, there is no evidence before the Commissioner that justifies a departure from the IHP's decision and demonstrates the need to extend regulatory control for activities that create bird strike risk beyond the 3km radius. The evidence of Ms Civil

[51] Christchurch International Airport, Submission, Appendix A, 18 December 2025.
[52] Section 42A Report at [7.12.9].
[53] Section 42A Report at [7.12.9].
[54] Decision 57 on the Christchurch Replacement District Plan at [467].
[55] Decision 57 on the Christchurch Replacement District Plan at [432], [435] and [453].

for Calder Stewart and Dr Bull for CIAL both agree that future industrial development of the Site could create secondary bird strike risk. However, as noted by Ms Civil, the Site is at no greater risk of secondary bird strike compared to other industrial land outside the Bird Strike Management Area.[56] There is no evidence from CIAL relating to bird presence and behaviour on the Site that would warrant the relief sought by CIAL being granted. The avifauna evidence provided on behalf of CIAL relies on a desktop analysis by an expert witness who is based in Australia.

70. The evidence of Dr Bull and the submission of CIAL supports the introduction of site-specific rules that seek to manage the risk of bird strike on the Site, which sits outside of the Bird Strike Management Area. In our submission, it is not appropriate to seek site-specific rules for the management of bird strike risk outside of the Bird Strike Management Area. Imposing bird strike controls on the Site when other industrial land outside the Bird Strike Management Area carries the same type of risk would, in our submission, be inconsistent with the existing planning framework and would apply it unevenly to individual landowners.

71. If CIAL considers that bird strike risk beyond 3km warrants regulation, this is a district-wide issue. The appropriate response is a plan change or a District Plan review addressing the extent of the Bird Strike Management Area as a whole. It is not a matter that is appropriately addressed piecemeal through private plan changes.

72. Accordingly, we submit that the management of bird strike risk has been considered during the formation of, and is provided for, within the District Plan. The site-specific relief sought by CIAL is therefore not required or appropriate.

Noise

73. Outstanding noise effects of PC19 are largely resolved by the amended rezoning being pursued by Calder Stewart. As set out in the evidence of Mr Walton, the retention of the RUFZ over the residential properties along Marshs Road and SH1 will ensure that the existing noise standards will continue to apply to those properties.[57]

74. The only outstanding issue with respect to noise is the noise effects of PC19 on the dwellings located at 6-58 Marshs Road that fall outside the jurisdiction of the Christchurch District and within the Selwyn District.

75. Section 74(2) of the RMA sets out that in preparing or changing a district plan, a territorial authority shall have regard to the extent to which a district plan needs to

[56] Statement of Evidence of Elizabeth Civil, 2 October 2026 at [91].
[57] Statement of Evidence of Gary Walton, 2 October 2026 at [11].

be consistent with the plan of an adjacent territorial authority. However, the requirement to "have regard to" an adjacent district plan does not go so far as to require consistency with an adjacent plan.

76. In our submission, the noise standards contained in the District Plan cannot be applied over the Selwyn District properties. This is because the District Plan provisions cannot affect activities occurring in the Selwyn District, which are instead managed under the Selwyn District Plan. However, we submit that the provisions of PC19 can include matters of discretion that require consideration of noise standards in the Selwyn District when assessing the noise effects of activities taking place on the Site. This approach is supported the evidence of Mr Walton and is consistent with case law.

77. The evidence of Mr Walton is that it is not correct to the apply the District Plan noise standards to receivers outside of the Christchurch district, as the Council has no authority over noise received there.[58] Mr Walton recommends that noise effects on these properties be managed through the addition of a matter of discretion requiring consideration of the noise effects on these receivers, having regard to the Selwyn District Plan noise provisions.[59] For completeness, we submit that the matter of discretion proposed by Mr Walton is being proposed on a precautionary basis. Given the absence of comparable provisions in the District Plan applying to the neighbouring IGZ and IHZ zones, the proposal goes beyond what is required by the District Plan to appropriately manage adverse effects on noise-sensitive receivers.

78. The Court in *Harewood Gravels Co Ltd v Christchurch City Council* found that a noise standard applying to an adjoining zone is a relevant matter to which a decision-maker may have regard in assessing the actual and potential effects of a resource consent application.[60] The Court in that case accepted the Council's position that decision-makers could use the district plan rules to guide its assessment of effects without applying them as a limit,[61] effectively supporting using the standards of a receiving zone as an effects benchmark across a zone boundary. While the decision in *Harewood* considered the relevance of noise standards in an adjacent zone within the same district, we submit that the Court's findings are applicable to the relevance of noise standards of an adjacent zone in another district.

79. In light of the above case law, we submit that the approach proposed by Mr Walton regarding the inclusion of a matter of discretion that refers to the noise standard in the Selwyn District Plan is appropriate. The Court in *Harewood* confirmed that the noise standards of an adjacent zone can be relevant to decision-making. Further, in

[58] Statement of Evidence of Gary Walton, 2 October 2026, at para [14].
[59] Statement of Evidence of Gary Walton, 2 October 2026, at para [14].
[60] *Harewood Gravels Company Ltd v Christchurch City Council* [2018] NZHC 3118.
[61] *Harewood Gravels Company Ltd v Christchurch City Council* [2018] NZHC 3118 at [198].

our submission, utilising discretion in resource consent decision making provides an appropriate level of consistency between adjacent plans. Accordingly, we submit that a matter of discretion requiring decision-makers to consider noise effects on the Selwyn District receivers, having regard to the Selwyn District Plan noise provisions, is an available means of meeting the Council's obligations under section 74(2)(c) of the RMA.

80. With respect to industrial activities that would be permitted on the Site and therefore could be undertaken without the need to seek resource consent, the noise effects of those activities on the Selwyn District residents are, in our submission, appropriately managed by:

(a) the 10m wide landscape strip along Marshs Road;[62]

(b) the 20m building setback along Marshs Road;[63]

(c) requirement for activities on the Site to comply with the noise standards for residential dwellings in the RUFZ, which are more restrictive than the noise standards for the adjacent General Rural Zone under the Selwyn District Plan.[64] As set out in paragraph [11] of the Summary Statement of Evidence of Mr Walton, this will assist to mitigate the noise effects of PC19 on the owners of land in the Selwyn District on the western portion of Marshs Road closest to the proposed IGZ area;[65]

(d) for the owners of land in the Selwyn District along the eastern section of Marshs Road, which would be located closest to the proposed IHZ land, the main control would be the proposed setbacks and landscaping requirements, as well as the proposed matter of discretion regarding noise standards in the Selwyn District. Mr Walton acknowledges that the matter of discretion would only apply where resource consent is otherwise required, leaving a potential gap for activities that are permitted in the IHZ. In our submission, this gap is appropriately managed because:

(i) the proposed setbacks along Marshs Road ensure there is physical space between the Selwyn District residents and industrial activities occurring on the Site;

(ii) in practice, development of the PC19 land is likely to require resource consent for other matters and therefore trigger the need to consider the matter of discretion proposed by Mr Walton, and

[62] Statement of Evidence of Paul Smith, 2 October 2026 at para [19].
[63] Statement of Evidence of Paul Smith, 2 October 2026 at para [19].
[64] Statement of Evidence of Gary Walton, 2 October 2026 at para [66].
[65] Summary Statement of Evidence of Gary Walton, 19 October 2026 at para [11].

(iii) as Mr Walton observes, many of the activities established in the Hornby Quadrant to date are "lighter" industrial uses generating noise well below the permitted IHZ standards.[66]

81. Further, given the surrounding environment is already industrial in nature, particularly in relation to the Main South Road frontage, Mr Walton considers that industrial activities are not out of keeping with the range of noise sources that currently occur.[67]

82. We therefore submit that the noise effects of PC19 can be managed to an acceptable level and there are no noise-related effects that warrant a decline of PC19.

Traffic

83. Mr Lightbody and Mr Leckie largely agree that the transport effects of PC19 are acceptable. The only outstanding issue is how traffic effects are to be managed if development occurs prior to the Bruce Stewart Drive connection to SH1 is built. The evidence of Mr Chen for the Council is that the intersection upgrade should be delivered early in the development of the Site. If that is not supported, Mr Chen recommends a site-specific matter of discretion requiring a transport network assessment for any development occurring prior to that connection being established.[68] Mr Lightbody agrees with Mr Chen but considers that the matters of discretion that are already contained in Rule 16.7.3.9.4 of the District Plan provides an adequate mechanism to consider any adverse effects for any application for resource consent or subdivision on the Site before the connection is formed.[69]

84. New Zealand Transport Agency (**NZTA**) has reviewed the further modelling provided by Calder Stewart and is satisfied that PC19 is unlikely to cause a material change in the efficiency or safety of the existing SH1/Marshs Road intersection. As Mr Lightbody notes in his Section 42A Report, NZTA's concerns regarding SH1 have been suitably addressed.[70]

85. Relying on the evidence of Mr Leckie, we submit that there are no transport-related reasons why PC19 should be declined.

[66] Statement of Evidence of Gary Walton, 2 October 2026 at para [46].
[67] Statement of Evidence of Gary Walton, 2 October 2026 at [51].
[68] Statement of Evidence of Liqi Chen dated 25 September at para [42].
[69] Section 42A Report at [7.7.4].
[70] Section 42 A Report at [7.7.5].

Infrastructure

86. Servicing of the Site including water supply, wastewater, stormwater, access, power, communications, earthworks and flooding is comprehensively addressed in Mr Hall's evidence.[71]

87. Mr Hall, Mr Lightbody and Council engineers Mr Naidoo and Mr Norton are in agreement that proposed infrastructure servicing is appropriate.[72]

Contaminated Land

88. Mr Knoyle considers that contaminated land does not present a constraint to PC19. Any identified contamination can be appropriately investigated and managed during future development, with residual risks to site users, neighbouring properties and the environment expected to be acceptably low.[73]

89. Mr Lightbody agrees that PC19 does not raise any contaminated land issues.[74]

CONCLUSION

90. The amended rezoning sought by Calder Stewart will deliver needed industrial-zoned land to meet projected shortfalls. The evidence filed on behalf of Calder Stewart is robust and is largely supported by the Section 42A Report in terms of overall outcomes of the Site.

91. The evidence on behalf of Calder Stewart demonstrates that the proposed rezoning is the most appropriate zoning outcome of the Site. Notably, the proposed rezoning will:

    (a) Provide for industrial development that is targeted to the Site's location and will allow industrial development to occur at an appropriate scale adjacent to the existing residential activity.

    (b) Is generally consistent with the urban form objectives and policies of the Canterbury Regional Policy Statement other than Map A – Greenfield Priority Areas. We agree with Mr Lightbody that greater weight can be given to the NPS-UD in this instance given the significance of industrial development capacity proposed.[75]

[71] Statement of Evidence of Andrew Hall, 2 October 2026.
[72] Section 42A Report at [7.8] and [7.9], Appendix 6 – Ramolin Naidoo, 25 September 2026 and Appendix 7 – Statement of Evidence of Robert Norton, 24 September 2026.
[73] Statement of Evidence of Guy Knoyle, 2 October 2026 at [11].
[74] Section 42A Report at [6.6] and [7.11].
[75] Section 42A Report at [6.7.2].

(c) Give effect to Part 2 of the RMA by providing for much needed industrial-zoned land while appropriately managing effects on the surrounding environment.

(d) Be the most efficient and effective way to achieve the objectives of the PDP and give effect to the higher order planning documents.

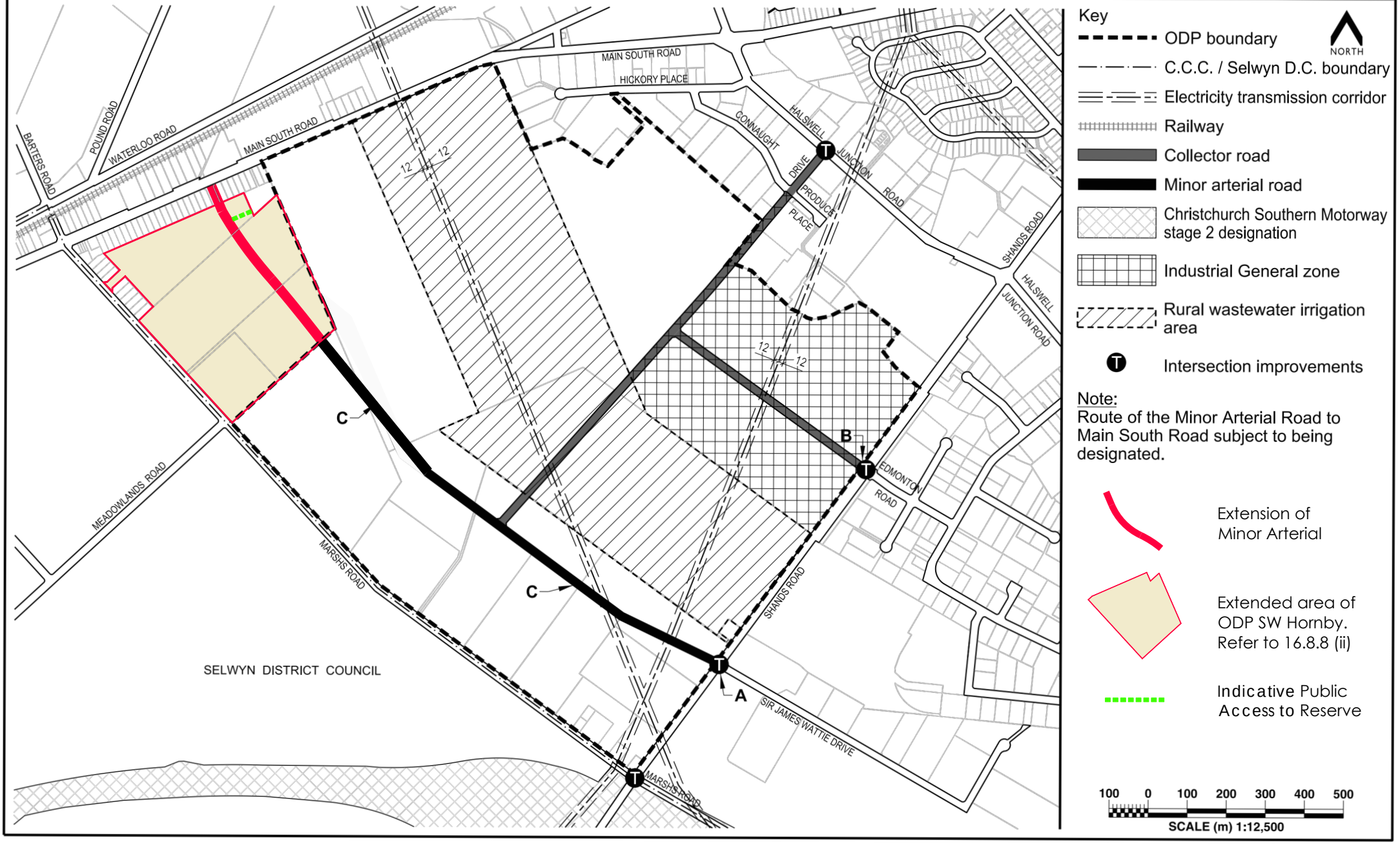
Dated 19 October 2026



Joshua Leckie and Charlotte Coyle
Counsel for Calder Stewart Development Limited

Annexure A - Outline Development Plan

Appendix 16.8.8i- South West Hornby Industrial Area Outline Development Plan



Technical Services and Design
Christchurch City Council

Map: pp006901.dgn
Date: 12/05/2017

Appendix B - Updated Recommended Provisions

APPENDIX ~~X REPORTING OFFICERS~~2

APPLICANTS RECOMMENDED CHANGES TO THE CHRISTCHURCH DISTRICT PLAN

The CDP text is shown as *normal text in italics*. Any text recommended to be added by CCC is shown as ***red bold*** text in italics and that to be deleted as ~~***red bold strikethrough***~~ text in italics**.** Any text recommended to be added by the Applicant has been tracked and is shown as ***blue bold text***.

~~**Matters of Discretion**~~

16.7 Rules - Matters of Discretion

16.7.3.9 – Add to title "and Industrial General Zone" – 16.7.3.9 Area-specific rules – Matters of discretion – Industrial Heavy Zone *and Industrial General Zone* (South West Hornby)

16.7.3.9.1 – Add to title "and Industrial General Zone" – 16.7.3.9.1 Outline Development Plan – Industrial Heavy Zone *and Industrial General Zone* (South West Hornby)

16.7.3.9.2 - Add to title "and Industrial General Zone" - 16.7.3.9.2 Setback from boundaries adjoining rural zone – Industrial Heavy Zone *and Industrial General Zone* (South West Hornby)

16.7.3.9.3 - Add to title "and Industrial General Zone" - 16.7.3.9.3 Landscaping at rural ~~*urban*~~ urban interface – ~~-~~Industrial Heavy Zone *and Industrial General Zone* (South West Hornby)

16.7.3.9.4 - Add to title "and Industrial General" - 16.7.3.9.4 Roading and Access – Industrial Heavy ~~Zone *and Industrial General* (South West Hornby)~~ Zone *and Industrial General Zone* (South West Hornby)

Add new matters of discretion

16.7.3.9.5 Maintenance of public safety in Islington Reserve

a. The extent to which additional public access (road or pathway) and layout and fencing of at least one adjacent lot to Islington Reserve maintains public safety and other Crime Prevention through Environment Design (CPTED) principles.

16.7.3.9.6 Effect of Noise on residential units outside the Christchurch District

a. For activities within the South West Hornby Industrial Area, the effects of noise on residential units outside the Christchurch District, having regard to the noise provisions of the Selwyn District Plan applying to the receiving site."

16.4.9.1. Area Specific Activities – Industrial General Zone (South West Hornby) *add Rules C1, RD2 and RD3*

16.4.9.1.2 Area-specific controlled activities

	Activity	*The Councils control is reserved to the following matters:*
C1	*a. Any development on a site immediately adjoining the Islington Reserve shall be required to provide a CPTED assessment.*	*Maintenance of public safety - Rule 16.7.3.9.5*

16.4.9.1.3 Area Specific Restricted Discretionary Activities

RD2	*b. Any site access directly onto Marshs Road.* *~~a.~~c. Any application arising from this rule shall not be publicly notified.*	*Roading and access - Rule 16.7.3.9.4*
	~~*Road.*~~ ~~*a. Any application arising from this rule shall not be*~~	
~~*RD3*~~	~~*a. Any activity listed in Rule 16.4.9.1.1 P1–P2 that does not meet one or more of the built form standards in*~~	~~*a. As relevant to the built form standard that is not met:*~~ ~~*i. Maximum height of buildings and fencing or screening structure*~~

-RD3	a. Any activity listed in Rule 16.4.9.1.1~~Rule 16.4.9.2.~~ P1- P2 that does not meet one or more of the built form standards in Rule 16.4.9.2.	a. As relevant to the built form standard that is not met: i. Maximum height of buildings and fencing or screening structure – Rule 16.7.1.1 ii. For Rule 16.4.9.2.2, Minimum building setback from road boundaries/ railway corridor – Rule 16.7.1.3 ~~For Rule 16.4.9.2.2 and~~iii. For Rule 16.4.9.2.2 and 16.4.9.2.3 a., Setback from boundaries adjoining rural zone - Rule 16.7.3.9.2 iv. For Rule 16.4.9.2.3, Minimum building setback from the boundary with a residential zone, residential property –Rule 16.7.1.4 v. For Rule 16.4.9.2.4, Landscaped areas – Rule 16.7.1.7 ~~ii.~~ vi. For Rule 16.4.9.2.4, Landscaping at rural urban interface – Rule 16.7.3.9.3
		~~16.4.9.2.3 a., Setback from boundaries adjoining rural zone - Rule 16.7.3.9.2~~ ~~iii. For Rule 16.4.9.2.3, Minimum building setback from the boundary with a residential zone, residential property – Rule 16.7.1.4~~ ~~iv. For Rule 16.4.9.2.4, Landscaped Rule 16.7.1.7~~ ~~v. For Rule 16.4.9.2.4, Landscaping at rural urban interface 16.7.3.9.3~~

~~Rules added to 16.4.9 Area Specific Activities – Industrial General Zone (South West Hornby)~~

New Sub-Heading – ***16.4.9.2 Area-specific built form standards - Industrial General Zone (South West Hornby)***

16.4.9.2.1 Maximum height for buildings

a. The maximum height of any building within 20 metres of the rural zone boundary and the Marshs Road road boundary shall be 10 metres.

b. Any application arising from this rule shall not be publicly notified.

16.4.9.2.2 Minimum building setback from road boundaries

a. ~~a.~~ The minimum building setback from road boundaries shall be as follows:

	Applicable to	Standard
-i.	Office buildings and Parking -buildings on sites with frontage to Marshs Road	10 metres
-ii.	All other buildings not provided for in clause (i).	20 metres

~~Any application arising from this rule shall not be publicly notified.~~

b.

~~b. Any application arising from this rule shall not be publicly notified.~~

16.4.9.2.3 Minimum building setback from the south west boundary and residential properties

a. ~~*a.*~~ *The minimum building setback from a boundary with a ~~rural zone and from~~ residential ~~properties~~property shall be as follows:*

	Applicable to	*Standard*
-i.	*A. Sites with a boundary adjoining the ~~rural~~Rural Urban Fringe zone.*	*~~25~~20 metres*
~~*i.*~~	~~*A. Sites adjoining Lot 1 DP64487 (until the existing residential activity ceases - following which no setback shall apply).*~~ ~~*B. Clause (ii) shall only apply until 30 March 2026 at which time the rule shall no longer apply.*~~	~~*20 metres*~~

b. ~~b.~~ ***Any application arising from with this rule shall not be publicly notified.***

6.~~5.~~4.9.2.4 Landscaped areas

a. Landscaping and trees shall be provided as follows:

	Standard
i.	*The setback from Marshs Road and the rural zone required under Rules 16.4.9.2.2 and 16.4.9.2.3 a. shall comprise a 10m wide landscaping strip ~~of a depth equivalent to the setback~~, comprising:* *A. Two rows of trees, staggered in a manner that one row is off-set from the other row.* *B. Trees shall be spaced 10 metres apart in each row.* *C. The trees used in the landscaping strip shall comprise one or more of the following species:* *Podocarpus totara – totara, Hoheria angus folia – houhere/ narrow-leaved lacebark, Plagianthus regius – manatu/ lowland ribbonwood.* *D. The existing shelterbelt on the Marshs Road frontage shall be retained until trees required under clause a above are 6 metres in height. The shelterbelt will be replaced with an additional row of trees that aligns with a and c above.* *E. Shrubs that mature to a minimum height of 3m shall be planted between the rows of trees, using the species listed in Appendix 6.11.6 of Chapter 6, Sec on 3.* *F. The requirements of Appendix 6.11.6 of Chapter 6, Part A shall apply.* *G. Maintenance of the landscaping strip shall be undertaken for a period of no less than 5 years from the date of plan ng.* *~~A.~~H.Security fencing shall be located on the industrial side of the landscaping*
	~~*A. Two rows of trees, staggered in a manner that one row is off-set from the other row.*~~ ~~*B. Trees shall be spaced 10 metres apart in each row.*~~ ~~*C. The trees used in the landscaping strip shall comprise one or more of the following species: Podocarpus totara – totara, Hoheria angustifolia – houhere/ narrow-leaved lacebark,*~~ ~~*D. The existing shelterbelt on the Marshs Road frontage shall be retained until trees required*~~ ~~*E. Shrubs shall be planted between the two rows of trees, using the species listed in Appendix 6.11.6 of Chapter 6, Section 3.*~~

~~F. The requirements of Appendix 6.11.6 of Chapter 6, Part A shall apply.~~

~~G. Maintenance of the landscaping strip shall be undertaken for a period of no less than 5 years from the date of planting.~~

~~b.~~ **~~Any application arising from this rule shall not be publicly notified.~~** ~~b. Any application arising from this rule shall not be publicly notified.~~

16.8 Appendices

Replace Appendix 16.8.8 South West Hornby Industrial Area with *Appendix 16.8.8 i and Appendix 16.8.8 ii (attached)*

Consequential amendments to 16.4.9 and 16.5.4 - Delete all references to Appendix 16.8.8 ~~*Appendix 16.8.8*~~ and replace with Appendix *16.8.8 i and Appendix 16.8.8 ii*