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

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

Dated: 11 November 2026

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INTRODUCTION

1. These closing legal submissions are submitted 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**). PC19 seeks to rezone various landholdings along Marshs Road and Main South Road (**Site**) from Rural Urban Fringe Zone (**RUFZ**) to a split zone of Industrial Heavy Zone (**IHZ**) and Industrial General Zone (**IGZ**).

2. PC19 was heard by Independent Commissioner Andrew Willis (**Commissioner**) in Christchurch on 19 and 20 October 2026.

3. Several matters arose at the hearing which the Commissioner requested be addressed in Calder Stewart's closing legal submissions. These relate to:

   (a) an assessment under Section 32AA of the Resource Management Act 1991 (**RMA**);

   (b) the Canterbury Regional Policy Statement (**CRPS**);

   (c) National Policy Statement for Highly Productive Land (**NPS-HPL**);

   (d) traffic;

   (e) bird strike; and

   (f) proposed provisions on lighting and a subdivision trigger.

4. The updated provisions (both tracked and clean) proposed by Calder Stewart are attached at **Annexure A.** In preparing the updated provisions, Calder Stewart consulted with the Section 42A reporting officer, Mr Lightbody. In summary, the amended provisions:

   (a) add a new Outline Development Plan for South West Hornby at Appendix 16.8.8(a). The existing Outline Development Plan for South West Hornby will be retained at Appendix 16.8.8.

   (b) introduce a matter of control under Rule 8.5.1.2 C5 to require that boundary landscaping must be provided to newly subdivided and lots in the IGZ and IHZ (South West Hornby);

(c) make any development in the IGZ (South West Hornby) a restricted discretionary activity until physical works start on Bruce Stewart Drive intersection;

(d) introduce roading and access considerations as matters of discretion for the IGZ (South West Hornby) in Rule 16.7.3.7.2; and

(e) limit the height of stacked containers within 20m of the rural zone boundary and the Marshs Road boundary to 6m.

THE PROPOSAL

5. The initial approach to PC19 was to seek rezoning of approximately 23 hectares of land at the intersection of Marshs Road and Main South Road (SH1) in Hornby. The 23 hectares included the residential properties on Marshs Road and Main South Road. This approach was undertaken with the best of intent from a planning perspective to ensure a consistent and efficient zoning approach to PC19.

6. On review of the submissions received from the residential property owners and the Section 42A Report prepared by Mr Lightbody, Calder Stewart amended its proposal and removed the residential dwellings from the PC19 area. In addition, it split the zoning of the Site between IGZ and the IHZ, such that the IGZ zoning would provide a buffer between the residential activity and the proposed IHZ area.

7. The amendments made to PC19 reflect the need for additional strategically located industrial land in Christchurch while recognising and remaining sensitive to the existing residential dwellings on Marshs Road and Main South Road.

8. Ben Niven (Submitter 23), Templeton Residents' Association (Submitter 10), Dave Tucker (Submitter 11), Daryna Tofanchuk (Submitter 16) and Jolene Edgar (Submitter 9) spoke to their submissions at the hearing. All three submitters opposed PC19 and raised concerns regarding the rezoning of the residential dwellings on Main South Road and Marshs Road without compensation. These submitters also raised concerns regarding the temporary nature of the proposed 20m setback.

9. These submitters did not address the amended proposal for PC19 as their submission did not appear to accept that all residential dwellings have since been removed from PC19 or that the 20m setback is now being proposed in perpetuity. When questioned, these submitters agreed the amendments were an improvement on the original PC19 proposal.

STATUTORY FRAMEWORK

10. The statutory framework for district plan changes is set out in the Reporting Officer's Section 42A Report and our opening legal submissions dated 19 October 2026.

11. This section focuses on the following issues that the Commissioner has requested Calder Stewart to address:

    (a) Section 32 and Section 32AA Assessment.

    (b) Canterbury Regional Policy Statement.

    (c) the NPS-HPL.

Section 32 and Section 32AA

12. Under Section 32AA of the RMA, a further evaluation of the PC19 for changes that have been made to the proposal since the Section 32 assessment was undertaken has been prepared by Mr McCracken. This is attached as **Annexure B**. An evaluation under Section 32AA is only required for the amendments to the PC19 proposal and must be undertaken in accordance with Section 32(1) to (4) of the RMA.

13. Mr McCraken's Section 32AA evaluation concludes that (the amended version of) PC19 is the most appropriate option to achieve the objectives if the Christchurch District Plan (**District Plan**). In particular, Mr McCracken concludes that PC19:

    (a) is the most effective method for achieving the existing objectives of the District Plan, National Policy Statement on Urban Development 2020 (**NPS-UD**) and the Canterbury Regional Policy Statement (**CRPS**).

    (b) is the most efficient of the seven options assessed by Mr McCracken. This is particularly so given that the CRPS has assessed industrial land supply only to 2028, and that Policy 8 of the NPS-UD recognises the need for development capacity that is out of sequence. While Map A of the CRPS does not identify the Site in the Future Development Area, we submit that Map A of the CRPS does not give effect to the NPS-UD. Accordingly, in our submission greater weight should be given to the NPS-UD.

    (c) will 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 property;

(d) provide for the amenity of existing residents through the removal of the residential dwellings from the PC19 area and the introduction of a 20m setback and landscaping requirements;

the environmental, social and economic benefits associated with the amended version of PC19 outweigh the costs; and

(e) overall, the combination of IHZ and IGZ is an appropriate, efficient and effective way of achieving the purpose of the RMA.

Canterbury Regional Policy Statement

14. At the hearing, the relevance of the CRPS was discussed. We submitted that the Future Development Area as shown in Map A (**Map A**) of the CRPS does not give effect to the NPS-UD and that the NPS-UD must therefore be preferred.

15. Map A identifies where the greenfield priority areas are for business and residential development. Policy 6.3.1 of the CRPS directs that urban development in Greater Christchurch is to happen inside the existing greenfield priority areas shown on Map A. Development outside those areas is generally to be avoided. The Site is not identified as a greenfield priority area in Map A.

16. The greenfield priority areas for Christchurch were originally identified in 2013 prior to the promulgation of the NPS-UD.[1] As set out in the evidence of Mr McCracken, those areas were largely created on the basis of the demand anticipated by the Canterbury earthquakes but a process is now underway to reconsider future needs throughout Geater Christchurch.[2] Mr McCracken goes on to say that recent analysis, including the Greater Christchurch Business Assessment (2026), shows growth needs were underestimated and land availability overestimated.[3] This is further supported by the Colliers report filed with the original PC19 application, which concluded that there is limited industrial capacity in Hornby, and that the proposed rezoning of the Site will relieve the pressure on land supply in the most preferred large warehouse district in Christchurch.[4]

17. Accordingly, as Map A of the CRPS does not give effect to the NPS-UD due to the timing of its drafting, we submit that the Commissioner is required to give effect to the NPS-UD when determining whether urban development on the Site is appropriate. Policy 8 of the NPS-UD requires councils to respond to plan changes that would add significantly to development capacity even when they are out of

[1] Statement of Evidence of Kim McCracken, 2 October 2026 at [116] and Verbal Evidence of Kim McCracken at Day 1 of the Hearing.
[2] Statement of Evidence of Kim McCracken, 2 October 2026 at [102].
[3] Statement of Evidence of Kim McCracken, 2 October 2026 at [122].
[4] Statement of Evidence of Kim McCracken, 2 October 2026 at [61], referring to Christchurch Industrial Land Market Research Report prepared by Colliers, dated 17 February 2023 at page 18.

sequence or anticipated. Mr McCracken and Mr Lightbody both consider that PC19 would add significantly to development capacity for the purposes of Policy 8 of the NPS-UD.

18. Section 62(3) of the RMA states that a regional policy statement must give effect to a national policy statement. Further, the Supreme Court in *King Salmon* confirmed that lower order planning documents must give effect to higher-order documents, and that local authorities are obligated to give effect to a national policy statement In that case, the Supreme Court held that recourse to Part 2 of the RMA may be appropriate where there is invalidity, incomplete coverage or uncertainty of meaning in the relevant planning document.[5] Further, the Court of Appeal in *RJ Davidson v Marlborough District Council* held that where there is ambiguity or incompleteness in a plan, the answer should be sought first in the national policy statements which are higher order documents.[6] Accordingly, we submit that as the CRPS, in particular Map A, does not give effect to the NPS-UD, the NPS-UD should be given greater weight than the CRPS on this point as it sits above the CRPS in the planning hierarchy.

National Policy Statement for Highly Productive Land

19. As set out in our opening legal submissions, we submit that the nearest equivalent zone to the RUFZ is neither the General Rural nor the Rural Production Zones, and the Site is therefore not captured by the NPS-HPL.

20. We discuss below the questions that were raised at the hearing relating to the NPS-HPL.

Townsend Decision

21. During the hearing, the Commissioner raised questions about the *Townsend* decision referred to in Selwyn District Council's (**SDC**) submission. In particular, the Commissioner queried whether a long-term shortfall in demand is relevant to the rezoning test in Clause 3.6 of the NPS-HPL. In our submission, a long-term shortfall is directly relevant to the rezoning test in Clause 3.6 of the NPS-HPL.

22. SDC's position is that for a rezoning to be required under Clause 3.6 of the NPS-HPL it must be necessary to address a shortfall in short term or medium term obligations under Clause 3.3 of the National Policy Statement for Urban Development 2020 (**NPS-UD**).[7]

[5] *Environmental Defence Society Inc v New Zealand King Salmon* [2014] NZSC 36.
[6] *RJ Davidson Family Trust v Marlborough District Council* [2018] NZCA 316.
[7] Submission of Selwyn District Council on PPC19 dated 29 January 2026, at page 2.

23. We disagree with SDC's position and do not interpret *Townsend* as authority that long term demand is irrelevant to Clause 3.6 of the NPS-HPL.

24. In our submission, long term demand is directly relevant to the Clause 3.6 test which allows the rezoning of highly productive land where that is needed to provide enough development capacity to give effect to the NPS-UD. Policy 2 of the NPS-UD relevantly requires tier 1 to 3 local authorities at all times to provide at least sufficient development capacity to meet expected demand for housing and business land over the short, medium and long term. In *Townsend* the Court noted the particular relevance of Policy 2 of the NPS-UD and its relationship with Clause 3.6 of the NPS-HPL.

25. In our submission the reference to sufficient development capacity in Clause 3.6(1)(a) of the NPS-HPL is a capacity measured against short, medium and long term demand. The Court in *Townsend* did not indicate that long term demand could be ignored when applying the NPS-HPL. While the Court observed that long term capacity does not need to be zoned in a District Plan, and could instead be identified in a Future Development Strategy, it held that there is nothing preventing a Council from providing an oversupply of industrial land that exceeds the requirement in Clause 3.3 of the NPS-UD.[8]

26. The rezoning in Townsend was ultimately declined because the evidence before the Court did not demonstrate a short fall in demand. This can be distinguished to the evidence before the Commissioner which shows that long-term demand will exceed the capacity available and that rezoning now is a legitimate way of giving effect to the NPS-UD.

27. We therefore submit that SDC's position on the relevance of long term shortfall to the urban rezoning test in Clause 3.6 of the NPS-HPL is incorrect.

Quantitative Data

28. The Commissioner raised queries regarding whether Calder Stewart had any quantitative data to support the test in Clause 3.6(1)(c) of the NPS-HPL. Clause 3.6(1)(c) states that the urban rezoning of highly productive land may only occur where:[9]

> *the environmental, social, cultural and economic benefits of rezoning outweigh the long-term environmental, social, cultural and economic costs associated with the loss of highly productive land for land-based primary production, taking into account both tangible and intangible values.*

[8] *Townsend v Selwyn District Council* [2025] NZEnvC 330 at [96].
[9] National Policy Statement for Highly Productive Land amended December 2025 at Clause 3.6(1)(c).

29. The NPS-HPL does not require the test in Clause 3.6(1)(c) to be demonstrated with quantitative data. Accordingly, we submit that the qualitative data that is currently before the Commissioner is sufficient to demonstrate that the test in Clause 3.6(1)(c) has been met. In particular, we submit that the information contained in the following documents is sufficient to satisfy Clause 3.6(1)(c).

    (a) Annexure B to the PC19 Request - Economic Assessment, which discusses the economic benefits of PC19.[10]

    (b) Annexure C to the PC19 Request - Research Report Industrial Land Supply, which demonstrates the long-term need for industrial land supply.[11]

    (c) Statement of Evidence of Jamie Gordon dated 2 October 2026.

30. At the hearing, Mr Lightbody agreed with Calder Stewart that no further work was required in relation to the test in Clause 3.6(1)(c) of the NPS-HPL.

Relevance of Clause 3.10

31. We confirm that our submission remains that Clause 3.6 is relevant for the rezoning of highly productive land through a plan change process. Clause 3.10 of the NPS-HPL is not relevant to the rezoning of highly productive land and is only relevant to resource consent applications involving highly productive land.

TRAFFIC

32. During discussion of traffic matters at hearing, the Commissioner raised the construction of the proposed connection from Shands Road to State Highway 1 (**SH1**) (**Bruce Stewart Drive**), and New Zealand Transport Agency's (**NZTA**) position on PC19. We address this below.

Bruce Stewart Drive

33. With respect to the concerns regarding the proposed extension to Bruce Stewart Drive, in our submission the PC19 proposal as it currently stands provides sufficient certainty that this upgrade will be delivered.

34. The District Plan requires that development in the Industrial Heavy Zone (South West Hornby) must occur in accordance with the South West Hornby Outline Development Plan (**ODP**), which requires that:[12]

[10] Plan Change 19 Request, Annexure B - Economic Assessment at 6.
[11] Plan Change 19 Request, Annexure C - Research Report Industrial Land Supply at 4.
[12] Christchurch District Plan, Area-specific rules - Industrial Heavy Zone (South West Hornby), 16.5.4.1.1.

(a) Development shall comply with:

(i) All of the key structuring elements on the South West Hornby Outline Development Plan (Appendix 16.8.8), being:

A. Collector Road.

B. Minor Arterial Road.

35. In our submission, the words "*development shall comply"* leaves no discretion as to whether the extension of Bruce Stewart Drive to SH1 will occur, or as to its route and connection point opposite Pound Road, which are fixed by the ODP. Although not directly stated in the provisions, the practical effect of the requirement to comply with the ODP is that industrial development cannot be established over the route of the extension. The detailed alignment and intersection design will be confirmed through subdivision and in consultation with NZTA, as is usual practice.

36. The only remaining uncertainty is the timing of delivery. However, in our submission that uncertainty does not give rise to unacceptable effects. As set out in the evidence of Mr Leckie, traffic generated by development on the Site prior to the completion of the road connection can be accommodated on the existing road network, with access during that period available through the existing industrial area to the south.[13] Mr Leckie notes that the Site is small compared to the adjacent zoned but undeveloped industrial area so its peak traffic would be a "*comparatively small proportion"* of future industrial traffic.[14]

37. Mr Chen and Mr Lightbody for the Council do not treat uncertainty over the timing of extension to Bruce Stewart Drive as a reason to decline PC19. While Mr Chen's preference is for the delivery of the road extension to occur at the early stages of development, he supports adding a site-specific matter of discretion requiring a transport assessment for any development that takes place prior to the completion of the road upgrade.[15]

38. Mr Lightbody considers that a traffic assessment may be required for any development occurring prior to the road upgrade but notes that Rule 16.7.3.9.4 of the District Plan already provides an adequate mechanism by which to consider any adverse effects if the future connection takes some time to form.[16] We agree with this assessment.

[13] Statement of Evidence of Andrew Leckie dated 2 October 2026 at para [34].
[14] Statement of Evidence of Andrew Leckie dated 2 October 2026 at [34].
[15] Statement of Evidence Liqi Chen, 25 September 2026 at [42].
[16] Section 42A Report at [7.7.4].

39. However, to address the Council's concerns and provide further certainty on the delivery of the Bruce Stewart Drive connection prior to development occurring, Calder Stewart now proposes to make any development in the IGZ occurring prior to physical works starting on the Bruce Stewart Drive upgrade a restricted discretionary activity. Matters of discretion have been amended to provide consideration for roading and access related matters in new Rule 16.7.3.7.2.

40. This will ensure that the traffic effects of any development that proceeds before the intersection upgrade begins can be properly assessed. It also allows conditions to be imposed, or for consent to be declined, where those effects are not acceptable.

New Zealand Transport Agency

41. NZTA raised concerns in its submission about safety at the Marsh's Road / SH1 intersection.

42. As part of the consultation and RFI process, Mr Leckie undertook further modelling of the likely transport effects of PC19. This modelling indicated that traffic effects at the Marshs Road intersection were unlikely to have a noticeable effect,[17] and therefore a left-in, left-out intersection was unnecessary.

43. In a change of position letter, NZTA indicated that it's concerns in relation to both matters had been addressed, and that it would retain a neutral position on PC19 and not longer wish to be heard.[18] A copy of this change of position letter is attached at **Annexure C.**

BIRD STRIKE

44. CIAL considers that bird strike risk outside the 3 km Bird Strike Management Area in the District Plan warrants further controls in the District Plan. We reiterate our submission that a District Plan review or district wide private plan change assessing the Bird Strike Management Area as a whole is the appropriate response, not through PC19.

45. The experts agree that PC19 does not create any primary bird strike risk. It is also not disputed that the Site has the potential to increase the risk of secondary bird strike. However, the evidence of Ms Civil is that the risk of secondary bird strike is not unique to the Site and not be any greater than any other IHZ or IGZ land outside of the Bird Strike Management Area.[19]

[17] Statement of Evidence of Andrew Leckie (Transport), 2 October 2026 at [41]-[45].
[18] Change of Position Letter from Kate Bonifacio to Kirk Lightbody dated 14 April 2026.
[19] Statement of Evidence of Elizabeth Civil dated 2 October 2026, at para [91].

46. There is no evidence before the Commissioner on the impacts of this secondary risk to CIAL operations. The avifauna expert witness on behalf of CIAL did not provide an independent site-specific assessment of secondary bird strike risk. Ms Civil on behalf of Calder Stewart did undertake a site investigation and concluded that there was a potential secondary bird strike risk. Without such evidence from CIAL (or anyone), the operational effect of secondary bird strike from the Site cannot be readily assessed. This was precisely the issue that was contemplated at the Christchurch Replacement District Plan hearing, where experts on behalf of CIAL and the Council noted that the absence of data made it difficult to provide any detailed assessment of the suitability of proposed planning provisions.[20]

47. As discussed orally at the hearing by Mr Lightbody, inserting bird strike management provisions into the District Plan requires a robust understanding of the costs and benefits of such provisions in accordance with Section 32AA of the RMA. While additional rules can be introduced into a District Plan to achieve a specific objective or policy, any new rule must be justified and considered the most appropriate method to achieve the objectives of the District Plan.[21] This emphasises the point that counsel for Calder Stewart made at the hearing, which is that the Council and CIAL would need to go through a city-wide process to introduce provisions of this kind in the District Plan. PC19 is not the appropriate process to undertake this city-wide process.

Christchurch International Airport Limited Closing Statement

48. CIAL submitted a closing statement dated 30 October 2026. For the reasons that follow, we submit that CIAL's closing statement should not form part of the record for the Commissioner's decision-making, and no weight should be given to it.

49. The procedure for participation in plan change hearings is specified in Sections 39-42A of the RMA. Section 39 of the RMA provides that the relevant authority conducting a hearing must establish a procedure that is appropriate and fair in the circumstances, and must avoid unnecessary formality.[22] There is no general right in Section 39 of the RMA for submitters to file closing statements following the hearing of its submission. Any opportunity to file closing submissions therefore arises only at the discretion of the hearing authority. The Commissioner gave no direction inviting or permitting CIAL to file a closing statement. We therefore submit that CIAL was not entitled to file its closing statement, and that the Commissioner should give it no weight when deciding whether to approve PC19.

[20] Independent Hearings Panel for the Christchurch Replacement District Plan, Decision 57, 10 November 2016 at [443].
[21] Resource Management Act 1991, Section 32.
[22] Resource Management Act 1991, Section 39.

50. If the Commissioner does not accept that submission and considers that CIAL's closing statement may properly be taken into account, CIAL's closing statement does not alter Calder Stewart's submission to the Commissioner. There remains no evidential basis or Section 32AA assessment before the Commissioner for introducing the provisions sought by CIAL.

51. In its closing statement, CIAL requests that the proposed bird strike provisions be included as part of PC19, with any necessary Section 32AA evaluation to support that outcome to be provided, rather than deferring the matter to a separate plan change.[23] However, there is no procedural step left for CIAL to complete that Section 32AA. CIAL also considers that the need for a Section 32AA evaluation should not, of itself, justify deferring the bird strike provisions to a separate plan change.[24] We disagree with CIAL's position on this matter and consider it is legally incorrect. Sections 32 and 32AA of the RMA make it clear that any proposed provisions must be supported by an adequate evaluation under Section 32 or 32AA. Section 32A of the RMA enables a proposed provision to be challenged on the basis that an evaluation report under Section 32 or 32AA has not been prepared.[25] A Section 32AA evaluation is therefore fundamental to the justification of the bird strike provisions within the PC19 provisions.

52. In summary on this point, there is insufficient information to justify the provisions sought by CIAL. In particular, the absence of quantitative date and a Section 32AA evaluation, including evidence supporting either a site-specific management approach or extending the Bird Strike Management Area beyond the 3km radius, makes any meaningful cost-benefit assessment impossible.

Bird Strike Provisions in Neighbouring District Plans

53. In the hearing, the Commissioner asked about the provisions relating to bird strike in the Partially Operative Selwyn District Plan (Appeals Version) (**SDP**) and Waimakariri District Council Partially Operative Waimakariri District Plan (**WDP**). We discuss these provisions below.

54. The SDP contains planning mechanisms that seek to manage bird strike risk. The bird strike provisions in the SDP in their current form were secured following a successful appeal of the Independent Hearing Panel's Recommendation Report for the Energy and Infrastructure Chapter of the SDP by CIAL. Through that appeal process, the parties agreed at mediation to insert a standalone policy in the Energy and Infrastructure Chapter to address the management of bird strike risk.[26]

[23] Closing Statement of Christchurch International Airport Limited dated 30 October 2026 at [15].
[24] Closing Statement of Christchurch International Airport Limited dated 30 October 2026 at [8].
[25] Resource Management Act 1991, Section 32A.
[26] *Horticulture New Zealand v Christchurch International Airport Limited* [2026] NZEnvC 104 at [16].

55. Rather than undertaking a site-specific assessment of properties with bird strike risk, the parties included an 8 km and 13 km Bird Strike Risk Management Overlay in the SDP. Policy EI-P6B then exhaustively defines the activities subject to bird strike controls within the 8km and 13km Bird Strike Risk Management Overlay. The policy seeks to:[27]

> *Manage the risk of bird strike to aircraft using Christchurch International Airport within the:*
>
> *(i) 13km Bird Strike Risk Management Overlay for any:*
>
> *(a) landfill activity; or*
>
> *(b) mineral extraction activity.*
>
> *(ii) 8km Bird Strike Risk Management Overlay for any:*
>
> *(a) earthworks, where the permitted volume for the relevant activity is exceeded;*
>
> *(b) commercial food processing activity where the permitted area is exceeded;*
>
> *(c) public and community wastewater treatment and disposal facility;*
>
> *(d) meat or fish facility processing facility where the permitted area is exceeded; or*
>
> *(e) waste and diverted material facility.*

56. The Bird Strike Risk Management Overlay and its associated provisions are the only bird strike controls in the SDP. There are no site-specific bird strike provisions and reliance is entirely placed on the Bird Strike Risk Management Overlay. This approach is consistent with our submission that site specific controls outside of any Bird Strike Management Area are not appropriate, including such controls in PC19.

57. The WDP adopts a similar approach, using overlays to control bird strike risk instead of site specific controls. Following the recommendation of the Independent Hearings Panel, the Waimakariri District Council adopted a Bird Strike Risk Management Overlay with a 13 km radius around the Christchurch International Airport, and defined the scope of activities that are considered to pose a risk of bird strike.[28]

[27] Partially Operative Selwyn District Plan (Appeals Version) EI-P6B.
[28] Waimakariri District Council Proposed Waimakariri District Plan Recommendations of the IHP, Hearings Panel Recommendation Report 29 Hearing Stream 10A – Christchurch International Airport Ltd: Noise Contour and Bird Strike – PDP and Variation 1 at [58].

58. ‘Bird Strike Risk Activity’ is defined exhaustively in the WDP and means:[29]

(a) waste management facilities;

(b) composting facilities;

(c) fish and commercial food processing activities with external food storage or waste areas accessible to birds;

(d) abattoirs and freezing works; and

(e) the treatment plants, canals, wetlands, lagoons, infiltration basins, and irrigated land of wastewater systems.

59. All activities that fell within the definition of ‘bird strike risk activity’ in the WDP and were within the 13km Bird Strike Risk Management Overlay were subject to a restricted discretionary activity status. This included modifying the activity statuses of Bird Strike Risk Activities in the General Industrial, Rural and Heavy Industrial Zones from permitted to restricted discretionary activities. [30]

60. The Independent Hearings Panel for the WDP also recommended a general policy for all Industrial and Rural Zones in the WDP to: [31]

> *Manage the risk of bird strike to aircraft from new or upgraded bird strike risk activities that are to be located within the ‘Bird Strike Risk Management Area Overlay’.*

61. Both the SDP and WDP have adopted a district wide approach to assessing bird strike risk rather than providing site specific provisions in the plan. Neither the SDP nor WDP have bird strike controls that exist outside their respective Bird Strike Risk Management Overlays

PROVISIONS

Shipping Containers

62. A question arose at the hearing regarding whether shipping containers would be permitted within the proposed 20m building setback.

63. The meaning of ‘building’ in the District Plan is:[32]

[29] Waimakariri District Council Partially Operative Waimakariri District Plan (Appeals Version), Definitions.
[30] Hearings Panel Recommendation Report 29 Hearing Stream 10A, at [59]-[62].
[31] Waimakariri District Council Partially Operative Waimakariri District Plan (Appeals Version), Industrial Zone INZ-P7 and Rural Zone RURZ-P10.
[32] Christchurch District Plan, Chapter 2 (Definitions).

(a) any structure or part of a structure, whether permanent, moveable or immoveable; and/or

(b) any erection, reconstruction, placement, alteration or demolition of any structure or part of any structure within, on, under or over the land; and

(c) any vehicle, trailer, tent, marquee, shipping container, caravan or boat, whether fixed or immoveable, used on-site as a residential unit or place of business or storage.

64. However, the definition of 'building' in the District Plan expressly excludes structures which are both less than 6m^2 in area and less than 1.8m in height.[33] The Environment Court in *Braeburn Property Limited v Christchurch City Council* recognised that the District Plan did not provide a definition of "structure" and found that the statutory definition from the RMA applied.[34] Under the RMA, "structure" means "*any building, equipment, device or other facility made by people and which is fixed to the land, and includes any raft."*[35]

65. The Court in *Braeburn* noted that shipping containers or stacks of containers qualify as a 'building' under the District Plan if they are "fixed to the land". The Court in that case found that the shipping containers on that particular site were not "fixed to the land", due both to a low degree of annexation (they were held in place only by gravity and were frequently moved) and the temporary nature of their use (storage as part of an active supply chain). Accordingly, in those circumstances the Court found that the shipping containers were not "structures" or "buildings" under the District Plan.[36]

66. In light of the above, we submit that a "structure" can include a shipping container, provided that it is fixed to the land. Whether a shipping container is a structure (and therefore a building) will depend on the degree and purpose of annexation to the land. If a shipping container is not sufficiently annexed to the land and is therefore not a building, it will not be subject to the 20m building setback proposed by Calder Stewart. To mitigate the risk of stacked containers overshadowing residences, a height limit of 6m is proposed in new Rule 16.4.9.2.1(b).

67. Accordingly, Calder Stewart has proposed amending Rule 16.4.9.2.1 to also apply to container storage, limiting the height of any stacked containers within 20m of the rural zone boundary and the Marshs Road boundary to 6m, so that containers sitting behind the 10m landscaping strip are kept below the height of the planting.

[33] Christchurch District Plan, Chapter 2 (Definitions).
[34] *Braeburn Property Ltd v Christchurch City Council* [2024] NZEnvC 343.
[35] Resource Management Act 1991, Section 2.
[36] *Braeburn Property Ltd v Christchurch City Council* [2024] NZEnvC 343 at [95].

Subdivision Trigger

68. The Commissioner queried whether subdivision consent and works could be undertaken without triggering the landscape requirements proposed by Calder Stewart.

69. The landscaping requirements proposed by Mr Smith are contained in the built form standards and do not form part of the South West Hornby ODP.

70. Subdivision must be "in accordance with" the ODP, but that requirement does not extend to compliance with the landscaping built form standard. As the provisions stood at the hearing, subdivision could proceed before the landscaping requirements were met. That would create inefficiencies, most notably by leaving each lot owner to deliver their part of the landscaping separately. The likely result is a fragmented and inconsistently timed planted edge, rather than the continuous landscape treatment the ODP contemplates.

71. To address this concern, Calder Stewart has proposed amendments to Rules 8.5.1.2 (C5) to include landscaping as a matter of control and a matter of discretion respectively. These amendments would ensure that landscaping forms part of the subdivision assessment and that appropriate conditions can be imposed to secure its implementation as part of the subdivision process.

Traffic

72. Following discussions with Mr Lightbody, Calder Stewart has now proposed to make any development in the IGZ prior to physical works starting on the Bruce Stewart Drive upgrade a restricted discretionary activity. Matters of discretion have been amended to provide consideration for roading and access related matters in new Rule 16.7.3.7.2.

73. This will ensure that the traffic effects of any development that proceeds before the intersection upgrade begins can be properly assessed. It also allows conditions to be imposed, or for consent to be declined, where those effects are not acceptable.

Lighting

74. In the hearing, the Commissioner requested we review the light spill provisions and discuss whether a bespoke light spill standard is required to account for activities at the Site. The permitted light spill must not exceed 10.0 lux in the IGZ and 20.0 lux in the IHZ when measured 2.0 m from the boundary, both vertically and

horizontally.[37] Where the light spill from an activity spills into the site of another zone with a more restrictive standard, the more restrictive standard will apply.

75. It is our submission that the existing light spill standards and rules in the District Plan will be sufficient for the Site.

CONCLUSION

76. The evidence provided by Calder Stewart demonstrates that the amended rezoning sought is the most efficient and appropriate way to achieve the objectives and policies of the District Plan. The amended zoning will enable heavy industrial activities to take place adjacent to land that is already zoned IHZ, and will enable general industrial activities on the part of the Site adjacent to the existing residential dwellings. This will provide a buffer between the residential dwellings and the IHZ.

77. The amended relief is more appropriate than keeping the Site zoned RUFZ as it will:

(a) provide for additional industrial capacity in an area where there is an identified long-term shortfall of industrial zoned land;

(b) 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;

(c) provide for the amenity of existing residents through the removal of the residential dwellings from the PC19 area and the introduction of a 20m setback and landscaping requirements;

(d) be consistent with the urban form objectives and policies of the CRPS, other than Map A. As discussed above, we consider that the NPS-UD must be given greater weight in this instance given the significance of the industrial development capacity proposed;

(e) be consistent with Policy 8 of the NPS-UD, which supports responsive plan changes that add significantly to development capacity;

(f) give effect to Part 2 of the RMA by providing must needed industrial-zoned land while appropriately managing effects on the surrounding environment; and

(g) be the most efficient and effective way to achieve the objectives of the District Plan and give effect to the higher order planning documents.

[37] Christchurch District Plan, Standard 6.3.6.1.

78. The updated provisions (both tracked and clean) proposed by Calder Stewart are attached at **Annexure A**. The Outline Development for South West Hornby Industrial Area is attached at Annexure D.

Dated 11 November 2026



Joshua Leckie and Charlotte Coyle
Counsel for Calder Stewart Development Limited

Annexure A – Updated Provisions

APPENDIX ~~X REPORTING OFFICERS~~ 2

APPLICANT'S 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 **underlined blue bold text**. Any text amended following the hearing are in **bold green**.

~~***Matters of Discretion***~~

8.5 Rules – Subdivision Activity Status Tables

8.5.1.2 Controlled Activities

Add to C5

	Activity	***Relevant Standards***	***Matters of Control***
C5		**f. for subdivision in the Industrial General Zone (South West Hornby) and the Industrial Heavy Zone (South West Hornby) as defined on the Outline Development Plan in Appendix 16.8.8(a), boundary landscaping shall be provided to the subdivided and serviced lots.**	**f. Rule 16.4.9.2.4**

16.4 Rules – Industrial General Zone

16.4.9 Area-specific rules - Industrial General Zone (South West Hornby)

a. ***The following rules and the South West Hornby Industrial Area Outline Development Plans (Appendix 16.8.8 and Appendix 16.8.8(a)) shall apply to the Industrial General Zone (South West Hornby). All activities specified are also subject to the rules in 16.4.1 (Activity status tables) and 16.4.2 (Built form standards) unless specified otherwise in 16.4.9.***

16.4.9.1. Area Specific Activities – Industrial General Zone (South West Hornby) add Rules C1, RD2 and RD3 and RD4

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 16.7.3.7.1(c)

16.4.9.1.3 Area Specific Restricted Discretionary Activities

a. ***The activities listed below are restricted discretionary activities.***
b. ***Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in Rule 16.7.3.7, as set out in the following table.***

	Activity	*The Council's discretion shall be limited to the following matters:*
RD2	a. Any development within the Industrial General Zone (South West Hornby) defined on the outline development plan in Appendix 16.8.8(a), until the construction (being physical works) of the intersection of Main South Road and the minor arterial road (marked as 'D' on the outline development plan in Appendix 16.8.8(a)) including traffic signals has commenced b. Any application arising from this rule shall not be publicly notified	Industrial General Zone (South West Hornby) – Rule 16.7.3.7
RD~~2~~3	*a. Any site access directly onto Marshs Road.* *b. Any application arising from this rule shall not be publicly notified.*	*Roading and access - Rule 16.7.3.7.2 .~~9.4~~*

RD~~3~~4	*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 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* *iii. For Rule 16.4.9.2.2 and 16.4.9.2.3 a., Setback from boundaries adjoining rural zone - Rule 16.7.3.7.1(f) ~~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* *vi. For Rule 16.4.9.2.4, Landscaping at rural urban interface – Rule 16.7.3.7.1(e)~~.9.3~~*

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 and container storage

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. The maximum height of any stacked containers within 20 metres of the rural zone boundary and the Marshs Road road boundary shall be 6 metres

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

16.4.9.2.2 Minimum building setback from road boundaries

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

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

16.4.9.2.3 Minimum building setback from the rural zone ~~southwest boundary and residential properties~~

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

	Applicable to	Standard
i.	A. Sites with a boundary adjoining the rural zone.	~~25~~20 metres

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

16.~~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, that mature to a minimum height of 6m, 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.* Three rows of 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 planting. *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

16.7 Rules - Matters of Discretion

16.7.1 Matters of discretion for built form standards

16.7.1.1 Maximum height of buildings and fencing or screening structure

a. **Building height:**
   i. **The distance the building is setback from any residential zone and the extent to which this mitigates any adverse effects of the increased height.**

   ii. **The extent to which the additional building height may enable the more efficient use of the reminder of the site or the long-term protection of sites of Ngāi Tahu cultural significance identified in Schedule 9.5.6.1, significant trees listed in Appendix 9.4.7.1, or natural features on the site.**

   iii. **The design and appearance of the building in mitigating the visual impact of exceeding the height limit.**

   iv. **The extent to which the building may visually dominate the area it is located in, having regard to the scale and form of buildings in the surrounding area.**

   v. **The extent to which the location of the building on the site and its visibility minimises visual effects on the surrounding area.**

   vi. **The extent to which the increase in height reflects functional requirements of the activity.**

b. **Fencing or screening structures in the Industrial Park Zone:**

   i. **The extent to which visibility is maintained between the building and the street.**

   ii. **The extent to which screening maintains public safety and other Crime Prevention through Environment Design (CPTED) principles.**

16.7.1.2 Maximum building coverage of a site

a. **The ability to mitigate any adverse effects of increased coverage by additional landscaping or screening.**
b. **In the Industrial Park Zone, the degree to which the existing and anticipated open space and park-like character of the zone will be retained.**
c. **Any adverse effects of increased building coverage on the character of the surrounding environment.**
d. **The extent to which a greater site coverage reflects functional requirements of the activity.**

16.7.1.3 Minimum building setback from road boundaries/ railway corridor

a. **The extent to which the reduced setback of the building impacts on the amenity of the street environment, having regard to its location within the zone, function of the zone and the anticipated level of amenity.**
b. **The extent and quality of landscaping to be provided.**
c. **The effect of a building's reduced setback, taking account of such factors as existing road widths, existing building setbacks, functional requirements, street planting, and the orientation of buildings on adjoining sites, particularly those in residential zones.**
d. **Whether the reduced setback from the rail corridor will enable buildings to be maintained without requiring access above, over, or on the rail corridor.**

16.7.1.4 Minimum building setback from the boundary with a residential zone, residential property

a. **Any adverse visual effects on any adjoining residential property as a result of a reduced building setback.**
b. **Whether landscaping or screening within the setback mitigates the dominance of buildings.**
c. **The scale and height of buildings within the reduced setback and their impact on the visual outlook of residents and users on the adjoining site(s).**
d. **The extent to which buildings in the setback enable better use of the site and improve the level of amenity elsewhere on the site.**
e. **The proposed use of the setback, the visual and other effects of this use and whether a reduced setback and the use of that setback achieves a better outcome.**
f. **The effect of a reduced setback on the character of the Industrial Park Zone as a park-like environment.**
g. **The extent to which the proposed setback intrusion would impact on the visual amenity or use of any esplanade reserve or strip.**

16.7.1.5 Sunlight and outlook at boundary with a residential zone, residential property and road

a. **The effect of any reduced sunlight admission on properties in adjoining zones, taking account of the extent of overshadowing, the intended use of spaces and for residential properties, the position of outdoor living spaces or main living areas in buildings.**
b. **The effect on privacy of residents and other users in the adjoining zones.**
c. **The scale of building and its effects on the character of any adjoining residential zone.**
d. **The effects of any landscaping and trees proposed within the site, or on the boundary of the site in mitigating adverse visual effects.**

e. **The effect on outlook from adjoining properties.**
f. **For sites fronting Blakes Road, Belfast, the extent to which any intrusion of the road boundary recession plane results in additional building scale and bulk and associated effects on the visual and residential amenity of residential properties and the visual amenity of sites on the opposite side of Blakes Road.**

16.7.1.6 Outdoor storage of materials

a. **The extent of visual impacts on the adjoining environment.**
b. **The extent to which site constraints necessitate the location of storage within the setback.**
c. **The type and volume of materials to be stored.**
d. **The extent, appearance and type of screening or landscaping proposed.**
e. **The functional requirements of the activity.**

16.7.1.7 Landscaped areas

a. **The visual effects of buildings taking account of their scale and appearance, outdoor storage areas, car parking areas or other activities as a result of reduced landscaping.**
b. **The extent to which the site is visible from adjoining residential sites and/or identified arterial roads fulfilling a gateway function and the likely consequences of any reduction in landscaping or screening on the amenity of those sites.**
c. **Whether 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.**
d. **The extent to which the length of the road frontage to any adjoining zone boundary reduces the need for tree planting.**
e. **The relative importance of landscaping on the site, taking account of the visual quality of an adjoining zone.**
f. **The extent to which the proposal is consistent with the anticipated amenity of the zone.**
g. **The extent to which tree planting under the electricity transmission network would adversely affect the safe and efficient functioning of the electricity network or restrict maintenance of that network.**
h. **The extent to which indigenous species are used to recognise and enhance Ngāi Tahu/mana whenua cultural values, particularly where development is located within a Site of Ngāi Tahu Cultural Significance identified in** Appendix 9.5.6**.**
i. **The extent to which stormwater facilities are integrated into landscaped areas to achieve a multi-value approach.**
j. **The appropriateness and placement of landscaping having regard to the potential adverse effects on safety for pedestrians and vehicles and the functional requirements of the activity.**

16.7.1.8 Access to the Industrial General Zone (Deans Ave)

a. **Whether any conflict may be created by vehicles queuing across the vehicle crossing.**

b. **Whether there may be potential confusion between vehicles turning at the crossing or the intersection.**
c. **The effect on safety for all road users of the proposed road access points to the Industrial General Zone (Deans Ave).**
d. **Whether the speed and volume of vehicles on the road will exacerbate the adverse effects of access on the safety of users of all transport modes.**
e. **Whether the geometry of the frontage road and intersections will mitigate the adverse effects of the access.**
f. **The present traffic controls along the road corridor where vehicular access is proposed.**
g. **Any cumulative effects when considered in the context of existing access points serving other activities in the vicinity.**
h. **The proposed traffic mitigation measures such as medians, no right turn or left turn signs, or traffic calming measures.**

16.7.1.9 Water supply for fire fighting

a. **Whether sufficient firefighting water supply is available to ensure the health and safety of the community, including neighbouring properties.**

16.7.1.10 Development Plan for land at 65-67 Racecourse Road

a. **Whether there may be potential confusion between vehicles turning at the crossing or the intersection.**
b. **The effect on safety for all road users of the proposed road access points.**
c. **Whether the geometry of the frontage road and intersections will mitigate the adverse effects of the access.**
d. **The present traffic controls along the road corridor where vehicular access is proposed.**
e. **Any cumulative effects when considered in the context of existing access points serving other activities in the vicinity.**
f. **The proposed measures to mitigate traffic effects.**
g. **Whether residential amenity is maintained on the frontage with Racecourse Road through the provision of landscaping and setback of buildings.**
h. **The provision made for trees and planting to mitigate any effects.**

16.7.2 Matters of discretion for activity specific standards

16.7.2.1 Display of goods, showroom and non-industrial activities

a. **General:**
    i. **The extent to which the activity does not adversely affect the function of the zone to provide for primarily industrial activities.**
    ii. **The impact of the activity on the ability of existing or future permitted industrial activities to operate or establish without undue constraint.**
    iii. **The effect of the development on the capacity to accommodate future demand for industrial activities.**

iv. **The extent to which the activity is ancillary to the primary use of a site for industrial activities.**
v. **The extent to which the activity contributes to the accumulation of other non-industrial activities that may discourage or displace industrial activities.**
vi. **Whether there are any benefits of a non-industrial activity providing a buffer between industrial activities and more sensitive land use activities.**
vii. **Whether the establishment of non-industrial activities would enable or assist the retention of an historic building.**
viii. **The extent to which the activity will be integrated with other commercial activities in an adjoining commercial zone.**
ix. **The extent to which the activity generates traffic and other effects that impact on the day to day operation of the industrial area.**
x. **The functional requirements of the activity and the necessity for additional floorspace.**

b. **Retail activity, commercial service, gymnasium and preschool:**
   i. **The extent to which the activity serves the needs of workers and visitors to the industrial area.**
   ii. **The extent to which the activity is accessible by a range of modes of transport for communities served by the proposed activity.**

c. **Offices:**
   i. **The visual effect of the extent of areas of glazing facing the street, particularly at ground level.**

16.7.2.2 Residential activity

a. **In relation to minimum unit size, whether:**
   i. **The floorspace available and the internal layout represents a viable residential unit that would support the amenity of current and future occupants;**
   ii. **Other on-site factors compensate for a reduction in unit sizes e.g. communal facilities;**
   iii. **The units are to be a part of a development delivered by a social housing provider and have been designed to meet any specific needs of future social housing tenants and/or atypical housing needs.**

b. **In relation to the amount of storage and waste management spaces, whether:**
   i. **The amount of space to store rubbish and recycling, whether communal, outdoor or indoor is adequate;**
   ii. **The volume of space provided for personal storage is adequate.**

c. **In relation to the configuration of storage and waste management space, whether:**
   i. **The location of rubbish and recycling space for residents is convenient;**
   ii. **The lack of screening of any outdoor service space will impact on the visual amenity within the site and of any adjoining site, activity, or the street scene;**
   iii. **The size and flexibility of the residential unit layout provides other indoor storage options where an indoor storage space is not provided for each unit;**

iv. **The alternative storage areas provided on the site are adequate, accessible and convenient, where indoor storage space is not provided for each residential unit.**

d. **In relation to the amount of outdoor living space, whether:**
   i. **There is any alternative provision of publicly available space on, or in close proximity to the site to meet the needs of occupants now and in the future;**
   ii. **The reduction in outdoor living space is proportional to the size of the residential unit and the demands of the likely number of occupants now and in the future;**
   iii. **The reduction in outdoor living space or the lack of its access to sunlight is compensated for by alternative indoor or outdoor living space.**

e. **In relation to the location and configuration of outdoor living space:**
   i. **Whether the allocation between private and communal outdoor living spaces within the site is adequate and appropriately located to meet the current and future needs of occupants of the site;**
   ii. **Where the communal outdoor/indoor spaces are not contiguous on a large site, the ability of the spaces to meet the needs of residents and provide a high level of residential amenity;**
   iii. **Whether the reduction in outdoor living space will result in additional loss of mature on-site vegetation and/or spaciousness of the area.**

f. **In relation to noise insulation:**
   i. **The extent to which the building specifications, nature and/or purpose of the proposed residential accommodation reduce the impact of noise and minimise reverse sensitivity effects.**

16.7.2.3 Sensitive activities

a. **For preschools:**
   i. **The potential for reverse sensitivity effects on port activities located at Lyttelton Port and/or industrial activities within the Industrial Heavy Zone.**
   ii. **Whether any methods to reduce the potential for reverse sensitivity effects on industrial activities within the Industrial Heavy Zone and/or the port operator, other than acoustic insulation, have been incorporated into the design of the proposal.**
   iii. **The provision of a report from an acoustic specialist provides evidence that the level of external to internal noise reduction is appropriate to ensure the amenity of present and future occupiers of the site.**

16.7.2.4 Boarding of domestic animals

a. **The extent to which the proposal takes into account:**
   i. **the number and type of animals;**
   ii. **building design, including soundproofing and ventilation;**
   iii. **effluent management and disposal;**
   iv. **prevailing climatic conditions and topography of the site and surrounding area that may affect odour and noise generation;**
   v. **existing and proposed landscaping;**

vi. the frequency and nature of management and supervision; and
vii. the sensitivity of the receiving environment.

b. The extent to which the scale of the operation and location of associated building/s maintain the anticipated level of amenity of the zone, including relevant zone built form standards.
c. The extent to which buildings, compounds or part of a site used for animals are sufficiently designed and located or separated from sensitive activities, identified building areas and residential zone boundaries to avoid adverse effects on residents.
d. The effects of the hours of operation and public visiting the site on the surrounding environment.
e. Any other mitigation proposed including visual screening.

16.7.3 Matters of discretion for area-specific standards

16.7.3.1 Area-specific rules - Matters of discretion - Industrial General Zone (Waterloo Park)

16.7.3.1.1 Outline development plan - Industrial General Zone (Waterloo Park)

a. The extent to which development is in accordance with the outline development plan.
b. The extent to which the location of vehicular access points, the design of the transport network (including road alignment and intersection design within the outline development plan area and connections with the wider network), and the associated vehicle movements (including the type and volume of vehicles) may individually or cumulatively impact on residential amenity values and the safety and efficiency of the transport network.
c. The degree to which stormwater management areas are suitably located for managing stormwater quality and quantity within the outline development plan area.
d. The extent to which any stormwater system recognises and/or provides for values of importance to Ngāi Tahu/ mana whenua and in particular the maintenance and enhancement of water quality and mahinga kai values.
e. The degree to which stormwater retention basins and open space are located so as to provide an effective buffer between industrial and residential activities.
f. The extent to which stormwater basins and open space areas are co-located so as to maximise recreational and amenity opportunities.
g. The extent to which development has adverse effects on the anticipated amenity values of adjoining zones and the means of mitigating this.

16.7.3.1.2 Hosted visitor accommodation and unhosted visitor accommodation

a. The extent to which the scale and/or nature of the activity has an adverse effect on the anticipated level of amenity and character of neighbouring sites and the immediate surrounding area.
b. Whether the traffic generated and vehicle access is appropriate to the character and amenity of the area and the safety and functioning of the transport network.
c. The extent to which the operation is managed to minimise disturbance to occupiers of neighbouring sites through noise, functions and events, poor wayfinding information, loss

of privacy, use of outdoor areas and recreation facilities at night and the management of complaints.

16.7.3.2 Area-specific rules - Matters of discretion - Industrial General Zone (Portlink Industrial Park)

16.7.3.2.1 Development Plan - Industrial General Zone (Portlink Industrial Park)

a. **The extent to which development is in accordance with the development plan.**
b. **The extent to which the location of vehicular access points, the design of the transport network (including road alignment and intersection design within the development plan area and connections with the wider network), and the associated vehicle movements (including the type and volume of vehicles) may individually or cumulatively impact on the safety and efficiency of the transport network.**

16.7.3.2.2 Landscaping in Portlink Industrial Park Development Plan

a. **The extent to which landscaping, planting and stormwater treatment ponds maintain or enhance the visual amenity and ecological values of the margins of the Heathcote River.**
b. **The extent to which landscaping of the Heathcote River margin can contribute to the enhancement of Ngāi Tahu/ mana whenua cultural values.**
c. **The extent to which planting and the location of pedestrian/cycle ways protect and enhance the habitat of birds.**

16.7.3.2.3 Cycle and pedestrian links - Industrial General Zone (Portlink Industrial Park)

a. **The extent to which the development provides safe and efficient linkages within the development plan area and connections to the wider transport network for walking and cycling.**

16.7.3.3 Area-specific rules - Matters of discretion - Industrial General Zone (Musgroves)

16.7.3.3.1 Roading and access - Industrial General Zone (Musgroves)

a. **The extent to which the location of vehicular access points, the design of the transport network (including road alignment and intersection design within the development plan area and connections with the wider network) and the associated vehicle movements (including the type and volume of vehicles) may individually or cumulatively impact on residential amenity values and the safety and efficiency of the transport network.**

16.7.3.4 Area-specific rules - Matters of control and discretion - Industrial General Zone (North Belfast)

16.7.3.4.1 Outline development plan - Industrial General Zone (North Belfast)

a. **The extent to which development is in accordance with the Outline Development Plan.**

b. **The extent to which the location of vehicular access points, the design of the transport network (including road alignment and intersection design within the outline development plan area and connections with the wider network) and the associated vehicle movements (including the type and volume of vehicles) may individually or cumulatively impact on residential amenity values and the safety and efficiency of the transport network including the main north line railway corridor.**
c. **The degree to which stormwater retention basins and swales are located so as to provide an effective buffer between industrial and other activities, and to avoid adverse effects on the rail corridor.**
d. **The extent to which stormwater areas and open space areas are co-located so as to maximise recreational and amenity opportunities.**
a. **The extent to which stormwater is separated from springs to protect Ngāi Tahu/ mana whenua values.**

16.7.3.4.2 Additional road access - Industrial General Zone (North Belfast)

a. **The effect of any additional access points on the safety and efficiency of the adjoining road network, and on connectivity with adjoining properties, having regard to:**

    i. **the level and type of traffic using the proposed access point;**
    ii. **the location and design of the proposed access point;**
    iii. **the adequacy of existing access points;**
    iv. **the nature and extent of consultation with adjoining landowners; and**
    v. **the extent to which the access point and its associated access road enables comprehensive development of the wider outline development plan area by a legal mechanism and other appropriate method.**

16.7.3.4.3 Springs - Industrial General Zone (North Belfast)

a. **The extent to which springs within the outline development plan area are protected, maintained and enhanced with a suitable buffer.**
b. **The degree to which springs in the outline development plan area are affected by development and any measures proposed to mitigate the effects.**
c. **The effects on ecological, cultural and amenity values associated with the springs.**
d. **Whether the development proposed has regard to any existing natural flowpath of water from a spring in its design.**
e. **The benefits of incorporating springs into stormwater management areas and the provision of buffers or similar within these areas to avoid stormwater entering springs and the mixing of waters.**

16.7.3.5 Area-specific rules - Matters of discretion - Industrial General Zone (Stanleys Road)

16.7.3.5.1 Roading and access - Industrial General Zone (Stanleys Road)

a. **The degree to which safe and efficient pedestrian and cycle access is provided with the adjoining area and transport networks.**

16.7.3.6 Area-specific rules - Matters of discretion - Industrial General Zone (Trents Road)

16.7.3.6.1 Landscaping - Industrial General Zone (Trents Road)

a. **The extent to which development is in accordance with the outline development plan.**
b. **The extent to which the planting (species and density) will maintain an attractive green edge to the adjoining residential and rural areas.**

16.7.3.6.2 Stormwater management - Industrial General Zone (Trents Road)

a. **The effectiveness of the design, construction and operation of stormwater facilities in managing stormwater on-site including retention and treatment.**
b. **The ability for the stormwater system to be adequately maintained, particularly if it remains in private ownership.**
c. **The extent to which treatment and disposal methods conform to the Council's guidelines for stormwater management systems.**
d. **The extent to which any stormwater system recognises and/or provides for those values of importance to Ngāi Tahu/ mana whenua and in particular the maintenance and enhancement of water quality and mahinga kai values.**

16.7.3.6.3 Roading and access - Industrial General Zone (Trents Road)

a. **The effect of any additional access points on the safety and efficiency of the adjoining road network, having regard to the level and type of traffic using the proposed access point, the location and design of the proposed access point and the adequacy of existing or alternative access points.**
b. **The extent to which the location of vehicular access points, the design of the transport network (including road alignment and intersection design within the outline development plan area and connections with the wider network), and the associated vehicle movements (including the type and volume of vehicles) may individually or cumulatively impact on residential amenity values and the safety and efficiency of the transport network.**
c. **The degree to which safe and efficient pedestrian access is provided through the site.**

16.7.3.7 Area-specific rules - Matters of discretion - Industrial General Zone (South West Hornby)

16.7.3.7.1 General

a. **The extent to which development is in accordance with the outline development plan.**
b. ~~**The extent to which development provides for future road connections within the South West Hornby Industrial area and the wider network.**~~
c. **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.**
d. **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.**

e. The extent to which landscaping (planting and maintenance) enhances the visual amenity and Ngāi Tahu/mana whenua cultural values of the site and in particular the urban-rural edge at Marshs Road and the approach to Christchurch City on Shands Road.
f. The effect of reducing the setback on the visual amenity of the adjoining rural zone and the approach to Christchurch City along Marshs Road and Main South Road.
g. The extent to which planting (species and density) will maintain an attractive green edge to the urban area and support biodiversity and Ngāi Tahu cultural values.

16.7.3.7.2 Roading and Access

a. The extent to which the location of vehicular access points, the design of the transport network (including road alignment and intersection design within the outline development plan area and connections with the wider network), and the associated vehicle movements (including the type and volume of vehicles) may individually or cumulatively impact on the amenity values of the surrounding area and the safety and efficiency of the transport network.
b. The effect of any additional access points on the safety and efficiency of the adjoining road network, having regard to the level and type of traffic using the proposed access point, the location and design of the proposed access point and the adequacy of existing or alternative access points.
c. The extent to which the measures for mitigating the effects of development support a comprehensive and integrated approach to development of the South West Hornby industrial area.
d. The extent to which the development affects the construction and future operation of the movement network as shown on the outline development plan.
e. The extent to which the use of sympathetic design and landscaping treatment integrate the proposed vehicle access into the surrounding rural environment, in particular with regards to character and amenity.

16.7.3.8 Area-specific rules - Matters of discretion - Industrial Heavy Zone (Sir James Wattie Drive)

16.7.3.8.1 Outline development plan - Industrial Heavy Zone (Sir James Wattie Drive)

a. The extent to which development is in accordance with the outline development plan.
b. The extent to which the development provides for safe and efficient connectivity within the outline development plan area and to the surrounding area and transport network for vehicles, pedestrians and cyclists including to Marshs Road and the public cycleway between Little River, Prebbleton and Hornby.
c. The extent to which the landscaping, (planting and maintenance) and stormwater infiltration enhance the visual amenity and cultural values of the site and in particular the urban-rural edge at Marshs Road and the approach to Christchurch City on Shands Road.

16.7.3.8.2 Setback from Marshs Road - Industrial Heavy Zone (Sir James Wattie Drive)

a. The effect of reducing the setback on the visual amenity of the adjoining rural zone.

~~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)

a. The extent to which development is in accordance with the outline development plan.
b. The extent to which landscaping (planting and maintenance) enhances the visual amenity and Ngāi Tahu/mana whenua cultural values of the site and in particular the urban-rural edge at Marshs Road and the approach to Christchurch City on Shands Road

~~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)

a. The effect of reducing the setback on the visual amenity of the adjoining rural zone and the approach to Christchurch City along Marshs Road, Main South Road and Shands Road.

~~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)

a. The extent to which planting (species and density) will maintain an attractive green edge to the urban area and support biodiversity and Ngāi Tahu cultural values.

a. ~~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) The extent to which the location of vehicular access points, the design of the transport network (including road alignment and intersection design within the outline development plan area and connections with the wider network), and the associated vehicle movements (including the type and volume of vehicles) may individually or cumulatively impact on the amenity values of the surrounding area and the safety and efficiency of the transport network.
b. The effect of any additional access points on the safety and efficiency of the adjoining road network, having regard to the level and type of traffic using the proposed access point, the location and design of the proposed access point and the adequacy of existing or alternative access points.
c. The extent to which the measures for mitigating the effects of development support a comprehensive and integrated approach to development of the South West Hornby industrial area.
d. The extent to which the development affects the construction and future operation of the movement network as shown on the outline development plan.
e. The extent to which the use of sympathetic design and landscaping treatment integrate the proposed vehicle access into the surrounding rural environment, in particular with regards to character and amenity.

16.8 Appendices

Appendix 16.8.1 Areas subject to wastewater discharge restrictions

Appendix 16.8.2 Industrial General Zone (Waterloo Park)

Appendix 16.8.3 Industrial General Zone (Portlink Industrial Park)

Appendix 16.8.4 Industrial General Zone (Musgroves)

Appendix 16.8.5 Industrial General Zone (North Belfast)

Appendix 16.8.6 Industrial General Zone (Trents Road)

Appendix 16.8.7 Industrial Heavy Zone (Sir James Wattie Drive)

Appendix 16.8.8 South West Hornby Industrial Area

Add Appendix 16.8.8 (a) South West Hornby Industrial Area

Appendix 16.8.9 Industrial Park Zone (Tait Campus) and Industrial General Zone (Stanleys Road)

Appendix 16.8.10 Industrial Park Zone (Awatea) - Outline Development Plan

Appendix 16.8.11 Recession plane diagrams

Appendix 16.8.12 Outline Development Plan for 65 - 67 Racecourse Road

Appendix 16.8.13 Industrial Heavy Zone (Springs Road) Outline Development Plan

Appendix 16.8.14 Industrial Park Zone (Wairakei Road) Outline Development Plan

Appendix 16.8.15 Industrial Park Zone (Memorial Ave) Outline Development Plan

APPLICANT'S RECOMMENDED CHANGES TO THE CHRISTCHURCH DISTRICT PLAN (Clean)

8.5 Rules – Subdivision Activity Status Tables

8.5.1.2 Controlled Activities

Add to C5

	Activity	*Relevant Standards*	*Matters of Control*
C5		**f. for subdivision in the Industrial General Zone (South West Hornby) and the Industrial Heavy Zone (South West Hornby) as defined on the Outline Development Plan in Appendix 16.8.8(a), boundary landscaping shall be provided to the subdivided and serviced lots.**	**f. Rule 16.4.9.2.4**

16.4 Rules – Industrial General Zone

16.4.9 Area-specific rules - Industrial General Zone (South West Hornby)

a. ***The following rules and the South West Hornby Industrial Area Outline Development Plans (Appendix 16.8.8* and Appendix 16.8.8(a)*) shall apply to the Industrial General Zone (South West Hornby). All activities specified are also subject to the rules in 16.4.1 (Activity status tables) and 16.4.2 (Built form standards) unless specified otherwise in 16.4.9.***

16.4.9.1. Area Specific Activities – Industrial General Zone (South West Hornby) add Rules* C1, RD2 *and RD3 and RD4

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 16.7.3.7.1(c)**

16.4.9.1.3 Area Specific Restricted Discretionary Activities

a. *The activities listed below are restricted discretionary activities.*
b. *Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in Rule 16.7.3.7, as set out in the following table.*

	Activity	*The Council's discretion shall be limited to the following matters:*
RD2	a. **Any development within the Industrial General Zone (South West Hornby) defined on the outline development plan in Appendix 16.8.8(a), until the construction (being physical works) of the intersection of Main South Road and the minor arterial road (marked as 'D' on the outline development plan in Appendix 16.8.8(a)) including traffic signals has commenced** b. **Any application arising from this rule shall not be publicly notified**	**Industrial General Zone (South West Hornby) – Rule 16.7.3.7**
RD~~2~~3	a. ***Any site access directly onto Marshs Road.*** b. ***Any application arising from this rule shall not be publicly notified.***	***Roading and access - Rule 16.7.3.7.2***

RD~~3~~4	***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 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*** ***iii. For Rule 16.4.9.2.2 and 16.4.9.2.3 a., Setback from boundaries adjoining rural zone - Rule 16.7.3.7.1(f) ~~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*** ***vi. For Rule 16.4.9.2.4, Landscaping at rural urban interface – Rule 16.7.3.7.1(e)***

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 **and container storage**

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. **The maximum height of any stacked containers within 20 metres of the rural zone boundary and the Marshs Road road boundary shall be 6 metres**

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

16.4.9.2.2 Minimum building setback from road boundaries

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*

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

16.4.9.2.3 Minimum building setback from the rural zone

a. *The minimum building setback from a boundary with a rural zone shall be as follows:*

	Applicable to	*Standard*
i.	*A. Sites with a boundary adjoining the rural zone.*	*20 metres*

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

16.~~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 comprising:*** ***A.*** **Two rows of trees, that mature to a minimum height of 6m, 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.*** **Three rows of 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 planting.** ***H.*** **Security fencing shall be located on the industrial side of the landscaping**

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

16.7 Rules - Matters of Discretion

16.7.1 Matters of discretion for built form standards

16.7.1.1 Maximum height of buildings and fencing or screening structure

a. **Building height:**
   i. **The distance the building is setback from any residential zone and the extent to which this mitigates any adverse effects of the increased height.**

ii. **The extent to which the additional building height may enable the more efficient use of the reminder of the site or the long-term protection of sites of Ngāi Tahu cultural significance identified in Schedule 9.5.6.1, significant trees listed in Appendix 9.4.7.1, or natural features on the site.**

iii. **The design and appearance of the building in mitigating the visual impact of exceeding the height limit.**

iv. **The extent to which the building may visually dominate the area it is located in, having regard to the scale and form of buildings in the surrounding area.**

v. **The extent to which the location of the building on the site and its visibility minimises visual effects on the surrounding area.**

vi. **The extent to which the increase in height reflects functional requirements of the activity.**

b. **Fencing or screening structures in the Industrial Park Zone:**

i. **The extent to which visibility is maintained between the building and the street.**

ii. **The extent to which screening maintains public safety and other Crime Prevention through Environment Design (CPTED) principles.**

16.7.1.2 Maximum building coverage of a site

a. **The ability to mitigate any adverse effects of increased coverage by additional landscaping or screening.**
b. **In the Industrial Park Zone, the degree to which the existing and anticipated open space and park-like character of the zone will be retained.**
c. **Any adverse effects of increased building coverage on the character of the surrounding environment.**
d. **The extent to which a greater site coverage reflects functional requirements of the activity.**

16.7.1.3 Minimum building setback from road boundaries/ railway corridor

a. **The extent to which the reduced setback of the building impacts on the amenity of the street environment, having regard to its location within the zone, function of the zone and the anticipated level of amenity.**
b. **The extent and quality of landscaping to be provided.**
c. **The effect of a building's reduced setback, taking account of such factors as existing road widths, existing building setbacks, functional requirements, street planting, and the orientation of buildings on adjoining sites, particularly those in residential zones.**
d. **Whether the reduced setback from the rail corridor will enable buildings to be maintained without requiring access above, over, or on the rail corridor.**

16.7.1.4 Minimum building setback from the boundary with a residential zone, residential property

a. **Any adverse visual effects on any adjoining residential property as a result of a reduced building setback.**
b. **Whether landscaping or screening within the setback mitigates the dominance of buildings.**
c. **The scale and height of buildings within the reduced setback and their impact on the visual outlook of residents and users on the adjoining site(s).**
d. **The extent to which buildings in the setback enable better use of the site and improve the level of amenity elsewhere on the site.**
e. **The proposed use of the setback, the visual and other effects of this use and whether a reduced setback and the use of that setback achieves a better outcome.**
f. **The effect of a reduced setback on the character of the Industrial Park Zone as a park-like environment.**
g. **The extent to which the proposed setback intrusion would impact on the visual amenity or use of any esplanade reserve or strip.**

16.7.1.5 Sunlight and outlook at boundary with a residential zone, residential property and road

a. **The effect of any reduced sunlight admission on properties in adjoining zones, taking account of the extent of overshadowing, the intended use of spaces and for residential properties, the position of outdoor living spaces or main living areas in buildings.**
b. **The effect on privacy of residents and other users in the adjoining zones.**
c. **The scale of building and its effects on the character of any adjoining residential zone.**
d. **The effects of any landscaping and trees proposed within the site, or on the boundary of the site in mitigating adverse visual effects.**
e. **The effect on outlook from adjoining properties.**
f. **For sites fronting Blakes Road, Belfast, the extent to which any intrusion of the road boundary recession plane results in additional building scale and bulk and associated effects on the visual and residential amenity of residential properties and the visual amenity of sites on the opposite side of Blakes Road.**

16.7.1.6 Outdoor storage of materials

a. **The extent of visual impacts on the adjoining environment.**
b. **The extent to which site constraints necessitate the location of storage within the setback.**
c. **The type and volume of materials to be stored.**
d. **The extent, appearance and type of screening or landscaping proposed.**
e. **The functional requirements of the activity.**

16.7.1.7 Landscaped areas

a. **The visual effects of buildings taking account of their scale and appearance, outdoor storage areas, car parking areas or other activities as a result of reduced landscaping.**
b. **The extent to which the site is visible from adjoining residential sites and/or identified arterial roads fulfilling a gateway function and the likely consequences of any reduction in landscaping or screening on the amenity of those sites.**

c. **Whether 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.**
d. **The extent to which the length of the road frontage to any adjoining zone boundary reduces the need for tree planting.**
e. **The relative importance of landscaping on the site, taking account of the visual quality of an adjoining zone.**
f. **The extent to which the proposal is consistent with the anticipated amenity of the zone.**
g. **The extent to which tree planting under the electricity transmission network would adversely affect the safe and efficient functioning of the electricity network or restrict maintenance of that network.**
h. **The extent to which indigenous species are used to recognise and enhance Ngāi Tahu/mana whenua cultural values, particularly where development is located within a Site of Ngāi Tahu Cultural Significance identified in** Appendix 9.5.6**.**
i. **The extent to which stormwater facilities are integrated into landscaped areas to achieve a multi-value approach.**
j. **The appropriateness and placement of landscaping having regard to the potential adverse effects on safety for pedestrians and vehicles and the functional requirements of the activity.**

16.7.1.8 Access to the Industrial General Zone (Deans Ave)

a. **Whether any conflict may be created by vehicles queuing across the vehicle crossing.**
b. **Whether there may be potential confusion between vehicles turning at the crossing or the intersection.**
c. **The effect on safety for all road users of the proposed road access points to the Industrial General Zone (Deans Ave).**
d. **Whether the speed and volume of vehicles on the road will exacerbate the adverse effects of access on the safety of users of all transport modes.**
e. **Whether the geometry of the frontage road and intersections will mitigate the adverse effects of the access.**
f. **The present traffic controls along the road corridor where vehicular access is proposed.**
g. **Any cumulative effects when considered in the context of existing access points serving other activities in the vicinity.**
h. **The proposed traffic mitigation measures such as medians, no right turn or left turn signs, or traffic calming measures.**

16.7.1.9 Water supply for fire fighting

a. **Whether sufficient firefighting water supply is available to ensure the health and safety of the community, including neighbouring properties.**

16.7.1.10 Development Plan for land at 65-67 Racecourse Road

a. **Whether there may be potential confusion between vehicles turning at the crossing or the intersection.**

b. **The effect on safety for all road users of the proposed road access points.**
c. **Whether the geometry of the frontage road and intersections will mitigate the adverse effects of the access.**
d. **The present traffic controls along the road corridor where vehicular access is proposed.**
e. **Any cumulative effects when considered in the context of existing access points serving other activities in the vicinity.**
f. **The proposed measures to mitigate traffic effects.**
g. **Whether residential amenity is maintained on the frontage with Racecourse Road through the provision of landscaping and setback of buildings.**
h. **The provision made for trees and planting to mitigate any effects.**

16.7.2 Matters of discretion for activity specific standards

16.7.2.1 Display of goods, showroom and non-industrial activities

a. **General:**
    i. **The extent to which the activity does not adversely affect the function of the zone to provide for primarily industrial activities.**
    ii. **The impact of the activity on the ability of existing or future permitted industrial activities to operate or establish without undue constraint.**
    iii. **The effect of the development on the capacity to accommodate future demand for industrial activities.**
    iv. **The extent to which the activity is ancillary to the primary use of a site for industrial activities.**
    v. **The extent to which the activity contributes to the accumulation of other non-industrial activities that may discourage or displace industrial activities.**
    vi. **Whether there are any benefits of a non-industrial activity providing a buffer between industrial activities and more sensitive land use activities.**
    vii. **Whether the establishment of non-industrial activities would enable or assist the retention of an historic building.**
    viii. **The extent to which the activity will be integrated with other commercial activities in an adjoining commercial zone.**
    ix. **The extent to which the activity generates traffic and other effects that impact on the day to day operation of the industrial area.**
    x. **The functional requirements of the activity and the necessity for additional floorspace.**

b. **Retail activity, commercial service, gymnasium and preschool:**
    i. **The extent to which the activity serves the needs of workers and visitors to the industrial area.**
    ii. **The extent to which the activity is accessible by a range of modes of transport for communities served by the proposed activity.**

c. **Offices:**

i. **The visual effect of the extent of areas of glazing facing the street, particularly at ground level.**

16.7.2.2 Residential activity

a. **In relation to minimum unit size, whether:**
   i. **The floorspace available and the internal layout represents a viable residential unit that would support the amenity of current and future occupants;**
   ii. **Other on-site factors compensate for a reduction in unit sizes e.g. communal facilities;**
   iii. **The units are to be a part of a development delivered by a social housing provider and have been designed to meet any specific needs of future social housing tenants and/or atypical housing needs.**

b. **In relation to the amount of storage and waste management spaces, whether:**
   i. **The amount of space to store rubbish and recycling, whether communal, outdoor or indoor is adequate;**
   ii. **The volume of space provided for personal storage is adequate.**

c. **In relation to the configuration of storage and waste management space, whether:**
   i. **The location of rubbish and recycling space for residents is convenient;**
   ii. **The lack of screening of any outdoor service space will impact on the visual amenity within the site and of any adjoining site, activity, or the street scene;**
   iii. **The size and flexibility of the residential unit layout provides other indoor storage options where an indoor storage space is not provided for each unit;**
   iv. **The alternative storage areas provided on the site are adequate, accessible and convenient, where indoor storage space is not provided for each residential unit.**

d. **In relation to the amount of outdoor living space, whether:**
   i. **There is any alternative provision of publicly available space on, or in close proximity to the site to meet the needs of occupants now and in the future;**
   ii. **The reduction in outdoor living space is proportional to the size of the residential unit and the demands of the likely number of occupants now and in the future;**
   iii. **The reduction in outdoor living space or the lack of its access to sunlight is compensated for by alternative indoor or outdoor living space.**

e. **In relation to the location and configuration of outdoor living space:**
   i. **Whether the allocation between private and communal outdoor living spaces within the site is adequate and appropriately located to meet the current and future needs of occupants of the site;**
   ii. **Where the communal outdoor/indoor spaces are not contiguous on a large site, the ability of the spaces to meet the needs of residents and provide a high level of residential amenity;**
   iii. **Whether the reduction in outdoor living space will result in additional loss of mature on-site vegetation and/or spaciousness of the area.**

f. **In relation to noise insulation:**

i. **The extent to which the building specifications, nature and/or purpose of the proposed residential accommodation reduce the impact of noise and minimise reverse sensitivity effects.**

16.7.2.3 Sensitive activities

a. **For preschools:**
    i. **The potential for reverse sensitivity effects on port activities located at Lyttelton Port and/or industrial activities within the Industrial Heavy Zone.**
    ii. **Whether any methods to reduce the potential for reverse sensitivity effects on industrial activities within the Industrial Heavy Zone and/or the port operator, other than acoustic insulation, have been incorporated into the design of the proposal.**
    iii. **The provision of a report from an acoustic specialist provides evidence that the level of external to internal noise reduction is appropriate to ensure the amenity of present and future occupiers of the site.**

16.7.2.4 Boarding of domestic animals

a. **The extent to which the proposal takes into account:**
    i. **the number and type of animals;**
    ii. **building design, including soundproofing and ventilation;**
    iii. **effluent management and disposal;**
    iv. **prevailing climatic conditions and topography of the site and surrounding area that may affect odour and noise generation;**
    v. **existing and proposed landscaping;**
    vi. **the frequency and nature of management and supervision; and**
    vii. **the sensitivity of the receiving environment.**

b. **The extent to which the scale of the operation and location of associated building/s maintain the anticipated level of amenity of the zone, including relevant zone built form standards.**
c. **The extent to which buildings, compounds or part of a site used for animals are sufficiently designed and located or separated from sensitive activities, identified building areas and residential zone boundaries to avoid adverse effects on residents.**
d. **The effects of the hours of operation and public visiting the site on the surrounding environment.**
e. **Any other mitigation proposed including visual screening.**

16.7.3 Matters of discretion for area-specific standards

16.7.3.1 Area-specific rules - Matters of discretion - Industrial General Zone (Waterloo Park)

16.7.3.1.1 Outline development plan - Industrial General Zone (Waterloo Park)

a. **The extent to which development is in accordance with the outline development plan.**

b. The extent to which the location of vehicular access points, the design of the transport network (including road alignment and intersection design within the outline development plan area and connections with the wider network), and the associated vehicle movements (including the type and volume of vehicles) may individually or cumulatively impact on residential amenity values and the safety and efficiency of the transport network.
c. The degree to which stormwater management areas are suitably located for managing stormwater quality and quantity within the outline development plan area.
d. The extent to which any stormwater system recognises and/or provides for values of importance to Ngāi Tahu/ mana whenua and in particular the maintenance and enhancement of water quality and mahinga kai values.
e. The degree to which stormwater retention basins and open space are located so as to provide an effective buffer between industrial and residential activities.
f. The extent to which stormwater basins and open space areas are co-located so as to maximise recreational and amenity opportunities.
g. The extent to which development has adverse effects on the anticipated amenity values of adjoining zones and the means of mitigating this.

16.7.3.1.2 Hosted visitor accommodation and unhosted visitor accommodation

a. The extent to which the scale and/or nature of the activity has an adverse effect on the anticipated level of amenity and character of neighbouring sites and the immediate surrounding area.
b. Whether the traffic generated and vehicle access is appropriate to the character and amenity of the area and the safety and functioning of the transport network.
c. The extent to which the operation is managed to minimise disturbance to occupiers of neighbouring sites through noise, functions and events, poor wayfinding information, loss of privacy, use of outdoor areas and recreation facilities at night and the management of complaints.

16.7.3.2 Area-specific rules - Matters of discretion - Industrial General Zone (Portlink Industrial Park)

16.7.3.2.1 Development Plan - Industrial General Zone (Portlink Industrial Park)

a. The extent to which development is in accordance with the development plan.
b. The extent to which the location of vehicular access points, the design of the transport network (including road alignment and intersection design within the development plan area and connections with the wider network), and the associated vehicle movements (including the type and volume of vehicles) may individually or cumulatively impact on the safety and efficiency of the transport network.

16.7.3.2.2 Landscaping in Portlink Industrial Park Development Plan

a. **The extent to which landscaping, planting and stormwater treatment ponds maintain or enhance the visual amenity and ecological values of the margins of the Heathcote River.**
b. **The extent to which landscaping of the Heathcote River margin can contribute to the enhancement of Ngāi Tahu/ mana whenua cultural values.**
c. **The extent to which planting and the location of pedestrian/cycle ways protect and enhance the habitat of birds.**

16.7.3.2.3 Cycle and pedestrian links - Industrial General Zone (Portlink Industrial Park)

a. **The extent to which the development provides safe and efficient linkages within the development plan area and connections to the wider transport network for walking and cycling.**

16.7.3.3 Area-specific rules - Matters of discretion - Industrial General Zone (Musgroves)

16.7.3.3.1 Roading and access - Industrial General Zone (Musgroves)

a. **The extent to which the location of vehicular access points, the design of the transport network (including road alignment and intersection design within the development plan area and connections with the wider network) and the associated vehicle movements (including the type and volume of vehicles) may individually or cumulatively impact on residential amenity values and the safety and efficiency of the transport network.**

16.7.3.4 Area-specific rules - Matters of control and discretion - Industrial General Zone (North Belfast)

16.7.3.4.1 Outline development plan - Industrial General Zone (North Belfast)

a. **The extent to which development is in accordance with the Outline Development Plan.**
b. **The extent to which the location of vehicular access points, the design of the transport network (including road alignment and intersection design within the outline development plan area and connections with the wider network) and the associated vehicle movements (including the type and volume of vehicles) may individually or cumulatively impact on residential amenity values and the safety and efficiency of the transport network including the main north line railway corridor.**
c. **The degree to which stormwater retention basins and swales are located so as to provide an effective buffer between industrial and other activities, and to avoid adverse effects on the rail corridor.**
d. **The extent to which stormwater areas and open space areas are co-located so as to maximise recreational and amenity opportunities.**
a. **The extent to which stormwater is separated from springs to protect Ngāi Tahu/ mana whenua values.**

16.7.3.4.2 Additional road access - Industrial General Zone (North Belfast)

a. **The effect of any additional access points on the safety and efficiency of the adjoining road network, and on connectivity with adjoining properties, having regard to:**

i. **the level and type of traffic using the proposed access point;**
ii. **the location and design of the proposed access point;**
iii. **the adequacy of existing access points;**
iv. **the nature and extent of consultation with adjoining landowners; and**
v. **the extent to which the access point and its associated access road enables comprehensive development of the wider outline development plan area by a legal mechanism and other appropriate method.**

16.7.3.4.3 Springs - Industrial General Zone (North Belfast)

a. **The extent to which springs within the outline development plan area are protected, maintained and enhanced with a suitable buffer.**
b. **The degree to which springs in the outline development plan area are affected by development and any measures proposed to mitigate the effects.**
c. **The effects on ecological, cultural and amenity values associated with the springs.**
d. **Whether the development proposed has regard to any existing natural flowpath of water from a spring in its design.**
e. **The benefits of incorporating springs into stormwater management areas and the provision of buffers or similar within these areas to avoid stormwater entering springs and the mixing of waters.**

16.7.3.5 Area-specific rules - Matters of discretion - Industrial General Zone (Stanleys Road)

16.7.3.5.1 Roading and access - Industrial General Zone (Stanleys Road)

a. **The degree to which safe and efficient pedestrian and cycle access is provided with the adjoining area and transport networks.**

16.7.3.6 Area-specific rules - Matters of discretion - Industrial General Zone (Trents Road)

16.7.3.6.1 Landscaping - Industrial General Zone (Trents Road)

a. **The extent to which development is in accordance with the outline development plan.**
b. **The extent to which the planting (species and density) will maintain an attractive green edge to the adjoining residential and rural areas.**

16.7.3.6.2 Stormwater management - Industrial General Zone (Trents Road)

a. **The effectiveness of the design, construction and operation of stormwater facilities in managing stormwater on-site including retention and treatment.**
b. **The ability for the stormwater system to be adequately maintained, particularly if it remains in private ownership.**
c. **The extent to which treatment and disposal methods conform to the Council's guidelines for stormwater management systems.**

d. The extent to which any stormwater system recognises and/or provides for those values of importance to Ngāi Tahu/ mana whenua and in particular the maintenance and enhancement of water quality and mahinga kai values.

16.7.3.6.3 Roading and access - Industrial General Zone (Trents Road)

a. The effect of any additional access points on the safety and efficiency of the adjoining road network, having regard to the level and type of traffic using the proposed access point, the location and design of the proposed access point and the adequacy of existing or alternative access points.
b. The extent to which the location of vehicular access points, the design of the transport network (including road alignment and intersection design within the outline development plan area and connections with the wider network), and the associated vehicle movements (including the type and volume of vehicles) may individually or cumulatively impact on residential amenity values and the safety and efficiency of the transport network.
c. The degree to which safe and efficient pedestrian access is provided through the site.

16.7.3.7 Area-specific rules - Matters of discretion - Industrial General Zone (South West Hornby)

16.7.3.7.1 General

a. The extent to which development is in accordance with the outline development plan.
~~**b. The extent to which development provides for future road connections within the South West Hornby Industrial area and the wider network.**~~
c. 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.
d. 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.

e. The extent to which landscaping (planting and maintenance) enhances the visual amenity and Ngāi Tahu/mana whenua cultural values of the site and in particular the urban-rural edge at Marshs Road and the approach to Christchurch City on Shands Road.
f. The effect of reducing the setback on the visual amenity of the adjoining rural zone and the approach to Christchurch City along Marshs Road and Main South Road.
g. The extent to which planting (species and density) will maintain an attractive green edge to the urban area and support biodiversity and Ngāi Tahu cultural values.

16.7.3.7.2 Roading and Access

a. The extent to which the location of vehicular access points, the design of the transport network (including road alignment and intersection design within the outline development plan area and connections with the wider network), and the associated vehicle movements (including the type and volume of vehicles) may individually or cumulatively impact on the amenity values of the surrounding area and the safety and efficiency of the transport network.

b. **The effect of any additional access points on the safety and efficiency of the adjoining road network, having regard to the level and type of traffic using the proposed access point, the location and design of the proposed access point and the adequacy of existing or alternative access points.**
c. **The extent to which the measures for mitigating the effects of development support a comprehensive and integrated approach to development of the South West Hornby industrial area.**
d. **The extent to which the development affects the construction and future operation of the movement network as shown on the outline development plan.**
e. **The extent to which the use of sympathetic design and landscaping treatment integrate the proposed vehicle access into the surrounding rural environment, in particular with regards to character and amenity.**

16.7.3.8 Area-specific rules - Matters of discretion - Industrial Heavy Zone (Sir James Wattie Drive)

16.7.3.8.1 Outline development plan - Industrial Heavy Zone (Sir James Wattie Drive)

a. **The extent to which development is in accordance with the outline development plan.**
b. **The extent to which the development provides for safe and efficient connectivity within the outline development plan area and to the surrounding area and transport network for vehicles, pedestrians and cyclists including to Marshs Road and the public cycleway between Little River, Prebbleton and Hornby.**
c. **The extent to which the landscaping, (planting and maintenance) and stormwater infiltration enhance the visual amenity and cultural values of the site and in particular the urban-rural edge at Marshs Road and the approach to Christchurch City on Shands Road.**

16.7.3.8.2 Setback from Marshs Road - Industrial Heavy Zone (Sir James Wattie Drive)

a. **The effect of reducing the setback on the visual amenity of the adjoining rural 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 Outline Development Plan –

Industrial Heavy Zone (South West Hornby)

a. **The extent to which development is in accordance with the outline development plan.**
b. **The extent to which landscaping (planting and maintenance) enhances the visual amenity and Ngāi Tahu/mana whenua cultural values of the site and in particular the urban-rural edge at Marshs Road and the approach to Christchurch City on Shands Road**

16.7.3.9.2 Setback from boundaries adjoining rural zone – Industrial Heavy Zone (South West Hornby)

a. **The effect of reducing the setback on the visual amenity of the adjoining rural zone and the approach to Christchurch City along Marshs Road, Main South Road and Shands Road.**

16.7.3.9.3 Landscaping at rural -urban-interface –Industrial Heavy Zone (South West Hornby)

a. **The extent to which planting (species and density) will maintain an attractive green edge to the urban area and support biodiversity and Ngāi Tahu cultural values.**

a.7.3.9.4 **Roading and Access – Industrial Heavy Zone-(South West Hornby)**

a. **The extent to which the location of vehicular access points, the design of the transport network (including road alignment and intersection design within the outline development plan area and connections with the wider network), and the associated vehicle movements (including the type and volume of vehicles) may individually or cumulatively impact on the amenity values of the surrounding area and the safety and efficiency of the transport network.**
b. **The effect of any additional access points on the safety and efficiency of the adjoining road network, having regard to the level and type of traffic using the proposed access point, the location and design of the proposed access point and the adequacy of existing or alternative access points.**
c. **The extent to which the measures for mitigating the effects of development support a comprehensive and integrated approach to development of the South West Hornby industrial area.**
d. **The extent to which the development affects the construction and future operation of the movement network as shown on the outline development plan.**
e. **The extent to which the use of sympathetic design and landscaping treatment integrate the proposed vehicle access into the surrounding rural environment, in particular with regards to character and amenity.**

16.8 Appendices

Appendix 16.8.1 Areas subject to wastewater discharge restrictions

Appendix 16.8.2 Industrial General Zone (Waterloo Park)

Appendix 16.8.3 Industrial General Zone (Portlink Industrial Park)

Appendix 16.8.4 Industrial General Zone (Musgroves)

Appendix 16.8.5 Industrial General Zone (North Belfast)

Appendix 16.8.6 Industrial General Zone (Trents Road)

Appendix 16.8.7 Industrial Heavy Zone (Sir James Wattie Drive)

Appendix 16.8.8 South West Hornby Industrial Area

Add Appendix 16.8.8 (a) South West Hornby Industrial Area

Appendix 16.8.9 Industrial Park Zone (Tait Campus) and Industrial General Zone (Stanleys Road)

Appendix 16.8.10 Industrial Park Zone (Awatea) - Outline Development Plan

Appendix 16.8.11 Recession plane diagrams

Appendix 16.8.12 Outline Development Plan for 65 - 67 Racecourse Road

Appendix 16.8.13 Industrial Heavy Zone (Springs Road) Outline Development Plan

Appendix 16.8.14 Industrial Park Zone (Wairakei Road) Outline Development Plan

Appendix 16.8.15 Industrial Park Zone (Memorial Ave) Outline Development Plan

Annexure B – Section 32AA Evaluation

1. Section 32AA Assessment

1.1 Criteria of Section 32AA Assessment

Under section 32AA, a further evaluation of the proposal is required for changes that have been made to, or are proposed for, the proposal since the section 32 evaluation report for the proposal was completed (the **Changes**). The proposal originally sought to rezone approximately 19.5ha of land bounded in part by Marshs Road and Main South Road/State Highway 1 (**Site**).

The section 32AA evaluation is required only for any Changes since the evaluation report was completed and must be undertaken in accordance with section 32(1) to (4) of the RMA. The section 32AA evaluation must be undertaken at a level of detail that corresponds to the scale and significance of the Changes.

The evaluation of the Changes must examine the following, under section 32(1) to (4):

(1)

(a) the extent to which each objective is the most appropriate way to achieve the purpose of the Act; and

(b) whether, having regard to their efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives.

(i) identifying other reasonably practicable options of achieving the objectives,

(ii) assessing the efficiency and effectiveness of the provisions in achieving the objectives, and

(iii) summarising the reasons for deciding on the provisions

(c) contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.

(2) In addition an evaluation is required to take into account:

(a) The benefits and costs of policies, rules, or other methods, including opportunities for economic growth and employment.

(b) The risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods.

(3) If the proposal (an amending proposal) will amend a regional policy statement, plan, or change that is already proposed or that already exists (an existing proposal), the examination under subsection (1)(b) must relate to—

(a) the provisions and objectives of the amending proposal; and

(b) the objectives of the existing proposal to the extent that those objectives-

(i) are relevant to the objectives of the amending proposal; and

(ii) would remain if the amending proposal were to take effect.

(4) …

In this case it is the appropriateness of the following changes to the Plan Change that need to be examined:

a. the residential properties along Marshs Road and Main South Road are excluded from the Plan Change area and remain zoned as Rural Urban Fringe Zone;
b. the Site is to be split and zoned as follows:
    i. Industrial Heavy (**IH**) Zone on the part of the Site which is owned by Calder Stewart, which sits adjacent to the existing Industrial Heavy Zone; and
    ii. Industrial General (**IG**) Zone on the remainder of the Site;
c. a 20m building setback from the residential properties bordering the Site shall be applied, with no expiration date applying to the setback; and
d. Site-specific provisions regarding landscaping and access.

1.2 Objectives and Policies of the Christchurch District Plan

1.2.1 Assessment under Section 32(3)(a)

The proposed Changes to the Plan Change continue to not alter any objectives or policies of the Christchurch District Plan (**District Plan**). However, the examination under Section 32(3)(a) still requires an assessment of the purpose of the proposal against Part 2 of the Act.

I consider the Changes to the Plan Change to extend the Industrial Heavy Zone and rezone the northern end of the Site to Industrial General is considered to better achieve the purpose of the Act and enhance the social and economic well-being of the area and the city with efficient, serviceable and accessible land, diversified industrial business and employment opportunities while avoiding and or mitigating adverse effects.

1.2.2 Assessment under Section 32(3)(b)

An assessment of the objectives of the District Plan is required to the extent that those objectives are relevant to the objectives of the amending proposal and those objectives would remain if the amending proposal were to take effect. This

assessment must conclude whether the provisions in the Plan Change are the most appropriate way to achieve the purpose of the Act.

An assessment of the objectives of the District Plan has been completed at Part 9 of the PC 19 Application. This assessment assesses the objectives and policies of:

a. Chapter 3 – Strategic Directions;
b. Chapter 7 – Transport;
c. Chapter 8 – Subdivision, Development and Earthworks;
d. Chapter 16 – Industrial; and
e. Chapter 17 – Rural.

I consider my assessment under Part 9 of the Application is still relevant and the Changes to the Plan Change better achieve the objectives of the District Plan primarily through the following ways:

a. Recovery and growth of Industrial Activities (Objective 16.2.1, Policy 16.2.1.1): The Changes still provide industrial zoning across the Site. They continue to support the growth of industry in new greenfield industrial zones and the split zoning better meets the policy requirement to "have regard to the requirement of different industries". The split zoning offers industrial owners and occupiers more choice of location depending on the scale or intensity of their use and also offers a wider range of employment opportunities than Industrial Heavy alone.

b. Effects of Industrial Activities and incompatible activities (Objective 16.2.3, Policies 16.2.3.1 – 16.2.3.2): Effects are required to be managed at the interface between greenfield areas and rural and residential areas with setbacks and landscaping. Additionally, residential amenity next to an industrial zone is not to be adversely affected. The Changes include the residential properties keeping their existing Rural Urban Fringe zoning which provide the landowners with certainty of what can occur in that zone along with their existing noise protections as noise limits are measured against the zone of the receiving site. A permanent 20m building setback now has no expiry date which provides long-term reassurance of that setback. Lastly, the split zoning approach with Industrial Heavy at the southern end of the Site reduces amenity effects on the residential properties at the northern end of the site adjacent to the less intensive Industrial General Zone.

Overall, I consider the Changes respond more directly to the District Plan's objectives on managing effects at the industrial and residential interface and on the zone hierarchy. The Changes (or Option 4 below) is therefore the most appropriate way to achieve the objectives of the District Plan under section 32(3)(b).

1.3 Assessment of whether the Proposal is the most appropriate way to achieve the Objectives

In order to determine the effectiveness and efficiency of the Changes to the proposed rezoning, an assessment of the benefits and costs of the Changes, together with an examination of the risks of acting or not acting based on the information provided is required. In order to determine the relative benefits and costs of the Changes, options other than the Changes should also be examined. In terms of the Changes the options considered for the Site are:

- Option 1 – Leave the Site zoned Rural Urban Fringe
- Option 2 – Rezone the Site as Industrial Heavy
- Option 3 – Rezone the Site as Industrial General
- Option 4 – Rezone the Calder Stewart land at the southern end of the Site as Industrial Heavy and the balance of the Site as Industrial General. .
- Option 4b – as above for Option 4 with the addition of removing the Rural Urban Fringe zoned properties from the plan change
- Option 5 – Apply for resource consents for proposed subdivision and development
- Option 6 – Increase separation distance between industrial zoning and the dwellings (west side of the site)

The following is an assessment of these options.

Benefits and Costs of Option 1 – Leave the Site zoned Rural Urban Fringe

Benefits /Advantages	Costs/Disadvantages
• Maintains the existing character of the area • Allows the Christchurch City Council (**Council**) to implement the Canterbury Regional Policy Statement (**CRPS**) within own timeframe	• Does not fulfil the District Plan's objective of equitable process of rezoning • Reduces the potential level of choice for business activity given the CRPS largely identified industrial land supply only till 2028 • Will not contribute to the cost of infrastructure • Will not complete the minor arterial link between Shands Road and State Highway 1 North (**SHNo1**) • Retains and area of unproductive land in limbo when a viable alternative is available • Risk of creating an area of land which is redundant •

Benefits and Costs of Option 2 – Rezoning the Site as Industrial Heavy

Benefits /Advantages	Costs/Disadvantages
• Provides long term certainty in terms of IH zoning and traffic/road management • Provides certainty of outcomes by way of an ODP • Creates an additional range of Industrial Heavy allotments in an efficient and appropriate location for industrial use • Reflects current City standards • Access to new employment opportunities • Comprehensive landscape mitigation • Significant local investment • No impact on areas of significance to Iwi or natural resource (water) • Reflects Policy 8 of the National Policy Statement for Urban Development (**NPS-UD**) in allowing responsive plan changes that would add significantly to development capacity and contribute to a well-functioning urban environment even if the development capacity is currently unanticipated in Council planning documents. • Not dependent on the development of the land • Site likely to be last area of land undeveloped within this industrial area • After consideration (Refer Annexure E) a 20m separation is appropriate • efficient use of service capacity in the area	• Potential loss of rural land for productive purposes - albeit with limited productivity potential • Change in character from rural to industrial • Not in accord with Map A (CRPS) • Potential construction effects on nearby residents • Likely compromise development and transport options in the area • Neighbours will no longer have a rural outlook which will in time change to an urban outlook • Potential for Industrial Heavy activities to be located in close proximity to residences

Benefits and Costs of Option 3 – Rezone the Site as Industrial General

Benefits /Advantages	Costs/Disadvantages
• Provides long term certainty in terms of IG zoning and traffic/road management • Provides certainty of outcomes by way of an ODP • Creates an additional range of Industrial General allotments in an efficient and appropriate location for industrial use • Reflects current City standards • Access to new employment opportunities • Comprehensive landscape mitigation • Significant local investment • No impact on areas of significance to Iwi or natural resource (water) • Reflects Policy 8 of the National Policy Statement for Urban Development (**NPS-UD**) in allowing responsive plan changes that would add significantly to development capacity and contribute to a well-functioning urban environment even if the development capacity is currently unanticipated in Council planning documents. • Not dependent on the development of the land • Site likely to be last area of land undeveloped within this industrial area • Makes efficient use of services capacity in the area • No Industrial Heavy activities located immediately adjacent to residences	• Potential loss of rural land for productive purposes - albeit with limited productivity potential • Change in character from rural to industrial • Not in accord with Map A (CRPS) • Potential construction effects on nearby residents • Likely compromise development and transport options in the area • Neighbours will have an urban outlook • No additional Industrial Heavy land rezoned – limits future options limits enabled by the zoning

Benefits and Costs of Option 4 – Rezone the Calder Stewart land within the Site as Industrial Heavy and the balance of the land as Industrial General

Benefits /Advantages	Costs/Disadvantages

• This approach follows the District Plan's zone hierarchy with IG more able to operate as a buffer between residential areas and the IH Zone. • Still creates an additional range of allotments in an efficient and appropriate location for industrial use. • Provides more choice for landowners in terms of location depending on the scale or intensity of their proposed industrial use. • Provides a greater variety of new employment opportunities across a scale of different industrial businesses than just IH or IG alone. • Makes use of existing District Plan provisions. • Provides certainty in terms of IG and IH zoning and traffic/road management. • Will not reduce the amenity immediately adjacent to the residences to the same degree as if it were to be rezoned as Industrial Heavy particularly when considering the 20 metre setback. • Allows for a continual pattern of heavy industry and associated activities over the southern end of the Site adjacent to existing Industrial Heavy zoning. • Still provides for a form of industrial zoning over all of the Site. • Provides IH land which is difficult in general to rezone and prevents incompatible activities establishing next to the existing IH area. • No impact on areas of significance to iwi or natural resources (water). • Reflects Policy 8 of the NPS-UD in that this option would add to	• Potential loss of rural land for productive purposes - albeit with limited productivity potential • Change in character from rural to industrial • Not in accord with Map A (CRPS) • Potential construction effects on nearby residents • Likely compromise development and transport options in the area • Neighbours will have an urban outlook •

development capacity and contribute to a well-functioning urban environment even if not currently anticipated by existing Council documents.	

Option 4b – as above for Option 4 with the addition of removing the Rural Urban Fringe zoned residential properties from the plan change

Benefits /Advantages	Costs/Disadvantages
• As above for Option 4 • Removal of the residential properties will address amenity affects for those residents. For example, the existing zone noise standards will continue to the apply. • No planning blight – existing regime remains	• As above for Option 4 • • Less industrial land rezoned • A thin strip of existing zoning remaining surrounded by industrial zoning • A future rezoning process potentially needed

Benefits and Costs of Option 5 – Develop the Site by Resource Consent

Benefits /Advantages	Costs/Disadvantages
□ Council may be able to place tighter controls on consents	• Lack of long term certainty and missed opportunity for future economic activity and industrial consolidation • Lack of certainty around achieving the connection of the minor arterial road to SH1 • Need for on-going consents and no certainty for future purchasers or the neighbourhood • Loss of the integration provided by the ODP • Failure to recognise the strategic, economic and transport advantages of South West Hornby for Industrial land

	• Consent granted that will undermine integrated development of land • Unwanted precedent by allowing industrial use in the zone through consent only

The above assessment highlights that the advantages and benefits of rezoning this area of land for a combination of Industrial General use and Industrial Heavy use (Option 4) outweigh the potential costs and disadvantages. The costs or disadvantages of the other options indicate that they are not appropriate due to the nature, location, ground quality and uncertainty of the process.

1.4 Assessment of the Benefits and Costs of the Provision Changes applied to Option 4B

Changes	Benefits /Advantages	Costs/Disadvantages
Removal of residential properties from the Plan Change area. These properties will remain as Rural Urban Fringe Zone.	• The landowners of the existing residential properties along Marshs Road and Main South Road will not have a zoning change imposed on their properties. • These landowners can continue with current security and comfort knowing what can and can't occur and what to expect on these Rural Urban Fringe properties. • The residential properties will retain their current noise limit protections if they stay as	• The exclusion of the residential properties from the Plan Change will result in less industrial-enabled land being available for development. • Will result in two narrow strips of disconnected Rural Urban Fringe Zone in isolation from other residential zones.

	Rural Urban Fringe Zone as the noise limit for activities within the Industrial General and Industrial Heavy Zones within the Site is measured based on the zone of the receiving site.	
New matter of discretion for the Industrial Zones regarding maintenance of public safety in Islington Reserve.	• Would provide an ability for Council to assess whether public safety principles and Crime Prevention Through Environmental Design (**CPTED**) principles have been adequately provided for in relation to Islington Reserve. • Provides for additional safety for users of Islington Reserve.	• Potential for the last lot to be developed to have to provide for the public safety and CPTED measures. • Uncertainty for the developers of the parcels adjacent to Islington Reserve. Potentially could result in development constraints or loss of commercially usable land for one or more adjacent lots to Islington Reserve.
New matter of discretion for consideration of the effects of noise on residential units in the adjacent Selwyn District.	• Provides ability for Council staff to consider Selwyn District noise provisions in consideration of Industrial Activities on the Site. • Provides additional safeguard for adjacent Selwyn District residents.	• Users of the plan will have to look at both the Council Plan and also the Selwyn District Plan to consider noise effects. • May result in limitations on Industrial Activities or additionally building insulation requirements for industrial developers.
Change to 20 metre building setback to boundaries of a residential property in the Rural Urban Fringe Zone.	• Continues to provide buffer between Industrial General activities and adjacent residential activities.	• Sterilises some of the available Industrial General land.
Additional planting requirements and details provided to Marshs Road shelterbelt rule.	• Requires more intensive planting providing additional amenity and screening of the industrial activities from Marshs Road. • Will result in an increase in native	• Additional cost for more intensive planting and maintenance requirements for developer.

	biodiversity with required native species. • Adds additional safeguards for maintenance of the landscape strip.	

1.5 Effectiveness

In determining the effectiveness of the Plan Change and other options to achieve the objectives, it is considered appropriate to include within "the objectives" the objectives of the relevant broader policy documents namely the NPS -UD, National Policy Statement for Highly Productive Land (**NPS-HPL**) and the CRPS. These objectives are particularly relevant because they set out, at a strategic level, how growth should be provided for within the Christchurch City. On this basis the proposed Plan Change is assessed to be the most effective method to achieve the objectives of the NPS-UD, the District Plan, and the CRPS. In particular the proposed Plan Change is the best planning method to ensure all of the following:

- A combination of heavy and general industrial development of an appropriate area at a scale that can provide for a variety of section and business types meeting a potential developing shortfall in industrial land in one of the most preferred locations in the region;
- Development in accordance with an outline development plan;
- Integration of development with existing infrastructure; and
- Specific amenity standards to be achieved in the final development for industrial activity in this area of Christchurch.

1.6 Efficiency

In determining efficiency, it is necessary to compare the costs and benefits of the five options listed in the tables above. These costs and benefits relate to a variety of matters including environmental, process and land use compatibility. In relation to all these matters Option 4 has a greater number of benefits/advantages as compared to the alternative options. This is particularly so in terms of the recognition in Policy 6.3.6 of the CRPS that industrial land supply has only been assessed through to 2028 and Policy 8 of the NPS-UD which recognises the need for development capacity out of sequence.

1.7 Assessment Regarding Information Provided

In accordance with section 32(2)(c), it is considered there are no risks in acting as there is a large amount of information available about the site and the effects of the proposed rezoning as provided in the application and the evidence of all parties presented.

1.8 Overall Assessment

It could be argued that all of the options could have been appropriate to a greater or lesser degree based on the above assessment. However, the overall conclusion is that Option 4 is the more appropriate method for achieving the objectives and policies of the District Plan than the existing District Plan provisions or the alternative options set out above. I also consider that the environmental, social and economic benefits of Option 4 outweigh any of the costs. On this basis, the proposed combination of Industrial Heavy and Industrial General rezoning of the Site is considered to be an appropriate, efficient and effective means of achieving the purpose of the RMA.

1.9. Conclusion – Part 2 of the Resource Management Act

The purpose of the RMA is set out in Section 5 being the sustainable management of natural and physical resources. Section 5 is also subject to Section 6, 7 and 8 which set out the matters taken into consideration. In respect of Section 6 (matters of national importance), then none of the matters identified appear relevant for the site. In regard to Section 7 maintenance and the enhancement and quality of the environment and amenity values, although the amenity values will change, my assessment is that this change will be minor and can be mitigated, particularly given the context of the proposed zoning, the mitigation measures and the extended ODP. In respect of Section 7(b) and the efficient use of resources the Site's location, size; accessibility will result in the proposed zoning being an efficient use of the land and surrounding resources (eg roading).

Overall, the proposal to extend the Industrial Heavy Zone and rezone the northern end of the Site to Industrial General is considered to achieve the purpose of the Act and enhance the social and economic well-being of the area and the city with efficient, serviceable and accessible land, employment opportunities while avoiding and or mitigating any adverse effects. More specifically:

- The land does not qualify under the NPS-HPL (Annexures I and J) as productive land;
- It can be integrated into the existing service networks (Annexure F);
- It provides for the final arterial road link to SHNo1 and improves traffic safety and amenity; and
- All adverse environmental effects can be mitigated.

Annexure C – NZTA Change of Position Letter

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T 0800 699 000
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NZ Transport Agency Waka Kotahi reference: Application-2025-0846

14 April 2026

Christchurch City Council
Kirk Lightbody
Senior Policy Planner
PO Box 73012,
Christchurch 8154

Sent via: PlanChange@ccc.govt.nz kirk.lightbody@ccc.govt.nz

Dear Christchurch City Council.

Proposed Private Plan Change 19 which seeks to amend the Christchurch District Plan by rezoning the application site from Rural Urban Fringe (RuUF) to Industrial Heavy (IH) zone.

NZ Transport Agency Waka Kotahi (NZTA) made a neutral submission on the 17 December 2025 to the proposed private plan change 19 (PC19) lodged with Christchurch City Council (CCC) to amend the Christchurch City District Plan by rezoning the application site from Rural Urban Fringe (RuUF) to Industrial Heavy (IH).

Stantec Limited (Stantec) prepared an Integrated Transport Assessment (ITA) report (Stantec 20 April 2023) to support the PC19 application which along with the consenting package was assessed by NZTA. NZTA's concerns with the proposal were outlined in Paragraph 5.2 of their submission. These concerns were in regard to additional vehicle movements at the State Highway1 (SH1)/Marshs Road intersection as a result of the change in land use and as the site develops, which will exacerbate existing safety deficiencies at this intersection. NZTA sought a condition or rules be included as part of the plan change to address the concerns on the safe and efficient operation at the SH1/Marshs Road intersection by including controls to limit movements to left-in and left-out movements only.

Stantec has provided a response to NZTA (email from Andrew Leckie, 12 March 2026), to address these concerns raised in the submission.

NZTA has reviewed the response that demonstrates that Stantec has undertaken further modelling to quantify how much additional traffic through this intersection could result from development of the PC19 site and that any increase of traffic is likely to be minimal, especially once the fourth leg to the SH1 / Pound Road intersection is constructed and operational. NZTA's Safety engineer has confirmed that they are subsequently satisfied that the further assessment clarifies that the intersection is unlikely to experience a material change in the efficiency and safety of the existing SH1/ Marshs Road intersection.

Accordingly, NZTA considers that the concerns related to the state highway have been suitably addressed. Therefore, NZTA retains its neutral position and no longer wishes to be heard at a Hearing.

If you have any questions regarding the position of NZTA, then do not hesitate to get in touch. If you have any queries regarding the above or wish to discuss matters further, please feel free to contact the processing planner Kate Bonifacio via

email at Kate.Bonifacio@nzta.govt.nz or alternatively you can contact the environmental planning team at the following email address – environmentalplanning@nzta.govt.nz

Yours sincerely,



Kate Bonifacio
Planner

Annexure D – South West Hornby Industrial Area Outline Development Plan

Appendix 16.8.8(a) Outline Development Plan - South West Hornby



NORTH

KEY

- ODP Plan Boundary
- Minor Arterial Road
- T — Intersection Upgrade
- 20m Building Setback
- 10m wide Landscape Strip

Industrial development area

- Industrial Heavy Zone
- Industrial General Zone

100 50 0 100 200

SCALE (m) 1:5000 @ A3