

# District Plan Review Waimakariri District Council



## Proposed replacement District Plan Commercial & Industrial Framework

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*Statutory context updated in July 2021*

**Planz Consultants**

**Quality Assurance Statement:**

**Report Prepared By:**

Planz Consultants Ltd 124 Peterborough Street, PO Box 1845, Christchurch 8140



Jonathan Clease (Associate & Urban designer)

DDI: 03 964-4630

E: jonathan@planzconsultants.co.nz



Matt Bonis (Associate)

DDI: 021 79 66 70 E: matt@planzconsultants.co.nz

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# REVIEW OF DISTRICT PLAN FRAMEWORK FOR COMMERCIAL & INDUSTRIAL ZONES

## 1.0 Introduction and Scope

### 1.1 Overview

1. The purpose of the Business provisions of the Waimakariri District Plan is to address the resource management issues relating to:
  - (a) ensuring that, as population increases and efforts are made to diversify and enable social and economic wellbeing in the district, that
  - (b) the provision of business land and employment opportunities (and associated amenity and the quality of business environments as well as effects at their interface) are commensurately provided for in an integrated manner.
2. Market Economics Limited (MEL), have identified<sup>1</sup> that in the district by 2033:
  - (a) Household growth will increase from 24,000 households in 2018, to 33,100, an increase of 38% over a 15-year period, with the largest increases in Rangiora (2,600 households) and Ravenswood / Pegasus / Woodend (1,900 households). By 2048 forecasts identify some 40,200 to 43,300 total households within the district.
  - (b) This household growth leads to an increase in sustainable core retail demand (medium – high projection) to 2033<sup>2</sup> of 51,500m<sup>2</sup> GFA, which equates to a land demand of some 14.7<sup>3</sup>ha of which half is required to provide for large format (> 450m<sup>2</sup>) retail developments.
  - (c) Growth in office demand (professional, government and community) requires an additional 17,000m<sup>2</sup> GFA<sup>4</sup> by 2033 to satisfy growth<sup>5</sup>.
  - (d) Growth in Industrial activities (such as manufacturing and logistics) results in a commensurate land demand at just over 3ha per annum, being a total demand of 55ha by 2033<sup>6</sup>.
3. In addition to enabling such growth to be catered for, there are also wider issues such as ensuring the integration of business land use development with strategic infrastructure for the Waimakariri District and where people live and work. Accordingly, plan provisions need to be drafted that sustainably manage business land development and its effects in a way that assist in achieving quality compact urban forms at Rangiora, Kaiapoi, and at Woodend / Ravenswood / Pegasus, and remain compatible with form and identity of smaller settlements such as Oxford.
4. The distribution and location of business activity plays a key role in the form and growth of urban Waimakariri. Business activity is vital to the effective and efficient functioning of the community through providing for social and economic well-being. Intervention with regard to the distribution, scale and function

<sup>1</sup> Market Economics Limited (MEL), 2018. Waimakariri District Business Land Assessment (**Business Land Assessment**) Figure 4.1

<sup>2</sup> Market Economics Limited (MEL), 2018. Waimakariri District Business Land Assessment (**Business Land Assessment**) Figure 4.13

<sup>3</sup> Market Economics Limited (MEL), 2018. Waimakariri District Business Land Assessment (**Business Land Assessment**) Figure 4.13

<sup>4</sup> Noting floor area can be provided vertically.

<sup>5</sup> Market Economics Limited (MEL), 2018. Waimakariri District Business Land Assessment (**Business Land Assessment**) Figure 6.22

<sup>6</sup> Market Economics Limited (MEL), 2018. Waimakariri District Business Land Assessment (**Business Land Assessment**). Section 4.4.2

of business activity is critical to promote sustainable resource management and the integrated management of effects.

## 1.2 Purpose and Scope

5. This report sets out the rationale for the proposed policy framework and rule packages for the management of commercial and industrial activities (**business activities**) in the District.
6. The business package is to:
  - (a) enable appropriate activities in the various commercial and industrial zones;
  - (b) discourage or otherwise manage the adverse effects of unanticipated activities;
  - (c) achieve appropriate and high levels of urban design (especially in key town centre locations) but not setting requirements that are so stringent as to restrict or displace appropriate investment away from the town centres of the district; and
  - (d) ensure an appropriate level of amenity (especially where industrial zones adjoin more sensitive residential or rural zones).
7. In terms of scope, this report is focused primarily on the Business 1 and 2 zones in the Operative Plan, although consideration is also given to the treatment of the B3 - B6 zones. In doing so it is noted that the site specific Business 3 and 6 zones have not been considered in detail as these provide explicit and specific provisions for existing and limited business activities. These provisions will be considered by Council as part of a later stage in the District Plan Review process - it being anticipated that the existing level of provision for these specific activities will be generally maintained.
8. The effective management of business activities also requires considerable overlap and integration with both thematic workstreams such as noise, glare, signage and transport, and geographically based workstreams addressing rural and residential areas and associated zone provisions.
9. The proposed rule packages address several key themes as follows:
  - (a) Activity list – with a shift from the Operative Plan ‘effects-based’ format to the proposed Plan’s ‘activity-based’ structure (to implement the mandatory the National Planning Standards framework), it is necessary to identify the types of activities that are anticipated and provided for in different zones or environments and to conversely control those that are not anticipated;
  - (b) Interface issues – the rules provide an effective framework for managing differing levels of expected amenity along the interface of different zones, especially where one is more sensitive than the other in terms of amenity outcomes e.g. the Industrial and Residential Zone interface;
  - (c) Internal zone issues – The rules need to deliver a level of amenity within the zone, commensurate with the underlying purpose of the zone and the nature and functional needs of the activities that the zone provides for;
  - (d) Urban design issues – Related to theme (c) above, the rules need to deliver acceptable urban design outcomes, with a specific focus on town centre locations.

## 2.0 Statutory Framework

### 2.1 Overview and Statutory Framework

10. In considering the most appropriate provisions for the Plan, the Selwyn District Council should be guided by the various legal tests that have been set out in cases such as *Colonial Vineyard vs Marlborough District Council*<sup>7</sup> and can be summarised as follows:

Case Law Note.

Where the provisions:

- (i) Accord and assist the Council in carrying out its functions and achieve the purpose of the RMA<sup>9</sup>s74(1);
- (ii) Accord with Part 2 of the RMA (s74(1)(b));
- (iii) Give effect to the regional policy statement (s75(3)(c));
- (iv) Give effect to a national policy statement (s75(3)(a));
- (v) Have regard to the actual or potential effects on the environment, including in particular any adverse effect (s76(3));
- (vi) Are the most appropriate method for achieving the objectives and policies of the plan, having regard to their efficiency and effectiveness and taking into account:
  - a. The benefits and costs of the proposed policies and methods, including rules;
  - 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 (s32(4)).

11. A summary of the statutory framework is:
- (a) Provisions in the District Plan are to assist the Waimakariri District Council in undertaking its functions for giving effect to the Act<sup>8</sup>. One function being the integrated management of the use, development or protection of land and associated natural and physical resources of the Waimakariri District. That function is fulfilled by objectives, policies and methods to be established by the proposed District Plan. Another function for the proposed District Plan to serve, is the control (as specified) of the effects of the use, development and protection of land.
  - (b) The preparation of the proposed District Plan is to be undertaken in accordance with the provisions of Part 2, and any applicable regulations<sup>9</sup>.
  - (c) The approach needs to align with the Waimakariri District Council's functions under the Act and other relevant instruments;
    - That processes (and provisions that drive processes) are timely, efficient and cost effective and proportionate to the functions being performed, and that plan drafting is clear and concise (Section 18A); and

<sup>7</sup> [204] NZEnvC, 55, at paragraph [17]

<sup>8</sup> Section 74(1) and s31

<sup>9</sup> Section 74.



- When reaching a conclusion as to which provision is the ‘*most appropriate*’ the requirements of s32, having regard to the efficiency and effectiveness of the provision is to be considered.

### 2.1.1 Land use Intervention

12. Business activity is a key land use issue for the District, as it is associated with significant physical resources, economic and social wellbeing, and is closely intertwined with infrastructure and residential development (proximity, provision, efficiency and capacity).
13. Business land use patterns, and land use patterns generally, have effects that may impact upon the way that natural and physical resources are managed. To meet the sustainable management purpose of the RMA, both the Environment Court and Canterbury Regional Council (through Chapters 5 and 6 of the Canterbury Regional Policy Statement 2013) have accepted that intervention in the distribution of land use activities (including retail and other business activities) is appropriate.
14. The rationale for intervention is not solely on the basis that “appropriate” urban forms exist to help secure desired environmental outcomes or manage effects. The converse is just as important, that if left unimpeded, resulting patterns are likely to produce adverse environmental effects.
15. Intervention in the distribution of commercial and industrial activity occurs principally by way of defining specific zones to primarily accommodate such activities and their resultant effects. Specific rules then enable business activities both within and beyond these Zones to varying degrees. The approach to intervention can range from very liberal to very conservative, as is considered within this analysis.
16. The basis for the justification in the intervention of the distribution of business activities is no different to that applied to residential growth in achieving the wider backdrop of a strategic urban development framework. Councils, including the Canterbury Regional Council in directing the Waimakariri District Council, have signalled the need to restrict the spread of residential development (via the urban boundaries and identified greenfield priority areas) because the cost of allowing dispersal would be significant, and such costs are not considered by the market.
17. Such costs include: increased infrastructure costs, reduced transport efficiencies and increased emissions; failing to attain wider planning initiatives such as improving the liveability of existing urban environments; and resultant inefficient land use. Individuals in the market do not always consider the costs of their decision on the wider community of the region
18. The concept of ‘**enablement**’ is a key part of section 5 under the Resource Management Act 1991. In terms of retail distribution, this has both enabling and disabling consequences: people’s wellbeing may be enabled through an increase in retail expansion across the district; equally there may be a consequential dis-enablement (costs) associated with such an approach if existing centres that are relied on by local communities experience decline; especially post the Canterbury Earthquake sequence where substantial existing and ongoing investment have been directed into recovering the Town Centres of Rangiora and Kaiapoi especially.
19. In essence, this comes down to balancing ‘market’ needs against the wider community needs and integration with wider urban form and growth in the district.
20. The RMA is itself an ‘enabling’ piece of legislation in that the presumption in section 9 is that any activity is allowed unless a rule in the District Plan restricts it. Therefore, land use intervention in the District Plan as proposed should link back to a significant resource management issue; if there is no issue, then intervention by the Council would not be necessary in achieving the intent and purpose of the Act.



21. The Council's role is to determine through this process to what degree it should be managing the "enabling" purpose of the Act, including the way or rate that business activities are provide for, whilst achieving the matters in s5(2), including importantly the need to avoid, remedy, or mitigate adverse effects - through District Plan provisions that establish:
- (a) the distribution of retail activity throughout the District (especially the proportion of commercial activity within the centre hierarchy, industrial areas and residential and rural environments);
  - (b) the status and scale of specific commercial centres (through the formation of a Centres hierarchy, reflecting the terminology as applied through the National Policy Standards<sup>10</sup>);
  - (c) the extent and provision of large format retail activities;
  - (d) managing the form and growth of the Centre network (including civic, social and residential activities and associated amenity);
  - (e) providing for, and managing activities within industrial zones; and
22. At the same time, populations and household growth in the Waimakariri District is substantial, with medium-high forecasts increasing from 24,000 households (2018), to 33,100 (2033) with commensurate demand in business opportunities and employees (and associated activity, transport generation and effects). By 2048, some 40,200 households are projected for the District<sup>11</sup>. The Waimakariri District has a statutory duty to support productive and well-functioning urban environments through the provision of adequate opportunity for land development for business (and housing) under the National Policy Statement – Urban Development (NPS-UD)<sup>12</sup> and the Canterbury Regional Policy Statement (CRPS), with particular requirements to increase self-sufficiency<sup>13</sup>.
23. Under the Resource Management Act 1991 there remains a shift away from a focus on controlling activities, toward ensuring that the actual and potential **effects** of activities are managed to promote the sustainable management of resources. This links back to considerations of 'amenity' and the 'quality of the environment'.
24. However, the CRPS<sup>14</sup> is more directive. In the matter of business provision, and in particular commercial development, such activities are to be provided in a manner that reinforces the Key Activity Centres of Rangiora, Kaiapoi and Ravenswood; with capacity to be met through the utilisation and redevelopment of business land and limited provision for identified greenfield priority land.

### 2.1.2 District Plan is to assist the Council to carry out its functions s31 and s72

25. Section 72 of the Resource Management Act states:

*"The purpose of the preparation, implementation, and administration of district plans is to assist territorial authorities to achieve the purpose of this Act".*

26. The relevant questions in terms of the Council's s31 functions in relation to the form, spatial distribution and amenity associated with business activities in the district is therefore:

<sup>10</sup> Ministry for the Environment. Draft National Planning Standards (June 2018). Part 5 – Area Specific Matters (S-ASM).

<sup>11</sup> Market Economics Limited (MEL), 2018. Waimakariri District Business Land Assessment (**Business Land Assessment**) Figure 4.1

<sup>12</sup> National Policy Statement on Urban Development. Commencement August 2020.

<sup>13</sup> CRPS(2013) **Objective 6.2.2(5)** and **Policy 6.3.6(10)**.

<sup>14</sup> Section 75(3)(c) states that the District Plan is to *give effect* to the Regional Policy Statement.

- (a) Are the controls necessary and appropriate to achieve integrated management of the use, development and protection of the land and associated natural and physical resources of the district; and
  - (b) Are the resultant provisions (objectives, policies and rules (including zones)) appropriate to manage any actual or potential effects of the use, development or protection of land<sup>15</sup>.
27. It is accepted practice that Councils, through their district plans, can manage the location, form and intensity of business activities in ensuring wider integrated urban form and growth principles. The following Decisions from the Environment Court are instructive:
- (a) **Councils can intervene to protect physical resources.** References in the RMA restricting the ability to consider trade competition are subservient to the overall thrust of the RMA as set out in Part II and in particular s5. Thus, if trade competition should reach such a 'significant' stage where a community asset represented by (for example) the CBD is weakened to an unacceptable degree, then a Council can intervene<sup>16</sup>.
  - (b) The strategic context of a District Plan, as stated through its policies and objectives, needs to **very clearly set out the direction of the City with regard to the interrelationship between residential, commercial and transport infrastructure.** Such a framework provides a policy benchmark for evaluating commercial development within the wider urban form and development backdrop of the Plan.<sup>17</sup>
  - (c) It is appropriate that a **plan should set its face against ad hoc commercial development and instead seek a predicative role in terms of planning.** A Plan should provide some flexibility by providing criteria for consideration of new district centres and business retail parks. That, in the Court's view, establishes a clear balance between the certainty necessary for ordered development and confidence and flexibility to allow for change and growth.<sup>18</sup>
28. As subject to sections 31 and 72, at a very general level it is clear that Councils can intervene in relation to business activities, given broader implications for:
- (a) physical resources constituting buildings and transport infrastructure and efficiencies (modal choice and generation);
  - (b) social and economic well-being;
  - (c) amenity;
  - (d) the efficient use of resources; and
  - (e) the maintenance and enhancement of the quality of the environment.

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<sup>15</sup> As overlaps with s76(3): *In making a rule, the territorial authority shall have regard to the actual or potential effect on the environment of activities, including, in particular any adverse effect.*"

<sup>16</sup> *Westfield NZ Ltd & other vs Upper Hutt City Council* (W44/2001). Also *Northcote Mainstreet Inc vs North Shore City Council* (High Court High Court, CIV-2003-404-5292)

<sup>17</sup> *The Warehouse Ltd; Foodstuffs (South Island Limited) vs Dunedin City Council* – C101/2001.

<sup>18</sup> *National Investment Trust vs Christchurch City Council*. C152/2007.

### 2.1.3 *District Plan is to give effect to a national policy statement (s75(3)(a))*

29. **National Policy Statements** are the RMA legislative tool whereby central government can prescribe objectives and policies to address matters of national significance. The Council must prepare and change its plan in accordance with a NPS (**s74(1)**) and must *give effect* to any relevant NPS (**s75(3)**).
30. There are five NPSs in force as regulation:
  - a. National Policy Statement for Freshwater Management;
  - b. New Zealand Coastal Policy Statement;
  - c. National Policy Statement for Electricity Transmission (NPS-ET);
  - d. National Policy Statement for Renewable Electricity Generation (NPS-REG); and
  - e. National Policy Statement on Urban Development (NPS-UD).
31. The **NPS-ET** will have implications in terms of buffer distances of the transmission network from business activities and is not further considered in this report, but is the subject of Utilities provisions being reviewed by WDC in another workstream. The approach to managing setbacks to the transmission network is best approached on a consistent District-wide matter, albeit that the resultant rules may be appropriately located within geographically based zone provisions.
32. The **NPS-UD** which came into force on 20 August 2020 seeks to regulate those processes already undertaken by Waimakariri District Council through the formation of the Waimakariri District Development Strategy (2048), in that it prescribes:
  - a. obligations for better analysis as to providing for residential and business growth;
  - b. obligations for land supply for residential and business land to meet future demand (30 years).
33. The Waimakariri District as a Tier 1 local authority under Appendix 1 to the NPS.
34. The provisions in the NPS-UD are predominantly aimed at contributing to more competitive business (and residential) land markets as these are provided through district provisions.
35. **Clause 3.22** of the NPS-UD requires for Tier 1 local authorities that a competitiveness margin of *development capacity* of 20% (short term), 20% (medium term) and 15% (long term) to support choice and competitiveness.
36. The Business provisions in the replacement Waimakariri District Plan are to contribute to:
  - Achieving a well-functioning urban environment that enables people and communities to provide for their social, economic and cultural well-being, now and into the future (**Objective 1**).
  - District Plan's enable more... business and community services to be located in, areas of an urban environment: (a) in or near a centre zone; (b) where an area is well serviced by public transport (**Objective 3**).
  - Urban environments (of the district), including their amenity values – develop and change over time in response to the diverse and changing needs of people, communities and future generations (**Objective 4**)
  - Local authority decisions on urban development that affect urban environments are: (a) integrated with infrastructure planning and funding; and (b) strategic over the long to medium term (**Objective 6**)
  - Local authorities are to have robust and frequently updated information about their urban environments and use it to inform planning decision (**Objective 7**).
  - Urban environments support reductions in greenhouse gas emissions and are resilient to the effects of climate change (**Objective 8**).

37. Well-functioning urban environments are defined in **Policy 1**. The relevant elements in terms of business land opportunities and provision in the District Plan (such as through zoning) are:
- Policy 1: Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum..*
- (b) *have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and*
  - (c) *have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and*
  - (d) *support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and*
  - (e) *support reductions in greenhouse gas emissions; and...*
38. Policy 8 (the responsive planning policy) seeks that:
- Local authority decisions affecting urban environments are responsive to plan changes that would add significantly to development capacity and contribute to well- functioning urban environments, even if the development capacity is:*
- i. unanticipated by RMA planning documents; or*
  - ii. out-of-sequence with planned land release.*
- (emphasis underlined)*
39. The intensification policies (Policies 3 and 4) seek to improve land-use flexibility (through enabling increased height and density) in the areas of highest demand – areas with good access to things that people want and need, such as employment, goods and services, and public transport services.
40. Policy 8 seeks to improve land-use flexibility generally by ensuring local authorities have particular regard to plan changes that would add significantly to development capacity as these arise. However, such plan enabled development capacity is to be enabled subject to the conjunctive limb ‘and’, where such contribute to well-functioning urban environments (as defined by Policy 1).
41. Policy 11, and its implementation requires that territorial authorities do not set minimum car parking rate requirements, other than for accessible car parks. Local authorities are instead ‘encouraged’ to manage effects associated with car parking supply and demand through comprehensive car parking management plans.
42. Part 4 – Timeframes, identifies local authorities are to:
- Implement the requirements of the NPS-UD as soon as is practicable (and this will be undertaken through the replacement District Plan); and
  - remove car parking requirements either ‘as soon as practicable’ or by February 2022.
43. The implications for the replacement District Plan in responding to the requirements of the NPS-UD are that the Waimakariri District Council is to provide ‘at least’ at any one-time sufficient business development capacity<sup>19</sup> for different business sectors, in the short (3 years), medium (10 years) and long terms (30 years), with the ‘competitiveness margins’ identified in Clause 3.22 of the NPS-UD [35].
44. ‘Business Land’ is defined in the NPS-UD<sup>20</sup> as *land that is zoned, or identified in an FDS or similar strategy or plan, for business uses in urban environments including:*
- (a) *any industrial zone*

<sup>19</sup> As defined NPS-UD. Section 1.4 and includes: the zoning, objectives, policies, rules, and overlays that apply in the relevant proposed and operative RMA planning documents.

<sup>20</sup> NPS-UD. Section 1.4

- (b) *the commercial zone*
- (c) *the large format retail zone*
- (d) *any centre zone, to the extent it allows business uses*
- (e) *the mixed use zone, to the extent it allows business uses*
- (f) *any special purpose zone, to the extent it allows business uses*

45. In terms of the District Plan provisions, the short- and medium-term capacity requirements in **Clause 3.22** are the more relevant, with the Plan to ensure that ‘*development capacity*’ must be plan enabled and infrastructure ready (**Clause 3.4**), where:

- in relation to the **short term**, it is on land zoned for business use in the operative plan, and there is existing development infrastructure to support the development of land;
- in relation to **medium term**, either on land zoned for business use in the operative plan, or in a proposed district plan, and there is existing development infrastructure to support the development of land or infrastructure is identified in the long term plan.

Rounding this matter out, **long term** is either zoned land in the operative or proposed plan, or land identified by the local authority for future urban use or urban intensification in the Future Development Strategy (FDS) and funding for infrastructure is identified in the Council’s infrastructure strategy (as required as part of its long term plan).

46. In *giving effect* to the requirements of the NPS-UD, the provisions of the District Plan must ensure that sufficient development capacity, being both feasible and zoned, for business activities is able to be realised and supported by an associated policy framework.

<i>Interpretation</i>	<i>Short term (3yrs) Year – 2023*</i>	<i>Medium term (10yrs) Year 2033*</i>	<i>Long term (30yrs) Year 2048</i>
<b>Clause 3.4</b>	<i>Feasible, zoned and serviced</i>	<i>Feasible, zoned in the operative or proposed plan and infrastructure provided or identified in a long term plan.</i>	<i>Feasible, identified in relevant plans and strategies and necessary infrastructure identified in the Infrastructure Strategy.</i>
<b>Clause 3.22</b>	<i>Projected demand + 20%</i>	<i>Projected demand + 20%</i>	<i>Projected demand + 15%</i>

\* To coincide with both the likely notification date of the District Plan 2021 as the base year, and respective NZ Census dates.

47. MEL have determined that the ‘High demand projection’ and resultant (non-cumulative) Waimakariri District floorspace demands to be included in the replacement Waimakariri District Plan (that is the medium-term demand in the NPS-UD) are set out in

48. Figure 1:

Figure 1: Business Land Demand in Waimakariri District in hectares (Ha) (2018)

<b>Business Activity</b>	<b>Additional Demand Medium term (10yrs) (Medium – High forecast) Year 2018 - 2033*</b> <i>Feasible, zoned and either (a) serviced, or (b) funding identified in relevant LTP. Sustainable floor space + 20%</i>
<b>Core retail</b>	51,500m <sup>2</sup> GFA 14.7ha <i>[Total district wide sustainable floorspace at 2033 - 146,100m<sup>2</sup> GFA, 41.7ha]<sup>21</sup>.</i>
<b>Auto/Hardware Retail</b>	13,200m <sup>2</sup> GFA 3.8ha <i>[Total district wide sustainable floorspace at 2033 - 43,000m<sup>2</sup> GFA, 12.3ha]<sup>22</sup>.</i>
<b>Office</b>	17,000m <sup>2</sup> GFA (land area can be vertical) <sup>23</sup> 1.5ha (assuming built at grade)
<b>Industrial</b>	55ha <sup>24</sup>

49. MEL have also identified that some 50% of the 14.7ha of additional 'Core retail' demand is for Large Format Retail premises (which is simply shorthand for tenancies greater than 450m<sup>2</sup> and would incorporate anchor stores such as supermarkets and department stores)<sup>25</sup>.
50. MEL have identified that the Business Zones in the district account for some 450ha of developable land<sup>26</sup>. Within these zones, the vacant and vacant potential availability is identified in

<sup>21</sup> Market Economics Limited (MEL), 2018. Waimakariri District Business Land Assessment (**Business Land Assessment**). Figure 4.13

<sup>22</sup> Market Economics Limited (MEL), 2018. Waimakariri District Business Land Assessment (**Business Land Assessment**). Figure 4.15

<sup>23</sup> Market Economics Limited (MEL), 2018. Waimakariri District Business Land Assessment (**Business Land Assessment**). Section 6.2.2

<sup>24</sup> Market Economics Limited (MEL), 2018. Waimakariri District Business Land Assessment (**Business Land Assessment**). Section 4.4.2

<sup>25</sup> Market Economics Limited (MEL), 2018. Waimakariri District Business Land Assessment (**Business Land Assessment**). Section 4.1.7

<sup>26</sup> Business zoned land includes: Business 1 (Town Centre), Business 2 (Industrial), Business 3 (Spot Zone MDF Plant), Business 4 (Neighbourhood Centre), Business 5 (Business Park), and Business 6 (Spot zone/Tourism). MEL. August page 54.



51. Figure 2.

Figure 2: Vacant Business Land Supply in Waimakariri District in hectares (Ha) (2018)

Business Zones	Vacant	Vacant (carpark)	Vacant Potential	Total
Commercial (Business 1 and Business 4)	7.24	2.63	13.58	23.45
Industrial (Business 2)	72.24	-	42.65	114.89
Business Park (Business 5)	4.93	-	0.88	5.81
<b>Totals</b>	<b>84.41</b>	<b>2.63</b>	<b>57.11</b>	<b>144.15</b>

### Industrial Land Supply

52. The current Business 2 provisions in the Operative District Plan (ODP) preclude the establishment of Trade Suppliers (as inclusive of Automotive and Hardware retail). Were both Trade Suppliers (Auto / Hardware Retail) and Industrial activities enabled within the Industrial zone, this would incentivise relocating existing Trade Suppliers from the Business 1 zone (ODP Town Centres) to the Business 2 zone (ODP Industrial zone), freeing up capacity in the Town Centre zones for more intensive (core) retail activities. This has modest implications for additional demand for the Industrial land resource that would need to be accounted for.
53. MEL have identified a zoned Industrial capacity of 144ha, of which 84ha is vacant and the balance vacant potential. The Industrial requirements of the NPS-UD are complied with<sup>27</sup>. Additional zoned and serviced Industrial land is not therefore required within the replacement Waimakariri District Plan as there is ample existing supply to meet anticipated demand over the life of the District Plan.

### Commercial Land Supply

54. Commercial activities include the following categories:
- Core retail, including Department Stores, Food and Beverage, Supermarkets and Small and Large Format Retail;
  - Non-retail commercial services;
  - Offices.
55. The MEL Demand analysis identifies that the medium-term land demand (to 2033) in these categories to meet the NPS-UD requirements is for 14.7ha, with an additional 17,000m<sup>2</sup> GFA in office which can be provided above grade (1.5ha of land area would be generally needed if the quantum was only provided at grade).
56. As shown in Figure 3, the district wide zoned 'supply surplus' for 'core retail' is some 122,550m<sup>2</sup> GFA to 2033. However, there are localised 'pinch-points' for Rangiora and Kaiapoi especially where 'vacant carpark' or 'vacant potential' do not give rise to actual increases in floorspace supply. For Rangiora especially, given a forecast demand in core retail of some 30,400m<sup>2</sup> GFA by 2033 to meet projected

<sup>27</sup> Market Economics Limited (MEL), 2018. Waimakariri District Business Land Assessment (**Business Land Assessment**). Figure 6.9

household growth, there would be considerable need for intensification to overcome only approx. 1,900m<sup>2</sup> GFA of current vacant supply.

Figure 3: Business Land Supply in Waimakariri District (GFA, m<sup>2</sup>, 2018) and Core Retail demand (to 2033)

Business Zones	Vacant	Vacant (carpark)	Vacant Potential	Total Vacant and VP Supply (2018)	Core Demand Growth (2018-2033)	Supply Surplus
(Business 1 and Business 4)						
Rangiora	1,900	17,400	43,600	62,800	30,400	32,400
Kaiapoi	3,700	1,300	24,000	29,000	9,600	19,400
Ravenswood, Pegasus and Woodend	36,800	0	10,700	47,500	700	46,800
Kaiapoi MUZ	7500	0	0	7,500		7,500
Business 5 - Kaiapoi	18,800	0	3,600	22,400	15,250	7,150
Remainder of the District	4,400	0	6,700	11,100	1,800	9,300
<b>Totals</b>	<b>73,100</b>	<b>18,700</b>	<b>88,600</b>	<b>172,800</b>	<b>57.750</b>	<b>122,550</b>

57. The MEL demand analysis identifies that there is insufficient commercial (Business 1, 4 and 5) land zoned under the operative District Plan to meet medium term demand (to 2033) in the district unless a very high proportion of vacant potential land is converted to commercial uses in this time, which is unlikely to occur. That assessment includes allowance to meet the NPS-UD medium (10 year) requirements (inclusive of 20% NPS-UD medium term buffer). This issue mainly relates to the supply of ground level floorspace for retail and services in Rangiora, and large format retail supply across the District. Some of this capacity can be met with the provision of Large Format Retail (LFR) supply in Ravenswood and the Business 5 zone at Kaiapoi, which would typically accommodate comparison shopping in larger scale retail outlets (greater than 450m<sup>2</sup> GFA), and generally have a reasonably dispersed shopping catchment (attracts shoppers from wider areas than the immediate catchment) and accordingly is more private vehicle orientated.

#### 2.1.4 District Plan is to give effect to a regional policy statement (s75(3)(c))

58. Under Section 75, the District Plan must give effect to the Canterbury Regional Policy Statement (CRPS). In terms of business development, Chapters 5 and 6 of the CRPS are the relevant sections that deal with Land Use and Infrastructure integration for the Waimakariri District.
59. Both Chapters seek to provide a statutory direction for the management of the integration of land use and infrastructure within the Region. Chapter 6 provides more directive and targeted provisions at development which would result in changes to urban, rural residential and rural areas – together with infrastructural services which support that infrastructure as relates to the Greater Christchurch Urban area only.

60. Chapter 5 is relevant for Oxford, Cust, Sefton and the Business 3 zone (Carter Holt Harvey MDF Plant, Sefton). Chapter 6 is relevant for Rangiora, Kaiapoi and Ravenswood/ Woodend/ Pegasus.
61. For Rangiora, Kaiapoi and Ravenswood/ Woodend/ Pegasus, Chapter 6 CRPS requires the District Plan to:
- Identify Key Activity Centres which provide a focus for high quality, and where appropriate, mixed use development that incorporates the Principles of good urban design (**Objective 6.2.1(2)**);
  - Maintain the character and amenity of rural areas and settlements (**Objective 6.2.1(7)**);
  - Establish an urban form and settlement pattern in Greater Christchurch to provide sufficient land for rebuilding and recovery needs and set a foundation for future growth, with an urban form that achieves consolidation and intensification of urban areas, and avoids unplanned expansion of urban areas, (**Objective 6.2.2**) by:
    - (2) providing for high density living environments, in and around Key Activity Centres;
    - (5) encouraging sustainable and self-sufficient growth of the towns of Rangiora, Kaiapoi, and Woodend.
  - Provide healthy, environmentally sustainable, functionally efficient and prosperous development (**Objective 6.2.3(5)**);
  - Support and maintain the existing network of centres in Greater Christchurch, where the development and distribution of commercial activity will avoid significant adverse effects on the function and viability of these centres (**Objective 6.2.5, Policy 6.3.1(6)**);
  - Business activities are provided in appropriate locations with new commercial activities primarily directed to the Central City, Key Activity Centres and neighbourhood centres, and Business development adopts appropriate urban design qualities (**Objective 6.2.6**). Map A to Chapter 6 identifies the Town Centres of Rangiora, Kaiapoi and a notional 'Woodend/Pegasus' as the Key Activity Centres for the District;
  - Business development is to give effect to the principles of good urban design, including the NZ Urban Design Protocol 2005 (**Policy 6.3.2**);
  - Ensure the provision and recovery of business land in Greater Christchurch to maximise business retention, attract investment and provide for healthy working environments, including encouraging self-sufficiency of employment and business activities in communities across Greater Christchurch (**Policy 6.3.6**);
  - Recognise that new commercial activities are primarily to be directed to the Central City, Key Activity Centres and neighbourhood centres where these activities reflect and support the function and role of those centres; or in circumstances where locating out of centre, will not give rise to significant adverse distributional or urban form effects (**Policy 6.3.6(4)**);
  - Ensure that reverse sensitivity effects and conflicts between incompatible activities are identified and avoided or mitigated against (**Policy 6.3.6(8)**);
  - Encourage self-sufficiency of employment and business activities within communities across greater Christchurch (**Policy 6.3.6(10)**); and
  - Encourage and provide for the recovery and regeneration of existing brownfield areas, including through new comprehensive mixed use or business development (**Policy 6.3.8**).

62. For the remainder of the Waimakariri District, the provisions of **Chapter 5** of the CRPS seek:
- People and communities to provide for their social, economic and cultural wellbeing and health and safety, including:
    - encouraging sustainable economic development by enabling business activities in appropriate locations (**Objective 5.2.1(2)(c)**);
    - Avoids conflicts between incompatible activities (**Objective 5.2.1(2)(i)**);
  - A safe, efficient and effective transport system (**Objective 5.2.3**);
  - Provide as the primary focus, sustainable development patterns that:
    - occur in a form that concentrates or is attached to, existing urban areas and promotes a consolidated pattern of development (**Policy 5.3.1(1)**);
    - encourage within urban areas... recreation and community facilities, and business opportunities that supports urban consolidation (**Policy 5.3.1(2)**);
    - maintain and enhance the sense of identity and character of the Region’s urban areas (**Policy 5.3.1(4)**);
    - encourage high quality urban design, including the maintenance and enhancement of amenity values (**Policy 5.3.1(5)**); and
  - In relation to the strategic land transport network and arterial roads the avoidance of development which adversely affects the safe, efficient and effective functioning of the network (**Policy 5.3.7**).

#### 2.1.5 *Have regard to relevant management plans and strategies under other Acts – s72(2)(b)*

63. Regard is to be had to the Waimakariri 2048 - District Development Strategy (2018) and the Waimakariri Long Term Plan (2018 – 2028) as management plans and strategies prepared under other Acts, pursuant to s74(2)(b) of the Resource Management Act. Also of relevance is the Waimakariri Residential Red Zone Recovery Plan that was gazetted in December 2016 and sets out a framework for the long-term use and development of areas red zoned following the Canterbury earthquake sequence.
64. The following have been considered, but are now largely embedded in the District Development Strategy, or are less relevant given the date of their inception.
- Oxford Town Centre Strategy (2014);
  - Kaiapoi Town Centre Plan (2011);
  - Rangiora Town Centre Strategy (2010);
  - Woodened Pegasus Area Strategy (2013); and
  - Waimakariri Local Economic Development Strategy (2012).
65. In the context, ‘*have regard to*’ means, giving matters genuine attention and thought, and such weight as is considered to be appropriate (**Attachment A**). In *Mapara Valley Preservation Society Inc v Taupō District Council* (A083/07), the Environment Court noted in relation to the application of the Taupo District Council Growth Strategy (TD2050) to an urban growth matter that, while the urban growth strategy was not a statutory document, it:

*"was publicly notified for consultation with the 2006 – 2016 Long Term Council Community Plan using the special consultative procedures under the Local Government Act 2002. We thus find that the Variations should be given **substantial respect and weight** [when making decisions on a resource consent]".[49]*

and

*"Plan Changes 19, 21, 23, 24 and Variation 25 are based on and informed by a comprehensive Growth Management Strategy, the Taupō District 2050 District Growth Management Strategy, a document which has been the result of an extensive period of research, consultation and a participatory process under the Local Government Act". [58]*

66. The Waimakariri District Development Plan represents a non-RMA area planning and consultation outcome with the community. The plan represents a confirmed community's long-standing and clearly expressed preference for these settlements, and should accordingly be given substantial respect and weight in the plan drafting phase.

67. In a non-statutory context:

- The **Waimakariri District Long Term Plan 2015 – 2025 (LTP)**- seeks as the Council's purpose to make Waimakariri a great place to be in partnership with our communities, guided by our outcomes, and actioned through our roles as: service provider; funder of activities by others; an advocate on behalf of the community; and as a regulator under legislation. In terms of specific business and urban outcomes, the LTP seeks to ensure a safe, healthy and sustainable environment for all, and the centres of our towns are safe, convenient and attractive places to do business.
- **Waimakariri 2048** – The District Development Strategy identifies the challenges to the District in terms of accommodating substantial growth over the next 30 years, including the need for 15,000 new houses. In terms of business activities, the Strategy identifies the need for an additional 17ha of commercial land in Rangiora and Kaiapoi by 2048, although industrial land provision is suitable to meet demand<sup>28</sup>. The main town centres of Rangiora and Kaiapoi are to be enhanced and expanded, with the main centre servicing Woodend / Pegasus is to be provided at Ravenswood – that is the latter will be notated as the Key Activity Centre for this area of the district. Other commercial centres in the district will continue to be supported.

Rangiora is identified as having primacy<sup>29</sup> in the centres hierarchy. Implicit hierarchy is provided in terms of resource allocation.

- i. Page 39 of the DDS identifies 60% of retail activity in Rangiora, and some 6 – 9 Ha of additional B1 zoned land by 2048 (pg39) and district wide community facilities be provided.
- ii. Page 41 identifies 30% of retail activity occur in Kaiapoi.
- iii. Page 43 identifies that 8% retail activity occur at Woodend / Pegasus.

Section 2.7 of the Strategy outlines the approach for the Economy, identifying:

- i. continued support for new greenfield business land in Rangiora, Kaiapoi and Oxford as warranted; and

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<sup>28</sup> Waimakariri 2048 District Development Strategy, page 5.

<sup>29</sup> DDS [page 30]

- ii. Provision for business activities within rural and residential areas, but of a type and scale to minimise significant effects on adjoining communities.

Section 2.8 of the Strategy outlines the approach for Centres, including:

- i. Providing opportunities for intensification in and around the town centres of Rangiora<sup>30</sup> and Kaiapoi<sup>31</sup>;
  - ii. Confirm the Woodend/Pegasus Key Activity Centre at a location within the business area at North Woodend (Ravenswood) through the District Plan Review if good town centre outcomes are able to be achieved<sup>32</sup>;
  - iii. Consider expansion to the Rangiora town centre to the east/northeast, including the provision of large format retail;
  - iv. Condition provision for large format retail in or adjacent to Woodend and Kaiapoi; and
  - v. Continue to support the centres of Woodend, Pegasus and Oxford.
- The **Woodend and Pegasus Area Strategy** identifies that Woodend town centre is used as a local service centre for the immediate community, and the Pegasus emerging town centre will likely have a similar role. The Strategy identifies Ravenswood as being the dominant commercial centre for Ravenswood – Pegasus and Woodend.
  - The **Rangiora Town Centre Strategy** is somewhat dated, however the Strategic Objectives identified in Section 3.3 of the Strategy remain relevant; these are:
    - *Develop a town centre which serves not only the resident population but is also retail and visitor destination*
    - *Encourage growth within the existing town centre by promoting a “town centre” first approach*
    - *Develop a character-led vision for the town centre, and protect and enhance the heritage values of High Street as a key feature of the town*
    - *Encourage appropriate development and the efficient use of land without compromising the existing character*
    - *Green the town centre, and enhance the quality and attractiveness of streets and spaces*
    - *Optimise town centre accessibility, and reduce pedestrian, vehicle and cycle conflicts thus promoting a people-friendly town*
    - *Encourage long-term planning for public transport and the roading network to and within the town centre as well as to other neighbouring centres, including rail.*
  - The **Kaiapoi Town Centre Plan** had its inception in 2008, and as a consequence of the Canterbury earthquake sequence has been overtaken by the District Development Strategy and the Waimakariri Residential Red Zone Recovery Plan. It is currently being reviewed with a Draft Town Centre Strategy out for consultation. The Draft Kaiapoi Town Centre Plan identifies the three ‘mixed use business areas’ introduced through the Waimakariri Residential Red Zone Recovery Plan as needing to be carefully integrated with the Town Centre zoning, and

<sup>30</sup> Waimakariri 2048 District Development Strategy, page 31, Figure 8.

<sup>31</sup> Waimakariri 2048 District Development Strategy, page 31, Figure 9.

<sup>32</sup> Waimakariri 2048 District Development Strategy, page 33, Figure 10.



providing for a range of compatible entertainment, cultural, food and beverage and residential opportunities.

### **2.1.6 Not be inconsistent with a Recovery Plan prepared under s21(c) of the Canterbury Earthquake Recovery Act 2011 and s60(1) Greater Christchurch Regeneration Act 2016**

68. The Waimakariri Residential Red Zone Recovery Plan was gazetted in December 2016. The Plan introduced 8ha of mixed-use business zoning as associated with five Kaiapoi Red Zone regeneration areas (**RZRA**) of which three (Kaiapoi East, West and South) contain Mixed Use zone (**MUZ**). The MUZ contains a number of mechanisms to manage the types of activities that could locate within the MUZ. Dependent on the scale and extent to which retail activities establish within the MUZ would have a consequential effect on the efficacy of the Kaiapoi Town Centre.
69. MEL have identified that no more than 7,500m<sup>2</sup> GFA of retail activity of small scale retail (**SSR**) could be provided for in the MUZ. Any greater would result in substantial effects on Rangiora's retail primacy and also disincentivise the Kaiapoi Town Centre redevelopment<sup>33</sup>.
70. The Recovery Plan identifies the need for enhanced connectivity with the Kaiapoi Town Centre, and the need for the provision of compatible mixed use business at Kaiapoi West Regeneration Area, Kaiapoi South Regeneration Area including carparking and cultural values, and Kaiapoi East including limited town centre growth towards the Kaiapoi River.
71. This area has been included in the capacity (supply side) of this report, with a cap for retail activity at 7,500m<sup>2</sup> GFA. However, the specific provisions for this zone will be considered in a separate work stream to this report.

### **2.1.7 Rules are to achieve the objectives and implement the policies (s75(1)(b) and (c))**

72. Section 75(1) sets out the mandatory elements of a district plan and their relationship to each other:

*A district plan must state:*

- (a) *The objectives for the district; and*
- (b) *The policies to implement the objectives; and*
- (c) *The rules (if any) to implement the policies.*

73. Section 7 of this report outlines an approach to drafting Objectives and Policies that have been used for the draft provisions. In terms of the approach relating to the hierarchy of plans and policy statements, the provisions should not simply 'parrot back' the CRPS requirements. They should seek that these are refined under the lens of the District Development Strategy, LTP, and Waimakariri Residential Red Zone Recovery Plan.

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<sup>33</sup> Market Economics Limited (MEL), 2018. Waimakariri District Business Land Assessment (**Business Land Assessment**). Section 6.5.1

### 2.1.8 *Mahaanui Iwi Management Plan must be taken into account (s74(2))*

74. The Mahaanui Iwi Management Plan (2013) outlines the approach for ensuring that Ngāi Tahu cultural values including but not limited to impacts on freshwater resources, mahinga kai, wāhi tapu, wāhi taonga, cultural landscapes and access are taken into account in Resource Management decision making.
75. The requirement to take into account the Iwi Management Plan is recognised pursuant to s74(2)(c) of the Act. To *take into account* means that the matter must be addressed with weight and is a matter of judgement based on the facts and merits of the issue.
76. The Mahaanui Iwi Management Plan (2013), does not incorporate specific matters associated with the mechanisms to provide for business activities. There are however a number of broader principles relating to settlement urban design, stormwater management, and waipuna (water quality).
77. These matters are more appropriately the focus of the Waimakariri District Council in terms of embedding Tikianga Maori within the District Plan, especially with the requirements of Schedule 1A of the Act, Mana Whakahono a Rohe, to be complied with. It is likewise noted that the draft National Planning Standards include a requirement for a specific District Plan chapter addressing cultural values and how these will be embedded and woven through the District Plan.

### 2.1.9 *In making rules, the territorial authority must have regard to the actual or potential effects on the environment (s76(3)).*

78. The planning argument for managing the distributional effects of diluted commercial retail activity, is based upon the following:
  - (i). *That new commercial players can affect the viability of trading organisations of the same type; and therefore*
  - (ii). *Key business in an existing centre, or the town centre, can be affected to such a degree that the centre's viability will be eroded; and as a result*
  - (iii). *The community will be unable, or disenabled to a significant degree to provide for their wellbeing in this locality.*
79. Effects must be *significant*<sup>34</sup> (but not necessarily ruinous) before they could properly be regarded as going beyond the effects ordinarily associated with trade competition.
80. The issue is not that new retail activity will affect the trading circumstances of organisations of the same type, as these are purely trade competition considerations that the Council cannot consider under Section 74(3) of the Act.
81. The Council should however intervene when the impacts of a proposed activity on similar activities in the marketplace would cause impairment that could lead to a decline in existing physical resources, amenity, transport efficiency and community enablement.

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<sup>34</sup> *NorthcoteMainstreet vs NorthShore City Council* (High Court, CIV-2003-404-5292), Randerson J stated:

*"In regard to shopping centres, I would not, with respect, subscribe to the view that the adverse effects of some competing retail development must be such, as to be ruinous before they could be considered. But they must, at the least, seriously threaten the viability of the centre as a whole with on-going consequential effects for the community served by that centre."* [62]

82. Distributional effects can best be described as the consequence of trade competition taken to a significant scale, where the patterns of support and patterns of commercial activity would change dramatically within a locality. Put another way, such effects would occur where a new business (or cluster of businesses) affects key businesses in an existing centre to such a degree that the centre's viability is eroded, causing a decline in its function and amenity, and disabling the people and communities who rely upon those existing (declining) centres for their social and economic wellbeing.
83. Part 11A as inserted into the Act in 2009 specifically excludes trade competitors and surrogates from registering a statutory interest where the direct basis of that interest would relate to trade competition or the effects of trade competition<sup>35</sup>.
84. Territorial Authorities must clearly enunciate and justify the management of business activities within their respective Districts. Subsequent to the inclusion of Part 11A into the Resource Management Act 1991, there is less ability to rely on interested 'third' parties to polish and test the robustness of policy prior to notification.

## 2.2 The National Planning Standards

85. On 5 April 2019 the National Planning Standards (**Planning Standards**) were gazetted by the Ministry for the Environment (MfE).
86. The purpose of the National Planning Standards is to improve consistency in plan structure, form and content. In particular, the Planning Standards impose a number of mandatory requirements around definitions (and noise and vibration standards) to be utilised in District and Regional Planning documents, as well as impose a very specific format in terms of the structure of plans. The National Planning Standards explicitly set out Chapters and associated numbering of provisions to be drafted.
87. The National Planning Standards set out in Section 8 of the Standard the 'Zone Framework Standard' which establishes a set number of 'zones' that are able to be used within the replacement District Plan. The Planning Standards contain eight possible zones that provide for commercial activities, and activities compatible with commercial environments. Three possible zones are provided for Industrial activities.
88. The Waimakariri District Council is only able to apply the range of 'zones' provided for in the Planning Standards, and is only able to formulate Special Purpose zones, or 'overlays' and 'precincts' as subject to specific requirements. Briefly:

Zones – A zone spatially identifies and manages an area with common environment characteristics or where environmental outcomes are sought by bunding compatible activities or effects together, and controlling those that are incompatible.

Special Purpose zone - An additional special purpose zone can only be created when all of the following criteria are met, being:

- a. The outcomes of the zone are significant to the district, region or country;
- b. Are impractical to be managed through another zone;
- c. Are impractical to be managed through a combination of spatial layers.

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<sup>35</sup> ENV-2011-WLG-000053/54 *General Distributors vs Foodstuffs Properties (Wellington) Limited*

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Overlays – spatially identify distinctive values, risks or other factors which require management in a different manner from underlying zone provisions. They are generally more restrictive than underlying zone provisions. Overlays are usually independent of property boundaries because the identified value, risk or actor determines the extent of the overlay.

Precincts – A precinct spatially identifies and manages an area where additional place-based provisions apply to modify or refine aspects of the policy approach or outcomes anticipated in the underlying zone(s)<sup>36</sup>.

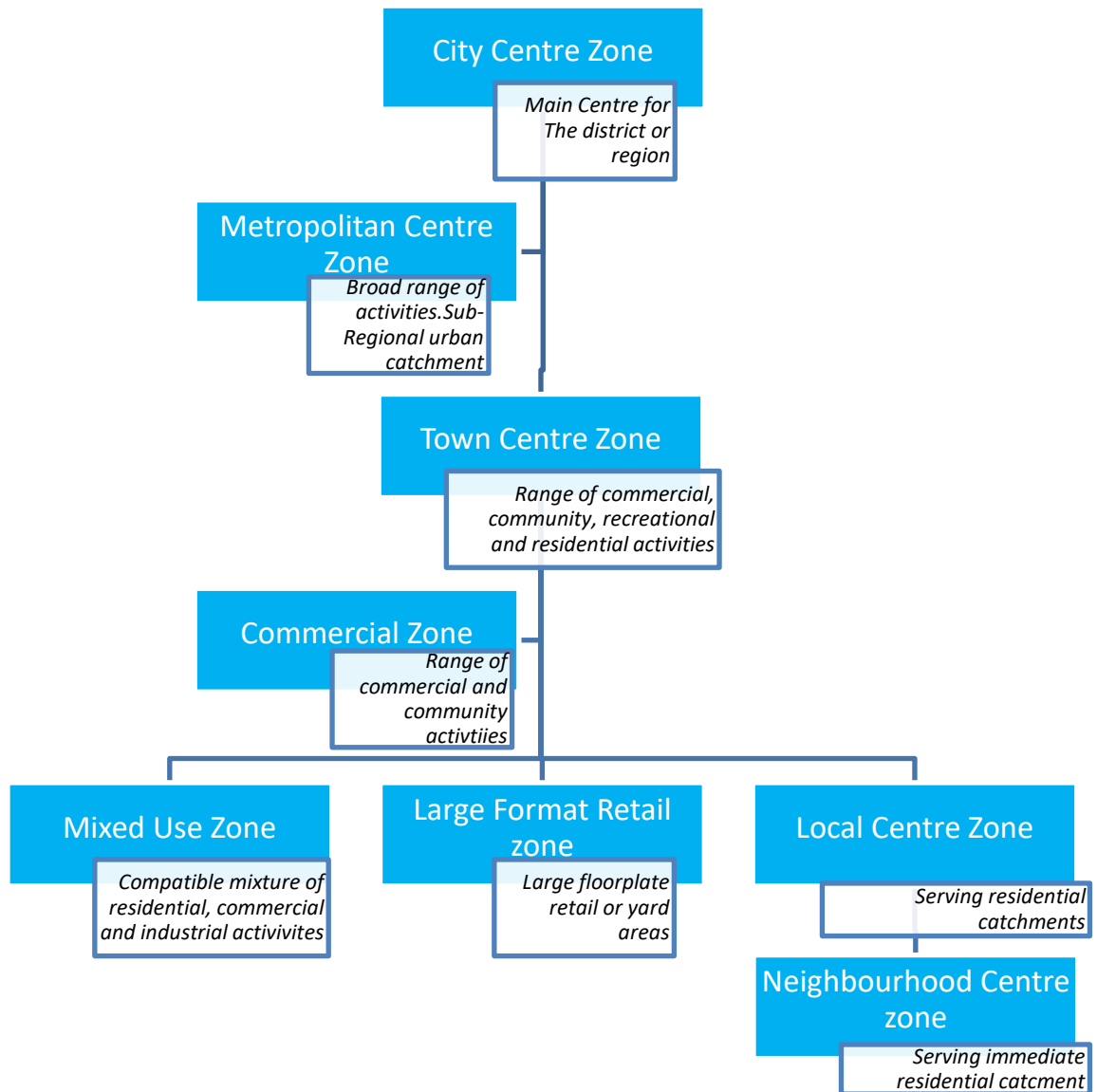
89. Figure 4 sets out the commercial hierarchy (centres hierarchy) as it relates to the Planning Standards in terms of the zones available in revising the Waimakariri District Plan. The full zone description, and built form and activities anticipated (as referenced) are provided in Figure 5. The metropolitan centre zone is to act a focal point for sub-regional urban catchments<sup>37</sup>, and accordingly is not considered to be applicable to Waimakariri District’s centre hierarchy and is not considered further.

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<sup>36</sup> MfE Guidance for Standard 8. Zone Framework Standard [page 2 - 4]

<sup>37</sup> MfE Guidance for Standard 8. Zone Framework Standard [page 9]

Figure 4: Commercial Hierarchy established in National Planning Standards



90. The National Planning Standards set out the prescribed zones and relevant description<sup>38</sup>. These are set out in Figure 5, in conjunction with the amenity, and role and function expectations where these have been able to be obtained by supporting MfE documents, including the Initial Guidance report<sup>39</sup> and submissions to the Draft National Planning Standards:

<sup>38</sup> MfE Draft National Planning Standards (November 2019), page 37.

<sup>39</sup> MfE. Draft National Planning Standards. Initial guidance for draft National Planning Standards. S-ASM Area Specific Matters – zone framework, page 11 – 14.

Figure 5 National Planning Standards: Zones

S-ASM Zone	Purpose, amenity and role and function
<b>Mixed-use zone</b>	<p>Areas used predominantly for a compatible mixture of residential, commercial, light industrial, recreational and/or community activities.</p>
	<p><b>Built form and amenity</b></p> <ul style="list-style-type: none"> <li>- Generally, of low- to medium-rise scale.</li> <li>- Amenity is derived from a mixture of activities and uses in the zone.</li> </ul> <p><b>Activities</b></p> <ul style="list-style-type: none"> <li>- A range of residential, commercial and light industrial activities not favoured over one another (eg, apartments, retail and services).</li> <li>- Commercial and light industrial activities may be managed to an extent, to avoid adverse effects on residents within the zone.</li> <li>- Residential activities may be managed to an extent, due to the potential for reverse sensitivity effects.</li> <li>- Associated activities that support residents and the wider community (eg, health and social services, visitor accommodation, recreation, car parking).</li> </ul> <p><b>Location of zone</b></p> <ul style="list-style-type: none"> <li>- The zone may act as a transition zone between zones that contain more and less sensitive activities.</li> <li>- Typically located around centres and along corridors served by public transport.</li> </ul>
<b>Local commercial zone</b>	<p>Areas used predominantly for a range of commercial and community activities that service the needs of the residential catchment.</p>
	<p><b>Built form and amenity</b></p> <ul style="list-style-type: none"> <li>- Generally low- to medium-rise scale local commercial centres that typically service the surrounding residential catchment.</li> <li>- Amenity features typically include street furniture and public open space.</li> <li>- May be concentrated around a local main street.</li> </ul> <p><b>Activities</b></p> <ul style="list-style-type: none"> <li>- Primarily commercial activities (eg, retail shops, offices, banks, hairdressers, restaurants and cafes, small scale supermarkets).</li> <li>- Associated activities that complement the core commercial and retail development (eg, health and social services, community centres and halls).</li> <li>- May have residential activity on floors above community and/or commercial activities.</li> <li>- The zone may also provide for recreational, community and residential activities.</li> </ul> <p><b>Location of zone</b></p> <ul style="list-style-type: none"> <li>- Often located on a main road and accessible by public transport.</li> </ul>
<b>Neighbourhood commercial zone</b>	<p>Areas used predominantly for small-scale commercial and community activities that service the needs of the immediate residential neighbourhood.</p>

	<p><b>Built form and amenity</b></p> <ul style="list-style-type: none"> <li>– Generally low rise or consistent with surrounding residential neighbourhood built form.</li> </ul> <p><b>Activities</b></p> <ul style="list-style-type: none"> <li>– Primarily commercial activities (eg, retail shops, hairdressers, cafes, convenience shops or small shopping strips).</li> </ul> <p><b>Location of zone</b></p> <ul style="list-style-type: none"> <li>– Generally accessible by walking and/or cycling from the surrounding neighbourhood it serves.</li> </ul>
<p><b>Commercial zone</b></p>	<p>Areas used predominantly for a range of commercial and community activities.</p>
	<p><b>Built form and amenity</b></p> <ul style="list-style-type: none"> <li>– Typically characterised by development of low to medium intensity of built form and concentration of commercial activities.</li> <li>– May include ‘big box’ large format retail.</li> <li>– May have a pedestrian orientation.</li> <li>– There may be associated service areas including car parking.</li> <li>– There may be areas of public open space including parks or squares.</li> <li>– May have a focus on amenity at the boundary with sensitive and adjoining zones.</li> </ul> <p><b>Activities</b></p> <ul style="list-style-type: none"> <li>– May provide for a range of associated community, recreational, residential and visitor accommodation activities.</li> </ul> <p><b>Location</b></p> <ul style="list-style-type: none"> <li>– Often located near a main transport corridor.</li> </ul>
<p><b>Town centre zone</b></p>	<p>Areas used predominantly for:</p> <ul style="list-style-type: none"> <li>• in smaller urban areas, a range of commercial, community, recreational and residential activities.</li> <li>• in larger urban areas, a range of commercial, community, recreational and residential activities that service the needs of the immediate and neighbouring suburbs.</li> </ul>
	<p><b>Built form and amenity</b></p> <ul style="list-style-type: none"> <li>– Typically characterised by medium intensity development.</li> <li>– Associated service areas including car parking, storage and access.</li> <li>– Provision of public spaces including parks or squares.</li> <li>– A focus on pedestrian orientation, public amenity within the city centre and at the boundaries of adjoining zones. Other amenity features include verandas, street furniture and traffic calming.</li> </ul> <p><b>Activities</b></p> <ul style="list-style-type: none"> <li>– This zone is a destination for shopping, entertainment, events, dining and night life, visitor accommodation, arts, culture and tourism activities.</li> <li>– A wide range of community and commercial activities (eg, health and social services, museums, art galleries, libraries, movie theatres, restaurants and cafes, hotels, visitor accommodation).</li> <li>– May have residential activity on floors above commercial and/or community activities.</li> </ul> <p><b>Location of zone</b></p>



	<ul style="list-style-type: none"> <li>– Often located on a main road and accessible by public transport.</li> </ul>
<b>City centre zone</b>	<p>Areas used predominantly for a broad range of commercial, community, recreational and residential activities. The zone is the main centre for the district or region.</p> <p><b>Built form and amenity</b></p> <ul style="list-style-type: none"> <li>– Typically characterised by high-rise, intensive development.</li> <li>– Associated service areas including car parking, storage and access.</li> <li>– Provision of public spaces including parks or squares.</li> <li>– A focus on pedestrian orientation, public amenity within the city centre and at the boundaries of adjoining zones. Other amenity features include verandas, street furniture and traffic calming.</li> </ul> <p><b>Activities</b></p> <ul style="list-style-type: none"> <li>– This zone is the primary destination for retail shopping, entertainment, events, dining and night life, visitor accommodation, arts and culture and tourism activities.</li> <li>– Primarily commercial activities (eg, retail shops, offices, banks).</li> <li>– Associated activities that complement main commercial activities (eg, health and social services, museums, art galleries, libraries, movie theatres, restaurants and cafes, hotels and visitor accommodation).</li> <li>– May have residential activity above community and/or commercial activities.</li> </ul> <p><b>Location of zone</b></p> <ul style="list-style-type: none"> <li>– It applies to areas that are the principal civic, employment and commercial centres for a city and may also be the largest commercial centre within the wider region or sub-region.</li> <li>– Often a focal point for city and regional public transport.</li> </ul>
<b>Large format retail zone</b>	<p>Areas used predominantly for commercial activities which require large floor or yard areas.</p> <p><b>Built form and amenity<sup>40</sup></b></p> <ul style="list-style-type: none"> <li>– Capture the 'large format retail concept'; typically characterised by: <ul style="list-style-type: none"> <li>▪ Large scale footprint retail traders (Large Format Retail activities exceeding 450m<sup>2</sup> GFA).</li> <li>▪ Predominantly accessed by private motor vehicle hence substantial areas of car parking.</li> <li>▪ Open space and landscaping to mitigate adverse effects of car parking, present a moderate level of amenity and urban design to the public realm.</li> <li>▪ Moderate levels of traffic generation.</li> </ul> </li> <li>– Requirements for an appropriate level of amenity at the interface with other zones given public interface.</li> </ul>

<sup>40</sup> The Large Format Retail Park zone was not further defined in the Initial guidance for draft National Planning Standards. S-ASM Area Specific Matters – zone framework. The 'built form and amenities', 'activities' and 'location of zone' are taken from submissions (<https://www.mfe.govt.nz/sites/default/files/media/RMA/2G-zone-framework-standard.pdf>), and application of the zone in the Christchurch District Plan and Auckland Unitary Plan.

	<p><b>Activities</b></p> <ul style="list-style-type: none"> <li>- A range of business activities, including Large Format Retail, Trade suppliers and light industry that may be difficult to accommodate with centres due to their size and functional requirements.</li> <li>- Avoidance of small-scale retail activities.</li> <li>- Restrictions on Supermarkets and Department Stores given the importance of these anchor stores to commercial centres.</li> </ul> <p><b>Location of zone</b></p> <ul style="list-style-type: none"> <li>- Preferably fringe Town Centre, given their traffic generating characteristics and compatibility and agglomeration of commercial activity proximate to existing commercial centres.</li> <li>- Recognition that these activities draw custom from a wide catchment, and predominantly car based so therefore able to also establish in locations more disparate from commercial centres.</li> </ul>
<p><b>Light Industrial zone</b></p>	<p>Areas used predominantly for a range of industrial activities, and associated activities, with adverse effects (such as noise, odour, dust, fumes and smoke) that are reasonable to residential activities sensitive to these effects.</p>
	<p><b>Built form and amenity</b></p> <ul style="list-style-type: none"> <li>- Generally small to medium site sizes and medium to large scale functional buildings.</li> <li>- May be areas of car parking and outdoor storage.</li> <li>- Influenced by the surrounding working environment and may have a range of associated environmental effects (eg, noise, dust, odour, traffic) that may require management.</li> <li>- Limited focus on pedestrians or provision of public spaces.</li> </ul> <p><b>Activities</b></p> <ul style="list-style-type: none"> <li>- Primarily light industrial activities (eg, light manufacturing, production, wholesaling, logistics, storage, warehousing, transport and distribution).</li> <li>- Some associated commercial activities (eg, offices and retail that are part of the industry on the site, convenience stores or cafes servicing workers within the area).</li> <li>- There may be the presence or use of hazardous substances.</li> </ul> <p><b>Location of zone</b></p> <ul style="list-style-type: none"> <li>- The zone may be located near to residential areas</li> </ul>
<p><b>General Industrial zone</b></p>	<p>Areas used predominantly for a range of industrial activities. The zone may also be used for activities that are compatible with the adverse effects generated from industrial activities.</p>
	<p><b>Built form and amenity</b></p> <ul style="list-style-type: none"> <li>- Generally large scale buildings, with extensive expanses of car parking and outdoor storage.</li> <li>- Predominantly moderate to large sites, building scale, and areas of parking, access and storage.</li> <li>- Influenced by the surrounding working environment and may have a range of associated environmental effects (eg, noise, dust, odour, traffic) that may require management.</li> <li>- Limited focus on visual amenity, pedestrians or provision of public spaces.</li> </ul>

	<p><b>Activities</b></p> <ul style="list-style-type: none"> <li>– Primarily industrial activities (eg, manufacturing, processing, production, wholesaling,</li> <li>– Some associated commercial activities (eg, offices and retail that are part of the industry on the site, convenience stores or cafes servicing workers within the area).</li> <li>– There may be the presence or use of hazardous substances.</li> </ul> <p><b>Location of zone</b></p> <ul style="list-style-type: none"> <li>– Good access to transport corridors (eg, main roads, railway lines).</li> </ul>
<p><b>Heavy Industrial zone</b></p>	<p>Areas used predominantly for industrial activities that generate potentially significant adverse effects. The zone may also be used for associated activities that are compatible with the potentially significant adverse effects generated from industrial activities.</p>
	<p><b>Built form and amenity</b></p> <ul style="list-style-type: none"> <li>– Generally dominated by large scale purpose-built utilitarian buildings.</li> <li>– Areas of car parking and outdoor storage.</li> <li>– Influenced by the surrounding working environment and may have a range of associated environmental effects (eg, noise, dust, odour, traffic) that may require management.</li> <li>– Limited focus on visual amenity, pedestrians or provision of public spaces.</li> </ul> <p><b>Activities</b></p> <ul style="list-style-type: none"> <li>– Primarily heavy industrial activities (eg, manufacturing, processing, production, logistics, transport and distribution).</li> <li>– Limited associated commercial activities (eg, offices and retail that are part of the industry on the site, convenience stores or cafes servicing workers within the area).</li> <li>– There may be the presence or use of hazardous substances.</li> </ul> <p><b>Location of zone</b></p> <ul style="list-style-type: none"> <li>– Good access to transport corridors (eg, main roads, railway lines).</li> </ul>

91. There are a number of alignment issues associated with transposing the Operative Plan’s business zones into those prescribed by the National Planning Standards. These are:
- That the zones are established more for application to large metropolitan urban areas such as Auckland, Hamilton, Tauranga and Christchurch.
  - By way of example a City Centre zone is not directly applicable nor intended to apply to larger satellite suburban centres, yet neither does the Town Centre zone adequately reflect the full range of civic, cultural and functional diversity that would occur in centres such as Rangiora.
  - There is an absence of a rural processing zone that would accommodate freezing works, timber mills, dairy factories and similar large-scale industrial activities associated with processing rural produce and that are often located in rural areas some distance from urban centres. The Sefton timber plant is a local example.

### 2.3 Summary of Higher Order Documents

92. Aggregating the approach to the management of business activities as identified in the statutory hierarchy is as follows:

- The approach needs to align with the Waimakariri District Council's functions under the Act and other instruments (**Attachment A**);
- Ensure that processes (and provisions that drive processes) are timely, efficient and cost effective, are proportionate to the functions being performed, and that plan drafting is clear and concise (Section 18A);
- When reaching a conclusion as to which provision is the '*most appropriate*' the requirements of s32, having regard to the efficiency and effectiveness of the provision is to be considered. '*Appropriate*' means suitable, there is no need to place a gloss upon the word by incorporating that it be superior<sup>41</sup>.
- The outcomes expressed in the NPS-Urban Development Capacity are *to be given effect to*. The approach by Waimakariri District is to apply the medium- high growth requirements to the District. Based on the operative District Plan zoning there is:
  - i. Surplus **Industrial land** to meet demand to 2033, with 161ha zoned and serviced, and demand for 76.8ha;
  - ii. In **Rangiora**, capacity to provide for 19,300m<sup>2</sup> of GFA for core retail development (excluding vacant potential supply), but a demand for 30,400m<sup>2</sup> GFA, providing a shortfall of Business 1 and 4 zoned commercial land to 2033 of 11,200m<sup>2</sup>.
  - iii. In **Kaiapoi**, capacity to provide in 5,000m<sup>2</sup> of GFA for core retail in Kaiapoi if no vacant potential land is converted to commercial uses, albeit with a demand for 9,600m<sup>2</sup> GFA. There is however, some 7,500m<sup>2</sup> GFA of SSR potential within the Kaiapoi MUZ, and some 18,800m<sup>2</sup> GFA in the Smiths Street Business 5 zone (which if developed for LFR would provide supply for a wider catchment than just Kaiapoi).
  - iv. There is a surplus of zoned land in other parts of the District, albeit that zoned capacity (Pegasus) is not allocated to an appropriate Key Activity Centre (Ravenswood) and accompanying projected household growth.
  - v. Some 53% of the demand for core retail is in the large format retail market.
- The outcomes specified in the CRPS are *to be given effect to*, for business activities this includes:
  - i. Commercial development being primarily directed to Key Activity Centres, being Rangiora, Kaiapoi and Ravenswood (being the main centre for Ravenswood/ Pegasus/ Woodend).
  - ii. Trade Suppliers as a commercial activity which do not support commercial centres and are incapable of distributional effects should be provided for outside of commercial centres.
  - iii. Urban business development in small settlements such as Oxford are to remain consolidated around or otherwise integrated with existing settlement patterns;

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<sup>41</sup> *Rational Transport Soc Inc vs New Zealand Transport Agency* [2012] NZRMA 298(HC)

- iv. Business activities and opportunities are enabled as appropriate, where these are consistent with the amenity and character of existing urban areas, and to encourage self-sufficiency and efficient transport patterns;
- v. Conflicts between incompatible activities are avoided.
- *Regard* is to be had to management plans and strategies such as the Waimakariri District Development Plan, LTP, and the Woodend and Pegasus Strategies, which for the later identifies Ravenswood as the Key Activity Centre servicing Ravenswood-Woodend-Pegasus, and for the former identifies the expansion of the Town Centre zones at Rangiora and Kaiapoi, with Rangiora being afforded primacy in the hierarchy of centres.
- The Plan provisions are not to be *inconsistent* with the Waimakariri Residential Red Zone Recovery Plan which identifies the provision of compatible mixed use areas in Kaiapoi.
- The zones and framework as pre-scribed by the National Planning Standards gazetted in April 2019.

## 3.0 Operative Waimakariri District Policy Review

### 3.1 Urban Growth

93. The urban growth policy direction focusses on new urban growth areas. Growth is to primarily avoid locations subject to constraints such as high natural hazard risk, high landscape, ecological, or cultural values, effects on strategic infrastructure, or locations that cannot be efficiently serviced by network infrastructure and roading.
94. Of relevance to Business activity is the policy direction that urban growth should ‘avoid or mitigate significant adverse effects on the form and function of the Business 1 Zones including their role as a dominant community focal point within the four main towns’ (**Policy 18.1.1.1(i)**). Clause (u) of this policy seeks to ‘enable local communities to be more self-sustaining’. This policy is the key guiding provision when considering plan changes or out-of-zone resource consent applications.
95. The District Plan explanation for the above generally non-directive approach to urban growth is informative as follows:

*“Policy 18.1.1.1 provides for change by allowing landowners to identify sites and circumstances where existing plan provisions no longer provide for their resource management expectations for land. The Resource Management Act 1991 allows private requests for changes to plans. The Council considers that this policy is an effective approach to growth and development. It is focused on the promotion of sustainable management. It will allow each plan change proposal to be argued on its individual merits rather than require the District Plan to anticipate the type of development, its location, and effects, for the next 10 years.*

*The Council has chosen for the District Plan not to allocate choices between landowners in terms of land use. The policy does set out those local environmental matters that proponents of change must address; the choices for environmental outcomes belong to the District Plan, not the landowner. This fits with the purpose of the Resource Management Act 1991, and the Council’s functions. It ensures that, in relation to the biophysical and social make-up of the District, future resource management options are tested against statutory and local matters that underpin sustainable management of natural and physical resources”.*

96. **Policy 18.1.1.3** seeks to manage the potential for reverse sensitivity to arise by controlling any proposals for extensions to existing zones or new zones where this would create conflict with already established activities i.e. to limit sensitive activities from locating near to existing industrial areas.
97. **Policy 18.1.1.4** seeks to limit the Kaiapoi urban area to within its southern, south western and western boundaries existing at 20 April 2015. **Policy 18.1.1.11** relates to Pegasus and of relevance seeks the development of a convenient and attractive commercial and community centre of the town which provides the social and business focus for the town (Clause (o)).
98. **Policy 16.1.1.1** seeks to recognise and provide for several Business Zones with differing qualities and characteristics to meet the needs of the community. This includes avoiding the loss of business activities to elsewhere in the towns, the district, or to Christchurch i.e. the policy seeks to focus new business activity within existing business zones and to avoid the leakage of such activity to Christchurch.

### 3.2 Commercial Outcomes

99. **Objective 15.1.2** and **Policy 15.1.2.1** seek to recognise the role of KACs in Rangiora and Kaiapoi as significant concentrations of business activity and cultural and community infrastructure. The B1 zones in Rangiora and Kaiapoi are to be the primary employment and civic destinations. Commercial tenancies that fulfil a retail anchor function are to be provided for in KACs. **Policy 16.1.1.1** likewise seeks to ensure that the town centres remain the dominant location and focal point for business, social, cultural, and administrative activities.

100. **Policy 16.1.1.2** looks to encourage the establishment of business activities more generally, provided that such establishment avoids adverse effects on the function and viability of KACs and takes into account the ability to accommodate the activity within KACs, the potential for significant distributional effects, and any urban form and transport network effects.
101. **Objective 16.1.2** and associated **Policy 16.1.2.1** seeks to provide for the intensification of activities and the comprehensive development of sites within the Rangiora KAC in a manner that is consistent with an Outline Development Plan that has been prepared for this area.
102. **Policy 16.1.1.3** sets out the urban design outcomes anticipated in the Business 1 zones, consistent with providing high quality, attractive town centres. This policy includes the following rationale for the B1 zone:

*The Business 1 Zones are located within the centre of the District's main towns and provide the dominant focal point for the business sector for the towns and their surrounding areas including the Rural Zones. The dominant activities that occur in the town centres are business, retail, administrative, recreational, entertainment and service orientated. The amenity, environmental quality and built form of the town centres arises from the appropriate management of buildings and public spaces, including the transport network as well as the mix of activities that locate there. Policies 16.1.1.3 and 16.1.1.4 recognises and provides for the role of the town centre as the focal point for the community and seeks to ensure town centre amenity, built form design and environmental standards that are compatible with business, retail, and service activities while at the same time providing a pleasant, attractive, and safe environment for the community.*

103. **Policy 16.1.1.8** relates to the Business 4 zones and seeks to recognise and provide for specific sites that enables the existing activity to continue, but with limited provision for future expansion.
104. High standards of urban design in central Rangiora are sought through **Policy 12.1.1.6**.
105. Located within the Chapter of Health and Safety is the following **Policy 12.1.1.19** that relates to the management of retail activity within the Land Use Recovery Plan greenfield priority areas (which cover both greenfield business and residential zones adjacent to the main townships):

*Policy 12.1.1.19*

*Manage retail activity within Land Use Recovery Plan greenfield priority areas in a way that:*

- a. avoids adverse effects on the viability of Key Activity Centres;*
- b. provides for local retail centres limited in distribution and scale and demonstrates adherence to urban design Principles;*
- c. provides for future urban development options by avoiding retail activities within the Rural Zones;*
- d. enables home occupations where ancillary to a residential purpose;*
- e. recognises the role of community facilities within residential neighbourhoods;*
- f. ensures commercial and industrial activities are the primary Business 2 Zone activities;*
- g. provides for retail activities within the Business 4 Zones;*
- h. ensures office activity is located within Key Activity Centres by avoiding office activity, other than ancillary office uses, within Residential, Business 2 and Rural Zones.*

106. It is considered that the policy direction is a little confusing. The opening statement relates solely to retail activity within greenfield priority areas, yet clause (c) seeks to avoid retail activities in rural zones, clause (f) seeks to ensure that commercial and industrial activities are the primary Business 2 Zone activities, yet clause (h) seeks to avoid office activity in the Business 2 zones. Office activity is also sought to be avoided in the rural and residential zones which appears to go well beyond the scope of the policy's opening line.



### 3.3 Industrial Outcomes

107. The explanation and reasons for **Policy 16.1.1.1** provide a helpful summary of the outcomes anticipated in the more industrial Business 2 zones as follows:

*The Business 2 Zone covers those industrial and commercial areas which are characterised by large-scale buildings, low density of development and industrial type activities. These areas range from the pockets of business activity such as in Newnham Street in Rangiora, or the Kaiapoi Mill, to larger industrial enterprises such as sawmills and engineering works at Ohoka Road, or mixed commercial and industrial activities at Southbrook.*

*Activity and development standards for the Business 2 Zone reflect the predominantly industrial environments and outcomes which exist and are enabled in the future. While it is generally inappropriate for the purposes of the Resource Management Act 1991, to distinguish between different types of activity in any zone, performance standards in the Business 2 Zone seek to discourage those activities which may potentially give rise to significant pedestrian movements between land uses and for which the roading layouts and environments in this zone are unsuited.*

*Retailing in the Business 2 Zone is intended to cater for such activities with potential environmental effects unsuited to a town centre location, or which are conducted in conjunction with a primary activity. New development which contains retailing will be assessed to ensure that significant adverse effects on the town centres are avoided, remedied or mitigated. The District Plan's provisions are not intended to stifle economic growth, prevent trade competition, or to promote the use and development of poorly located, managed or designed commercial or industrial activities by restricting new activities elsewhere. Such an outcome as this could reduce community choice, convenience and the range of locally available services and facilities.*

108. **Objective 15.1.2** seeks to only provide for limited retail activities in the B2 zones to be supportive of KACs. **Policy 16.1.1.6** likewise looks to provide for a variety of industrial and discrete commercial activities within the B2 zones.
109. **Policy 16.1.1.9** relates specifically to the Business 5 zone on the edge of Kaiapoi, with this zone to provide for a range of trade supplier and large format office activities, with other retail activities limited to those that support the first two primary functions e.g. convenience food and beverage outlets. Other retail activity is not to have the potential to compromise the role and function of the Rangiora and Kaiapoi KACs and is specifically to avoid retail activities with a character and function provided for or anticipated by the Business 1 or 4 zones.

### 3.4 Rural Outcomes impacting on Business

110. **Objective 14.1.1** is to maintain and enhance both rural production and the rural character of the Rural Zones. This objective is supported by **Policy 14.1.1.2** which is to maintain the continued domination of the Rural Zones by intensive and extensive agricultural, pastoral and horticultural land use activities.
111. **Objective 14.5.1** seeks to facilitate the rebuild and recovery of Greater Christchurch by directing future developments to existing urban areas, priority areas, identified rural residential development areas and MR873<sup>42</sup> for urban and rural residential activities and development. Related **Policy 14.5.1.1** seeks to avoid new residential and rural residential activities and development (with the term 'development' potentially applying to business activities) outside of existing urban areas and

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<sup>42</sup> MR873 is a Maori Reserve block centred around the settlement of Tuahiwi between Rangiora and Woodend

priority areas within the area identified in Map A of the CRPS, rural residential development areas identified in the Rural Residential Development Plan, and MR873.

112. The Operative Plan has historically provided little clear direction regarding the management of urban activities wishing to establish in rural zoned areas. Such activities at an individual lot basis could generally demonstrate that the wider rural character and predominance of pastoral activities were being maintained. This non-directive approach was consistent with the non-directive effects-based urban growth provisions set out above.
113. Following the Canterbury Earthquake sequence, **Objective 14.5.1** and **Policy 14.5.1.1** were inserted into the District Plan as an action under the Land Use Recovery Plan. These recent additions to the Plan's policy framework help to align the District Plan with the very directive provisions that were inserted into the CRPS through Chapter 6 following the earthquakes. These recent additions now set a high consenting policy hurdle for urban activities or 'development' seeking to establish in rural areas unless a clear nexus can be demonstrated with regards to the proposed activity supporting rural land uses.
114. For the balance of the District outside of the Greater Christchurch area the Plan retains a reasonably enabling and non-directive policy framework regarding the establishment of business activities in rural areas.

### 3.5 Residential Outcomes impacting on Business

115. **Objective 17.1.1** and associated **Policies 17.1.1.1** and **17.1.1.2** seek to recognize and provide for a range of residential zones reflecting differing living environments. In summary, the residential zone framework and expectations regarding non-residential activities are as follows:
  - **Residential 1** is a higher density zone (in a Waimakariri context) and as such is located adjacent to the main town centre B1 zones. Anticipated non-residential activities include schools, limited commercial, reserves, churches, and service-related businesses.
  - **Residential 2** is the main general suburban zone that covers most of the District's residential areas. Anticipated non-residential activities include schools, local shops, reserves, churches, and places of assembly.
  - **Residential 3** covers the various coastal batch and Tuahiwi settlements. Anticipated non-residential activities include churches, reserves, local shops, and camping grounds, with a mixed use centre in Tuahiwi focusing on community facilities, convenience retail, recreational and business opportunities.
  - **Residential 4** and associated zone variants covers large lot rural residential environments. No non-residential activities are anticipated.
  - **Residential 5, 6, and 7** cover new greenfield areas with tailored site-specific rule packages. No non-residential activities are anticipated in the Residential 5 and 7 zones (although the R7 zone includes a small B4 zoned area). In Residential 6 anticipated non-residential activities include schools, local shops and service-related businesses, reserves, and community facilities.
116. The zone descriptions anticipate a degree of non-residential activity, with this enablement balanced against the anticipated residential character and amenity outcomes which can assist in the management of any larger non-residential proposals. Overall, there is minimal policy direction regarding the management of non-residential activities in residential zones.

### 3.6 Policy Framework Summary

117. The relevant policies concerning business activity are primarily located within policy chapters on Health, Safety and Wellbeing (Chapter 12), Urban Environments (Chapter 15), and Business Zones (Chapter 16). The somewhat fragmented structure of the Plan's policy framework makes easy summarisation and identification of a clear policy direction challenging.
118. Structurally, key policies such as **12.1.1.19** are located as an isolated provision under an Objective that on its face has little relationship to the policy, and in a chapter relating to health and safety rather than business zoning or urban growth. As an overall package, the District Plan appears to provide the following direction regarding business activities:
- (i) Urban growth is to occur in a locations where adverse effects are managed across a range of topic areas. The Plan does not provide specific direction as to the location or nature of activities, with plan changes and resource consents to be considered on their individual merits..
  - (ii) The Plan seeks to be enabling of a wide range of business activities, with specific reference to making the District more self-sufficient and to avoid businesses having to locate in Christchurch due to a lack of opportunity in Waimakariri.
  - (iii) Whilst being enabling and relatively non-directive in terms of business location, the District Plan nonetheless has a strong 'centres-based' approach to managing the distribution of commercial activity. The KACs are to be the primary focus of commercial and community activities, and commercial activity seeking to establish outside the KACs needs to be able to demonstrate that it will not have a significantly adverse distributional effect to the existing centres. There is therefore a degree of internal tension between the general urban growth policy direction and the more specific direction regarding supporting KACs. This tension is in part a product of the KAC provisions having been inserted as a post-earthquake action to support the badly damaged town centres of Rangiora and Kaiapoi.
  - (iv) The Business 1 zones and KACs are to achieve good levels of urban design consistent with the delivery of a high quality town centre experience.
  - (v) Small-scale suburban convenience retailing is provided for to a limited extent through the Business 4 zone, with this zoning recognising existing activity whilst providing only limited scope for expansion.
  - (vi) Industrial activity is to be enabled primarily within the Business 2 zones, with retail limited to that which is ancillary to industrial activity i.e. factory shops, or provides a local convenience role for workers such as cafes. Trade Suppliers are also typically excluded. Retail activity is otherwise directed to locate within the KACs.
  - (vii) Site-specific provision is made for a trade supply and large floorplate office park in the Business 5 zone on the edge of Kaiapoi. The Plan is directive that retail or other activities that would reflect the outcomes sought in the Business 1 zones are not to occur in this zone.
  - (viii) Amenity effects relating to matters such as noise, glare, traffic generation, and the use of hazardous substances are to be in accordance with the character of the zone the activity is located within or immediately adjacent to.

- (ix) In the rural zones, urban development is to be avoided in the Greater Christchurch portion of the District. In the balance of the District the policy framework is more enabling, provided rural character and amenity is maintained.
- (x) In the Residential zones, a degree of commercial and community activity is broadly anticipated in the zone descriptions of the predominant Residential 1 and 2 zones. There is generally little direction provided at a policy level regarding the management of non-residential activities in residential zones.

## 4.0 Operative Waimakariri District Regulatory Rules Review

### 4.1 Business Zones

- 119. The District Plan has a number of Business Zones. For the purposes of the District Plan Review, the two key zones are the B1 (primarily commercial) and B2 (primarily industrial) zones.

### 4.2 Key rules

- 120. The below commentary is intended as a broad summary of the key rules controlling business activities. It is not intended to be a comprehensive itemisation of every rule that might be triggered by a business proposal, noting in particular that as an 'effects-based' Plan, a lot of the controls on activities are related to matters such as building bulk and location, noise, traffic, signage etc.

#### Business 1 zone:

- Bus 1(i). Urban design provisions (built form standards) apply for Principal shopping street frontages in Rangiora, Kaiapoi, and Oxford - 31.21.1.1
- Bus 1(ii). Any design that does not meet the above rule becomes fully discretionary under 31.24.1
- Bus 1(iii). Any building in the KACs and the Oxford B1 zone that has a net floor area of more than 450m<sup>2</sup> or is located on a site with a road frontage of more than 20m is a fully discretionary activity in terms of both building design and the nature of the proposed activity – 31.24.2.
- Bus 1(iv). As a discretionary activity, any new local retail centre that is proposed to establish in new residential greenfield growth areas is limited to a maximum retail area of 1,500m<sup>2</sup>, any single tenancy to no more than 450m<sup>2</sup>, and is in a growth area larger than 10ha – 31.27.3. Proposals that exceed these limits become non-complying.
- Bus 1(v). Limits on providing on-site carparking on Principal shopping streets in order to achieve urban design outcomes. Proposals that seek to provide on-site parking are a non-complying activity – 30.10.3.

#### Business 2 zone:

- Bus 2(i). Industrial and warehouse activity are permitted.
- Bus 2(ii). Any retail activity in the B2 zone shall not exceed 20% of the net floor area of the sum of all buildings on any site – 31.21.1.8. Where a B2 zone is a new greenfield priority area retailing is limited to 20% of NFA OR 100m<sup>2</sup>, whichever is the lesser (31.26.1.2).
- Bus 2(iii). Goods retailed from any site in the B2 zone shall be limited to those produced and/or processed on the site including ancillary products or goods 31.21.1.9. These two rules are designed to provide for ancillary factory shops, whilst not providing for general retail activity.

- Bus 2(iv). Note the B2 area that is located within the Rangiora KAC (that is the location of ‘the Warehouse’ and other large format retail) is exempt from the above two rules limiting retail (31.21.2.1).
- Bus 2(v). If a proposal does not meet the above retail rules then the consent has a fully discretionary status – 31.24.1.
- Bus 2(vi). It is noted that the definition of ‘retail activity’ means “*any land, building, or part of a building on or in which goods, or services are displayed, sold, or offered for sale or hire direct to the public*”. Council officers have consistently interpreted this to include trade or yard-based retailing. It is also considered by Council officers to include any office-based activity that is offering a service direct to the public such as banks or travel agents. The inclusion of ‘services’ has also been extended to capture activities such as self-storage units where the activity offers a ‘service’, namely somewhere to store household items, to the public.
- Bus 2(vii). Stand-alone offices are permitted in the B2 zone, provided they do not have a direct customer service element and thereby avoid getting caught under the retail rules.
- Bus 2(viii). Greenfield B2 zones have offices as a non-complying activity, other than where they are ancillary to a retail activity - 31.28.3. Note somewhat strangely this rule would appear to inadvertently catch offices that are ancillary to industrial or otherwise permitted activities. The greenfield rule has been introduced into the Plan more recently as a post-earthquake response and presumably as an acknowledgement that new B2 zones are not considered to be suitable for stand-alone office activities.

#### **Business 4 zone:**

- Bus 4(i). No limitations on retail or office activity (noting that scale is primarily managed by the small size of such zones);
- Bus 4(ii). Site-specific rule package is in place for the B4 west Kaiapoi growth area (31.27.2) and Mandeville B4 zone.

#### **Business 5 zone:**

- Bus 5(i). Retail activity limited to trade suppliers; or
- Bus 5(ii). Food and beverage outlets where the total net floor area in the zone does not exceed 2,000m<sup>2</sup>; or
- Bus 5(iii). 20% of the net floor area of the sum of all buildings on any site – 31.21.1.10
- Bus 5(iv). Any office is limited to singular or agglomerated office activities where the minimum net floor area of any single tenancy is not less than 120m<sup>2</sup> and the total aggregated net floor area of offices in the zone does not exceed 1,500m<sup>2</sup>. Offices associated with and ancillary to any permitted activity on the same site are also permitted – 31.21.1.11.
- Bus 5(v). Any retail or office activity not meeting the above two rules has a non-complying status – 31.25.1.

### **4.3 Operative Business Rule framework summary**

121. There appears to be a degree of disconnection between the policies and the rules.
122. The policy framework is strongly directive that new commercial activity should be focused into the KACs/ B1 zones, yet the 450m<sup>2</sup>/ 20m frontage rule for new buildings in these zones means that a large proportion of new and anticipated activity in the B1 zones will need consent as a fully discretionary

- activity in order to establish. Where on-site parking is sought on a site with frontage to an identified principal shopping street then the activity is non-complying.
123. This approach is inconsistent with the application of a discretionary activity status applied to a retail business seeking to establish in the B2 zone where such are discouraged at a policy level.
  124. Surprisingly, office development is permitted in the B2 zone, yet is likely to again be fully discretionary in the B1 zone given the building size rule. Such an approach is inconsistent with the expectations of the policy framework.
  125. Trade Based Retail and yard-based suppliers is permitted in the B1 zone (subject to the 450m<sup>2</sup>/ 20m frontage rule), yet is not generally compatible with the urban design outcomes sought at a policy level and through the built form rules for the B1 zones.
  126. Conversely, trade and yard-based suppliers are subject to the fully discretionary retail rule in the B2 zone.
  127. The B5 zone in Kaiapoi is therefore the only zone where Trade Based Retail and yard-based suppliers is readily provided for in terms of the rule framework. In practice, and from site-visit observations, it appears that numerous resource consents have been granted for trade and yard-based activities in the B2 zone, which is possibly a reflection of a general acknowledgement that the B2 zone is an appropriate location and that the effects of such activities are acceptable in terms of both amenity and retail distribution.
  128. Large format retailing (as opposed to trade suppliers) is not provided for as a permitted activity anywhere. In the B1 zone it will be subject to the 450m<sup>2</sup>/ 20m frontage rule and in the B2 zone the retail rule. It is therefore fully discretionary in both zones which at an activity status level does not indicate a preference between the two zones. A new Pak 'n Save supermarket has recently established in the B2 zone in Rangiora, along with several other large format, non-trade retailers.
  129. It is noted that retail (or office) activities are also fully discretionary in the Rural Zones. It again seems somewhat incongruous that a proposal to establish 500m<sup>2</sup> of shops in the B1 zone in a KAC has the same activity status as that same activity locating in a rural zone, given the markedly different policy direction on retail locations.
  130. Small scale retailing and service activities are provided for in specific locations in the existing suburban areas through the B4 zone, and are likewise anticipated as part of any large greenfield growth areas as a means for providing for convenience needs whilst not threatening the role of KACs.

#### 4.4 Rural & Residential Zone Rule framework affecting Business

131. The Operative District Plan has an effects-based philosophy. The rule package does not therefore control activities per se.
132. The rule package instead is designed to manage the effects of activities and therefore the key rules controlling activities in the rural or residential zones are the limitations on retailing and traffic generation.
133. Rules controlling matters such as noise, glare, and signage may also trigger the need for consent from proposed business activities seeking to establish in rural or residential zones. As noted above, the definition of 'retail activity' means "*any land, building, or part of a building on or in which goods, or services are displayed, sold, or offered for sale or hire direct to the public*". This definition has in



practice been interpreted broadly and as such captures a wide range of activities that might not typically be thought of as 'retailing'.

134. **Retail controls:** Retail activity in the Rural and Residential Zones is limited to not exceeding 20% of the net floor area of the sum of all buildings on a site (rule 31.21.1.8) AND such goods are to have been produced or processed on the site (rule 31.21.1.9). Any retail activity that does not meet these standards requires consent as a fully discretionary activity under rule 31.24.1. Whilst Council's discretion is therefore unlimited, the Plan nonetheless sets out a series of matters that decision makers should have regard to. These matters include a number which explicitly address effects on KACs and the Centres-based policy framework.
135. It is noted that a very small area of Residential 1 and 2 zoned land is located within the Rangiora and Kaiapoi Key Activity Centres in which case they are exempt from the above limitations on retailing (31.21.2.1). This exemption in essence enables these areas to transition over time to more commercial uses, albeit that they are still likely to require a resource consent due to the traffic rules discussed below. In practice the exemption makes little on-the-ground difference as the Res 2 area south of The Warehouse retail area is developed as a back of house service area for the development (under resource consent) and the Res 2 area fronting Queen Street is held by Council as a park. It is also noted that a number of sites in the Rangiora town centre with a B1 zoning are currently occupied by residential dwellings.
136. Within new residential greenfield priority areas, retailing is provided for as a permitted activity if less than 50m<sup>2</sup> of retail area (31.26.1.1, or via a fully discretionary resource consent (31.27.3) as a 'Local Retail Centre' which is broadly commensurate with a Business 4 zoning. If any of the below criteria are not met then the activity becomes non-complying. Local Retail Centres are:
- to be shown as part of a comprehensive development of the wider area;
  - limited to a maximum of 1,500m<sup>2</sup> retail area per priority area;
  - no single tenancies can be larger than 450m<sup>2</sup>;
  - are to be located within a greenfield Residential zone;
  - are to be located within a priority area that is larger than 10ha; and
  - are to be located on a collector or higher order road.
137. **Traffic controls:** Any activity in a residential zone that generates the need for two or more carparks under the Plan's transport rules (excluding parks associated with a dwelling) trigger the need for a restricted discretionary consent under rule 31.23.1. In the Rural zones the trigger is 10 or more on-site spaces, again excluding any associated with a dwelling (rule 31.23.2). Activities generating more than 250 movements per day in any zone are also a restricted discretionary activity under 31.23.3.
138. Whilst such consents are restricted discretionary, the matters to which Council has restricted its discretion are broad and extend beyond what would commonly be thought of as transport matters. The assessment matters include for example effects on the characteristics of residential and rural zones and effects on the form and function of the urban environment.
139. In practice, the combination of a broad interpretation of the definition of retail and associated services, combined with broad assessment matters for activities that generate relatively low levels of parking demand, provide the regulatory pathway for Council to consider wider matters relating to urban form, character, and retail distribution.



## 5.0 REVIEW OF OTHER DISTRICT PLANS

140. The District Plans of nearby Canterbury Territorial Authorities have been reviewed to identify if there are common regulatory approaches to managing business issues, and to determine whether the Operative Waimakariri District Plan approach is markedly out of step with contemporary practice.
141. In undertaking this review, given the multitude of zones across the various District Plans, the focus has been on the rule packages for town centre commercial zones and general industrial zones. It is noted that for industrial zones there are often additional rules that apply to recent greenfield rezoned blocks to ensure interface issues are managed through techniques such as bunding, landscaping, and building setbacks.
142. The regulatory approaches for a range of District Plans are summarised in **Attachment D**. This review has highlighted a reasonably consistent approach to the need for a standard set of built form standards such as controls on height, building setback from road and internal boundaries, recession planes along residential zone interfaces, and landscaping along road frontages.
143. Within commercial town centre contexts, the rule frameworks typically seek buildings to be built to road boundaries with verandas and minimum percentages of glazing. Urban design assessments apply in Christchurch centres and in the Selwyn Key Activity Centres, with specific additional controls along identified key pedestrian frontages.
144. Whilst the broad scope of regulatory controls is similar, there is some variation within specific standards e.g. the distance of required road boundary setbacks or the extent of landscaping. Such differences may reflect differing built outcomes sought by the various communities, and to a certain extent are also possibly reflective of the need to 'draw a line in the sand' with a degree of arbitrariness wherever that line is fixed.
145. In developing the proposed built form standards, regard has been had to the Operative District plan standard. These standards have generally been retained unless there is observational evidence from site visits or feedback from Council's enforcement and consenting teams that the environmental outcomes are unacceptable or where the matter has been the subject of careful consideration through recent second-generation district plan reviews and there is a carefully established body of evidence (or hearing decision) justifying a different standard.

## 6.0 Recommended Approach

### 6.1 Applying the higher order statutory requirements – The Principles

146. Application of the higher order documents requires an approach in the replacement Plan objectives that:
- Recognise that the Town Centres (as zoned Business 1) will continue to reinforce and strengthen their role and function as the primary commercial, retail, recreational, cultural and entertainment centre for the District, Rangiora should be afforded clear primacy in the hierarchy of centres in *having regard* to the District Development Strategy.
  - Maintain and enhance the character and amenity of the Town Centres, with commensurate requirements in terms of design and amenity where these do not detract from investment.
  - A distribution, scale and form of business activity which differentiates and manages various types of business activities both on the basis of the nature of the activity, and the potential local and strategic effects of their operations. Such activities are to be enabled to locate within particular zones, principally the Town Centres (Business 1) and Industrial Environment zone (Business 2), at a scale and with standards which reflect the zone locations and roles.
  - A distribution, scale and form of business activity which discourages establishing retail and office activity outside the Town Centres (Business 1) where this will create dispersed commercial activity to the detriment of the efficient operation, function, viability and sustainability of the district's town centres, although recognising the provision for Large Format (Business 5) and convenience retail (Business 4).
147. Supporting policies include the following Principles:
- To provide for varying levels of commercial activity both within and beyond identified Town Centres (Business 1), to meet the community's social and economic needs, recognising the differences in commercial activities – such as convenience retail (Business 4), Trade and Yard Based retail (Business 2), and Large Format Retail (Business 5).
  - To consolidate retail and office activity within the Town Centres (Business 1) to encourage redevelopment and intensification of town centre properties.
  - Encourage redevelopment of existing properties in a way that consolidates and diversifies the range of activities while maintaining an appropriate scale of development.
  - Recognition of the specific attributes associated with the Business 3 and Business 6 zones.
148. Spoken plainly<sup>43</sup>, the integrated provisions should:
- Direct retail and commercial activity to the town centres;
  - Make it more difficult for new retail and office activity to occur in the residential, rural or Business 2 zones (Industrial General, or Industrial Heavy);

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<sup>43</sup> Section 18A of the Resource Management Act 1991.

- Take a long term approach for industrial development, allowing the market to determine how and when it occurs, and provide limited scope for retail development to occur in that industrial zone as largely limited to Trade Based retail and Yard Based suppliers; and
  - Provide a framework for the management and distribution of business activity throughout the Waimakariri district, and for integration with infrastructure, the transport network, and residential environments.
149. The rule status of specific activities and associated policy wording are to be carefully considered. Given the event that the growth of Waimakariri is much faster than the already high projections, and the town centres are functioning and performing effectively, thought needs to be considered as to the appropriate mechanism for enabling additional supply – simply a policy approach associated with ‘avoidance’ of commercial activities outside of commercial centres and commensurate application of ‘non-complying’ status could be heavily disputed through the submission and hearing process.
150. Recent Environment Court decisions<sup>44</sup> have illuminated the care that needs to be applied to such a policy response. In terms of the former, the Court in grappling with the issue of scarce business zoned land and application of the NPS-UD(C) stated:

*“Since a policy to avoid other activities in an Industrial zone cannot be said to promote efficient use of urban land or limit adverse effect on competition in real estate, we hold that the ODP cannot be said to anticipate the NPS”. [46]*

*“This is not to say that a policy cannot provide that non-industrial activities must be avoided in industrial zones but we would expect there to be a comprehensive analysis (including under section 7(b)) before such a draconian step was taken”. [162]*

For the latter, the Court was contending with an activity which generated immaterial adverse effects but confronted with a blunt policy provision:

*“This policy is at the heart of the appeal and is couched largely in the negative. ‘Avoid’ as RMA practitioners now well understand, usually mean “not allowing or preventing the occurrence of”, and we see no reason to adopt a different approach here”. [65]*

*“Regrettably for the Rogers, we are unable to approve the consent. The Environment Court applies – does not write – the policy of the District Plan and this case is a relatively rare instance of a proposal having negligible adverse environmental effect, but being directly challenged by directive policies weighing in against consent being granted”[90].*

151. Alternative approaches are:
- **Recommendation A:** A Policy hierarchy that signals the appropriateness of Plan Changes to facilitate centre expansion; and / or
  - **Recommendation B:** A consent approach where either policy / activity status signals that consent could well be granted for out of centre commercial activities based on their merits and the particular circumstances. In such a scenario, less weight might need to be given to the

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<sup>44</sup> *Bunnings Ltd vs Queenstown Lakes District Council* [2019] NZEnvC 59 and *Rogers vs Christchurch City Council* [2019] NZEnvC 119.

relevant objectives and policies of the plan and there may in turn be less likelihood of adverse impacts of new commercial development on the strategic role and function of the town centres.

## 6.2 Providing Commercial Capacity – zone boundaries and trade suppliers

152. MEL have identified a prospective shortfall of 10ha of supply with Rangiora and 2ha within Kaiapoi (albeit some of the Kaiapoi demand could be met through the MUZ or the development of LFR within the Business 5 zone) to meet demand to 2033. In response to these issues, and the statutory context defined above, replacement district plan provisions should:
- (a) Provide for the redevelopment of the Kaiapoi and Rangiora Town Centres through easing regulatory controls and freeing up land in the town centres by the relocation of Trade Suppliers to the Business 2 (Industrial) zone(s).
  - (b) Provide for the expansion of the Rangiora Business 1 (Town Centre) zone into the Business 2 zone at the eastern end of High Street and to the north towards the train station (the 2 ha Luisetti Seeds block) as identified in the District Development Strategy<sup>45</sup>, into the residential zone west of Victoria Park between King and Queen Streets (1.7ha), and extending the town centre zone east to Eastbelt and Aquita Street (0.5ha).
  - (c) Recognise and provide for compatible commercial activities identified in the three Mixed Use Business Areas adjacent to the Kaiapoi Town Centre as identified in the Red Zone Recovery Plan and acknowledged in the District Development Strategy<sup>46</sup>.
  - (d) Application of a more focused Large Format Retail Park zone at the existing 8ha Business 5 zone at Smiths Street (Hakarau Road) – Kaiapoi.
  - (e) Application of the Key Activity Centre notation at Ravenswood as identified in the Woodend and Pegasus Strategy. Provision for a focused Large Format Retail Park zone and Business 1 Zone (Local Centre) adjoining the entrance to Ravenswood should also be considered (as currently zoned Business 2 and Residential 6, but including consents RC165140 and RC165158 for a BP Service Station and McDonalds respectively). It is noted that this matter is currently the subject of a Private Plan Change Request (**PPCR30**) which seeks some 13.4ha of land at Ravenswood to be zoned as Business 1 (Town Centre / Key Activity Centre). At the time of updating this report, no decision had been provided by the Independent Hearings Panel<sup>47</sup>. That decision can be accommodated within the replacement Plan through either: (a) inclusion in notification; (b) submission; or (c) variation.
  - (f) Consistent zoning recognition for all small convenience retail clusters in the district (some of which are currently zoned Business 4);
  - (g) Reducing the full extent of the 10.2ha Business 1 zone at Pegasus to 1.14ha. This is based on: the unrealistic extent of the Business 1 zone, and allocation to Ravenswood centre as a KAC; the inability of the residential catchment to support the extent of the commercial area; reduced visibility

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<sup>45</sup> Waimakariri 2048 – District Development Strategy. Figure 8.

<sup>46</sup> Waimakariri 2048 – District Development Strategy. Figure 9.

<sup>47</sup> 5 August 2021

and accessibility associated with a passing commuter or travelling catchment; and the recent development of some of the B1 zone as housing.

- (h) Recognition and provision of an appropriate commercial zoning for the Rangiora Pak'n Save on Southbrook Road (2.8ha), and the Countdown on Ivory Street (1.6ha).

### 6.3 Easing regulatory controls on Trade Suppliers, Food and Beverage outlets and Service Stations in the Business 2 (Industrial) zone

153. The operative District Plan has two key rules that prevent retailing activities in the Business 2 (Industrial zone):
- Rule 31.21.1.8 prevents any retail activity in the B2 zone from exceeding 20% of the net floor area of the sum of all buildings on any site. Where the site is located with a greenfield priority Business 2 zone Rule 31.26.1.2 prevents retailing exceeding 20% of the net-floor area (NFA) or 100m<sup>2</sup>, whichever is the lesser; and
  - Rule 31.21.1.9 limits retailing from any site in the Business 2 zone to goods produced and/or processed on the site including ancillary products or goods.
154. These rules enable retail where these are ancillary to the factory producing goods, but prevent general retail activity.
155. The consequences of this approach are that:
- a substantial number of what are termed *Trade Suppliers* or *Yard Based Suppliers* occupy Town Centre sites – the vitality and viability of the Town Centres could be better achieved through intensifying such sites for core retail and commercial office activities;
  - a number of Trade and Yard Based Suppliers, Service Stations and Food and Beverage activities are operating under restrictive and potentially unnecessary resource consents within the Business 2 zones of the District; and
  - resource consents are required for new Service Station, Trade Supplier and Food and Beverage outlets where the costs of imposing such regulation (efficiency) are not effective in terms of the outcomes sought by such restrictions (i.e. town centre vitality, scarcity of the industrial land resource, reverse sensitivity issues).

#### 6.3.1 Resource Management considerations for Trade and Yard Based Suppliers, Food and Beverage outlets and Service Stations

156. Section 2.1.9 outlines the approach to managing distributional effects associated with retail activities.
157. Policy that intervenes in the location of retail and the scale of office activity should only proceed if Waimakariri Council is satisfied that the adverse effects will be not:
- Be significant (**CRPS Policy 6.3.6(4)**); and, or
  - result in adverse urban form effects (**CRPS Policy 6.3.6(4)**); and, or
  - detract from the primary focus and direction for new commercial activities to be located within Key Activity Centres (**CRPS Objective 6.2.6(3)**), in a manner that adopts appropriate urban design qualities (**CRPS Objective 6.2.6(5)**); and, or

- result in reverse sensitivity effects and conflicts between incompatible activities that can not be avoided or mitigated against (**CRPS Policy 6.6.6(8)**).
158. In respect to prospective threats to the Town Centre, it is noted that the real-world situation is one that ranges from traders with very low business or trade sales (such as a Supermarket) to those with almost total business or trade sales (such as 'the Tile Warehouse').
159. Those traders that may be critical to the Rangiora, Kaiapoi and Ravenswood Town Centre function and community wellbeing are found at the former (or retail) end of the spectrum, whereas those that have no potential to lead to adverse distributional effects lie at the later (wholesale) end. Between these components are those – some with a high profile – that draw trade from both ends of the spectrum (such as Bunnings or Mitre 10 Mega as both located in the Business 2 zone on Southbrook Road).
160. Many retailers have no (non-fanciful) potential to create adverse distributional effects. Based on current case law these retailers could not be precluded from locating in non-retail zones purely on the basis of distribution effects. The retailers with little prospect of distributional effects should be largely enabled both inside and outside of the commercial centres (in Industrial (Business 2) zones, subject to reverse sensitivity and capacity considerations).
161. Retail activities such as 'Trade or Yard Based Suppliers', 'Service Stations' and even 'Food and Beverage outlets' should be excluded from restrictions on retail activities as applied to Industrial zones. Similarly, there are a number of small-scale home occupations or community activities that because of their scale, intensity and localised catchments can be appropriately undertaken within residential zones due to the local benefits that such activities provide.
162. The resource management reason for enabling Trade and Yard Suppliers within the District's Business 2 zones is based on the following:
- There are no material distributional effects able to be generated from the closure / relocation of a *trade suppliers* from a Town Centre zone.
  - There are substantial opportunity costs to the provision of more intensive core retail in Town Centres if *trade suppliers* were regulated to remain in centres. For Waimakariri that opportunity cost extends to an inability to provide necessary supply for core retail within its town centre zones over the life of the replacement District Plan.
  - MEL have identified a surplus of both 'vacant' and 'vacant potential' industrial land supply – hence the scarcity of the Industrial land resource is not a reason for restrictions, as coupled with a potential shortfall in commercial zone supply.
  - Trade suppliers, tending to be larger scale buildings and yards have difficulty and / or substantial compliance costs associated with meeting higher urban design requirements in the Town Centre zones.
163. The phrase 'urban form effect (**CRPS Policy 6.3.6(4)**) or strategic effect' is to provide some regulatory teeth to the issue that substantial retail developments can create substantial pressures on urban form (in terms of vehicle trips EVM Equivalent Vehicle Movements), and also decrease strategic efforts associated with residential intensification and / or public transport initiatives. Across a wide network of centres, the degree of distributional effects is difficult to substantiate<sup>48</sup>. **CRP Policy 6.3.6(4)** establishes a policy

<sup>48</sup> *Kiwi Property Management Ltd vs Christchurch City Council 2012 NZEnvC 92*



approach around urban form and growth, linking the agglomeration of retail activities where there is no demonstrable significant distributional effect to a legitimate RM Act 1991 approach.

164. Urban form effects do not occur with *trade suppliers*. *Trade suppliers*:
- do not generate distributional effects on centre vitality and viability;
  - In terms of amenity effects, a large warehouse as associated with a trade supplier is similar in style and character to those related to freight or warehouse activities.
  - A trade supplier, may generate public vehicle trips onto the network, at a rate greater than that for a more industrial activity. However, against the wider network capacity traffic network issues are largely indiscernible, with access issues resolvable through high traffic generation provisions.
165. Limitations should also be placed on the extent and scale of retail activities within Residential open space and rural zones to maintain the integrity of the zones' outcomes, and also to consider any potential significant distributional effects on nearby or adjoining commercial centres.

### **6.3.2 Specific Consideration of individual activities based on consideration within Business zones.**

166. The following provides guidance as to the appropriate status, issues and matters to be considered in drafting provisions for the replacement District Plan as to individual commercial activities.
167. This guidance is to provide the basis whereby specific thresholds, policy and assessment matters can be established for individual activities and to assist in the determination of their status in the respective zones as set out in the National Planning Standards.
168. The National Planning Standards, as applied and aligned to the CRPS establishes a regional framework for managing commercial activities and growth in Waimakariri District. The approach seeks to consolidate and direct commercial activity to Key Activity Centres (Town Centres of Rangiora, Kaiapoi and Ravenswood), and enable commercial activities in lesser order areas, including the local and neighbourhood centres of the District (such as Oxford and Sovereign Palms respectively).
169. Some types of retail activities are provided for in Large Format Retail Zones<sup>49</sup> to ensure sufficient development capacity for larger format retail that may otherwise be constrained through cadastral fragmentation or supply in Town Centres, but are to be carefully managed to avoid small scale retail or the agglomeration of food and beverage outlets that would otherwise directly compete with Town Centres.
170. The district plan provisions that flow from these regional considerations establish a centres hierarchy (from Town Centre to Neighbourhood Centre - Figure 4), the limited provision of Large Format Retail Zone(s), and provisions that seek to retain the integrity of the industrial land resource for Industrial activities.
171. The provisions should:

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<sup>49</sup> National Planning Standards. Table 13 'Zone names and descriptions'. **Large format retail zone:** Areas used predominantly for commercial activities which require large floor or yard areas.



- Acknowledge and promote the role and function of the centre within the centres hierarchy. There is primacy in the Town Centre(s) and specifically Rangiora town centre, and a diminishing scale and role towards Neighborhood centres.
- Respond to the importance of the urban form and network of centres.
- Provide certainty – intervention needs to be justified as being necessary to achieve accepted outcomes.
- Ensure alignment between overarching urban growth, district identity and transport provisions as set out in Strategic Directions; business objectives and policies; and the rules intended to implement these provisions

### 6.3.2.1 Commercial Services

172. Defined as:

*Commercial Service: Businesses that sell personal, property, financial, household, private or business services. Includes:*

- real estate agent
- travel agent
- customer banking facilities
- dry cleaning
- hairdressing
- betting shops

173. Zone application is:

ZONE					
Activity	Town Centre	Local	Neighbour	Large Format Retail	Industrial
Commercial Service	P	P	P	RD	NC

174. The rationale is:

**Primary:** These activities on their own are not capable of generating significant distributional effects, however in combination with other retail and community activities they can, if located outside the centres network, divert shopper trips and reduce investment in the Centre network. They are also scattered through existing business zones.

**Zone specific:** These small-scale service activities are important to centre role and function, hence permitted in all centres. In the Large Format Retail zone, there is concern that in combination with larger format retail that there could be distributional effects, and thereby not uphold the focus of investment into the centre network as well as develop a commercial centre by stealth. In Industrial zones, these activities would not promote Industrial zone integrity (that is they are of an amenity and role that would not further achievement of the purpose of the Industrial zone).

### 6.3.2.2 Healthcare facility

175. Defined as:

*Healthcare facility: Facilities used for providing physical or mental health or welfare services:*

Includes:

- *medical practitioners;*
- *dentists, and dental technicians;*
- *opticians;*
- *physiotherapists;*
- *medical social workers and counsellors;*
- *midwives;*
- *paramedical practitioners;*
- *diagnostic laboratories*
- *alternative therapists; and*
- *providers of health and well-being services.*

Excludes facilities used for:

- *the promotion of physical fitness, such as gymnasiums and / or pools (except where incidental to a hospital services or treatment programme);*
- *beauty clinics;*
- *health care within retirement villages.*

176. Zone application is:

ZONE					
Activity	Town Centre	Local	Neighbour	Large Format Retail	Industrial
Commercial Service	P	P	P	D	NC

177. The rationale is:

**Primary:** These activities in combination with the provision of retail and community activities form the basis of social and functional amenity provided by the commercial centre hierarchy. Accordingly, their provision within centres is to be focused primarily within the district's commercial centres.

**Zone specific:** These facilities are important to centre role and function, hence permitted in all centres. In the Large Format Retail zone they are discouraged (Discretionary activity) to encourage and provide for these activities to locate within the centres network. Within Industrial zones, such activities are to be avoided given likely reverse sensitivity effects, as well as discouraging such activities outside of commercial centres.

### 6.3.2.3 Food and Beverage Outlets

178. Defined as:

*Food and beverage Sites where the primary business is selling food or beverages. Includes:*

- *Restaurants and cafes*
- *food halls*
- *Drive through restaurants*
- *take-away food bars*

*Excludes:*

- *retail shops*
- *supermarkets.*

179. Zone application is:

ZONE					
Activity	Town Centre	Local	Neighbour	Large Format Retail	Industrial
Food and Beverage outlets	P	P	P	P Where either: (a) < 150m <sup>2</sup> or (b) located more than 100m of another Food and Beverage outlet.  Otherwise Discretionary	P Where either: (a) < 150m <sup>2</sup> or (b) located more than 100m of another Food and Beverage outlet.  Otherwise Discretionary

180. The rationale is:

**Primary:** These activities are critical in a Town Centre zone context.

They also can provide an important convenience function for business workers and passing residents within the Industrial zone. It is important to retain management of scale to ensure that such activities do not create amenity interface issues with surrounding industrial uses (that is they retain overall industrial integrity), and do not substantially deviate investment in such activities away from commercial centre zones.

**Zone specific:** Small and moderate scale Food and Beverage outlets (particularly restaurants) are critical to centre role and function, substantially increasing social amenity as well as providing for evening centre activities and vibrancy.

Within Industrial zones and Large Format Retail zones there is recognition that small scale food and beverage outlets can be beneficial to serve immediate needs. The scale and extent of such activities is to be controlled to prevent an agglomeration or scale of such activities that would be to the detriment of investment in commercial centres.

Assessment matters should relate to the scale and 'pull' of individual tenancies but also the agglomeration of such activities (with other food and beverage outlets, or other retail) that would likely raise the prospect of distributional effects on adjoining centres, or the integrity of the zone itself.

#### 6.3.2.4 Offices

181. Defined as:

*Activities conducted within a building and focusing on business, government, professional, medical, or financial services and includes the personal service elements of these activities offered to consumers or clients where visits by members of the public are accessory to the main use.*

182. Zone application is:

ZONE					
Activity	Town Centre	Local	Neighbour	Large Format Retail	Industrial
Offices	P	P	P	P - Ancillary NC	P – Ancillary NC

183. The rationale is:

**Primary:** These activities are critical in a Town Centre zone context, they generate investment and intensify activity in commercial centres and provide agglomeration and transport benefits in terms of investment and transport integration.

**Zone specific:** Office activities are to be largely constrained into commercial centres for associated agglomeration benefits and integration with public transport. Within neighbourhood centres, the physical scale of the centre would limit the substantial establishment of office activities.

Within Large Format Retail zone(s), such activities are precluded on the basis that they represent a substantial distinction of activities that are provided for in this zone, compared to the wider functional attributes to be achieved at Town Centres (KACs).

Ancillary office activities to permitted uses are an anticipated and expected component of activities within Industrial zones and the Large Format zone.

#### 6.3.2.5 Retail

184. Defined as:

*The use of land / buildings for displaying or offering goods for sale or hire to the public. It includes food and beverage outlets, trade suppliers and service stations.*

185. Zone application is:

ZONE					
Activity	Town Centre	Local	Neighbour	Large Format Retail	Industrial
Retail > 450m <sup>2</sup>	P	P	D	P	NC
Retail < 450m <sup>2</sup>	P	P	P	NC	NC
Food and Beverage Outlets	P	P	P	P Where either: (a) < 150m <sup>2</sup> or	P Where either: (a) < 150m <sup>2</sup> or

ZONE					
Activity	Town Centre	Local	Neighbour	Large Format Retail	Industrial
				(b) located more than 100m of another Food and Beverage outlet. Otherwise D	(b) located more than 100m of another Food and Beverage outlet Otherwise D
Trade Suppliers	RD	RD	D	P	P
Drive through restaurants within 30m of a residential zone	P	RD	RD	NC	NC
Department Store	P	P	D	D	NC
Supermarket	P	P	D	D	NC

186. The rationale is:

**Primary:**

**For retail activities**, Speciality retail is predominantly under 200m<sup>2</sup> GFA. At that scale, this would also cater for the scale of the majority of retailers in the local (Oxford, Cust, Woodend) and neighbourhood centres (Sovereign Palms, Arlington Shops, BP Woodend, west High Street Rangiora, Ohaka Road, William Street and south Pegasus Town) that provide for more localised and convenience needs. Retail between 200m<sup>2</sup> to 450m<sup>2</sup> would provide for a limited (in a relative sense) pool of moderate comparison-based retail outlets, this includes a number of stores that likely anchor the local and neighbourhood centres (excluding supermarkets). Retail above 450m<sup>2</sup> is considered Large Format Retail.

**For Large Format Retail**, these stores, with the exception of ‘Supermarkets’ which are separately defined (as are Department Stores), would consist of a comparison-shopping offer, typically being general merchandise (clothing, sports equipment, household furnishing) stores. Applying a 450m<sup>2</sup> minimum floorspace size limit aims to result in most small format (<450m<sup>2</sup>) retail activities establishing in centres, and not in LFR zones. LFR zones then are intended to be aggregations of retailers occupying larger tenancies only, and not to include smaller format retailers, which are more appropriately located in centres. 450m<sup>2</sup> is also a generally consistent figure utilised within New Zealand associated with distinguishing LFR from retail activity generally.

Large Format Retail stores in the urban supply network have a different distributional pattern relative to the smaller store-types that they are to some extent replacing. Fewer outlets are needed, but suitable locations need to be accessible to larger potential catchments than many established centres can provide, and hence placement within a Large Format Retail zone can be appropriate to ensure sufficient supply to enable community needs. There is also the consideration as whether the existing network of centres can physically accommodate an array

of the larger stores, and what the opportunity costs are where regulatory attempts are made to 'shoe horn' large format outlets into the existing centre network.

**For Trade Suppliers**, these activities are unlikely to generate significant distributional effects. Such activities also tend to be space extensive, with considerable areas for storage and logistics and are more appropriately located outside of centres where space is more readily available.

**For Department Stores**, it is important that given the increasing diversity of goods sold in Department Stores, that Council retains discretion to consider the adverse effects from these developments in the Large Format Retail zone on the centres network and the centre itself. The diversity of goods sold means that an individual retailer (The Warehouse for example) may effectively compete with a large number of individual retailers that provide the diversity and functional amenity to the established town centre.

#### **Zone specific:**

**Trade suppliers** are provided for in the Large Format Retail zone and Industrial areas, this reflects that these activities do not generate distributional adverse effects and can in fact have opportunity costs in terms of removing prospects for smaller scale retail activities that provide greater functional diversity to be located within centres.

Trade suppliers are RD in the Town and Local Centres on the basis of amenity considerations, and the loss of opportunity as associated with these activities that offer little local catchment benefits of functional amenity. In Neighbourhood centres, such activities are Discretionary activities given that their scale may overwhelm the centre and reduce its ability to play a convenience retail role.

**Retail activities that are less than 450m<sup>2</sup>** (small scale retail (**SSR**)) are precluded in Large Format Retail as such retail is typically the critical mass that forms town centres and their associated functional amenity. The additional of SSR to a Large Format Retail zone effectively reproduces a commercial centre and would be the antithesis of the CRPS approach of focusing commercial activity in KACs (Town Centres) in the district.

**Controls of Drive through restaurants** proximate to residential zones are to ensure sensitive adjoining residential activities have some degree of protection in terms of the adverse amenity and high traffic generating effects that characterise such activities.

**Supermarkets** are key generators of people activity, attracting high numbers of shoppers to centres on a weekly basis. Accordingly, they stimulate a high degree of activity in other retail outlets in centres – to the extent that if an in-centre supermarket closes, then the level of cross shopping within the centre can substantially decrease, potentially degrading the functional amenity of the centre further.

Supermarkets are accordingly Permitted within Town and Local centres but are Discretionary in Neighbourhood Centres and Large Format Retail zones given their ability to anchor a centre and change shopping patterns. Supermarkets are not considered appropriate within Industrial zones given distributional effects, impacts on amenity and reverse sensitivity, and implications on the integrity of the Industrial zone.

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### **6.3.3 Resource Management considerations for Commercial Centre Amenity and Investment**

187. Regulation applied to ensure an appropriate level of urban design in commercial areas is important in terms of amenity, and also has a statutory basis (**CRPS Policy 6.3.2**).
188. There is a requirement under s32 to consider the costs and benefits of such regulation, and more importantly that the imposition of regulatory control and discretion does not result in unintended consequences in terms of directing commercial development away from Waimakariri's commercial centres.
189. As identified in Section 4 of this report, there is some disconnection in the Operative District Plan between Policy that largely directs commercial activity into centres, but also contains urban design provisions that result in a large number of commercial activities being fully discretionary in the (Business 1) commercial zones (Rule 31.24.2), with this activity status being no different to if those same activities sought to locate in Rural Zones where there is clear policy direction against such occurring.
190. In drafting the urban design provisions, the significance of urban design must be tempered with both the risk of limiting development in appropriate locations, and the likely level of risk relating to so called 'bad' design.
191. Applying zoning and activity status techniques represent better methods to channel where activities should go, and urban design matters should then be applied to increase surety as to the desired quality in the appropriate location to give effect to **CRPS Policy 6.3.2**.
192. Care should be given to the status of urban design matters as applied to new or redeveloping developments with commercial areas. There should be clarity as to what is required, and the outcomes sought. Where there is considerable discretion, outside certain bulk, location and glazing provisions, as coupled with uncertain outcomes this increases costs to investment and increases the risk of development being established outside of Waimakariri District's commercial centres.



## 7.0 Zoning

### 7.1 Operative Zoning overview

193. The key zones that provide for commercial and industrial activities and buildings in Waimakariri District are the Business 1 and 2 zones respectively.
194. The Business 1 Zone applies to commercial centres that contain retail, offices, and community facilities. These zones typically form the various town centres in the district and can range in size from relatively small blocks of shops, through the main streets of Oxford and Woodend, to the large District Centres of Rangiora and Kaiapoi which include larger supermarkets and in the case of Rangiora other large format anchor stores such as Farmers and The Warehouse<sup>50</sup>.
195. The Business 1 zones, by virtue of being geographically located in town centres, are typically surrounded by residential activities, with such activities either directly adjacent 'over the back fence' of business activities or located across the road. The smaller villages do not tend to have a Business 1 Zone and instead commercial activities are located within a Residential Zone. These 'out of zone' commercial activities are subject to separate workstream.
196. Industrial activities are conversely provided for through the Business 2 zones. These zones are generally either located near the middle of Rangiora and Kaiapoi townships in close proximity to the rail corridors or are more recent greenfield growth areas to the south of Rangiora in the Southbrook area. In the smaller townships there are pockets of industrial activity that generally have a functional focus on serving the wider rural hinterland and where such activities are often historic and have an underlying rural or residential zoning.

### 7.2 Integrating the statutory requirements

197. The replacement District Plan provisions are to be an integrated package of initiatives which aim to strategically plan for the district's commercial and industrial needs in a way that will better enable people and communities to provide for their social and economic wellbeing. This is particularly the case, given the Market Economics Ltd (MEL), projections for Household and employment growth in the district reveal a shortfall in zoned commercial supply.
198. There is a statutory requirement for there to be a **minimum** sufficient plan enabled *development capacity*<sup>51</sup> of business zoned land to accommodate expected demand within the medium term (2033 has been used as the supply quantum year for the District Plan).
199. Accordingly, the following should be incorporated through the replacement District Plan provisions:
- **Business 1** covers the larger town centres of Woodend, Rangiora, Kaiapoi, and Oxford.
    - The zone boundaries take in what are commonly perceived as the 'Main Streets' of these townships, with the on-the-ground outcomes typically 1-2 storey commercial

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<sup>50</sup> Noting that in Rangiora 'The Warehouse' and associated large format stores are located within a B2 zone that has a B1 overlay permitting retail activity.

<sup>51</sup> NPS-UD. Clauses 3.4 and 3.22

- buildings with a mix of retail, commercial services, civic, and food and beverage at ground level and small format offices above.
- The focus on provisions is to reinforce and strengthen the role of these centres with appropriate urban design (CRPS 2013, **Objective 6.2.1**), and encourage sustainable and self-sufficient growth (CRPS 2013, **Objective 6.2.2**).
  - The portion of the B2 zone at the eastern end of Rangiora’s main street with a Business 1 overlay to enable retail (as anchored by the Warehouse and Noel Leeming stores (Rule 31.21.2.1)) is recommended to be rezoned as Business 1 given the ‘environment’ is predicated by core retail.
- **Business 2** covers areas of industrial activity, primarily in southern and central Rangiora and along the rail corridor in Kaiapoi.
    - On-the-ground outcomes include a wide range of predominantly rural-service facing light industrial activities. There are relatively large areas of zoned but undeveloped B2 land in Southbrook, and the Ravenswood greenfield growth area.
    - Along key arterial roads such as Southbrook Road, despite not being anticipated or provided for by the District Plan<sup>52</sup> there are a significant number of trade and yard-based suppliers, these are to be enabled.
    - Provision of a broader range of business activities, including ‘trade suppliers’ (trade based retail) in the Business 2 zone<sup>53</sup>. The plan provisions should limit, such as using a *discourage* policy, more public orientated commercial development so as to direct retail and office activity primarily to the District’s Key Activity Centres (CRPS 2013, **Policy 6.2.6**).
  - **Business 3** provides a site-specific spot zoning for the Carter Holt Harvey MDF panel plant at Sefton. It is anticipated that the zone provisions will be largely rolled over for this zone.
  - **Business 4** provides for a number of existing discrete areas of local convenience shops in suburban locations.
    - These are typically small format convenience and food and beverage tenancies where the entire block of shops is less than 1,000m<sup>2</sup> GFA.
    - A typical mix would be a dairy, several take away shops/ cafe, hair dresser, real estate agent etc.
    - A number of these particularly in greenfield areas have a residential zoning, and need to be recognised in terms of commercial zoning.
    - These areas are built out – additional capacity is unlikely, although provisions should allow for redevelopment / intensification.

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<sup>52</sup> Any retail activity in the B2 zone shall not exceed 20% of the net floor area of the sum of all buildings on any site – 31.21.1.8. Where a B2 zone is a new greenfield priority area retailing is limited to 20% of NFA OR 100m<sup>2</sup>, whichever is the lesser (31.26.1.2).

<sup>53</sup> Explanation CRPS 2013, **Pol 6.2.6**. *Some commercial activities will have particular locational constraints and are not suitable for centres, such as yard-based retailers and car-yards, and the need to identify a place for these activities is recognised*

- **Business 5** is a site-specific spot zone in a defined area on the edge of Kaiapoi bounded by State Highway 1, Smith Street and the Kaiapoi River.
  - The zoning provides for trade suppliers and large floor plate office activities.
  - The occupant of this site is a trade-focussed Placemakers store and Gym with the balance of the site being vacant. The landowners seek provisions that would enable a wider range of Large Format Retail outlets.
  - The ‘office’ provision currently enabled under the operative plan does not *give effect* to the CRPS which seeks to direct such activities to Key Activity Centres CRPS 2013, **Pol 6.2.6(3)** and as such should be removed.
  - This site (given its central location to larger catchments) and a portion of the Business 2 zone at Ravenswood would be better suited to provide for large format retail activities and trade suppliers given: state highway vehicle access, and typical car orientated form and function of such retail activities.
- **Business 6** is a site-specific spot zone in the Flaxton/ Fernside area to enable the development of a function and events venue. It is understood that this relates to a LURP action; the existing provisions should largely be rolled over.

### 7.3 Replacement District Plan Approach – Commercial Hierarchy

#### 7.3.1 Purpose of the Hierarchy

200. Recognising and differentiating a commercial hierarchy for the district is important both in terms of strategic policy, but also providing on-going economic and local government funding confidence.
201. At a policy level establishing a hierarchy promotes alignment of the role, function and relative importance of the centre/s in terms of the Council’s strategic and environmental policy for urban form, growth and transport.
202. The approach provides for the ability to apply amenity and character provisions based on the likely anticipated scale and density activity that can be anticipated at each ‘tier’ in the hierarchy.
203. This is important given: the District’s relatively flat hierarchy; gives effect to the CRPS(2013) approach to recognising Key Activity Centres as having more prominence, and hence protection; implements the likely draft National Planning standards as these relate to commercial zones; and provides longer term certainty as to: role and function, anticipated amenity at the interface with surrounding zones, and the expectations in terms of in-centre design and environmental quality – all of which then form the cornerstone of associated policies, rules and outcomes.

#### 7.3.2 Existing Centres Hierarchy in the Operative District Plan

204. The current commercial centres hierarchy as expressed in terms of the:
- recognised statutory role in the CRPS(2013), Waimakariri 2048, and District Plan;
  - role and function, including both public and private investment and diversity of functional amenity; and
  - supporting household population (catchment), could be simply illustrated as identified in Figure 6.

Figure 6: Operative District Plan – Commercial Hierarchy

Hierarchy	Centre	Function	Current zoning / CRPS(2013)
Primary centre	Rangiora	Primary commercial and cultural base of the district. Serves the biggest residential community, with considerable functional diversity including private commercial, civic and cultural infrastructure. Promotes highest level of urban design amenity given public interface. Generates considerable vehicle and pedestrian movements, and promotes highest extent of cross-shopping.	Business 1 / KAC
Secondary Centre	Kaiapoi	Functions independently to service surrounding urban area and contains prominent cultural and civic infrastructure. Promotes less functional amenity than primary centre, with a larger proportion of convenience retail.	Business 1 / KAC
Tertiary Centres	Woodend / Ravenswood / Pegasus	Serves immediate township, or commensurate growth in greenfield residential area. Limited functional amenity, although some social and civic infrastructure.	Business 1 / KAC
Rural Centres	Oxford	Function is based on providing for immediate residential environment and primary services to rural township and surrounding area. Focus is primarily on convenience of local residents.	Business 1
Service and convenience centres	Sovereign Palms, Arlington Shops, BP Woodend, west High Street Rangiora, Ohoka Road, William Street	Function is local convenience based strip shops. Typically, considerable interface with adjoining residential activity, and typically historical in terms of inception.	Business 4
Trade Based Retail	State Highway 1, Smith Street and the Kaiapoi River	Function is vehicle orientated trade based retail, with little or no social or functional amenity. Buildings are large scale with limited amenity or design requirements.	Business 5

### 7.3.3 Applying the Waimakariri Centres Hierarchy to the National Planning Standards

205. An assessment of the centres hierarchy to existing agglomerations of commercial activity in the District are as follows:

Figure 7: replacement District Plan – Proposed Commercial Hierarchy

Draft National Planning Standard	Centre	Alignment	Current zoning / CRPS(2013)
Town centre Zone	Rangiora, Kaiapoi, Ravenswood	Good. Inclusive of area of B2 east of Rail Corridor between High Street and East Belt (as currently zoned B2. .	Business 1 / KAC

<b>Local Centre Zone</b>	Woodend, Pegasus, Oxford, Ivory Street Countdown* and Pak n Save* (north of Station Road)	Good. Establishing a Local Centre role for Countdown and Pak n Save retains subservient role to Rangiora Centre.	Business 1 (KAC for Pegasus / Woodend) Residential 1 for Countdown and Business 2 fore Pak n Save
<b>Neighbourhood Centre Zone</b>	Small scale centres Sovereign Palms, Arlington Shops, BP Woodend, west High Street Rangiora, Ohoka Road, William Street.	Good	Business 4
<b>Large Format Zone</b>	Portion of Ravenswood, Smith Street Kaiapoi	Good in terms of fit, but potential misalignment with developer expectations.	Business 5

\* Alternative zoning Large Format Retail with overlay to provide for Supermarket activities.

206. The following indicates potential zone boundaries, noting that these are indicative only – outside the scope of this brief of work – and require ground truthing and discussions with respective landowners. In addition, where alternative zoning options are available the costs – benefits of alternative zoning options are considered further in Section 7.3.5 of this report.
207. For Ravenswood, the potential zone boundary is predicated on the Private Plan Change Request (PPCR3), from which a Decision from an Independent Panel is forthcoming. The area shown relates to the recommendations from the Council’s experts (planning and economics) as to an appropriate zoning boundary long term to accommodate long term (30 year) supply for commercial development. The Council Officer’s also recommended a retail threshold of 25,000m<sup>2</sup> GFA for core retail activity until 2033 and controls on urban design to ensure a high-quality urban environment. The Independent Panel decision, once received can be inserted within the replacement Plan through either notification (where the decision is received in advance of notification); submission; or by way of variation.

Figure 8: Rangiora Town Centre and Ivory Street Local Centre\*

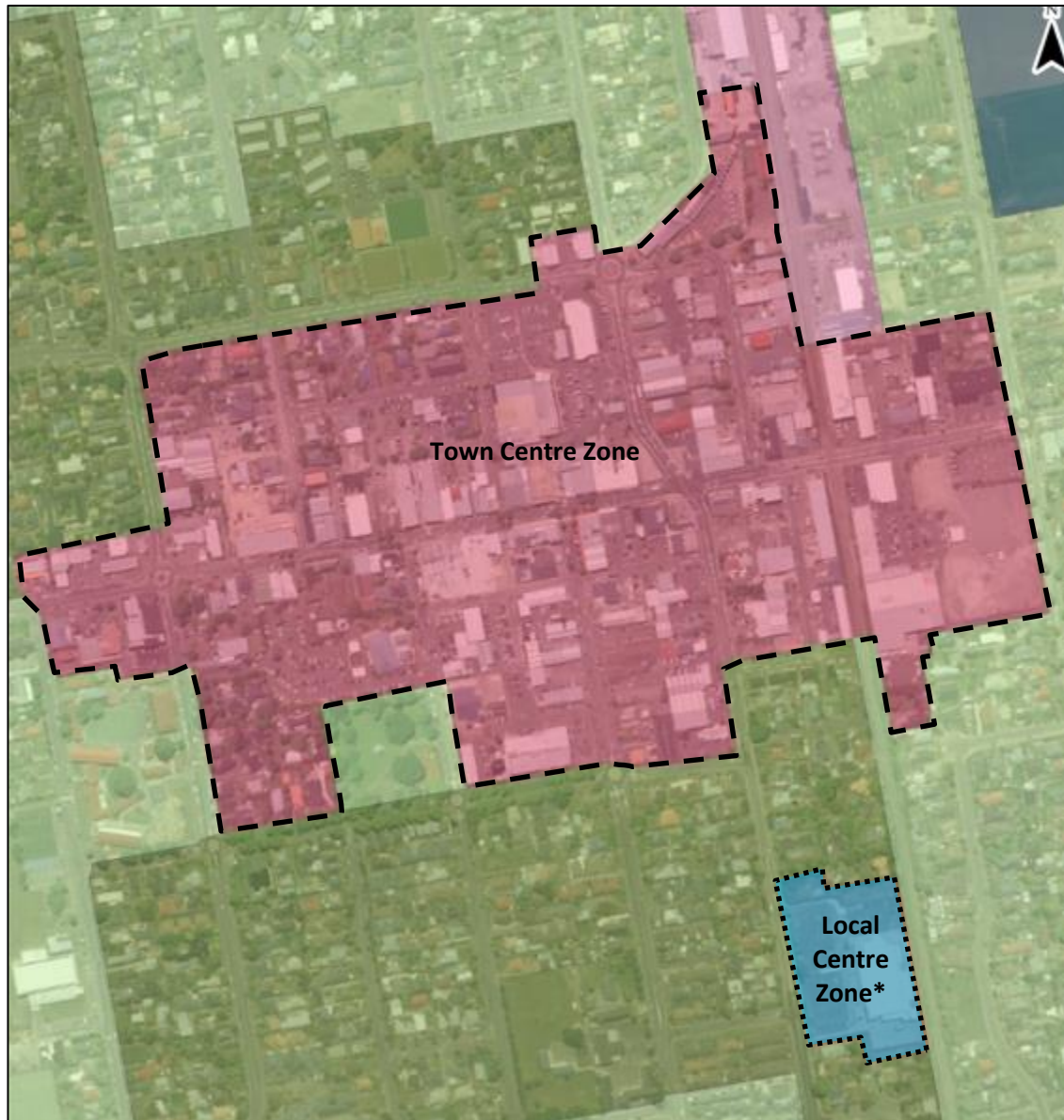




Figure 9: Southbrook Pak n Save (north of Station Road) Local Centre\*

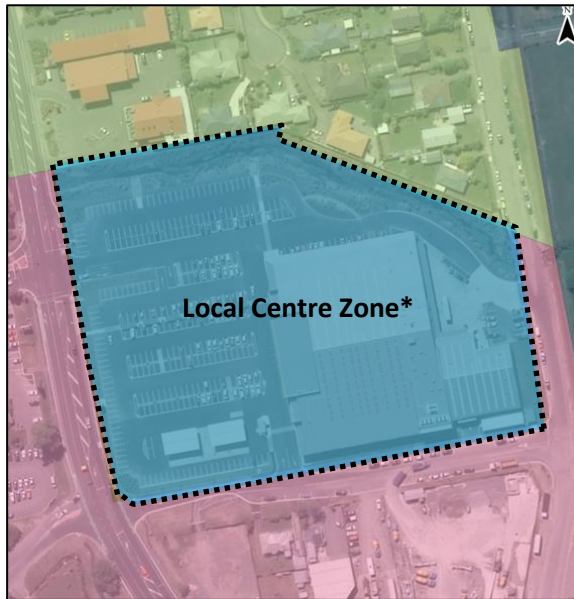


Figure 10: Pegasus Neighbourhood Centre Zone

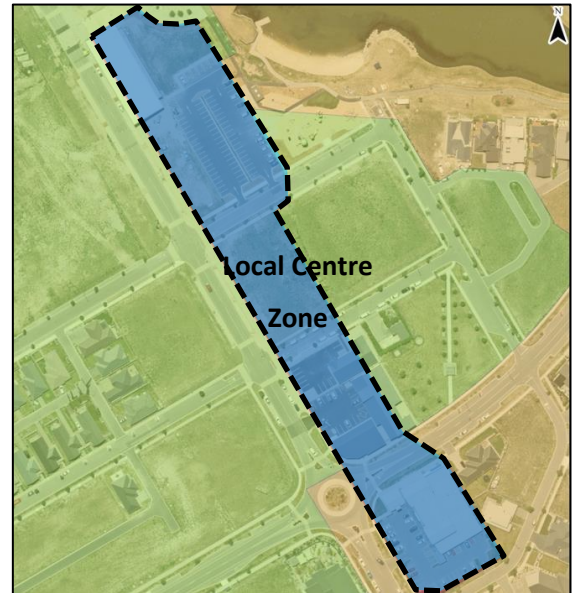
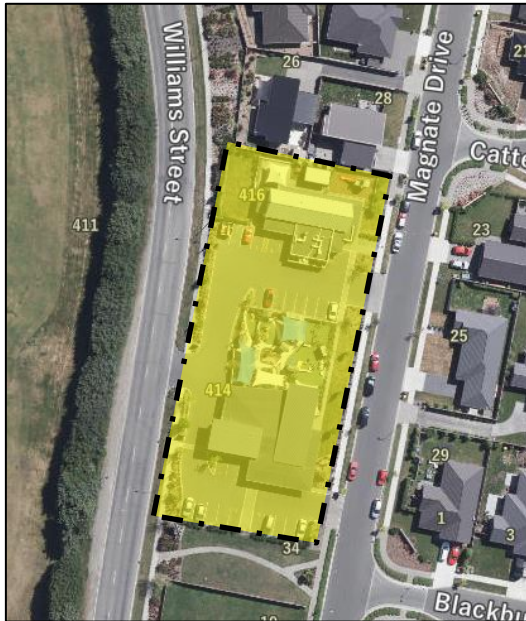


Figure 11: Smith Street, Kaiapoi – Large Format Zone





Figure 12: Neighbourhood Centre Zones



Sovereign Palms, Kaiapoi



Williams Street (Sth), Kaiapoi



Williams Street (Nth), Kaiapoi



Arlington Shops, Rangiora



BP Eders Road, Woodend



The Plough and Dairy High Street, Rangiora



Ohoka Road Shops, Kaiapoi

Figure 13: Ravenswood





### 7.3.4 Applying the Waimakariri Industrial Zones to the National Planning Standards

208. An assessment of the Operative District Plan Industrial zonings to align with the requirements of the National Planning Standards can be considered as follows:

ODP	Purpose	Recommended Planning Standard Zone.	National Planning Standard Zone.
Business 2	Promotes Industrial activities (no differentiation between 'light' and 'heavy' industry, with the latter being predicated on especially noxious or high volume water take and trade waste discharge).	<b>Industrial Zone.</b>	<b>Light Industrial Zone</b> for two distinct areas Newnham Street and Edward Street, Rangiroa.
Business 3	Site specific zoning for Calter Holt Harvey MDF Plant at Sefton	Special Purpose (Industrial) zone	[Note the formation of this zone is outside the Scope of this Report].
Business 6	Site specific spot zone in Flaxton / Fernside.	Special Purpose (Industrial) zone	[Note the formation of this zone is outside the Scope of this Report].

209. Section 2.2 and Figure 5 outlines the requirements of the National Planning Standards between application of the 'Industrial Zone' and the 'Light Industrial Zone', the latter being subject to more stringent thresholds in terms of '*noise, odour, dust, fumes and smoke, that are unreasonable to residential activities sensitive to these activities*'.

210. The Light Industrial and Industrial zones will share common permitted activities with the exception that 'Heavy Industry' as defined below should be a Discretionary Activity in the Light Industrial Zone.

*Heavy Industry:*

*means:*

- i. *blood or offal treating; bone boiling or crushing; dag crushing; fellmongering; fish cleaning or curing; gut scraping and treating; and tallow melting;*
- ii. *flax pulping; flock manufacture or teasing of textile materials for any purpose; and wood pulping;*
- iii. *storage and disposal of sewage, septic tank sludge or refuse;*
- iv. *slaughtering of animals; storage, drying or preserving of bones, hides, hoofs or skins; tanning; and wool scouring;*
- v. *the burning of waste oil in the open air or in any combustion processes involving fuel-burning equipment;*
- vi. *any other processes involving fuel-burning equipment, which individually or in combination with other equipment, have a fuel-burning rate of up to 1000 kg/hr;*
- vii. *the open burning of coated or covered metal cable or wire, including metal coated or covered with varnish, lacquers, plastic or rubber;*
- viii. *any activity with the potential to discharge asbestos to air, including the removal or disposal of friable asbestos, except where it complies with the Health and Safety in Employment (Asbestos) Regulations 1998 and is supervised and monitored by Occupational Safety and Health staff;*
- ix. *burning out of the residual content of metal containers used for the transport or storage of chemicals;*

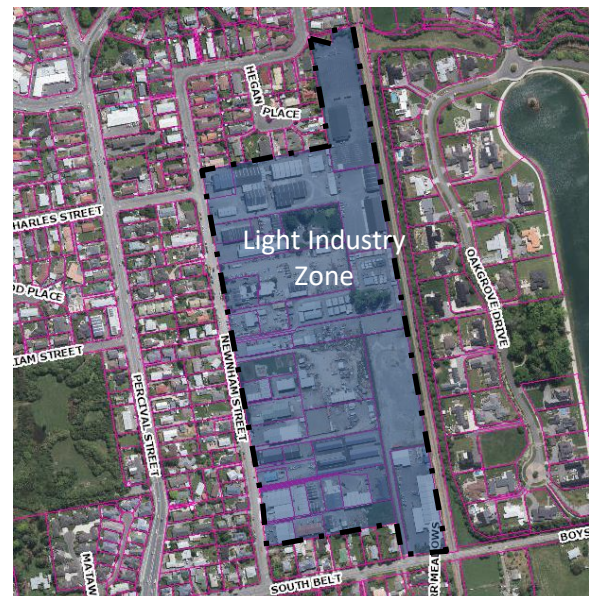
- x. the burning of municipal, commercial or industrial wastes, whether by open fire or the use of incinerators for disposal of waste;
- xi. any industrial wood pulp process in which wood or other cellulose material is cooked with chemical solutions to dissolve lining, and the associated processes of bleaching and chemical and by-product recovery;
- xii. crematoriums; and
- xiii. any industrial activity which involves the discharge of odour or dust beyond the site boundary.

211. Light Industrial zones are recommended as follows:

Figure 14: Edward Street Light Industrial, Rangiora



Figure 15: Newnham Street, Rangiora



### 7.3.5 Applying the Waimakariri Industrial Zones to the National Planning Standards

212. In determining and recommending the zones above, the following principles have been considered and applied. Figure 16 provides a broadbrush consideration of alternative zonings where there is not exact alignment between the zones provided by the National Planning Standard, the existing ODP zoning and activities currently present, and the statutory direction provided by the CRPS and inherent within the enabling provisions of the NPS-UD.

- a. The zone change is consistent with the objective and policies of the proposed zone. This applies to the zone, and zone boundary (interface effects and controls).
- b. The overall impact gives effect to the CRPS, for Town Centre and LFR zoning this requires consideration centre hierarchy and KAC based approach (as contained within the CRPS and National Planning Standards).
- c. Economic costs and benefits need to be considered (in terms of incorporating NPS-UD capacity factors, for example is it a sunk cost in terms of rezoning for retail where the site already contains a retail development (that is it meets current supply), that is it does not increase supply).

- d. Changes to zone boundaries should be consistent with overlays (including hazards).
- e. Changes should take into account features and existing uses associated with the site - What is the land used for, where is it, what is already built there, what are the adjoining uses and would these be sensitive to activities provided by the rezoning.
- f. Zoning recognises issues associated with infrastructure supply (wet level servicing constraints for Industrial, drainage and stormwater for Town Centre).
- g. There is adequate separation between land uses (especially for residential / rural interfacing heavy industrial – without adequate buffer).
- h. Zone boundaries should be defensible (e.g. follow geographic features such as roads, or align with existing zone boundaries).
- i. Zones should follow property boundaries.
- j. Generally, no spot zoning – as Application of the National Planning Standards would also make this approach difficult, although Schedules are still possible for a very discrete range of isolated uses (i.e. Service Stations, Historic Hotels).
- k. Zoning is not determined by existing resource consents and existing use rights, but these should be taken into account.

Figure 16: Zoning Alternatives

Location	Zone alternative	Costs	Benefits
Southbrook Pak n Save / Ivory Street Countdown	Local Centre	<ul style="list-style-type: none"> <li>Risk of increase of additional retail activities added to detriment of Town Centre (moderated by scale of zone).</li> <li>Partial alignment issues as limited social and functional amenity.</li> </ul>	<ul style="list-style-type: none"> <li>Recognises existing physical infrastructure and activities.</li> <li>Reflects zone provisions in terms of function and role of Local Centre (range of products and some services).</li> <li>Provides for appropriate interface treatment at zone boundaries.</li> <li>Recognises that a supermarket is the nucleus (anchor) of Town and Local centres.</li> </ul>
	Large Format Retail (Overlay for Supermarkets)	<ul style="list-style-type: none"> <li>Narrowed application to one site / activity where zone purpose is to provide cluster of large format activities.</li> <li>Creates complex overlay hybrid and request of application to other sites.</li> <li>Not aligned to zone which seeks to exclude supermarkets / department stores as these are Town Centre anchors.</li> <li>Would need to provide wider application to a larger extent of Trade Suppliers (i.e. Mitre10)</li> </ul>	<ul style="list-style-type: none"> <li>Reduces the extent by which smaller retail activities could be added to detriment of Town Centre (moderated by scale of zone).</li> <li>Provides for appropriate interface treatment at zone boundaries.</li> </ul>
	Residential (reliance on consent)	<ul style="list-style-type: none"> <li>No alignment with residential outcomes.</li> </ul>	<ul style="list-style-type: none"> <li>Environmental effects are subject to management through specific conditions.</li> </ul>

		<ul style="list-style-type: none"> <li>Increased administration and s127 for any amendments.</li> <li>Does not reflect (integrity) uses and provisions within the residential zone.</li> </ul>	
Ravenswood Town Centre	Town Centre / Large Format zone as distinct.	<ul style="list-style-type: none"> <li>Likely to result in slow build out for specific zoned areas as residential catchment is developed over a med – long term, rather than focusing development in one location.</li> </ul>	<ul style="list-style-type: none"> <li>Provides for distinguishable blocks in terms of amenity expectations and retail role and function.</li> <li>Provides for measurable expectations and retail provisions.</li> <li>Increased flexibility in terms of development option (rather than imposed ODP and quantification of retail mix).</li> </ul>
	Town Centre (with associated ODP and quantification of SSR and LFR mix)	<ul style="list-style-type: none"> <li>Increased administration costs in terms of developing and implementing an ODP for the entire (KAC) centre.</li> <li>Need for provisions to manage potential distributional effects on the wider centres hierarchy dependent on scale.</li> </ul>	<ul style="list-style-type: none"> <li>Increased amenity and urban design outcomes for the entirety of the (KAC) centre.</li> <li>Development can be targeted in stages to specific areas in conjunction with ODP and demand (as residential catchment increases).</li> </ul>
Neighbourhood Centres	Neighbourhood zone	<ul style="list-style-type: none"> <li>Risk of increase of additional retail activities added to detriment of Town Centre (moderated by scale of zone).</li> <li>Entirely aligned with purpose and role of Neighbour Centre zone in National Planning Standards.</li> </ul>	<ul style="list-style-type: none"> <li>Recognises existing physical infrastructure and activities.</li> <li>Reflects zone provisions in terms of function and role of Local Centre (range of products and some services).</li> <li>Provides for appropriate interface treatment at zone boundaries.</li> <li>Recognises that a supermarket is the nucleus (anchor) of Town and Local centres.</li> </ul>
	Residential (reliance on consent)	<ul style="list-style-type: none"> <li>No alignment with residential outcomes.</li> <li>Increased administration and s127 for any amendments (a number are associated with recent housing developments).</li> <li>Does not reflect (integrity) uses and provisions within the residential zone.</li> </ul>	<ul style="list-style-type: none"> <li>Environmental effects are subject to management through specific conditions.</li> </ul>

## 8.0 ISSUE IDENTIFICATION AND ESTABLISHING A RULE FRAMEWORK

### 8.1 Managing Effects of Business Activities

213. Adverse effects associated with business activities (and associated traffic issues) in the district can be categorised as:
- Interface issues associated with neighbouring residential or rural properties.
  - Community issues associated with the compatibility of an activity to the established character of the commercial or industrial zone, such as street scape amenity or reverse sensitivity; and
  - Strategic issues for the district, as associated with either industrial activities that require substantial in-flows of employment, or commercial distributional effects from out-of-centre commercial activities.

### 8.2 Interface Issues

214. The types of issues that can arise along the interface of business activities and more sensitive adjoining uses differ between commercial and industrial contexts, and also vary depending on the type of sensitive neighbour e.g. whether residential or rural.

#### 8.2.1 Commercial activity interface

215. Commercial activities in Waimakariri District are generally located in the Business 1 zones, in combination with small scale convenience retailing in the Business 4 zones.
216. The existing commercial areas therefore typically comprise township centres, with surrounding residential neighbours at suburban density.
217. Commercial town centre activities include retailing, offices, food and beverage (cafes, restaurants, and bars), and community facilities. The commercially zoned areas in some instances, such as between Durham, Blake, Good and Blackett Street in Rangiora also include established pockets of residential housing that has not been repurposed for commercial activities.
218. The key potential effects are those that challenge acceptable levels of residential amenity in adjacent residential zones and accordingly can include the following:

Effect	Nature and extent
Noise	<ul style="list-style-type: none"> <li>• Activities generating public nuisance, particularly at night (such as bars and cafes).</li> <li>• Carparking areas</li> <li>• Ancillary activities – air conditioning units, glass bottle discharge.</li> </ul>
Odour	<ul style="list-style-type: none"> <li>• Outdoor storage areas</li> <li>• Kitchen extraction units</li> </ul>
Glare	<ul style="list-style-type: none"> <li>• Light spill caused by outdoor seating areas or carparking.</li> </ul>
Shading and dominance	<ul style="list-style-type: none"> <li>• Larger scale buildings that are substantial in height, or intrude on adjoining sites.</li> </ul>



Loss of privacy	<ul style="list-style-type: none"> <li>Outdoor seating areas, or second storey office windows overlooking neighbouring residential properties.</li> </ul>
Traffic and parking	<ul style="list-style-type: none"> <li>Congestion on local roading network.</li> <li>Efficiency and effectiveness issues associated with access and traffic generation onto the State Highway network.</li> </ul>
Visual amenity, landscaping and street scene	<ul style="list-style-type: none"> <li>Extent of signage.</li> <li>Extent of landscaping along frontage, including trees.</li> <li>Non-residential bulk and form of commercial buildings / site density.</li> </ul>

### 8.2.2 Industrial activity interface

219. Industrial activities are provided for principally in the B2 zones, with the B3 zoning applying to a site-specific timber processing facility.
220. As with commercial areas, the key potential effects are those that challenge acceptable levels of residential amenity, albeit that their sources and character can differ from those generated by commercial activities. They include the following:

Effect	Nature and extent
Noise	<ul style="list-style-type: none"> <li>Generally, from industrial processes, and late-night servicing.</li> </ul>
Odour	<ul style="list-style-type: none"> <li>From industrial processes.</li> </ul>
Glare	<ul style="list-style-type: none"> <li>Light spill from carparking or service areas.</li> </ul>
Shading and dominance	<ul style="list-style-type: none"> <li>Larger scale buildings that are substantial in height or intrude on adjoining sites.</li> </ul>
Visual appearance	<ul style="list-style-type: none"> <li>Utilitarian buildings, absence of landscaping and predominance of unscreened outdoor storage.</li> </ul>
Traffic and parking	<ul style="list-style-type: none"> <li>Heavy goods vehicles and compatibility with residential streets in terms of noise, vibration, and perceived safety</li> </ul>
Hazardous substances	<ul style="list-style-type: none"> <li>Risks from the use and storage of hazardous substances as part of the industrial process.</li> </ul>

221. Issues associated with odour, air or water discharges come under the mandate of the Canterbury Regional Council, with the safe use and storage of hazardous substances controlled through Hazardous Substances and New Organisms and Health and Safety at Work legislation.

### 8.2.3 Interface Issues - Monitoring and Enforcement Feedback

222. Business interface issues and the potential for complaints to be generated was discussed with Council's monitoring and enforcement officers.

223. Their feedback was that Council receives few complaints about business activities occurring within Business Zones.
224. Complaints from residents are much more commonly generated by business activities taking place within residential areas, or non-rural activities occurring on rural properties, especially where these are located in close proximity to existing lifestyle blocks.
225. The general feedback was that first in-zone business activities appear to be well run and do not generate unacceptable effects beyond their site boundaries, and that this operational practice is combined with resident expectations that a degree of non-residential levels of amenity are anticipated if you own a house next door to a long-established business zone.
226. It was also noted that odour, air, or water discharge complaints would be directed to the Canterbury Regional Council and so Waimakariri Council officers may not be aware if such complaints have been made.

### **8.3 Business 1 Zone Built Form Trends**

227. The treatment of the existing B1 interface with Residential Zones is considered to generally display an acceptable level of amenity where the two zones are separated by a road.
228. Development within the B1 zone tends to face towards the street with glazed shop windows and verandahs which present a reasonably attractive environment that is expected within a retail town centre area.
229. To the sides and rear of B1 Zones, the interface is variable with a number of zone boundaries not matching as built boundaries i.e. the B1 zone extends over properties that are in residential rather than commercial use.
230. Whilst residential activity is permitted within the B1 Zone, from site visit observations there is a only a modest amount of new residential development occurring within the Business zones.
231. In practice residential dwellings are either located as scattered infill housing between shops as a legacy outcome with the dwellings dating back over fifty years, or are reflective of a clear on-the-ground change in landuse between a row of shops and an intact suburban residential street.
232. In the latter situation the zone boundary (and associated interface treatment) can be incongruous with the on-the-ground outcomes, where the transition from business to residential does not occur at the zone boundary.
233. In the smaller townships such as Oxford and Woodend it is likewise reasonably common for the rear of commercial sites to be relatively underdeveloped and comprised of large gravel staff parking or outdoor storage areas, with commercial buildings set some distance from the boundary i.e. the positive urban design outcomes of having commercial buildings built to the road boundary to create a main street conversely means that there is often significant areas of vacant space to the rear of these buildings which is then used for staff parking and outdoor storage/ service activities.
234. Where the B1 zone directly adjoins established residential areas the boundary treatment is generally 1.8m high solid timber fencing. Landscaping is often sparse on the B1 side of the boundary, although residents have often planted relatively dense hedging/ trees along the boundary on the residential side.

#### 8.4 Business 2 Zone Built Form Trends

235. There is a distinct contextual difference between the older B2 zones, which generally reflect long-established industrial locations, and the new B2 zone at Southbrook that has largely developed during the life of the current Operative District Plan.
236. The Southbrook B2 zone as a new greenfield growth area has been purposefully located where it does not adjoin established residential areas such that the zone location itself provides separation from more sensitive activities.
237. Whilst currently undeveloped, the same is true of a B2 zone in the Ravenswood development north of Woodend where the siting and interface treatment of the light industrial activities have been mitigated through wider site master planning by the developer.
238. New greenfield growth areas are also generally accompanied by ODPs that set out the broad structuring elements of future development and include specific requirements for zone boundary treatment.
239. This edge treatment can include a mix of landscaping and building setbacks. These greenfield zones are still in the process of building out, such that development has either yet to occur (Ravenswood) or has yet to reach the outer edges of the zone boundary in the case of Southbrook. As such it is premature to arrive at firm conclusions as to the effectiveness of the proposed edge treatment for these newer industrial areas.
240. Where the older B2 Zones interface with Residential Zones they are generally separated by a road, with the road corridor providing a degree of visual and physical separation between the two types of activity.
241. The streetscape amenity of the B2 zone road frontages is generally poor, reflecting long-term and ad hoc industrial development that has occurred over many years. Frontage treatment is variable and includes industrial buildings, setbacks that are used for visible outdoor storage or parking, a mix of solid or wire mesh fencing, sporadic landscaping, and in places higher amenity trade supply premises with formed and sealed customer parking areas.
242. Where there is a directly adjoining zone boundary with suburban density residential properties the boundary treatment generally comprises of solid timber fencing with landscaping (often planted on the residential side of the fence) and a mix of industrial buildings and yard/ storage areas.

#### 8.5 Proposed Commercial Zone Rules

243. The Operative Plan currently has three zones that provide for commercial activity, namely the B1 zone for the larger commercial areas, the B4 zone for small suburban shops, and the B5 zone for a site-specific area on the edge of Kaiapoi.
244. It is proposed to move to a framework that is based on four commercial zones as identified in the Draft National Planning Standards. This shift reflects the greater range/ hierarchy of centres that have emerged over the life of the operative Plan, especially as a result of rapid urban growth following the Canterbury earthquakes. It also reflects the changing on-the-ground built outcomes that have occurred over the life of the Operative Plan, and the need to provide adequate zoned capacity for commercial activities, in a manner that reflects differing retail typologies, functions and geographic spread.
245. In terms of activities, the Neighbourhood, Local, and Town Centre zones all provide for a range of commercial, residential, and community activities, reflecting the purposes of these zones. The proposed Large Format Retail Zone provides for a narrower range of activities, reflecting its more specialized

- purpose. It is noted that the NPS does not currently provide a LFR zone, however this may change following submissions and if it does not then a precinct approach provides an alternative method.
246. On the basis that the proposed District Plan will have an 'activities-based' structure, it is proposed to limit activities locating within the commercial zones that have the potential to generate nuisance effects for residential neighbours e.g. industrial activities. Such an approach is consistent with that of the other reviewed District Plans that have adopted an activities-based format.
247. It is proposed to retain the Operative Plan approach of permitting residential activities (above first floor only) within commercial zones (except the LFR zone) to reflect the generally long-established pattern of residential dwellings being located within the Business 1 zones.
248. The built form standards address four broad contexts. The first is the provision for qualitative urban design assessments for new development in the Principal Shopping Streets or for larger buildings. The second context addresses the street interface, the third addresses the internal boundary interface with more sensitive zones, and the fourth context sets out a framework for ensuring an adequate level of amenity is achieved for higher density residential typologies in town centre locations.
249. As set out above, from site visits in the district, the as-built interface outcomes are generally providing an acceptable level of amenity where the Business 1 zone is separated from a Residential Zone by a road i.e. retail and residential are on opposite sides of the street.
250. The operative B1 rule package aimed at achieving a consistent building line along the road frontage with glazing generally results in appropriately scaled and designed commercial buildings in a town centre context. In the smaller settlements carparking is generally reliant on-street spaces, apart from larger businesses such as small supermarkets or pubs where some on-site parking is generally provided.
251. No significant changes are therefore considered to be necessary for managing B1 interface issues where the zones are separated by a road. Subject to the findings of the separate workstream developing the transport provisions, from an interface perspective there would be merit in removing the requirement to provide on-site parking for smaller developments and instead rely on on-street provision, which is generally more than adequate, especially in the smaller townships.
252. Where B1 Zones directly adjoin residential properties such boundaries tend to be through the middle of blocks i.e. along the rear of properties, especially in the B4/ Neighbourhood Centre context.
253. As such the residential properties tend to be oriented towards a residential street with commercial activities over the back fence. These boundaries were typically fenced with solid timber paling fences at 1.8m in height i.e. similar to typical fencing found throughout suburbia.
254. A package of building setbacks, recession planes, and internal boundary landscaping is proposed to manage such interfaces, along with District-wide rules controlling matters such as noise, glare/ light spill, and Regional Council controls on odour.

### **8.5.1 Commercial zone – Activity Based Provisions**

255. The spectrum and status for activities within the commercial zones is identified below:
- i. Provide for a bundle of activities that are an anticipated and valued part of commercial centres. These activities include **retailing, offices, commercial services, food and beverage, entertainment, civic/ community and traveller accommodation.**

- ii. Provide for **supermarkets and department stores** in the Town Centre and Local Commercial zones only. These activities attract significant volumes of customers and act as anchors for commercial centres. As such they are appropriate, and indeed integral, to the role and function of the larger centres in the centre hierarchy. Conversely because they have the potential as anchors to form the nucleus of new or standalone commercial centres they are not provided for outside of the established centre hierarchy.
  - a. The large built form of supermarkets, combined with their functional requirements for loading bays and customer parking, are not appropriate in the small Neighbourhood centres due to the adverse urban design, amenity, and transport effects that they can have on the immediately adjoining residential neighbourhood.
  - b. The distributional adverse effects, and more importantly urban form benefits to Town Centres results in Supermarkets and Department Stores being considered as Discretionary activities in the Specific Purpose (Large Format Retail) zone.

- iii. Stand-alone **parking lots** are provided for where the parking area does not have frontage to a Principal Shopping Street. This enables parking to be provided in a convenient location to the centre, whilst concurrently maintaining the amenity values and continuous shopping frontage of main street environments.

Where stand-alone parking lots are proposed with frontage to a Principal Shopping Street then they are fully discretionary activities, so all effects can be considered, along with the objective and policy framework regarding the high amenity and streetscape outcomes anticipated for these frontages. It is noted that where parking areas are proposed in association with an on-site activity, they are subject to the built form standard requiring buildings to be built to 100% of the site frontage with a Principal Shopping Street.

- iv. **Utility infrastructure** is provided for as an integral element in urban environments.
- v. **Residential** activity is provided for (as restricted to first floor and above), with the NPS zone descriptions anticipating residential activities as an integral component in larger centres. Residential units are likely to be of medium density townhouse and apartment typologies and therefore are subject to a specific set of built form standards to ensure adequate levels of residential amenity are provided (discussed in more detail below).
- vi. **Trade and yard-based suppliers** are an existing part of the larger centres, and therefore need to be recognised. Some trade suppliers, where they are largely showroom-based, can be compatible with the amenity and outcomes sought in commercial retail environments and therefore a consenting pathway is proposed to enable such activities to be assessed on a case-by-case basis.

To ensure sufficient capacity exists in centres over the life of the District Plan for commercial activity, trade and yard-based suppliers have separately been provided for as a permitted activities in the Industrial Zone. This rule framework will help facilitate their relocation over time from the town centre to industrial contexts and supports moves that the market is already taking based on a number of resource consents in recent years seeking to establish these activities in industrial areas.

- vii. Industrial activities are not anticipated in commercial environments due to the low amenity and streetscape values that such activities can generate. Industrial activities are therefore proposed to have a non-complying activity status.

- viii. The proposed **Large Format Retail zone** has a different set of activity-based provisions. Retailing is anticipated provided that individual tenancies are larger than 450m<sup>2</sup>. This dimension and requirement is consistent with that recently adopted through the Christchurch Plan Review process and is accepted as being necessary to prevent the LFR zone from simply morphing into another mixed commercial centre, thereby negating its primary purpose of providing for a specific type of retail typology. Other large-format activities such as trade and yard-based suppliers and gymnasiums and indoor sports centres are also provided for. A limit on floorspace restricting Food and Beverage outlets > 150m<sup>2</sup> GFA is sought to be imposed as well as separation between similar outlets to reduce the scale and agglomeration of such activities to the detriment of Town Centre investment.

Offices in the LFR zone are only anticipated where they are ancillary to an otherwise permitted activity, again in reflection of the purpose of the LFR zone and its place in the centre hierarchy [181]. Supermarkets and department stores, whilst having a large format footprint, have significant roles as centre anchors that attract other activity. As such they are provided for in the main commercial centres rather than the LFR zone [186]. Community and civic facilities may likewise be appropriate on a case-by-case basis depending on their scale and nature. A consenting pathway is provided as a fully discretionary activity to enable a case-by-case assessment to be made and consideration given to all relevant matters.

Stand-alone offices, small format retailing, residential activity and travellers' accommodation are not anticipated as being part of the role or function of the LFR zone and could pose a direct threat to the function and viability of the other established commercial centres. As such they are proposed to be non-complying activities [186]. It is noted that noise-sensitive activities in the B5 zone are a non-complying activity in the Operative Plan (31.5.7).

### 8.5.2 Commercial zone – Built Form Standards

256. The extent and nature of built form standards for activities within the commercial zones is identified below:

- i. **Urban design:** The Operative Plan approach of requiring all new buildings on sites with frontage to a Principal Shopping Street to be subject to a qualitative urban design assessment is retained. As part of this preliminary stage the extent of the Principal Shopping Street frontages has not been reviewed, however it is recommended that this is undertaken as part of the rule package development. The Rangiora and Kaiapoi Town Centres have a Key Activity Centre role and function with an associated greater scale and number of anticipated commercial buildings. These two centers are the key social and commercial hubs for the District, and therefore it is important for the social and economic well-being of the District that they are attractive and functional hubs for both their immediate communities and the wider Waimakariri District population. As such it is appropriate to retain urban design control along the main retail streets in these centres.

For sites that do not have frontage to a Principal Shopping Street, the Operative Plan requirement for an urban design assessment is retained for new buildings (and additions) that are over 450m<sup>2</sup> Gross Floor Area.

The Operative Plan trigger of 450m<sup>2</sup> floor area is consistent with that used in the Selwyn District Plan. It is smaller than that used in the Christchurch Plan (1,000m<sup>2</sup> for the medium sized suburban centres and 4,000m<sup>2</sup> for Key Activity Centres), but the township centres in Waimakariri are likewise generally smaller than Christchurch's larger suburban centres. A 450m<sup>2</sup> building will therefore be a large building in terms of the existing size of buildings in these centres and as



such if poorly designed has the potential to stand out or be visually dominant in the streetscape. The development of large new retail buildings in the smaller townships is also relatively uncommon and therefore it is important that large new additions are well designed as they will be ‘the new big thing’ for quite some time.

The Operative Plan urban design assessment matters have been rationalized and are proposed to be more closely aligned with those developed through the Christchurch Plan Review process and that were the subject to considerable critique. The activity status is also proposed to be a Restricted Discretionary consent (thereby enabling inappropriate proposals to be declined) and explicitly non-notified given the key issues relate to integration with the wider centre context and amenity rather than any direct effects on specific parties.

It is noted that the Christchurch Plan provides for a controlled activity pathway where designs are certified by a Council-approved panel of designers. Implementation of this pathway appears to be problematic, with the City Council yet to have developed criteria for appointed an approved panel some two years after the decisions were issued.

- ii. **Height:** The Operative Plan has a standard 12m height limit for the B1 zones in Rangiora & Kaiapoi, 15m in Woodend, 10m in Pegasus, and 8m in Oxford. The Business 4 zone has a height limit of 8m and the B5 zone has a height limit of 12m (reducing to 10m where located within 30m of the southern boundary).

It is proposed to increase the height limit in the Rangiora and Kaiapoi Town Centre zones to 15m to enable 5 story buildings and thereby provide additional capacity within the zone for accommodating office activity in particular. The rule package retains the Operative Plan requirement for development to comply with Residential Zone recession plane angles where sites directly adjoin such zones, noting that in the vast majority of cases the Commercial and Residential zones are separated by a road. Within town centre contexts taller buildings are compatible with the function and purpose of these areas as the key activity nodes for the District.

The Local Centre zones and Large Format Retail zones are both proposed to have a height limit of 12m in recognition of the wide-span warehouse style buildings common with large format retail and supermarkets. The recession plane requirement again helps to manage interface issues where such zones directly adjoin residential zones.

The Operative Plan height limit of 8m for B4 zones is retained for the proposed Neighbourhood Centre zones. This height limit recognises the smaller scale of these centres and their suburban locations with immediate residential neighbours. It also reflects the function and purpose of these zones which is to provide for convenience shopping and modest quantum of offices or other commercial activities.

A Discretionary consenting pathway is proposed to enable assessment of all matters arising from individual proposals on a case-by-case basis.

- iii. **Internal Boundary Recession Planes:** Retain the Operative Plan requirement to meet Residential Zone recession plane requirements along internal boundaries with Residential and Open Space Zones. Recession plane requirements are not considered to be necessary along zone boundaries with Rural or Industrial zones given the large lot sizes in rural zones which enable rural dwellings to be located some distance from commercial buildings. No recession planes are considered to be necessary with Industrial Zones given the less sensitive nature of Industrial activities.



No recession planes or building setbacks are proposed along internal boundaries between sites within Commercial zones as the Commercial Zone provisions anticipate multi-story buildings being appropriate on internal boundaries with other commercial sites. Such a built form is already well-established in commercial areas and develops positive urban design outcomes especially along retail street frontages where a continuous frontage provides an enclosed and attractive main street environment. The separate street scene rules that require buildings to be developed along the full frontage of the Principal Shopping Streets is predicated on the ability to build to internal boundaries with other Commercially zoned sites.

- iv. **Internal Boundary Building Setbacks and Landscaping:** Introduce a 3m building setback from internal boundaries with Residential and Open Space zones.

This is an increase from the Operative Plan approach of not requiring any setbacks. The setback rule is complemented by a landscaping rule on internal boundaries.

In combination, these two requirements, along with the recession plane rule, work as a package to achieve an acceptable level of amenity and outlook for immediate residential neighbours. As noted above, the majority of the Town Centre zones are bounded by roads, therefore this rule package has its application primarily for Local Commercial and Neighbourhood centre zone interfaces. The Operative Plan does not currently manage the built form interface with residential zones, beyond recession plane requirements. It is proposed to retain recession plane controls, and introduce a 3m building setback and landscaping requirement along internal boundaries at the zone interface.

- v. **Road boundary setbacks, glazing, and verandas:** The matters covered by this rule work as a package to provide acceptable streetscape outcomes, especially for smaller developments that are not subject to the urban design rule discussed above. Provided smaller developments comply with the road frontage package an acceptable streetscape outcome should be achieved, thereby avoiding the need for a qualitative urban design assessment to apply to all new development. The package requires buildings to be built to the road frontage, to include verandas, pedestrian entrances, and to include at least 60% glazing at the ground floor street-facing façade. These rules reflect the standard on-the-ground approach to small format retailing that has existed for many years and therefore should not be unduly onerous or out of keeping with what the market has provided in Waimakariri.

As this package of rules relates to streetscape quality rather than the amenity of specific parties, it is recommended that consents generated by these provisions be processed on a non-notified basis.

- vi. **Road boundary setbacks and landscaping – LFR and Local Commercial zones:** A different approach to streetscape treatment is proposed for the LFR zones and for the two existing supermarket sites in Rangiora. The large format nature of the anticipated activities, combined with the existing built form and site layout of the established supermarket sites makes the above package of streetscape rules impractical. In short these zones have a different purpose and context to 'main street' retail environments. The proposed building setbacks and landscaping requirements align more closely with those proposed in the Industrial zones, given the 'big box' nature of the anticipated built form, along with anticipated high levels of surface carparking that accompanies these typologies.

- vii. **Outdoor Storage:** Require the screening of outdoor storage areas by solid fencing at least 1.8m in height or solid hedging along internal boundaries with Rural, Residential, Commercial or Open

Space Zones or the road boundary. This is to ensure that storage areas are ideally located to the rear of buildings and are adequately screened from neighbouring sites to ensure an acceptable level of visual amenity is achieved.

- viii. **Acoustic Insulation of bedrooms:** To date there has been limited residential development within the Waimakariri Business 1 zone. Existing residential properties are long-established dwellings that have yet to be redeveloped for commercial purposes, rather than new townhouse or apartment complexes. Over the life of the District Plan there is the potential for demand to increase for alternative housing typologies and the higher density, low maintenance dwellings in a convenient town centre location. The occupants of such typologies should anticipate a different level of amenity compared with a quiet suburban location. There is nonetheless a need for acceptable levels of amenity to be delivered, commensurate with a town centre context. It is therefore proposed to introduce a requirement that bedrooms (but not the whole unit) for residential and traveler accommodation in the commercial zones achieve adequate levels of acoustic insulation. This will enable residents to get a good night's sleep and will likewise help to avoid reverse sensitivity issues from arising. It is proposed that the standards only need to be met with windows closed, and that no alternative mechanical ventilation need be provided as the costs of such can be unduly onerous.
- ix. **Residential amenity rule package:** a minimum set of requirements is proposed for new residential units in commercial zones to ensure that future occupants have an acceptable level of amenity. These requirements relate to the minimum size of units, and the provision of outdoor living and storage space. These standards are based on long-established standards for these matters in Christchurch where there has been a longer track record of medium density housing. In general these standards appear to be able to be readily met by the market and provide an important baseline for achieving an acceptable standard of amenity for higher density housing typologies. It is noted that where residential developments are over 450m<sup>2</sup> that they will also be subject to an urban design assessment which will enable qualitative consideration of the development to occur.

It is also proposed that in the Town Centre zones, residential units only be permitted at first floor level and above. This proposed rule is to enable sufficient capacity is maintained at ground level for retail and commercial activities, to ensure an attractive and visually activated streetscape is maintained, and to ensure that acceptable levels of amenity and privacy for future residents is achieved.

## 8.6 Proposed Industrial Zone Rules

- 257. There are two distinct contexts for the industrial business zones in Waimakariri, namely those that reflect long-established areas of industrial activity, and greenfield areas that have been created within the life of the Operative District Plan through an associated plan change process (primarily Southbrook and parts of the wider Ravenswood development).
- 258. For the established B2 zones, any changes in regulatory approach through the District Plan Review will be relatively limited in effect due to the established nature and existing use rights (or implemented resource consents) of much of these areas. That said, interspersed through the B2 zones are under developed sites and sites that are used for yard-based storage and vehicle parking and that therefore have the potential for more intensive development.

259. With the move towards an activities-based plan format, combined with the proposed National Planning Standards ('NPS') framework, careful consideration has been given to the range of activities that are appropriate within B2 zones. It is proposed to more clearly reflect the zone's purpose in the zone name, along with achieving consistency with the NPS, through renaming the B2 zone to an 'Industrial zone'. Such naming also achieves a degree of cross-border consistency with the newly operative Christchurch District Plan which has an Industrial General and an Industrial Heavy Zone framework, with the Industrial General zone providing for 'lighter' activities. The Industrial General Zone in Christchurch covers either small isolated industrial sites or forms a buffer edge between Industrial Heavy Zones and residential areas. This zone model has been in place in Christchurch for several decades and seems to have been reasonably successful in managing interface issues. Certainly, there was little opposition to continuing with this framework at the recent Christchurch review hearings.
260. Given that the extent of industrial areas in Waimakariri is significantly less than in Christchurch, combined with the predominant activities being warehousing, light manufacturing, and yard-based activities, it is proposed to adopt a single Industrial zone for the operative Business 2 zones, albeit Heavy or Special Purpose Industrial Zones may be required for both the Ashley MDF Plant and Oxford Sawmill.
261. The proposed permitted activities reflect both the observed common activities that are already established in the B2 zone, and the findings of a review of other activities-based District Plans in terms of the range of activities that are typically provided for in industrial areas. The proposed activity list has three broad groupings as follows:
- i. Industrial activities: These provide for a typical range of activities found in industrial areas and include small-scale ancillary support activities such as cafes and service stations. Anticipated activities also include trade suppliers that retail products such as building materials or car parts, and yard-based retailing such as car or boat yards.
  - ii. Commercial activities: other than as provided for under (1), retail and office activities are to be avoided as these are more appropriately located within the Commercial town centre zones. Such direction is required through the CRPS which has a strong 'centres-based' focus on the location and role of town centres, and in particular the Key Activity Centres of Rangiora, Kaiapoi, and Woodend.
  - iii. Sensitive activities: Residential and Traveller's Accommodation are to be avoided in the Industrial Zone due to the potential to generate reverse sensitivity issues and to unduly curtail the reasonable operation and development of industrial activities, thereby frustrating the role and purpose of the Industrial Zone.
262. The caveat to this approach is where in the Waimakariri context, a number of the industrial zones are both relatively small and are adjacent to established residential areas. The physical resources associated with a number of these properties visually appear to be close to the end of their economic lives or are underdeveloped. As such there may over the life of the Plan be a legitimate desire to redevelop such sites for non-industrial purposes e.g. trade supply retailing or residential. There is therefore a tension between limiting new sensitive activities being introduced into actively used industrial areas, yet conversely having a Plan framework in place that also facilitates brownfield redevelopment to higher amenity uses for isolated industrial sites where ongoing industrial use may not be appropriate.
263. There is therefore a need to carefully consider the strategic policy approach and balance between managing urban growth, providing for the ongoing needs of industry, and enabling appropriate redevelopment of brownfield sites in appropriate locations. The Christchurch Plan contains a clear policy framework that addresses brownfield sites that provides helpful direction on this matter.

264. For the established B2 zones, there are three typical interface contexts, namely directly adjoining internal boundaries with residential zones, across the road from residential zones, or directly adjoining internal boundaries with a rural zone (primarily Southbrook). The below provisions are arranged to reflect these three contexts.
265. The built form standards in the Industrial Zones are proposed to be relatively simple, reflecting both the anticipated level of amenity in industrial zones and the well-established framework established in the Operative District Plan and that does not appear to be generating unacceptable outcomes. The Operative Plan built form standards have therefore generally been retained, subject to several amendments to reflect observed amenity-related matters that need to be addressed and in response to the frameworks developed in other recent second generation District Plans.

### 8.6.1 Industrial zone – Activity Based Provisions

266. The spectrum and status for activities within the Industrial zones is identified below:
- i. Provide for **Industrial activities**, with the definition of this term to include warehousing and factory activities;
  - ii. Provide for **ancillary offices** where they are in association with an otherwise permitted activity on the same site. The majority of industrial and trade supply activities include an on-site office element where the administration and support of the primary activity occurs. Whilst in theory some of these office functions could operate independently on a separate town centre site, in practice businesses generally derive greater value in having all their activities in the one location to enable the easy transfer of ideas and communication between staff at a management level and the 'shop floor'. It is proposed that the extent of ancillary office space be limited to no more than 250m<sup>2</sup> or 30% of building GFA (whichever is lesser), or 250m<sup>2</sup> GFA for yard-based activities. Whilst there is often an element of arbitrariness with any planning control, the above limits are consistent with those determined through the recent Christchurch District Plan process as appropriately providing for the practical needs of industrial activities whilst concurrently not undermining the wider strategic direction provided in the CRPS towards office activity locating primarily within commercial centres.  
  
Office floor area of 250m<sup>2</sup> equates to accommodation for approximately 25 staff based on a conservative 10m<sup>2</sup> per staff member. As such it provides for a reasonably large office support function for a medium to large business. Offices that are larger than 250m<sup>2</sup> are more likely to include head office or wider commercial activity that is less directly connected to the industrial activity occurring on the site and that is reaching a scale that it is more appropriately located within a town centre environment. For activities that require more than 250m<sup>2</sup>/ 30% office space, there is proposed to be a consenting pathway available as a Restricted Discretionary activity where the site-specific nature of the activity and its wider effects on the role and function of town centres can be assessed.
  - iii. Provide for **ancillary retailing** of products produced or processed on the site. As with ancillary office activities, industrial businesses can include small showrooms or factory shops that provide site-related retailing direct to the public. It is proposed to limit the extent of retailing of goods produced or processed on the site to no more than 250m<sup>2</sup> or 20% of building GFA (whichever is lesser). These limits are again consistent with those determined through the recent Christchurch District Plan Review. As with over-size ancillary offices there is proposed to be a consenting

- pathway available as a Restricted Discretionary activity where the site-specific nature of the activity and its wider effects on the role and function of town centres can be assessed.
- iv. Provide for **trade and yard-based suppliers**. Both trade and yard-based activities are generally not appropriate in town centre 'main street' contexts due to their space extensive nature and moderate urban design outcomes, and conversely commonly seek to locate in light industrial areas where there is high profile frontage to arterial or collector roads. There is limited capacity available in the town centre zones for such activities, with the capacity that is available better used for main street comparison retailing and offices, noting that there is an identified need for more general retail and office space in the district over the life of the Plan.
  - v. Provide for **gymnasiums and indoor sports centres** in the Light Industrial Zone (and DIS in any application of the Heavy Industrial zoning). Indoor sports centres generally occupy industrial warehouse-style buildings due to their functional requirements of large clear span internal spaces to provide the necessary area for indoor sports. Conversely glazing is not generally required or desired due to issues with temperature control and the potential for window breakages from ball sports. Such centres are therefore appropriately located within industrial areas, and conversely are not well suited to town centre commercial contexts due to their large floor area requirements and utilitarian building design. Common activities include privately run gyms, indoor cricket and netball facilities, and children's play facilities such as indoor trampolining, inflatable 'bouncy castle' type activities, indoor mini-golf etc.
  - vi. Provide for **utility infrastructure** as a necessary part of the wider network infrastructure found in urban areas.
  - vii. Provide for **service stations and cafes/ convenience stores** as these provide a necessary service to local workers. It is proposed to limit the size of food and beverage outlets to no more than 150m<sup>2</sup> of Public Floor Area to ensure that they are modest in scale and have a primarily local catchment servicing nearby workers. From site visit observations within Waimakariri District and Christchurch industrial areas the majority of cafes and dairies in industrial areas have PFAs that are well within the 150m<sup>2</sup> limit.
  - viii. Provide for **community corrections facilities and emergency services** in the Light Industrial Zone (and DIS in any application of the Heavy Industrial zoning). Both of these types of activity serve a community need and are less appropriate to locate within residential or town centre commercial contexts. They also both typically include yard-based areas for heavy vehicle and van storage. It is important to note that the proposed definition of community correction facilities excludes custodial facilities and that no people are to be detained on site.
  - ix. Provide for **parking lots**, where parking is the primary activity occurring on the site. The visual outcomes of larger parking areas is compatible with an industrial environment that typically includes yard-based activities.
  - x. Manage **community facilities** through a Restricted Discretionary consent process in the Light Industrial Zone (and NC in any application of the Heavy Industrial zoning). Facilities such as pre-schools and medical facilities can provide a necessary service to both local workers and the wider community. Churches and similar spiritual facilities likewise provide a necessary service, and also often seek to locate within existing industrial-style buildings that have a large clear internal space that functions well for church services. Given the range and scale of potential community facilities and the potential to generate reverse sensitivity and traffic effects, a case-by-case assessment is considered to be appropriate to ensure that the design and operation of



a specific proposal is compatible with the wider outcomes sought in the Industrial General zone, unduly detract from the role of town centre zones and will not generate unacceptable reverse sensitivity, traffic, effects.

- xi. Manage **commercial services** through a fully discretionary resource consent process in the Light Industrial Zone (and NC in any application of the Heavy Industrial zoning). Commercial services cover a wide spectrum of activities from some that may be appropriate in industrial areas such as dry cleaners, through to others that are better located in town centre commercial contexts such as hairdressers or travel agents. Given the range of scale and nature of commercial service activities it is proposed that these are assessed on a case-by-case basis through a fully discretionary resource consent that enables the Council to consider all relevant matters.
- xii. Manage any **other activities** that are not otherwise specified through a fully discretionary resource consent process to enable the potential effects and consistency with the District Plan policy framework to be considered on a case-by-case basis.
- xiii. Avoid **retail and office activities** that are not permitted under the categories discussed above. Given the strong CRPS direction regarding the role and function of Key Activity Centres and the anticipated and function of industrial zones, such activities are to locate within Commercial zones. The Operative District Plan restricts offices in the Industrial greenfield Priority areas as a non-complying activity as a response that was introduced into the Operative Plan as an action to implement the Land Use Recovery Plan following the Canterbury earthquake sequence.
- xiv. Avoid **residential and travelers' accommodation** in Industrial zones due to the sensitivity and differing amenity expectations that such activities can have to industrial activities. The location of sensitive activities within industrial environments can frustrate the role and function of such zones to provide an effective location for industrial businesses to operate.

### 8.6.2 Industrial zone – Built Form Standards

267. **Road Boundary Setbacks and Landscaping:** The extent and nature of interface standards for activities within the Industrial zones adjoining road boundaries is identified below:

- i. Require a minimum 10m building setback for road boundaries with strategic or arterial roads, or where the road boundary is separating the site from a Residential, Rural, or Open Space zone. This dimension aligns with the Operative Plan approach that has been in place for several decades.

Require a building setback of 3m to other roads e.g. roads that are internal to the Industrial Zone. The level of amenity and visibility of such roads is less sensitive than frontages to busy roads or where opposite more sensitive zones. The reduced setback is sufficient to provide space to establish landscaping along the road boundary, whilst concurrently limiting the costs to business through the loss of productive business land which larger setbacks and landscaping strips would entail. This rule is a reduction in regulation relative to the Operative Plan which requires a 10m road setback along all frontages.

Include an exemption to the above building setback requirements where the road-facing building façade has a minimum of 40% glazing and is for office or showroom purposes. This exemption is in recognition of the higher urban design outcomes that can be achieved through glazed facades (which mitigates the need for a large setback and landscaping). It also recognizes that

many industrial activities include ancillary office uses that can be located at the front of the site, and the proposed permitted activity status for trade suppliers which can have showrooms that are more retail than industrial in appearance with associated higher levels of visual amenity. Such an arrangement is also consistent with both the usual market and functional preferences of industrial developers and also reflects the requirements often found in private developer covenants for industrial areas that seek to locate office and retail functions at the front of sites. The exemption complements a separate rule requiring that showroom and office spaces be located at the front of buildings facing the street (even where buildings are set back more than 10m).

- ii. Require the space between the building and the road to include a minimum 2m deep landscape strip, with a minimum of 1 tree per 10m of frontage. This recommendation aligns with a similar approach undertaken in the Ashburton, Christchurch, and the Operative Waimakariri District Plan which all seek to facilitate the establishment of tree planting along streets where industrial businesses are located opposite residential zones. The combination of building setbacks and specimen tree planting will over time result in an improvement in street scene amenity along these zone boundaries and streetscapes.
  - iii. Require outdoor storage areas to be screened by solid fencing or dense hedging landscaping of at least 1.8m in height along road boundaries. One of the consistent observations from site visits was the adverse amenity effects that results from visible transport yard/ outdoor storage areas where these are located opposite a Residential Zone. Where these were screened, there was an observable improvement in interface amenity.
  - iv. It is proposed that consents required by proposals not meeting the above rules relating to building setbacks, location of offices, and landscaping strips all be processed on the explicit basis that they not be limited or publicly notified non-notified. This is because the primary effect of any non-compliance is on the wider streetscape rather than any individual parties and in order to balance the costs of regulation with the benefits of such in industrial environments.
  - v. Consents triggered by all of the above built form standards are proposed to be Restricted Discretionary activities as the matters to be assessed are able to be defined (and limited) and where it is appropriate to retain the ability to decline applications that would result in unacceptable effects (which controlled activity status would not).
268. **Internal Boundary Setbacks and Landscaping:** The extent and nature of interface standards for activities within the Industrial zones adjoining internal boundaries is identified below:
- i. Retain the Operative Plan requirement to meet Residential Zone recession plane requirements along internal boundaries with Residential and Open Space Zones. Recession plane requirements are not considered to be necessary along zone boundaries with Rural or Commercial zones given the large lot sizes in rural zones which enable rural dwellings to be located some distance from industrial buildings. No recession planes are considered to be necessary with Commercial Zones given the less sensitive nature of commercial activities and the lack of a recession plane requirement between sites within the Commercial Zone i.e. the Commercial Zone provisions anticipated multi-story buildings being appropriate on internal boundaries with other commercial sites.
  - ii. Retain the current Operative Plan height limit of 15m in the Light Industrial Zone (and 25m in any application of the Heavy Industrial zoning). as being appropriate in an industrial context and in combination with the recession plane requirement which will push taller buildings away from more sensitive zone boundaries. There are very few examples of buildings in a Wamakariri context that



- have sought to go higher than 15m due to functional requirements associated with an industrial activity. Note either the rule or the definition needs an exemption for chimneys and aerials – either as part of a district-wide exemption in the height definition or if not then as an explicit clause in the Industrial zone height rule.
- iii. Unlike in Christchurch or larger cities, in Waimakariri District the industrial zones are relatively small blocks that are adjacent to residential areas or the gateway entrance to townships. As such it is not considered to be effective or efficient to have a stepped height limit that increases with distance from residential or rural zone boundaries as there are no industrial areas on a suburb-scale. A Discretionary consenting pathway is proposed to enable assessment of all matters arising from individual proposals on a case-by-case basis.
  - iv. Retain the Operative Plan requirement that buildings be set back a minimum of 10m from internal boundaries with Residential and Open Space Zones to enable the establishment of screening landscaping and to provide a degree of visual separation given the typically greater scale, mass, and utilitarian appearance of industrial buildings.
  - v. Require a minimum 3m building setback from internal boundaries with Rural Zones. This constitutes a reduction from the Operative Plan requirement for a 10m setback which is considered to be excessive given the large site sizes and separation distances inherent in a rural environment. The proposed 3m building setback is sufficient to enable the establishment of a landscape strip to help visually soften the appearance of large industrial buildings.
  - vi. The Rural Zones have an associated limit of one dwelling per 4 hectares. Whilst much of the rural areas adjacent to townships have already been subdivided into 4 ha blocks, any future dwellings are still likely to be located some distance from the interface given the locational choice inherent in a 4 ha block and the likely preference to located dwellings away from industrial boundaries given that choice. The exception to this would be where the adjoining rural zone is identified as an urban growth area for residential activities, although in that situation it is expected that the growth area would be subject to an ODP with attendant boundary interface requirements such as bunding and landscaping within the newly created residential zone.
  - vii. Require a minimum 2m deep landscape strip along internal boundaries with either solid hedging of a species capable of achieving a height of at least 2m at maturity, or one tree per 10m of boundary. This recommendation will achieve consistency with the recently reviewed Christchurch and Ashburton Plans and will enable a degree of screening to be achieved along the zone boundary interface;
  - viii. Require the screening of outdoor storage areas by solid fencing at least 1.8m in height or solid hedging along internal boundaries with Residential, Rural, Commercial, or Open Space Zones.
269. **Greenfield Provisions:** Future industrial zones will be established through plan change processes that are very likely to include the provision of ODPs and where appropriate associated requirements for bunding, landscaping, and building setbacks along interface boundaries.
270. For new industrial blocks that may be rezoned through the life of the new Plan, it is recommended that a policy framework be in place to provide guidance on the sorts of locations where such rezoning might be appropriate, and secondly to provide direction as to the form such development should take to interface treatment.

271. Put simply, at a policy level the first step is to locate new industrial business zones in locations where they will not give rise to interface effects i.e. away from residential areas, and secondly if this is not possible due to wider urban form and servicing/ access considerations then to have a carefully considered interface treatment identified on an ODP where directly adjoining residential and Rural Inner Plains areas e.g. bunding, landscaping, and reasonable activity setbacks).

## 8.7 Definitions (included Nesting Tables)

272. The respective definitions as modified to conform with the National Planning Standards (as identified with a \*) are:

- **Ancillary activity:** means an activity that supports and is subsidiary to a primary activity.
- **Business activities,** commercial activities and industrial activities.
- **Commercial activity\*** means any activity trading in goods, equipment or services, It includes any ancillary activity to the commercial activity (for example administrative or head office) - and includes retail activities, offices, commercial services and entertainment facilities.
- **Retail activities,** being the use of land / buildings for displaying or offering goods for sale or hire to the public. It includes food and beverage outlets, trade suppliers and service stations.
- **Industrial activity\***, means an activity that manufacturers, fabricates, processes, packages, distributes, repairs, stores, or disposes of materials (including raw, processed, or partly processed material(s) or goods. It includes any ancillary activity to the industrial activity.
- **Trade Supplier,** Business engaged in sales to businesses, may include sales to general public, but wholly consists of sales in one or more of the following categories:
  - Automotive and marine supplies;
  - Building supplies;
  - Garden and landscaping supplies;
  - Farming and agricultural supplies;
  - Hire services (excluding hire of books, DVD and video);
  - Office furniture, equipment and systems supplies.
- **Yard Based Activity,** Retail activity with the primary function of the supply of goods from a yard area and includes building supplies (DIY or Trade), garden centres, automotive and marine yards, farming and agricultural supplies and heavy machinery or plant. More than 50% of the area devoted to sales or display must be located in covered or uncovered external yard as distinct from within a secure and weatherproofed building where trade, business and general public customers are able to view items for sale and load, pick up or retrieve the goods, but does not include site access and parking. Drive-in or drive through covered areas devoted to the storage and display of construction materials (including covered lanes) are deemed yard space for the purpose of this definition.
- **Automotive and marine supplier,** businesses primarily engaged in selling automotive vehicles, marine craft, and associated parts and accessories for such vehicles and craft.
- **Building supplier,** businesses and associated premises used for the display and sale of goods and materials used in the construction, repair, alteration and renovation of buildings, including plumbing, electrical and landscaping.
- **Farming and agricultural supplier,** businesses primarily selling goods for consumption or use in the business operations of primary producers or in animal husbandry.

- **Garden and Landscape Supplies**, businesses primarily selling goods for permanent exterior installation or planting and includes: landscaping suppliers; and suppliers of bark, compost, firewood, and paving and domestic paving aggregates.
- **Office furniture**, equipment and systems supplies, businesses primarily selling goods for office-type use or consumption, and includes suppliers of computers, copiers, printers, office furniture and other related equipment.

273. The relevant nesting table for Business activities (Commercial and Industrial) activities is shown below:

Business activity	Activity group	Activity type	Specific activity
Commercial Activities	Offices		
	Retail	Food and Beverage	Bars and Taverns
			Restaurants and cafes
			Drive through restaurant
		Dairies	
		Large Format Retail	Department Store
			Supermarket
		Service Station	
		Trade Supplier	Automotive and marine supplies
			Building supplies
			Garden and landscaping supplies
			Farming and agricultural supplies
			Hire services
			Office Furniture, equipment and systems supplies
	Commercial Services	Veterinary clinic	
	Entertainment facilities		
Industrial activity	Freight Depot	Warehouse and Storage	
	Manufacturing	Light manufacturing and servicing	
	Repair and maintenance services		
	Storage and lockup facilities		
	Wholesalers		

*Note: Where an activity is included in a nesting table, the class or activity status of that activity in any activity table also applies to the nested activities set out to the right of that activity in the nesting table, unless an activity table expressly provides otherwise for a particular overlay or zone. By way of example the Business 5 zone would permit Large Format Retail, except for Supermarkets and Department Stores.*

## 9.0 SUMMARY

274. The proposed suite of commercial and industrial provisions (**Attachment B** and **Attachment C**) seeks to ensure the appropriate provision of business (commercial and industrial) opportunities to keep pace with the substantial level of growth predicted for Waimakariri District.
275. Those opportunities are not devoid of the statutory requirements for the district in terms of formulating and implementing a replacement District Plan as set out in *Colonial Vineyard vs Marlborough District Council*, including:
- Ensuring sustainable, compact and vibrant Town Centres (Key Activity Centres) for Rangiora, Kaiapoi and Ravenswood that are fit for the future;
  - Primarily direct commercial activity to the Town Centres, but ensure appropriate flexibility as to the types and scale of commercial activity where these are able to be enabled in Industrial areas, or where ancillary to residential or rural locations;
  - Otherwise make it more difficult for new retail and office activity to occur in the residential, rural or Business 2 zones;
  - take a long-term approach for industrial development, allowing the market to determine how and when it occurs; and
  - provide a framework for the management and distribution of business activity throughout the Waimakariri district, and for integration with infrastructure, the transport network, and residential environments.

### 9.1 Establishing the Framework - Community Issues

276. It is important that business activities provided for as permitted activities support the role and function of their respective zone. An activity that may, on a case-by-case basis, depart from the anticipated purpose and outcomes in the commercial and industrial zones should be considered as a *Discretionary Activity*. Such activities may have the potential to give rise to environmental effects that are clearly incongruent with the zone itself.
277. In industrial zones, this would include such activities such as commercial services or large ancillary offices or retailing; or a substantial commercial development in the more convenience-based Neighbourhood Centres.
278. The extent of the effect can either be based on the nature of the activity itself (such as the bulk and form of a large industrial warehouse in a commercial area), or the level of generated activity such as noise, traffic or signage.
279. A Discretionary status provides the ability to consider the proposal 'in the round' in terms of both ensuring compatibility in terms of effects (be it scale or traffic generation), and the enablement of such activities where these would assist the community role and function of zone.

### 9.2 Establishing the Framework - Strategic Issues

280. These are matters or proposed activities that would have substantial implications on the strategic direction of the Waimakariri District Plan, or for retail would result in demonstrable urban form effects. That is, land uses would be of such a scale and degree that there would be significant consequences on settlement

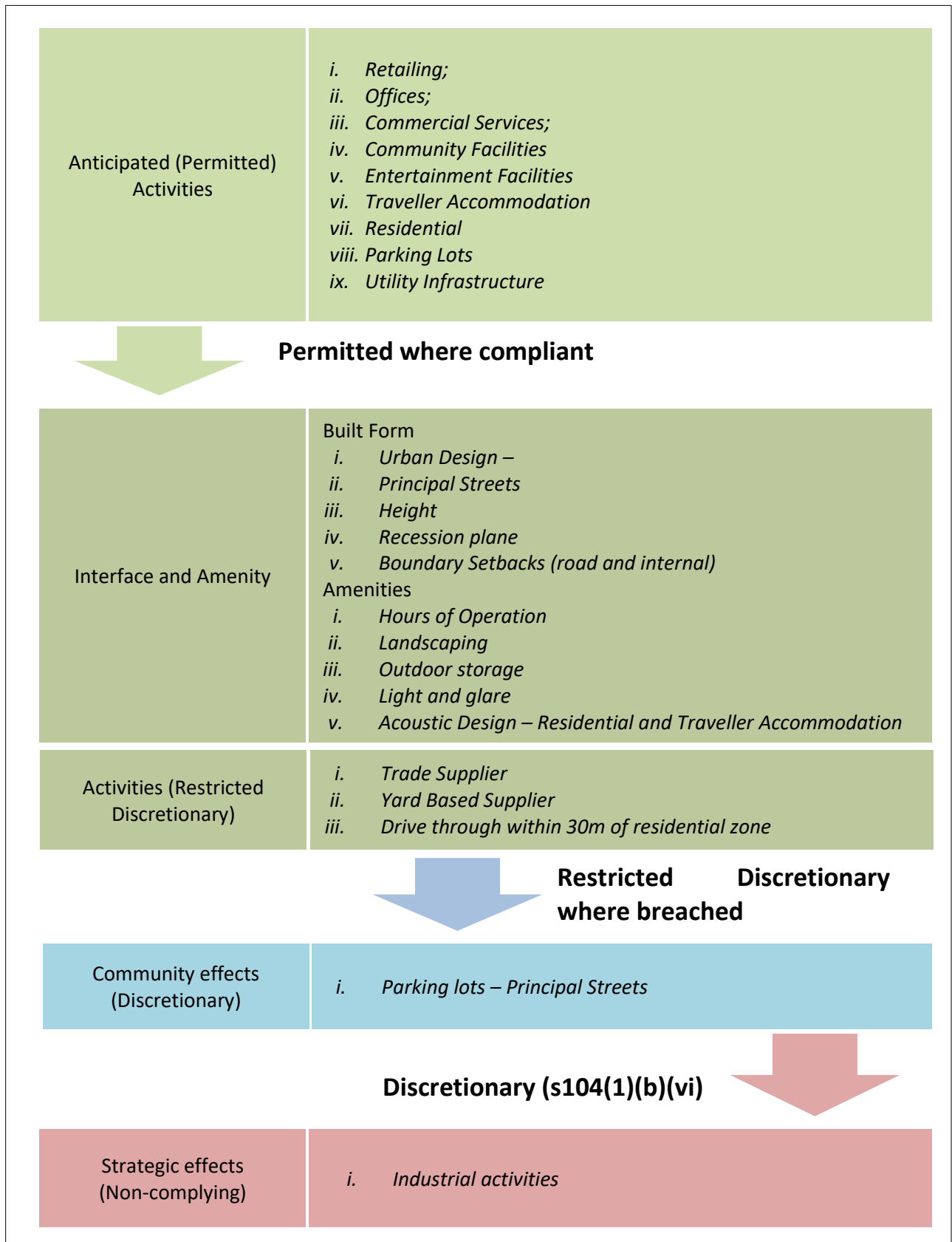
form, flows of employment, or result in commercial distributional effects on the District's commercial Centres.

281. Within the Industrial zone this would include commercial activities wishing to establish that would, individually or in agglomeration with others, give rise to significant distributional effects on the Waimakariri Town Centre hierarchy. It also includes sensitive activities such as residential or travellers accommodation that threaten the function and purpose of the zone. Conversely in Commercial Zones it includes industrial activities that are counter the high amenity outcomes anticipated in such centres.
282. For the Specific Purpose Large Format zone this would include the provision of small scale retail activities (excluding Food and Beverage) which in combination with permitted Large Format retail activities would provide a commercial centre by stealth.
283. Such activities are therefore non-complying.
284. For Rural and Residential zones, this would include careful consideration as to providing for small scale home occupations and rural business activities respectively where there is a genuine locational and economic benefit for provision in such zones. Large scale, or even the cumulative effect of the proliferation of smaller scale industrial and commercial activities in such zones ultimately undermines the Council's strategic approach to the provision and management of business activities within the District.
285. Accordingly, it would be important to ensure that out-of-centre commercial would not gain policy support in terms of establishment.

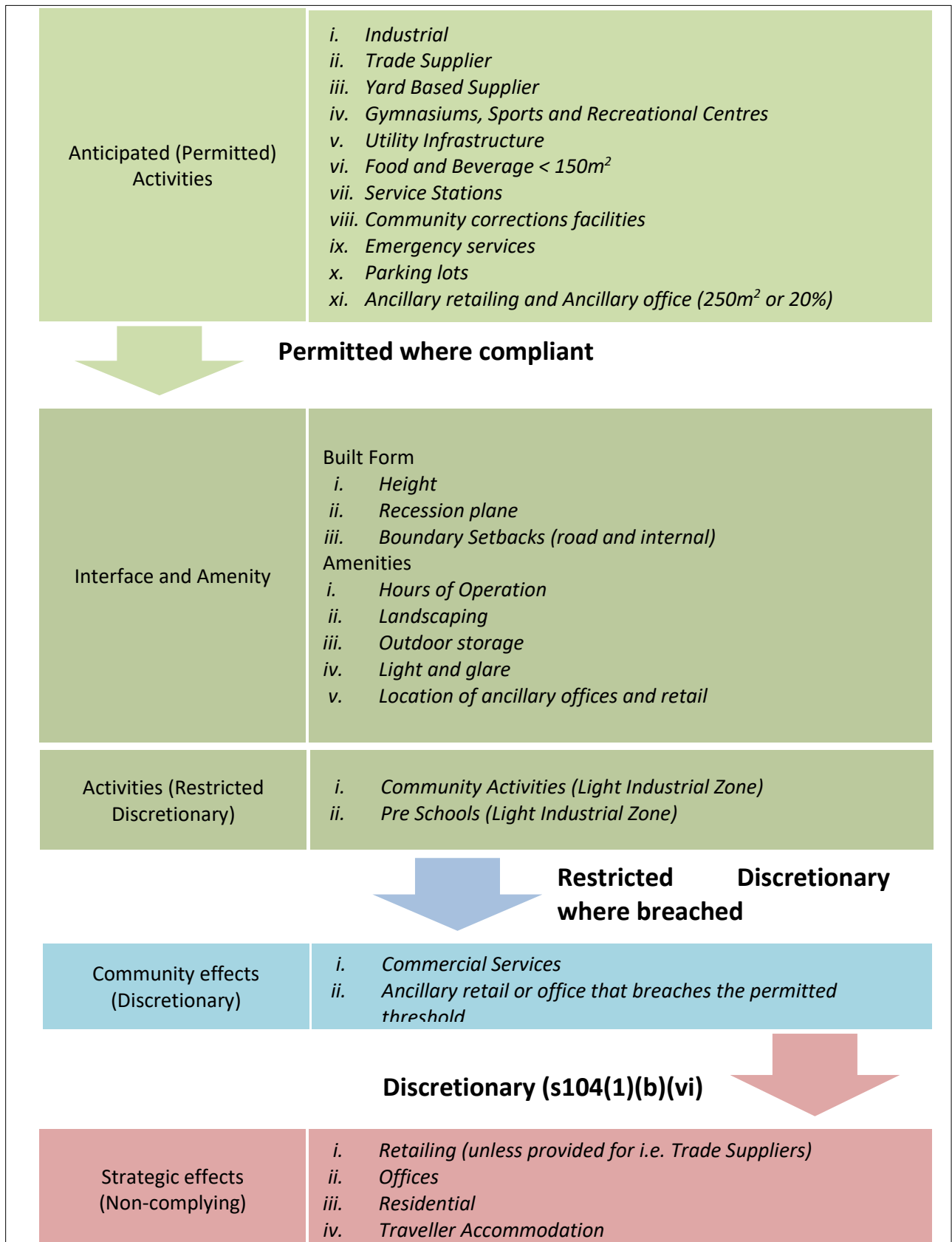
### **9.3 Summarising the Framework - Cascade of Management**

286. On the basis that the proposed District Plan will have an 'activities-based' structure as set out in the draft National Planning Standards the following cascade of rule provisions, as separated into a management of interface, community and strategic level effects is set out for the Town Centre Zone, Industrial Zone and Specific Purpose (Retail Park) Zone respectively (Figure 17 – Figure 19).

**Figure 17: Town Centre Zone – Indicative Rule Framework**

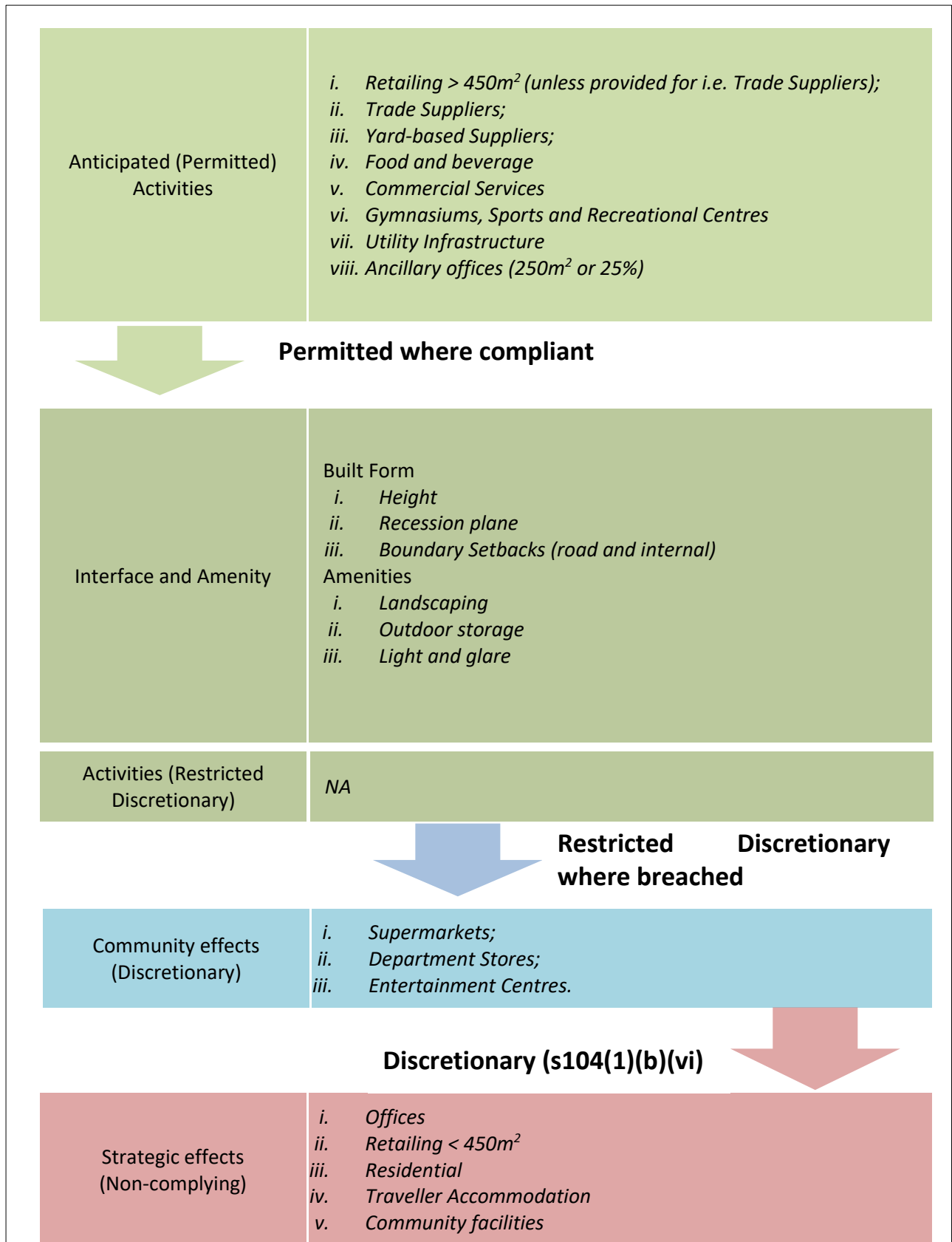


**Figure 18: Industrial Zone – Indicative Rule Framework**





**Figure 19: Large Format Retail Zone – Indicative Rule Framework**



## Attachment A – High Order Statutory Framework

### Alignment with Statutory Instruments

The alignment requirements of the replacement Waimakariri District Plan provisions with the broader statutory instruments is identified below:

Document	Alignment requirement to the replacement Selwyn District Plan (RMA1991)	Requirement definition
<b>National Planning Standard</b>	Recognition of national planning standards (s58l)	<i>Mandatory</i> and <i>Discretionary</i> directions.
<b>National Policy Statements (NPS)</b> NPS - Freshwater Management NPS - Renewable Electricity Generation NPS – Electricity Transmission NPS – Urban Development Capacity	Give effect to (s75(3))	Means to implement according to the purpose specified
<b>Regional Policy Statements (RPS)</b> Canterbury Regional Policy Statement (2013)		
<b>National Environmental Statements (NES)</b> NES Sources for Drinking Water NES Telecommunication Facilities NES Contaminants in Soil (introduced to TDP on 1 January 2012, refer Issues and Hazardous substances) NES Electricity Transmission Activities	Nationally set standards (s44A)	Rules in a district plan must not conflict or duplicate
<b>Regional Plans (RPs)</b> <b>Canterbury Land and Water Plan</b> <b>Canterbury Air Plan</b> <b>Recovery Plan</b>	Not be inconsistent with (s74(4))  (s60(1)) Greater Christchurch Regeneration Act 2016)	Are the provisions compatible with the purpose specified
Specified Management Plans and strategies prepared under other legislation (i.e. LTP, Waimakariri District Development Strategy prepared under the LGA2002).	Have regard to (s74(2)(b))	Giving matters genuine attention and thought, and such weight as is considered to be appropriate.
Christchurch, Ashburton, Selwyn	Have regard to the extent to which there is a need for consistency (s74(2)(c))	Giving matters genuine attention and thought, and such weight as is considered to be appropriate.
Mahaanui Iwi Management Plan	Take into account (s74(2)(c))	The matter must be addressed with weight is a matter of judgement based on the facts and merits of the issue.

## Attachment B – Proposed Commercial Provisions

### Introduction

#### *XX-00 Chapter Description*

#### *The Issue*

*The social and economic wellbeing of the District's communities may be challenged if the District's commercial base lacks diversification, self-reliance, and integrated infrastructure and does not reinforce compact settlement patterns.*

The business zones in the District are composed of the following components:

- (a) the Town Centre zone, comprising of the town centres of Rangiora, Kaiapoi and Ravensdown which comprise of a compact but wide range of commercial, community, civic and residential activities that serve as the focal points for the District.
- (b) The Local Centre zone, which comprises of the settlement centres of Oxford, Woodend and Pegasus, which have a limited range of convenience and community activities, and typically a Supermarket to support and serve their local communities.
- (c) Neighbourhood Centre zone, which relates to numerous small scale, predominantly commercial activities located within residential neighbourhoods at a scale to meet the convenience needs of the immediate community.
- (d) Large Format zone, which is a variant of traditional commercial centre zonings. It has been established to only enable large format retail activities or large yard areas within the District. The type of activity and its associated amenity and built form has high levels of traffic, moderate levels of advertising and a substantial public presence.

**The provisions in this chapter give effect to the matters in the Strategic Directions chapter.**

Objectives	Policies
<p><b>XX-01 Objective – Accommodating Commercial growth and development</b></p> <p>Commercial development occurs in a logical manner that promotes compact, well designed and integrated urban forms and self-sufficient economic development by recognising and providing for suitable employment and business opportunities.</p>	<p><b>XX-P1 Commercial focus and Centre hierarchy</b></p> <p>Commercial development and activities are primarily consolidated into a hierarchy of commercial centres at a scale and intensity consistent with the following:</p> <ol style="list-style-type: none"> <li>a. <b>Town Centres</b> as the principal focal point for the widest range of business, community and service activities, where the greatest concentration and scale of built form is recognised and enabled. Town centres provide for residential intensification at first floor and above, and are to be accessible by a range of modes of transport including public transport.</li> </ol>

Objectives	Policies
	<p>b. <b>Local Commercial Centres</b> provide some range of business, community and service activities including convenience activities to support and serve local communities.</p> <p>c. <b>Neighbourhood Centres</b> small scale, mainly convenience retail and business activities, limited to a range and scale that meets localised convenience needs.</p> <p><b>XX-P2 Centre Expansion</b></p> <p>Identify and provide land for the expansion of Town and Local centres, where the expansion:</p> <ul style="list-style-type: none"> <li>a. improves access to the range of facilities, goods and services in a convenient and efficient manner;</li> <li>b. remains consistent with the hierarchy of commercial centres identified in Policy <b>XX-P1</b>;</li> <li>c. does not result in strategic effects on those matters identified in <b>XX-P4</b>.</li> <li>d. adjoins the commercial zone and provides a logical zone boundary;</li> <li>e. maintains the amenity of adjoining residential zones; and</li> <li>f. supports a safe and efficient transport system which is integrated with the centre.</li> </ul> <p><b>XX-P3 New Neighbourhood Commercial Centres</b></p> <p>Provide for Neighbourhood Commercial Centres in new residential greenfield growth areas, where these achieve:</p> <ul style="list-style-type: none"> <li>a. a function and role consistent with the hierarchy of commercial centres identified in Policy <b>XX-P1</b>;</li> <li>b. integration into a comprehensive development of not less than 5 Ha, that includes residential activities, stormwater and transport networks.</li> </ul> <p><b>XX-P4 Out-of-centre zone commercial activity</b></p> <p>Discourage commercial activity locating outside of commercial centres having regard to:</p> <ul style="list-style-type: none"> <li>a. the actual or potential distributional effects on the function, role and amenity of <u>commercial centres</u> identified in Policy <b>XX-P1</b>;</li> <li>b. substantial or strategic urban form effects;</li> <li>c. effects that undermine the efficient use and continued viability of <u>commercial centres</u> and their success and vitality;</li> <li>d. Trade Supplier activities being appropriately located within either Commercial and Industrial zones,</li> <li>e. The provision of non-centre commercial areas, being:</li> </ul>

Objectives	Policies
	<ul style="list-style-type: none"> <li>i. A limited number of Large Format Retail zones to provide constrained opportunities for large format retail and trade supply activities outside of commercial centres zones; and</li> <li>ii. The Special Purpose (Museum and Conference) zone, which provides for limited ancillary commercial activities incidental to Museum and Conference activities.</li> </ul> <p>f. effects on the road network.</p> <p><b>XX-P5 Intensification</b></p> <p>Intensify and enhance commercial centres, through encouraging the efficient use of land, buildings and infrastructure by enabling increased building heights and substantial built form, a high-quality amenity and a wide range of activities.</p> <p><b>XX-P6 Kaiapoi Regeneration Areas</b></p> <p>Provide for mixed-use business activities in the Kaiapoi Specific Purpose Regeneration Areas where these activities:</p> <ul style="list-style-type: none"> <li>a. Complement the neighbouring Kaiapoi Town Centre’s function, role and amenity as identified in Policy <b>XX-P1</b>;</li> <li>b. Are of a scale, configuration or duration that does not result in strategic effects on those matters identified in <b>XX-P4</b>; and</li> <li>c. Support the regeneration, including urban renewal and development, of the Kaiapoi township.</li> </ul> <p><b>XX-P7 Non Centre Commercial Areas</b></p> <p>Recognise and provide for limited commercial opportunities within the:</p> <ul style="list-style-type: none"> <li>a. <b>Large Format Retail Zone</b> as providing for large floorplate retail and trade supply activities, with built form recognising the scale of activity and that access is primarily by private vehicle. Small scale retailing, offices, community facilities, and residential activity are avoided, and supermarkets and department stores are discouraged.</li> <li>b. <b>Special Purpose (Museum and Conference) zone</b> as providing for a museum and wedding venue, and associate tavern and conference facility and ancillary non-permanent accommodation.</li> </ul>

Objectives	Policies
<p><b>XX-O2 Urban form, scale and design outcomes</b></p> <p>Urban development that is of a scale, form and design compatible with the role of the centre, and which:</p> <ul style="list-style-type: none"> <li>a. Recognises the Town Centre zones of Rangiora, Kaiapoi, and Ravenswood as strategically important focal points for community and commercial investment;</li> <li>b. Contributes to an urban environment that is visually attractive, safe, easy to orientate, conveniently accessible and responds positively to local character and context;</li> <li>c. Recognises the functional and operational requirements of activities and the existing built form;</li> <li>d. Manages adverse effects on the surrounding environment; and</li> <li>e. Recognises Ngāi Tahu/ mana whenua values through the design of civic buildings and public outdoor spaces, where appropriate.</li> </ul>	<p><b>XX-P8 Scale and form of development</b></p> <p>Supports the function, role and amenity of commercial centres as identified in Policy <b>XX-P1</b> by encouraging:</p> <ul style="list-style-type: none"> <li>a. the largest scale of built form, and the greatest mix and concentration of activities in the Town Centre zone;</li> <li>b. a variety of scales of development and a range of local commercial, community and service activities in the Local Commercial Zones that manages adverse effects on the amenity of adjacent residential zones, and</li> <li>c. a limited range and small scale of activities in the Neighbourhood Commercial Zones that avoid or mitigate adverse effects on the amenity of adjacent residential zones.</li> </ul>
	<p><b>XX-P9 Scale and form of development</b></p> <p>The scale and form of development in commercial centres and the Commercial Large Format Retail zone shall:</p> <ul style="list-style-type: none"> <li>a. Reflect the context, character and the anticipated scale of the zone and centre's function;</li> <li>b. For Neighbourhood and Local Commercial zones, maintain a low rise built form to respect and integrate with their suburban residential context;</li> <li>c. For Town Centre and Commercial Large Format Retail zones enable larger floor plates and building heights while maintaining a high level of amenity in the centre; and</li> <li>d. Manage adverse effects on the surrounding environment, particularly at the interface with Residential and Open Space Zones, sites of Ngāi Tahu cultural significance identified in Appendix x and natural waterways.</li> </ul>
	<p><b>XX-P10 Design of new development</b></p> <p>Require new development to be well-designed and laid out by:</p> <ul style="list-style-type: none"> <li>a. Recognising <ul style="list-style-type: none"> <li>i. the scale, form and design of the existing built form within a site and the adjoining environment; and</li> <li>ii. the functional and operational requirements of activities and development;</li> </ul> </li> <li>b. Providing a principal street facing façade of visual interest that contributes to the character and coherence of a centre;</li> </ul>

Objectives	Policies
	<ul style="list-style-type: none"> <li>c. Encouraging pedestrian activity and amenity along streets and in adjoining public spaces, to a degree that is appropriate to the location and function of the road;</li> <li>d. Locating parking areas where they do not visually dominate the street frontage, and avoiding carparking areas that have direct frontage to Principal Shopping Streets;</li> <li>e. Facilitating movement within a site and with the surrounding area for people of all mobilities and ages, by a range of modes of transport through well-defined, convenient and safe routes;</li> <li>f. Promoting a safe environment through having regard to the Principles of Crime Prevention through Environment Design (CPTED);</li> <li>g. Achieving a visually attractive setting when viewed from the street and other public spaces, while managing effects on adjoining environments; and</li> <li>h. Managing compatibility issues of activities within and between developments especially for activities adjacent to residential zones, through:               <ul style="list-style-type: none"> <li>(i) site layout, landscaping and design measures, including back of house areas and storage;</li> <li>(ii) Controls on emissions including noise, light and glare.</li> </ul> </li> </ul> <p><b>XX-P11 Residential activities</b></p> <p>Discourage dwellings at ground floor in the Town Centre zones, and enable dwellings above ground in commercial zones.</p> <p><b>XX-P12 Design and Amenity of Residential Units</b></p> <p>Require residential development to be well-designed, sustainable and functional, while managing any reverse sensitivity effects including from higher levels of ambient noise and reduce privacy by ensuring:</p> <ul style="list-style-type: none"> <li>a. The provision of sufficient and conveniently located internal storage and outdoor living spaces;</li> <li>b. Minimum unit sizes;</li> <li>c. Acoustic insulation for residential activities and visitor accommodation located to limit the impact of noise generated within the Zone on occupant amenity.</li> </ul> <p><b>XX-P13 Other activities</b></p> <p>Discourage activities which have objectionable odour, dust or noise emissions, or would give rise to substantial adverse effects on the function, role and amenity of commercial centres and the Commercial Large Format Retail zone as identified in Policy <b>XX-P1</b>.</p>



## Rules

XXX	=	District-wide topic / Zone abbreviation (see Draft NPS numbering standard)
R	=	Rule
P	=	Permitted activity, subject to compliance with all relevant Activity and Built Form standards
C	=	Controlled activity
RD	=	Restricted discretionary activity
D	=	Discretionary activity
NC	=	Non-complying activity
Pr	=	Prohibited activity
N/A	=	Not applicable
BFS	=	Built form standard
AN	=	Advice note
EX	=	Exemptions
MD	=	Matters of discretion

## How to interpret and apply the rules

- a. The rules that apply to activities and structures in XXX are contained in the Activity Rules table below.
- b. Permitted activities are subject to compliance with all relevant Activity and Built Form standards. Activity standards are in the Activity Rules table below. Built form standards are in a separate table further below.
- c. Check Definitions and Abbreviations to confirm appropriate interpretation of rules and activity status.
- d. Activities and structures are also subject to District-wide rules. Check for any relevant District-wide rules that may also apply.
- e. Where multiple rules are breached, the highest activity status will apply.
- f. Where an activity is defined in the nesting table, the class or activity status of that activity in any activity table also applies to the nested activities set out to the right of that activity in the nesting table.
- g. Where a specific activity is defined in the nesting table, the activity status applied in that specific activity is applied.
- h. Check for any relevant Advice Notes below.
- i. Matters over which the District Council has limited its control (controlled activities) or restricted the exercise of its discretion (restricted discretionary activities) are identified in the Activity Rules table below.

- j. Matters of discretion are contained in a separate table below and will be considered by the District Council for restricted discretionary activities. The matters of discretion are also intended as a guide to what the District Council may consider in assessing applications for discretionary or non-complying activities and for these activities the discretion of the District Council is unlimited.
- k. Unless otherwise specified, the District Council reserves the right to require written approvals from parties it considers may be potentially affected, to process applications on a public or limited or non-notified basis, and to grant or decline consent.

*The Scope of the project did not include the B4 or B5 zone provisions (e.g Pegasus). We have looked at pull these zones into the assessment to provide a coherent framework. Planz are cognisant that there are additional site specific rules for newly zoned sites which will need to be integrated into the framework below.*

*The extent to which site-specific rules in the operative plan and associated ODPs need to be retained and rolled over is a matter to be resolved with WDC staff and may require specific consultation with the landowners who are in the process of developing these sites. Pegasus, Ravenswood, B5, and the various B4 zones in the new greenfield subdivisions all seem in particular to have a bundle of site-specific provisions/ exemptions e.g. 31.2.1 for Mandeville North or 31.1.1.64 for B5. If there is a need to retain a series of site-specific provisions then it'll need some careful thought about how that might fit within the NPS framework as overlays or precincts, or site-specific rules within the general commercial zones.*

Activity Rules – Neighbourhood, Local, and Town Centre Commercial Zones		
Rule No.	Activity	Activity status when compliance not achieved:
XXX-R1	<b>Permitted</b> activities in all Commercial zones: <ul style="list-style-type: none"> <li>a. Retailing</li> <li>b. Offices</li> <li>c. Commercial Services</li> <li>d. Community facilities</li> <li>e. Entertainment facilities</li> <li>f. Traveller Accommodation</li> <li>g. Residential</li> <li>h. Parking lots</li> <li>i. Utility Infrastructure</li> </ul>	RD
XXX-R2	There are no <b>Controlled</b> activities	
XXX-R3	<b>Restricted Discretionary</b> activities in the Local Commercial, and Town Centre Zones: <ul style="list-style-type: none"> <li>a. Trade supplier</li> <li>b. Yard-based supplier</li> </ul>	RD Matters of discretion:

Activity Rules – Neighbourhood, Local, and Town Centre Commercial Zones		
Rule No.	Activity	Activity status when compliance not achieved:
	<ul style="list-style-type: none"> <li>c. Drive through restaurants in the Local Commercial zones within 30m of a residential zone</li> <li>d. Parking buildings</li> </ul>	<ul style="list-style-type: none"> <li>a. Trade Suppliers and Yard Based Suppliers MD1.</li> <li>b. Drive through restaurant MD2.</li> </ul>
XXX-R4	<p><b>Restricted Discretionary</b> activities in the Neighbourhood Commercial Zones:</p> <ul style="list-style-type: none"> <li>a. Trade supplier</li> <li>b. Yard-based supplier</li> <li>c. Large format retail</li> <li>d. Drive through restaurants</li> </ul>	<p>RD</p> <ul style="list-style-type: none"> <li>a. Trade Suppliers and Yard Based Suppliers MD1.</li> <li>b. Drive through restaurant MD2.</li> </ul>
XXX-R6	<p><b>Discretionary</b> activities in the Town Centre zones:</p> <ul style="list-style-type: none"> <li>a. Parking lots where there is frontage to a Principal Shopping Street.</li> </ul>	D
XXX-R7	Any other activity not provided for as a permitted, controlled, restricted discretionary, non-complying or prohibited activity.	D
XXX-R8	Industrial activities in all Commercial Zones the Neighbourhood Commercial, Local are <b>Non-complying</b> activities.	NC

Activity Rules –Large Format Retail Zone		
Rule No.	Activity	Activity status when compliance not achieved:
XXX-R1	<p><u>Large format retail</u></p> <p>Activity status: P Subject to compliance with the following Activity Standards:</p> <ul style="list-style-type: none"> <li>a. nil</li> </ul>	Activity status when compliance not achieved: N/A
XXX-R2	<p><u>Trade suppliers</u></p> <p>Activity status: P Subject to compliance with the following Activity Standards:</p> <ul style="list-style-type: none"> <li>a. nil</li> </ul>	
XXX-R3	<p><u>Yard-based suppliers</u></p> <p>Activity status: P Subject to compliance with the following Activity Standards:</p> <ul style="list-style-type: none"> <li>a. nil</li> </ul>	
XXX-R4	<p><u>Commercial services</u></p> <p>Activity status: P</p>	

Activity Rules –Large Format Retail Zone		
Rule No.	Activity	
	Subject to compliance with the following Activity Standards: a. nil	
XXX-R5	Gymnasiums and sports and recreation centres Activity status: P Subject to compliance with the following Activity Standards: a. nil	
XXX-R6	<u>Parking lots</u> Activity status: P Subject to compliance with the following Activity Standards: a. nil	
XXX-R7	Utility infrastructure Activity status: P Subject to compliance with the following Activity Standards: a. nil	
XXX-R8	<u>Food and beverage</u> Activity status: P Subject to compliance with the following Activity Standards: a. the floor areas does not exceed 150m <sup>2</sup> ; or b. located at a distance more than 100m of an existing or consented Food and Beverage outlet.	Activity status when compliance not achieved: D
XXX-R9	<u>Ancillary offices</u> Status: P Subject to compliance with the following Activity Standards: a. no more than 250m <sup>2</sup> or 30% of building GFA (whichever is lesser)	Activity status when compliance not achieved: RD  Matters of discretion: MD13 Retail and Office Distribution
XXX-R10	<u>New buildings</u> a. Any new <u>building</u> that has frontage to a <u>Principal Shopping Street</u> as identified on the Planning Maps. This rule does not apply to utilities. b. Any new <u>building</u> that exceeds 450m <sup>2</sup> GFA. c. Any addition to an existing <u>building</u> where the addition exceeds 450m <sup>2</sup> GFA. Activity status: RD	Matters of discretion: MD3 Urban Design.  Any application arising from this rule shall not be limited or publicly notified.
XXX-R11	<u>Expansion of existing Supermarkets</u> Activity status: RD	Matters of discretion: a. MD13 Retail and Office Distribution b. MD3 urban Design

Activity Rules – Large Format Retail Zone		
Rule No.	Activity	
XXX-R12	Department stores Activity status: D	
XXX-R13	<u>Entertainment activity</u> Activity status: D	
XXX-R14	<u>Community activity</u> Activity status: D	
XXX-R15	<u>New Supermarkets</u> Activity status: D	
XXX-R16	<u>Offices</u> Activity status: D	
XXX-R17	<u>Residential</u> Activity status: D	
XXX-R18	<u>Visitor accommodation</u> Activity status: D	
XXX-R19	<u>Healthcare facility</u> Activity status: D	
XXX-R20	<u>Retail tenancies comprising less than 450m<sup>2</sup>.</u> Activity status: NC	
XXX-R21	Any other activity not provided for as a permitted, controlled, restricted discretionary, non-complying or prohibited activity except were expressly specified by a district wide provision. Activity status: D	

Activity Rules – Specific Purpose (Museum and Conference Centre) Zone		
Rule No.	Activity	
XXX-R1	<u>Industrial</u> Activity status: P Subject to compliance with the following Activity Standards: a. nil	Activity status when compliance not achieved: N/A
XXX-R2	<u>Trade supplier</u> Activity status: P Subject to compliance with the following Activity Standards: a. nil	

Activity Rules – Specific Purpose (Museum and Conference Centre) Zone			
Rule No.	Activity		
XXX-R3	<p><u>Yard-based supplier</u></p> <p>Activity status: P Subject to compliance with the following Activity Standards:</p> <p>a. nil</p>		
XXX-R4	<p>Utility infrastructure</p> <p>Activity status: P Subject to compliance with the following Activity Standards:</p> <p>a. nil</p>		
XXX-R5	<p>Petrol stations</p> <p>Activity status: P Subject to compliance with the following Activity Standards:</p> <p>a. nil</p>		
XXX-R6	<p><u>Community corrections facility</u></p> <p>Activity status: P Subject to compliance with the following Activity Standards:</p> <p>a. nil</p>		
XXX-R7	<p><u>Emergency services</u></p> <p>Activity status: P Subject to compliance with the following Activity Standards:</p> <p>a. nil</p>		
XXX-R8	<p>Parking lots</p> <p>Activity status: P Subject to compliance with the following Activity Standards:</p> <p>a. nil</p>		
XXX-R9	<p>Chapels</p> <p>Activity Status: P</p> <p>Subject to compliance with the following Activity Standards:</p> <p>a. the floor areas does not exceed 150m<sup>2</sup></p>		Activity status when compliance not achieved: D
XXX-R10	<p>Taverns</p> <p>Activity status: P</p> <p>Subject to compliance with the following Activity Standards:</p> <p>a. the floor areas does not exceed 400m<sup>2</sup></p>		
XXX-R11	<p>Museum / conference centre including café and shop</p> <p>Activity status: P</p>		

Activity Rules – Specific Purpose (Museum and Conference Centre) Zone		
Rule No.	Activity	
	<p>Subject to compliance with the following Activity Standards:</p> <p>a. the floor areas does not exceed 4000m<sup>2</sup></p>	
XXX-R12	<p>Gymnasiums</p> <p>Activity status: P</p> <p>Subject to compliance with the following:</p> <p>a. the floor areas does not exceed 200m<sup>2</sup></p>	
XXX-R13	<p>Retail activity</p> <p>Activity status: P</p> <p>Subject to compliance with the following Activity Standards:</p> <p>a. Any retail activity shall not exceed 20% of the net floor area of the sum of all <u>buildings</u> in the zone or 100m<sup>2</sup> on any site, whichever is the lesser, except where necessary to comply with Rule XXX R9 – XXX-R12</p>	
XXX-R14	<p>Non-permanent accommodation units</p> <p>Activity status: P</p> <p>Subject to compliance with the following Activity Standards:</p> <p>a. No more than 20 shall be provided</p>	
XXX-R15	<p>Vehicle parking</p> <p>Activity status: P</p> <p>Subject to compliance with the following Activity Standards:</p> <p>a. No more than 260 car parking spaces shall be provided</p>	
XXX-R16	<p>Any other activity not provided for as a permitted, controlled, restricted discretionary, non-complying or prohibited activity except were expressly specified by a district wide provision.</p> <p>Activity status: D</p>	

<b>Built Form Standards in the Commercial Large Format Retail Zone</b>
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XXX-BFS1	<p><b>Height</b></p> <p>The maximum height of any building shall be:</p> <ol style="list-style-type: none"> <li>a. 12m in the Commercial Large Format Retail Zone (10m in the Kaiapoi CLFR zone where located within 30m of the zone's southern boundary).</li> </ol> <p>For the purpose of calculating height, account shall be taken of parapets, but not of:</p> <ol style="list-style-type: none"> <li>1. radio and television aerials, provided that the maximum height normally permitted by the rules for the zone is not exceeded by more than 2.5 metres; and</li> <li>2. finials, provided that the maximum height normally permitted by the rules for the zone is not exceeded by more than 1.5 metres;</li> <li>3. lift shafts, plant rooms, water tanks, air conditioning units, ventilation ducts, chimneys, antennas and similar architectural features on buildings;</li> <li>4. chimneys (not exceeding 1.1 metres in any direction);</li> <li>5. any utility or part of a utility with a horizontal dimension of less than 55 millimetres; and</li> <li>6. the spires or towers of spiritual activities that exceed the allowed zone height by no more than 3 metres or 20% of the building height (whichever is greater).</li> </ol>	Activity Status when compliance not achieved: D
XXX-BFS2	<p><b>Recession planes</b></p> <p>Where an internal boundary adjoins a Residential or Open Space zone, no part of any building shall project beyond a building envelope contained by a recession plane measured from any point 2.3m above the site boundary in accordance with the diagrams in Appendix X.</p>	<p>Activity Status when compliance not achieved: RD</p> <p>Matters of discretion: MD3 Recession Planes</p>
XXX-BFS3	<p><b>Internal boundary Building Setbacks</b></p> <p>The minimum building setback from internal boundaries that are shared with a Residential, Rural, or Open Space Zone shall be 10m.</p>	<p>Activity Status when compliance not achieved: RD</p> <p>Matters of discretion: MD5 Internal Boundary Setbacks</p>
XXX-BFS4	<p><b>Internal boundary landscaping</b></p> <ol style="list-style-type: none"> <li>a. Landscaping shall be provided along the full length of all internal boundaries with a Residential or Open Space zone. This landscape strip shall be a minimum of 2m deep.</li> <li>b. Any landscape strip required in (b) shall include a minimum of one tree for every 10m of shared boundary or part thereof, with the trees to be a minimum of 1.8m in height at time of planting.</li> <li>c. Within the Specific Purpose (Business) Zone any boundary with Lots 1 and 4 DP 352557 and Lot 3 DP 33763 shall be landscaped to a minimum depth of 10 metres.</li> </ol>	<p>Activity Status when compliance not achieved: RD</p> <p>Matters of discretion: MD6 Internal Boundary Landscaping</p>
XXX-BFS5	<p><b>Road boundary setbacks</b></p> <p>All buildings shall be set back a minimum of:</p>	Activity Status when compliance not achieved: RD

	<ul style="list-style-type: none"> <li>a. 10m from the road boundary with any arterial or collector road.</li> <li>b. 10m from the road boundary where the road is separating the site from a Residential, Rural, or Open Space Zone.</li> <li>c. 3m from the road boundary of all other roads.</li> <li>d. No <u>building</u> setback is required under (a-c) above where the road-facing façade is at least 40% glazed.</li> </ul>	<p>Matters of discretion: MD7 Road Boundary Setbacks, Glazing and Verandas</p> <p>Any application arising from this rule shall not be limited or publicly notified.</p>
XXX-BFS6	<p><b>Rail boundary setback</b></p> <p>All <u>buildings</u> shall be set back a minimum of 4m from a boundary with the rail corridor.</p>	<p>Activity Status when compliance not achieved: RD</p> <p>Matters of discretion: MD14 Rail Boundary Setbacks</p> <p>Any application arising from this rule shall not be limited or publicly notified.</p>
XXX-BFS7	<p><b>Road boundary landscaping</b></p> <ul style="list-style-type: none"> <li>a. Landscaping shall be provided along the full length of the road boundary, except from vehicle crossings or where <u>buildings</u> are built to the road boundary under XXX-BFS6 (d). This landscape strip shall be a minimum of 2m deep.</li> <li>b. The landscape strip required in (a) shall include a minimum of one tree for every 10m of road frontage or part thereof, with the trees to be a minimum of 1.8m in height at time of planting.</li> </ul>	<p>Activity Status when compliance not achieved: RD</p> <p>Matters of discretion: MD9 Road Boundary Landscaping</p> <p>Any application arising from this rule shall not be limited or publicly notified.</p>
XXX-BFS8	<p><b>Outdoor storage areas</b></p> <p>Any outdoor storage or parking areas shall be screened by 1.8m high solid fencing or dense hedge landscaping from any adjoining site in a Rural, Residential, Commercial, or Open Space Zone or the road boundary.</p>	<p>Activity Status when compliance not achieved: RD</p> <p>Matters of discretion: MD10 Outdoor Storage</p>
XXX-BFS9	<p><b>Kaiapoi Commercial Large Format Retail Zone Special Requirements</b></p> <p>Within the Kaiapoi Commercial Large Format Retail Zone the development of land shall be in accordance with Outline Development Plan XX shown on District Plan Map 170:</p> <ul style="list-style-type: none"> <li>a. new <u>buildings</u> shall connect to the stormwater management system shown on the Outline Development Plan;</li> <li>b. any outdoor storage area shall not be located within the 10m Building Setback;</li> <li>c. tree planting shall be provided along the Smith Street boundary and the Council reserve (west) boundary: <ul style="list-style-type: none"> <li>i. at a minimum of one tree for every 15m;</li> <li>ii. no more than 15m apart or closer than 13m; and</li> </ul> </li> </ul>	<p>Activity Status when compliance not achieved: D</p>

	<ul style="list-style-type: none"> <li>iii. the drip line of any tree shall not encroach within 2m of the centre line of any water or stormwater pipeline.</li> <li>d. trees required by (d)(i) and (e) above shall be at least 1.8m high at the time of planting and of a species capable of growing to at least 8m at maturity.</li> <li>e. any building walls within 20m distance from the 10m setback along the southern zone boundary, and which face directly or are generally parallel to the Kaiapoi River, shall be painted or finished in recessive colours in the natural range of browns, greens and greys, with a reflectivity of no more than 35%.</li> </ul>	
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## Appendix XXX - Outline Development Plan – Kaiapoi Regeneration Area

Built Form Standards in the Specific Purpose (Museum and Conference Centre) Zone		
XXX-BFS1	<p><b>Height</b></p> <p>The maximum <u>height</u> of any <u>building</u> shall be 15m.</p> <p>For the purpose of calculating height, account shall be taken of parapets, but not of:</p> <ol style="list-style-type: none"> <li>1. radio and television aerials, provided that the maximum height normally permitted by the rules for the zone is not exceeded by more than 2.5 metres; and</li> <li>2. finials, provided that the maximum height normally permitted by the rules for the zone is not exceeded by more than 1.5 metres;</li> <li>3. lift shafts, plant rooms, water tanks, air conditioning units, ventilation ducts, chimneys, antennas and similar architectural features on <u>buildings</u>;</li> <li>4. chimneys (not exceeding 1.1 metres in any direction);</li> <li>5. any utility or part of a utility with a horizontal dimension of less than 55 millimetres; and</li> <li>6. the spires or towers of spiritual activities that exceed the allowed zone height by no more than 3 metres or 20% of the building height (whichever is greater).</li> </ol>	<p>Activity Status when compliance not achieved: D</p>
XXX-BFS2	<p><b>Recession planes</b></p> <p>Where an internal boundary adjoins a Residential or Open Space zone, no part of any <u>building</u> shall project beyond a building envelope contained by a recession plane measured from any point 2.3m above the site boundary in accordance with the diagrams in Appendix X.</p>	<p>Activity Status when compliance not achieved: RD</p> <p>Matters of discretion: MD3 Recession Planes</p>
XXX-BFS3	<p><b>Internal boundary <u>Building Setbacks</u></b></p> <p>The minimum <u>building</u> setback from internal boundaries that are shared with a Residential, Rural, or Open Space Zone shall be 10m.</p>	<p>Activity Status when compliance not achieved: RD</p> <p>Matters of discretion: MD5 Internal Boundary Setbacks</p>
XXX-BFS4	<p><b>Internal boundary landscaping</b></p> <ol style="list-style-type: none"> <li>a. Landscaping shall be provided along the full length of all internal boundaries with a Residential or Open Space zone. This landscape strip shall be a minimum of 2m deep.</li> <li>b. Any landscape strip required in (b) shall include a minimum of one tree for every 10m of shared boundary or part thereof, with the trees to be a minimum of 1.8m in height at time of planting.</li> </ol>	<p>Activity Status when compliance not achieved: RD</p> <p>Matters of discretion: MD6 Internal Boundary Landscaping</p>

	<p>c. Within the Specific Purpose (Business) Zone any boundary with Lots 1 and 4 DP 352557 and Lot 3 DP 33763 shall be landscaped to a minimum depth of 10 metres.</p>	
XXX-BFS5	<p><b>Road boundary setbacks</b></p> <p>All <u>buildings</u> shall be set back a minimum of:</p> <ol style="list-style-type: none"> <li>10m from the road boundary with any arterial or collector road.</li> <li>10m from the road boundary where the road is separating the site from a Residential, Rural, or Open Space Zone.</li> <li>3m from the road boundary of all other roads.</li> <li>No <u>building</u> setback is required under (a-c) above where the road-facing façade is at least 40% glazed.</li> </ol>	<p>Activity Status when compliance not achieved: RD</p> <p>Matters of discretion: MD7 Road Boundary Setbacks, Glazing and Verandas</p> <p>Any application arising from this rule shall not be limited or publicly notified.</p>
XXX-BFS6	<p><b>Rail boundary setback</b></p> <p>All <u>buildings</u> shall be set back a minimum of 4m from a boundary with the rail corridor.</p>	<p>Activity Status when compliance not achieved: RD</p> <p>Matters of discretion: MD14 Rail Boundary Setbacks</p> <p>Any application arising from this rule shall not be limited or publicly notified.</p>
XXX-BFS7	<p><b>Outdoor storage areas</b></p> <p>Any outdoor storage or parking areas shall be screened by 1.8m high solid fencing or dense hedge landscaping from any adjoining site in a Rural, Residential, Commercial, or Open Space Zone or the road boundary.</p>	<p>Activity Status when compliance not achieved: RD</p> <p>Matters of discretion: MD10 Outdoor Storage</p>
XXX-BFS8	<p><b>Activity setback - Specific Purpose (Business) Zone</b></p> <ol style="list-style-type: none"> <li>Any industrial activity shall be setback a minimum of 50 metres from the museum, wedding venue, tavern, conference and non-permanent accommodation facility.</li> <li>Within the 50 metre setback, a minimum of 10 metres of landscaping shall be provided.</li> </ol>	<p>Activity Status when compliance not achieved: D</p>
XXX-BFS9	<p><b>Outline Development Plan – Mixed Use Business Zone</b></p> <p>Development shall be in accordance with Outline Development Plan XXX</p>	<p>Activity Status when compliance not achieved: D</p>
XXX-BFS10	<p><b>Site coverage - Specific Purpose (Business) Zone</b></p> <p>Any activity other than a museum, wedding venue, tavern or conference facility shall not utilise an area in excess of 40% of the total area of the Zone.</p>	<p>Activity Status when compliance not achieved: NC</p>

## Advice Notes

Advice Notes	
XXX-AN1	<p>For development subject to XXX-BFS8 Acoustic Insulation - <math>D_{tr,2m,nT,w} + C_{tr}</math> means the Weighted Standardised Level Difference of the external building envelope (including windows, walls, roof/ceilings and floors where appropriate) and is a measure of the reduction in sound level from outside to inside a building, assessed in accordance with ISO 140-5:1998 Acoustics – Measurement of sound insulation in buildings and of building elements – Part 5 and ISO 717-1:2013 Acoustics – Rating of sound insulation in buildings and of building elements – Part 1. <math>D_{tr,2m,nT,w} + C_{tr}</math> is also known as the external sound insulation level.</p> <p>Where bedrooms have opening windows or doors in the external walls, compliance only needs to be achieved when the windows and doors closed and does not require the installation of mechanical ventilation.</p>

Matters of Discretion		
<p>The matters listed below will be considered by the District Council for restricted discretionary activities. These matters are also intended as a guide to what the District Council may consider in assessing applications for discretionary or non-complying activities, and for those activities discretion is unlimited.</p>		
XXX-MD1	<p><u>Trade suppliers and Yard based suppliers</u></p>	<ol style="list-style-type: none"> <li>a. The extent to which the activity does not adversely affect the function or capacity of the zone to provide for primarily commercial and community activities.</li> <li>b. Whether there are any benefits of a trade or yard-based supplier providing a buffer between commercial activities and any adjacent Industrial zone.</li> <li>c. The extent of any adverse effects on the amenity and visual streetscape values of the commercial centre or zone, especially where the site has frontage to a Principal Shopping Street.</li> <li>d. The extent to which the activity generates traffic and other effects that impact on the day to day operation and amenity of the commercial centre or zone.</li> </ol>
XXX-MD2	<p>Drive through restaurants</p>	<ol style="list-style-type: none"> <li>a. The compatibility of:               <ol style="list-style-type: none"> <li>i. The effects of the intensity and scale of the development arising from the numbers of people and / or vehicles using the site; and</li> <li>ii. The effects of the operation of the activity on the anticipated amenity values of the surrounding area and any practicable mitigation measures to manage those effects.</li> </ol> </li> <li>b. The effects of the design and location of landscaping, parking areas and vehicles access on visual amenity of the streetscape and pedestrian safety.</li> </ol>

Matters of Discretion		
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		<p>c. The effects of location, design and management of <u>buildings</u>, including storage and servicing facilities, on the amenity values of nearby residential properties, including potential visual effects and any night time noise effects.</p>
XXX-MD3	Urban Design	<p>The extent to which the development:</p> <ul style="list-style-type: none"> <li>a. Recognises and reinforces the centre's role, context, and character, including any natural, heritage or cultural assets.</li> <li>b. Promotes active engagement with, and contributes to the vibrancy and attractiveness of, any adjacent streets, lanes or public spaces.</li> <li>c. Takes account of nearby <u>buildings</u> in respect of the exterior design, architectural form, scale and detailing of the building.</li> <li>d. Provides a human scale and minimises building bulk while having regard to the functional requirements of the activity.</li> <li>e. Is designed to promote Crime Prevention Through Environmental Design (CPTED) principles, including surveillance, effective lighting, management of public areas and boundary demarcation.</li> <li>f. Incorporates landscaping to increase amenity, especially within surface car parking areas.</li> <li>g. Provides safe, legible, and efficient access for all transport users.</li> <li>h. Where relevant, has regard to the objectives of any Town Centre Master Plan to support their recovery, long term growth and a high level of amenity.</li> </ul>
XXX-MD4	Recession Planes	<ul style="list-style-type: none"> <li>a. If located within a Centre, the effect of any reduced sunlight admission on properties in adjoining Residential and Open Space 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 <u>buildings</u>.</li> <li>b. The effect on privacy of residents and other users in the adjoining zones.</li> <li>c. The scale of building and its effects on the character of any adjoining residential zone.</li> <li>d. The effects of any landscaping and trees proposed within the site, or on the boundary of the site in mitigating adverse visual effects.</li> <li>e. The effect on outlook from adjoining properties.</li> <li>f. The extent to which the recession plane breach and associated effects reflect the functional requirements of the activity and whether there are alternative practical options for meeting the functional requirement in a compliant manner</li> </ul>
XXX-MD5	Internal <u>Boundary Setbacks</u>	<ul style="list-style-type: none"> <li>a. The scale and height of <u>buildings</u> within the reduced setback and their impact on the visual outlook of residents and users on the adjoining Residential or Open Space Zones.</li> </ul>



Matters of Discretion		
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		<ul style="list-style-type: none"> <li>b. The extent to which <u>buildings</u> in the setback enable better use of the site and improve the level of amenity along more sensitive boundaries elsewhere on the site.</li> <li>c. The proposed use of the setback, the visual and other effects of this use and whether a reduced setback and the use of that setback achieves a better amenity outcome for residential neighbours.</li> </ul>
XXX-MD6	Internal <u>Boundary Landscaping</u>	<ul style="list-style-type: none"> <li>a. The extent of visual effects of outdoor storage and car parking areas, or <u>buildings</u> (taking account of their scale and appearance), as a result of reduced landscaping.</li> <li>b. The extent to which any reduction in landscaping or screening within the setback adequately mitigates the visual dominance of <u>buildings</u>.</li> <li>c. The extent to which the site is visible from adjoining sites in a Residential or Open Space Zone and the likely consequences of any reduction in landscaping or screening on the amenity and privacy of those sites.</li> </ul>
XXX-MD7	<u>Road Boundary Setbacks, Glazing and Verandas</u>	<p>The extent to which the setback of the building from the street and the design of the building facades:</p> <ul style="list-style-type: none"> <li>a. Provides for continuity of facades and veranda coverage along the street frontage.</li> <li>b. Provides visual interest appropriate to the context and character of the site and surrounds.</li> <li>c. Incorporates architectural variation into the façade and building form to provide interest and to break up the bulk of a building.</li> <li>d. Provides for main entrances, veranda coverage, openings and display windows onto the street, and maintains clear and visible visual and physical connections between the interior of a building and public spaces.</li> <li>e. Provides for functional and quality space for public amenity and accessibility, such as for outdoor dining, and contributes to the functional width of a public footpath, without compromising the overall character of the street frontage and its continuity.</li> <li>f. Results in the visual dominance of vehicles through the use of space between the building and the street for car parking, vehicle manoeuvring or loading.</li> <li>g. Maintains transport safety through not extending verandas over the active road carriageway.</li> </ul>
XXX-MD8	<u>Road Boundary Setbacks</u>	<ul style="list-style-type: none"> <li>a. The effect of a building's reduced setback on amenity and visual streetscape values, especially where the frontage is to an arterial or collector road.</li> <li>b. Whether the reduced setback of the building is opposite a Residential, Rural, or Open Space Zone and the effects of a reduced setback on the amenity and outlook of those zones.</li> </ul>

Matters of Discretion		
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		<ul style="list-style-type: none"> <li>c. The extent to which the building presents a visually attractive frontage to the street through the inclusion of glazing, ancillary offices, and retail showrooms in the front façade.</li> <li>d. The extent to which the visual effects of a reduced setback are mitigated through site frontage landscaping and the character of existing building setbacks in the wider streetscape.</li> </ul>
XXX-MD9	Road Boundary	<ul style="list-style-type: none"> <li>a. The extent to which reduced landscaping results in adverse effects on amenity and visual streetscape values, especially where the frontage is to an arterial or collector road that has a gateway function to a township.</li> <li>b. Whether the reduced landscaping is opposite a Residential or Open Space Zone and the effects of any reduction in landscaping on the amenity and outlook of those zones.</li> <li>c. The extent to which the visual effects of reduced landscaping are mitigated through the location of ancillary offices, showrooms, or the display of trade supplier or yard-based goods for sale, along the site frontage.</li> </ul>
XXX-MD10	Outdoor Storage	<ul style="list-style-type: none"> <li>a. The extent of visual effects on the adjoining environment.</li> <li>b. The extent to which site constraints and/or the functional requirements of the activity necessitate the location of storage within the setback.</li> <li>c. The extent of the amenity effects on pedestrians or residential activities generated by the type and volume of materials to be stored.</li> <li>d. The extent to which any proposed landscaping or screening mitigates amenity effects of the outdoor storage.</li> </ul>
XXX-MD11	Acoustic Insulation	<ul style="list-style-type: none"> <li>a. The extent to which a reduced level of acoustic insulation may be acceptable due to mitigation of adverse noise impacts through other means, e.g. screening by other structures, or distance from noise sources.</li> <li>b. The ability to meet the appropriate levels of acoustic insulation through alternative technologies or materials.</li> <li>c. The provision of a report from an acoustic specialist which provides evidence that the level of acoustic insulation is appropriate to ensure the amenity of present and future residents of the site.</li> <li>d. The impact of any residential accommodation that does not provide the required noise insulation on the ability of existing or future permitted business activities to operate or establish without undue constraint.</li> <li>e. The location of any nearby business activities and the degree to which the amenities of the sensitive activities may be adversely affected.</li> </ul>
XXX-MD12	Residential Amenity	<p>In relation to ground floor habitable space in the Town Centre zones:</p> <ul style="list-style-type: none"> <li>a. The extent to which residential ground floor habitable space does not adversely affect the function of the zone to provide for primarily commercial and community activities.</li> </ul>

### Matters of Discretion

The matters listed below will be considered by the District Council for restricted discretionary activities. These matters are also intended as a guide to what the District Council may consider in assessing applications for discretionary or non-complying activities, and for those activities discretion is unlimited.

		<ul style="list-style-type: none"> <li>b. The extent to which residential ground floor habitable space does not adversely affect the capacity of the zone to accommodate future demand for commercial and community activities.</li> <li>c. The extent to which the building frontages will deliver a visually interesting and high amenity streetscape for pedestrians.</li> <li>d. The extent of any effects on the continuity of shopping frontages.</li> <li>e. The extent to which an acceptable level of residential amenity and privacy can be provided to future occupants of residential ground floor habitable space.</li> </ul> <p>In relation to minimum unit size, whether:</p> <ul style="list-style-type: none"> <li>f. The floor space available and the internal layout represents a viable residential unit that would support the amenity of current and future occupants and the surrounding neighbourhood.</li> <li>g. Other onsite factors compensate for a reduction in unit sizes e.g. communal facilities.</li> <li>h. The balance of unit mix and unit sizes within the overall development is such that a minor reduction in the area of a small percentage of the overall units may be warranted.</li> <li>i. The units are to be a part of a development delivered by a social housing provider and have been specifically designed to meet atypical housing needs.</li> <li>j. The nature and duration of activities proposed may warrant a reduced unit size to operate e.g. very short term duration</li> </ul> <p>In relation to storage space:</p> <ul style="list-style-type: none"> <li>k. The extent to which the reduction in storage space will adversely affect the functional use of the residential unit and the amenity of neighbouring sites, including public spaces.</li> <li>l. The extent to which adequate space is provided on the site for the storage of waste and recycling bins, bicycles and clothes drying facilities are provided on the site.</li> </ul> <p>In relation to outdoor living space, whether:</p> <ul style="list-style-type: none"> <li>m. The extent to which the reduction in outdoor living space will adversely affect the ability of the site to provide an appropriate level of amenity and meet outdoor living needs of likely future residents of the site</li> </ul>
XXX-MD13	Retail distribution	<ul style="list-style-type: none"> <li>a. The extent to which the activity does not adversely affect the function or capacity of an adjacent Centre to provide for primarily commercial and community activities.</li> </ul>

Matters of Discretion		
<p>The matters listed below will be considered by the District Council for restricted discretionary activities. These matters are also intended as a guide to what the District Council may consider in assessing applications for discretionary or non-complying activities, and for those activities discretion is unlimited.</p>		
		<ul style="list-style-type: none"> <li>b. The extent of any adverse effects on the amenity and visual streetscape values of the site, especially where the site has frontage to a Principal Shopping Street.</li> <li>c. The extent to which the activity generates traffic and other effects that impact on the day to day operation and amenity of the adjacent Centre.</li> </ul>
XXX-MD14	Rail corridor setback	Whether the reduced setback will compromise the efficient functioning of the rail network, including rail corridor access and maintenance.
XX-MD15	Site Coverage in the Museum zone....	<p>Whether the additional site coverage is appropriate to its context taking into account:</p> <ul style="list-style-type: none"> <li>a. whether the balance of open space and buildings will maintain the character anticipated for the zone;</li> <li>b. any visual dominance of the street resulting from a proposed building's incompatible scale; and</li> <li>c. the proportion of the building scale in relation to the proportion of the site.</li> </ul>
XX-MD16	Kaiapoi Commercial Large Format Retail	<ul style="list-style-type: none"> <li>a. Any effects of the location and species of tree planting in relation to:               <ul style="list-style-type: none"> <li>i. public water supply and stormwater infrastructure; and</li> <li>ii. the effectiveness of tree planting in enhancing the character and amenity of the streetscape and boundaries.</li> </ul> </li> <li>b. For stormwater management areas, the extent to which the stormwater management area is:               <ul style="list-style-type: none"> <li>i. designed and managed to fully drain as quickly as possible after a rainfall event; and</li> <li>ii. designed and managed (including all margins and plantings) to avoid attracting bird species which constitute a hazard to aircraft.</li> </ul> </li> <li>c. The extent to which departure from the ODP will result in adverse or positive outcomes;</li> <li>d. For all other matters, the extent of any adverse impacts on amenity of the site and adjacent properties.</li> </ul>
XX-MD17	Kaiapoi Regeneration Area	TBC

## Attachment C –Proposed Industrial Provisions

### Introduction

The quantum and distribution of industrial activity plays a key role in the form, identity and growth of the urban areas of the Waimakariri District and is vital to the effective and efficient functioning of our communities through providing employment, accommodating industrial activities and processes in ‘working environments’ as distinct from more sensitive residential and commercial areas, and access to trade and yard-based goods and industrial services. This creates challenges in terms of ensuring that such development:

- is efficiently integrated with physical infrastructure;
- achieves a diverse range of industrial opportunities that supports a quality, compact and sustainable settlement pattern; and
- addresses and manages adverse strategic and local adverse effects.

District Plan intervention is therefore important to ensure:

- (a) appropriate activities establish in the industrial zone that integrate with infrastructure and do not undermine existing commercial centres; and
- (b) activities do not produce adverse environmental effects and costs to the community.

The provisions in this chapter give effect to the matters in the Strategic Directions chapter.

Objectives	Policies
<p><b>XX-O1 Objective –Support and growth of industry</b></p> <p>Sufficient and diversified opportunities for Industrial land support employment and economic growth.</p>	<p><b>XX-P1 Sufficient land supply</b></p> <p>Maintain a sufficient capacity of industrial zoned land to meet future demand, having regard to the requirements of different industries, and to avoid the need for industrial activities to locate in non-industrial zones.</p>
	<p><b>XX-P2 Intensification of existing Industrial Zones</b></p> <p>Enable industrial activities in industrial zones to redevelop, intensify, and expand provided they do not have a significant adverse effect on the character and amenity of residential or commercial zones.</p>
	<p><b>XX-P3 Greenfield Industrial Zones within the Greater Christchurch area</b></p> <p>Within the Greater Christchurch area as defined in Chapter 6 of the Canterbury Regional Policy Statement:</p> <ol style="list-style-type: none"> <li>a. Provide for new greenfield industrial areas in accordance with the priority area locations and criteria identified in the Canterbury Regional Policy Statement.</li> <li>b. Avoid new greenfield industrial development outside of the greenfield priority areas identified in the Canterbury Regional Policy Statement.</li> </ol>

Objectives	Policies
	<p><b>XX-P4 Greenfield Industrial Zones throughout the District</b></p> <p>Ensure plan changes to create new greenfield Industrial Zones:</p> <ol style="list-style-type: none"> <li>a. Manage effects at the interface between Industrial Zones and arterial roads, rural, and residential areas, through methods that such as building setbacks and landscaping.</li> <li>b. Manage the development of greenfield areas in a manner aligned with the delivery of infrastructure, including upgrades to networks, to avoid adverse effects on the capacity and efficiency of networks serving these areas.</li> <li>c. Locate new Industrial Greenfield development in locations adjacent to existing urban areas where it can be efficiently serviced by network infrastructure, except for rural processing under Policy 1.1.4.</li> <li>d. Recognise and support Ngāi Tahu cultural values through the protection of sites of Ngāi Tahu cultural significance identified in Appendix x including waterways, springs, wetlands and sites of indigenous vegetation where practicable.</li> </ol> <p><b>XX-P5 Brownfield Redevelopment</b></p> <ol style="list-style-type: none"> <li>a. Recognise where industrial activity is no longer suitable and the matters i1 and demonstrated then consider the redevelopment of <u>brownfield sites</u> for more intensive commercial and mixed use activities.</li> <li>b. Brownfield regeneration proposals shall ensure that:               <ol style="list-style-type: none"> <li>i. any commercial or mixed use development will not give rise to reverse sensitivity effects on existing industrial activities, or other effects that may hinder or constrain the establishment or ongoing operation or development of industrial activities and <u>strategic infrastructure</u>;</li> <li>ii. the redevelopment maintains the strategic role of <u>commercial centres</u> as the focal points for commercial and other activities, and the efficient and effective use of land and/or community and <u>transport infrastructure</u> investment in centres.</li> </ol> </li> </ol> <p><b>XX-P6 Rural Processing</b></p> <p>Provide for the continuation and redevelopment of the existing timber processing facility in the Industrial zone in Ashley.</p> <p>Encourage and enable new industrial activities where the primary activity is the processing of rural produce such as dairy factories, freezing works, timber mills, seed and horticultural produce sorting and packaging to locate within industrial zones where practicable.</p> <p>Manage the establishment and operation of rural processing activities where there are functional reasons for locating in rural zones to maintain an appropriate level of rural amenity for nearby residents and to mitigate effects on the capacity and safe operation of network infrastructure and the road network.</p>
<p><b>XX-O2 Role and function of Industrial Zones</b></p> <p>A diverse economic base and increased employment opportunities through a range of industrial zones to meet the needs of industry</p>	<p><b>XX-P7 Range of Industrial Zones</b></p> <ol style="list-style-type: none"> <li>a. Recognise and provide for industrial activity through providing locational choice across the main townships.</li> <li>b. Cater for a range of industrial and other compatible activities, including warehousing, manufacturing, yard-based activities and trade suppliers in the Industrial Zone.</li> </ol>

Objectives	Policies
	<p data-bbox="635 280 1461 365">c. Provide for one-off large-scale industrial activities outside of urban areas where these are already established in order to recognise these existing activities and environmental effects.</p> <p data-bbox="635 387 1098 414"><b>XX-P8 Ancillary activities in Industrial Zones</b></p> <p data-bbox="635 436 1490 521">a. ancillary offices that are small in scale and are an integral and incidental part of the same business or activity that is otherwise permitted or anticipated in Industrial Zones;</p> <p data-bbox="635 544 1481 629">b. ancillary retail that is of a small scale and is limited to the sale of products manufactured or processed by a business or activity that is otherwise permitted or anticipated in Industrial Zones;</p> <p data-bbox="635 651 1358 678">c. emergency services or non-custodial community corrections facilities;</p> <p data-bbox="635 701 1501 754">d. small-scale cafés and dairies that are primarily supporting the needs of workers and businesses in Industrial Zones;</p> <p data-bbox="635 777 1513 862">e. community activities subject to a site-specific assessment through a resource consent process to ensure they are compatible with the role, function, and capacity of Industrial Zones; and</p> <p data-bbox="635 884 1469 969">f. non-industrial activities that are clearly not appropriate in more sensitive environments due to their potential noise, odour or other environmental nuisance effects.</p> <p data-bbox="635 992 1166 1019"><b>XX-P9 Avoid sensitive activities in Industrial Zones</b></p> <p data-bbox="635 1041 1501 1158">Maintain and support the function of industrial zones through avoiding any sensitive activities including residential and travellers' accommodation in industrial zones with the potential to hinder or constrain the establishment or ongoing operation or development of industrial activities and strategic infrastructure.</p> <p data-bbox="635 1225 1098 1252"><b>XX-P10 Limit effects on Commercial Centres</b></p> <p data-bbox="635 1274 1506 1359">Discourage retail, office, commercial services and other non-industrial activities in Industrial Zones, except for small scale retail activities that support the primary function of the Industrial zone..</p>



<p><b>XX-O3 Managing the effects of industrial activities</b></p> <p>Industrial activities function efficiently in the zone, and manage adverse effects on amenity values and the natural environment, both within the zone and on adjacent areas, with a high level of amenity at the interface with open spaces and residential zones.</p>	<p><b>XX-P11 Amenity within Industrial Zones</b></p> <p>Manage the effects of development and activities in industrial zones including visual, traffic, noise, and glare through controls on building bulk, form, setbacks, landscaping and screening. Such management is to be focussed:</p> <ol style="list-style-type: none"> <li>on the interface with arterial roads fulfilling a gateway function; and</li> <li>more sensitive adjoining zones, where amenity shall be maintained at an adequate level recognising that amenity may be of a lower level than that experienced in zones that are not close to industrial activities.</li> </ol>
	<p><b>XX-P12 Managing the Industrial Zone Interface</b></p> <p>Effects of industrial activities are managed in a way that the level of amenity (including health, safety, and privacy of residents) in more sensitive zones adjoining an Industrial zone is maintained at an high level while recognising that amenity may be of a lower level than that experienced in zones that are not close to industrial activities.</p>
	<p><b>XX-P13 Managing effects on Strategic Infrastructure</b></p> <p>Development and activities are managed to avoid adverse effects on strategic infrastructure within or in proximity to Industrial zones.</p>

## Rules

XXX	=	District-wide topic / Zone abbreviation (see Draft NPS numbering standard)
R	=	Rule
P	=	Permitted activity, subject to compliance with all relevant Activity and Built Form standards
C	=	Controlled activity
RD	=	Restricted discretionary activity
D	=	Discretionary activity
NC	=	Non-complying activity
Pr	=	Prohibited activity
N/A	=	Not applicable
BFS	=	Built form standard
AN	=	Advice note
EX	=	Exemptions
MD	=	Matters of discretion

### How to interpret and apply the rules

The rules that apply to activities and structures in XXX are contained in the Activity Rules table below.

Permitted activities are subject to compliance with all relevant Activity and Built Form standards. Activity standards are in the Activity Rules table below. Built form standards are in a separate table further below.

Check Definitions and Abbreviations to confirm appropriate interpretation of rules and activity status.

Activities and structures are also subject to District-wide rules. Check for any relevant District-wide rules that may also apply.

Where multiple rules are breached, the highest activity status will apply.

Check for any relevant Advice Notes below.

Matters over which the District Council has limited its control (controlled activities) or restricted the exercise of its discretion (restricted discretionary activities) are identified in the Activity Rules table below.

Matters of discretion are contained in a separate table below and will be considered by the District Council for restricted discretionary activities. The matters of discretion are also intended as a guide to what the District Council may consider in assessing applications for discretionary or non-complying activities and for these activities the discretion of the District Council is unlimited.

Unless otherwise specified, the District Council reserves the right to require written approvals from parties it considers may be potentially affected, to process applications on a public or limited or non-notified basis, and to grant or decline consent.

Activity Rules - All Industrial Zones		
Rule No.	Activity	
XXX-R1	<u>Industrial</u> Activity status: P  Subject to compliance with the following Activity Standards: a. nil	Activity status when compliance not achieved: NA
XXX-R2	<u>Trade supplier</u> Activity status: P  Subject to compliance with the following Activity Standards: a. nil	
XXX-R3	<u>Yard-based supplier</u> Activity status: P  Subject to compliance with the following Activity Standards: a. nil	
XXX-R4	<u>Gymnasiums</u> and sports and recreation centres Activity status: P  Subject to compliance with the following Activity Standards: a. nil	
XXX-R5	Utility infrastructure Activity status: P  Subject to compliance with the following Activity Standards: a. nil	
XXX-R6	Petrol stations Activity status: P	

Activity Rules - All Industrial Zones		
Rule No.	Activity	
	Subject to compliance with the following Activity Standards: a. nil	
XXX-R7	<u>Community corrections facility</u> Activity status: P Subject to compliance with the following Activity Standards: a. nil	
XXX-R8	<u>Emergency services</u> Activity status: P Subject to compliance with the following Activity Standards: a. nil	
XXX-R9	Parking lots Activity status: P Subject to compliance with the following Activity Standards: a. nil	
XXX-R10	Food and beverage outlets and convenience stores Activity status: P Subject to compliance with the following Activity Standards: a. The activity is less than 150m <sup>2</sup> Public Floor Area; or b. located more than 100m of an existing or consented Food and Beverage outlet.	Activity status when compliance not achieved: D
XXX-R11	<u>Ancillary retailing</u> of goods manufactured or processed on the site Activity status: P Subject to compliance with the following Activity Standards: a. The <u>ancillary retailing</u> occupies no more than 250m <sup>2</sup> or 25% of building <u>GFA</u> (whichever is the lesser)	
XXX-R12	<u>Ancillary offices</u> Activity status: P Subject to compliance with the following Activity Standards: a. The ancillary offices occupy no more than 250m <sup>2</sup> or 30% of building GFA (whichever is the lesser)	
XXX-R14	<u>Community activity</u> Activity status: RD	Matters of discretion: MD1 Community Activities
XXX-R15	Any other activity not provided for as a permitted, controlled, restricted discretionary, non-complying or prohibited activity.	Activity status: D
XXX-R16	<u>Retail</u> activity (excluding retail activities otherwise provided for in Rules XXX-R1 to R11)	Activity status: NC

Activity Rules - All Industrial Zones		
Rule No.	Activity	
XXX-R17	Offices	
XXX-R18	Residential	
XXX-R19	Visitor accommodation	

	Built Form Standards in All Industrial Zones	Activity Status when compliance not achieved
XXX-BFS1	<p><b>Height</b></p> <p>The maximum height of any building shall be:</p> <ol style="list-style-type: none"> <li>15m in the General Industrial Zone;</li> <li>15m in the Light Industrial Zone;</li> <li>20m in the Heavy Industrial Zone.</li> </ol> <p>For the purpose of calculating height, account shall be taken of parapets, but not of:</p> <ol style="list-style-type: none"> <li>radio and television aerials, provided that the maximum height normally permitted by the rules for the zone is not exceeded by more than 2.5 metres; and</li> <li>finials, provided that the maximum height normally permitted by the rules for the zone is not exceeded by more than 1.5 metres;</li> <li>lift shafts, plant rooms, water tanks, air conditioning units, ventilation ducts, chimneys, antennas and similar architectural features on buildings;</li> <li>chimneys (not exceeding 1.1 metres in any direction);</li> <li>any utility or part of a utility with a horizontal dimension of less than 55 millimetres; and</li> <li>the spires or towers of spiritual activities that exceed the allowed zone height by no more than 3 metres or 20% of the building height (whichever is greater).</li> </ol>	D
XXX-BFS2	<p><b>Recession Planes</b></p> <p>Where an internal boundary adjoins a Residential or Open Space Zone, no part of any building shall project beyond a building envelope contained by a recession plane measured from any point 2.5m above the site boundary in accordance with the diagrams in Appendix X.</p>	RD  Matters of discretion: MD2 Recession Planes
XXX-BFS3	<p><b>Internal boundary setbacks</b></p> <ol style="list-style-type: none"> <li>The minimum building setback from internal boundaries that are shared with a Residential or Open Space Zone shall be 10m.</li> <li>The minimum building setback from internal boundaries that are shared with a Rural Zone shall be 10m.</li> </ol>	RD  Matters of discretion: MD3 Internal Boundary Setbacks
XXX-BFS4	<p><b>Internal boundary landscaping</b></p> <ol style="list-style-type: none"> <li>Landscaping shall be provided along the full length of all internal boundaries with a Residential, Rural, or Open Space Zone. This landscape strip shall be a minimum of 2m deep.</li> </ol>	RD  Matters of discretion: MD4 Internal

	<p>b. Any landscape strip required in (a) shall include either a solid hedge to be maintained at a minimum of 2m in height, or a minimum of one tree for every 10m of shared boundary or part thereof, with the trees to be a minimum of 1.8m in height at time of planting.</p>	Boundary Landscaping
XXX-BFS5	<p><b><u>Road Boundary setbacks</u></b></p> <p>a. All <u>buildings</u> shall be set back a minimum of:</p> <p>b. 10m from the road boundary with any arterial or collector road;</p> <p>c. 10m from the road boundary where the road is separating the site from a Residential, Rural, or Open Space Zone;</p> <p>d. 3m from the road boundary of all other roads.</p> <p>e. No building setback is required under (a-c) above where the road-facing façade is at least 40% glazed and the internal space behind the glazing is used for offices or ancillary retailing.</p>	<p>RD</p> <p>Matters of discretion: MD5 Road Boundary Setbacks</p> <p>Any application arising from this rule shall not be limited or publicly notified.</p>
XXX-BFS6	<p><b><u>Rail boundary setback</u></b></p> <p>All <u>buildings</u> shall be set back a minimum of 4m from a boundary with the rail corridor.</p>	<p>RD</p> <p>Matters of discretion: MD9 Rail Boundary Setbacks</p> <p>Any application arising from this rule shall not be limited or publicly notified.</p>
XXX-BFS7	<p><b><u>Road boundary landscaping</u></b></p> <p>a. Landscaping shall be provided along the full length of the road boundary apart from vehicle crossings or where <u>buildings</u> are built to the road boundary under XXX-BFS5 (e). This landscape strip shall be a minimum of 2m deep.</p> <p>b. The landscape strip required in (a) shall include a minimum of one tree for every 10m of road frontage or part thereof, with the trees to be a minimum of 1.8m in height at time of planting.</p>	<p>RD</p> <p>Matters of discretion: MD6 Road Boundary Landscaping</p> <p>Any application arising from this rule shall not be limited or publicly notified.</p>
XXX-BFS8	<p><b><u>Location of ancillary offices and showrooms – General and Light Industrial only</u></b></p> <p>Ancillary offices and showrooms (except on rear sites) shall be located at the front of <u>buildings</u> facing the street.</p>	<p>RD</p> <p>Matters of discretion: MD7 Location of offices and showrooms</p> <p>Any application arising from this rule shall not be limited or publicly notified.</p>
XXX-BFS9	<p><b><u>Outdoor storage area – General and Light Industrial only</u></b></p> <p>Any outdoor storage area shall be screened by 1.8m high solid fencing or dense hedge landscaping from any adjoining site in a Rural, Residential, Commercial, or Open Space Zone or the road boundary.</p>	<p>RD</p> <p>Matters of discretion: MD8 Outdoor Storage</p>

### Matters of Discretion

The matters listed below will be considered by the District Council for restricted discretionary activities. These matters are also intended as a guide to what the District Council may consider in assessing applications for discretionary or non-complying activities, and for those activities discretion is unlimited.

XXX-MD1	Community Activity	<ul style="list-style-type: none"> <li>a. The extent to which the activity does not adversely affect the function of the zone to provide for primarily industrial activities.</li> <li>b. The extent to which the activity does not adversely affect the capacity of the zone to accommodate future demand for industrial activities.</li> <li>c. The extent to which the Community activity will form an agglomeration with other established non-industrial activities that cumulatively would have an adverse effect on the function and capacity of the Industrial Zone.</li> <li>d. The extent to which the activity does not adversely affect the ability of existing or future permitted industrial activities to operate or establish without undue constraint.</li> <li>e. Whether there are any benefits of a Community activity providing a buffer between industrial activities and more sensitive zones.</li> <li>f. Whether there are any amenity or streetscape benefits of a Community activity being on a site that has frontage to an identified arterial or collector road that has a gateway function to a township.</li> <li>g. The extent to which the activity generates traffic and other effects that impact on the day to day operation of the industrial area.</li> <li>h. The extent to which the activity serves the needs of workers in the industrial area.</li> </ul>
XXX-MD2	Recession Planes	<ul style="list-style-type: none"> <li>a. The effect of any reduced sunlight admission on properties in adjoining Residential and Open Space 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 <u>buildings</u>.</li> <li>b. The effect on privacy of residents and other users in the adjoining zones.</li> <li>c. The scale of building and its effects on the character of any adjoining residential zone.</li> <li>d. The effects of any landscaping and trees proposed within the site, or on the boundary of the site in mitigating adverse visual effects.</li> <li>e. The effect on outlook from adjoining properties.</li> <li>f. The extent to which the recession plane breach and associated effects reflect the functional requirements of the activity and whether there are alternative practical options for meeting the functional requirement in a compliant manner.</li> </ul>
XXX-MD3	Internal Boundary Setbacks	<ul style="list-style-type: none"> <li>a. The extent of any adverse visual effects on adjoining sites in Residential, Rural, or Open Space Zones as a result of a reduced building setback.</li> <li>b. The extent to which landscaping or screening within the setback mitigates the visual dominance of <u>buildings</u>.</li> <li>c. The scale and height of <u>buildings</u> within the reduced setback and their impact on the visual outlook of residents and users on the adjoining Residential, Rural, or Open Space Zones.</li> </ul>

### Matters of Discretion

The matters listed below will be considered by the District Council for restricted discretionary activities. These matters are also intended as a guide to what the District Council may consider in assessing applications for discretionary or non-complying activities, and for those activities discretion is unlimited.

		<ul style="list-style-type: none"> <li>d. The extent to which buildings in the setback enable better use of the site and improve the level of amenity along more sensitive boundaries elsewhere on the site.</li> <li>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 amenity outcome for residential neighbours.</li> </ul>
XXX-MD4	Internal Boundary Landscaping	<ul style="list-style-type: none"> <li>a. The extent of visual effects of outdoor storage and car parking areas, or buildings (taking account of their scale and appearance), as a result of reduced landscaping.</li> <li>b. The extent to which the site is visible from adjoining sites in a Residential, Rural, or Open Space Zone and the likely consequences of any reduction in landscaping or screening on the amenity and privacy of those sites.</li> <li>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.</li> </ul>
XXX-MD5	Road Boundary Setbacks	<ul style="list-style-type: none"> <li>a. The effect of a building's reduced setback on amenity and visual streetscape values, especially where the frontage is to an arterial or collector road that has a gateway function to a township.</li> <li>b. Whether the reduced setback of the building is opposite a Residential, Rural, or Open Space Zone and the effects of a reduced setback on the amenity and outlook of those zones.</li> <li>c. The extent to which the building presents a visually attractive frontage to the street through the inclusion of glazing, ancillary offices, and showrooms in the front facade.</li> <li>d. The extent to which the visual effects of a reduced setback are mitigated through site frontage landscaping, the width of the road corridor, and the character of existing building setbacks in the wider streetscape.</li> </ul>
XXX-MD6	Road Boundary Landscaping	<ul style="list-style-type: none"> <li>a. The extent to which reduced landscaping results in adverse effects on amenity and visual streetscape values, especially where the frontage is to an arterial or collector road that has a gateway function to a township.</li> <li>b. Whether the reduced landscaping is opposite a Residential or Open Space Zone and the effects of any reduction in landscaping on the amenity and outlook of those zones.</li> <li>c. The extent to which the visual effects of reduced landscaping are mitigated through the location of ancillary offices, showrooms, the display of trade supplier or yard-based goods for sale, along the site frontage.</li> </ul>
XXX-MD7	Location of offices and ancillary retailing	<ul style="list-style-type: none"> <li>a. The extent to which locating ancillary offices or showrooms where they do not face the street results in adverse effects on amenity and visual streetscape values, especially where the frontage is to an arterial or collector road that has a gateway function to a township.</li> </ul>



**Matters of Discretion**

The matters listed below will be considered by the District Council for restricted discretionary activities. These matters are also intended as a guide to what the District Council may consider in assessing applications for discretionary or non-complying activities, and for those activities discretion is unlimited.

		<ul style="list-style-type: none"> <li>b. Whether the frontage is opposite a Residential or Open Space Zone and the effects of not locating offices or showrooms that face the street on the amenity and outlook of those zones.</li> <li>c. Whether there are any site-specific or functional requirements that make locating ancillary offices and showrooms facing the street impractical.</li> </ul>
XXX-MD8	Outdoor storage	<ul style="list-style-type: none"> <li>a. The extent of visual impacts on the adjoining environment.</li> <li>b. The extent to which site constraints and/or the functional requirements of the activity necessitate the location of storage within the setback.</li> <li>c. The extent of the amenity effects generated by the type and volume of materials to be stored.</li> <li>d. The extent to which any proposed landscaping or screening mitigates amenity effects of the outdoor storage.</li> </ul>
XXX-MD9	Rail corridor setback	Whether the reduced setback will compromise the efficient functioning of the rail network, including rail corridor access and maintenance.

## Attachment D – District Plan Comparison

### Commercial Bulk & Location Rules

	Waimakariri (Business 1 zone) <sup>54</sup>	Christchurch (Commercial Local) <sup>55</sup>	Christchurch (Commercial Core)	Waimakariri (Business 1 zone) <sup>56</sup>	Ashburton (Business A zone)	Selwyn	Hurunui (Business zone)	Hurunui (Business 1 zone)	Queenstown Lakes (Town Centre QT)	Queenstown Lakes (Local Shopping Centre)	Kapiti (District Centre)	Kapiti (Town Centre)
<b>Qualitative Urban Design Assessment</b>	Yes for identified frontages in Kaiapoi and Rangiora	No	Yes for buildings more than 1,000m <sup>2</sup> in neighbourhood centres and 4,000m <sup>2</sup> in KACs <sup>57</sup>	Yes for identified frontages in Kaiapoi and Rangiora	No	Yes in KACs (controlled)  Outside KACs yes for buildings more than 450m <sup>2</sup> GFA (Restricted Discretionary)	No	No	Yes, for buildings exceeding the maximum height standards	No	No	No
<b>Height</b>	12m (Rangiora & Kaiapoi)	8m (commercial local) or 12m	12m <sup>58</sup>	12m (Rangiora & Kaiapoi)	10m (15m Ashburton centre)	10m (12m in parts of Lincoln and 15m in	9m (8m where site adjoins a residential	9m (8m where site adjoins a residential or	Depending on precinct 7.5-15.5 and 12m	10m or in Albert Town, Arrowtown, Fernhill,	12m	12m

<sup>54</sup> Rangiora & Kaiapoi. Note quoted rules are for identified key pedestrian frontages.

<sup>55</sup> The Commercial Local zone applies to smaller suburban blocks of shops. The Commercial Core zone applies to larger neighbourhood centres (usually of a scale that includes a supermarket) and District Centres (KACs/ large malls). Note quoted rules are for identified key pedestrian frontages.

<sup>56</sup> Rangiora & Kaiapoi. Note quoted rules are for identified key pedestrian frontages.

<sup>57</sup> The Christchurch Plan also has a certification option whereby a development can be certified by an approved urban designer as meeting the relevant assessment matters in which case it becomes a controlled activity. Without certification the rule is restricted discretionary.

<sup>58</sup> For Commercial Core zones the height limit is 12m for neighbourhood centres. For district centres it is 12m if within 30m of a residential zone, and 20m otherwise.

						parts of Rolleston)	or open space zone)	open space zone)	for all other sites	Hawea, Sunshine Bay and Cadrona Valley 7m.		
<b>Recession plane with Residential Zone</b>	Comply with Residential zone	Comply with Residential zone	Comply with Residential zone	Comply with Residential zone	Comply with Residential zone	Comply with Residential zone	Comply with Residential zone	Comply with Residential zone	Recession Planes are based on precincts.	Comply with Residential zone	Comply with Residential zone	Comply with Residential zone
<b>Building setback with Residential Zone</b>	No requirement	3m	3m	No requirement	4.5m	No (although some limited location-specific rules)	1m	1m	No requirement	3m	4m	4m
<b>Landscaping -internal boundaries with Residential Zone</b>	No requirement	1 tree/ 10m of boundary	1 tree/ 10m of boundary	No requirement	2m strip, tree planting to screen buildings at maturity	No requirement	Trees/shrubs 2m apart (1.8m at maturity) <sup>59</sup>	Trees/shrubs 2m apart (1.8m at maturity) <sup>6</sup>	No requirement	No requirement	No requirement	No requirement
<b>Outdoor Storage - screening</b>	1.8m solid fence on internal boundaries	Outdoor storage screened by 1.8m fencing or landscaping	Outdoor storage screened by 1.8m fencing or landscaping	1.8m solid fence on internal boundaries	Screened from 'public view'. 1.8m solid fence on internal boundaries	Outdoor storage screened by 1.8m fencing or landscaping	Outdoor storage screened from road frontage by 1.8m fencing or landscaping <sup>6</sup>	Outdoor storage screened from road frontage by 1.8m fencing or landscaping <sup>6</sup>	Yes, outdoor storage shall be screened from view from all public places and adjoining sites/zones.	No requirement	Yes, must be screened by 2m high fence or planting	Yes, must be screened by 2m high fence or planting

<sup>59</sup> Excludes PTRS 3166 in Amberly

<b>Outdoor Storage - location</b>	No requirement	No requirement	Set back 3m from Residential Zone boundary	No requirement	To rear of buildings	No requirement	No requirement	No requirement	No requirement	No requirement	No requirement	No requirement
<b>Road boundary – setback &amp; glazing</b>	Built to road with 60% glazing ground floor	Built to road with 60% glazing ground floor	Built to road with 60% glazing ground floor	Built to road with 60% glazing ground floor	Built to road, 65% glazing ground floor	Built to road with active frontage	Built to road <sup>60</sup>	Built to road <sup>7</sup>	Built to road	Built to road	Built to road, 50% glazing in Precinct C.	Built to road, 75% glazing ground floor
<b>Pedestrian entrance</b>	Yes	Yes	Yes	Yes	Yes	no	Yes	Yes	No	No	Yes	Yes
<b>Veranda</b>	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes
<b>Road boundary - landscaping</b>	Landscaped between buildings and street where setback more than 2m.	No requirement	Landscape strip of 1.5m with 1 tree/ 10m frontage where opposite a residential zone or has frontage to a local road <sup>61</sup>	Landscaped between buildings and street where setback more than 2m.	No requirement	No requirement	In Amberly - Landscaped between building and street where setback from road boundary	In Amberly - Landscaped between buildings and street where setback from road boundary	No requirement	No requirement	Where buildings are setback 2m or more – 1 tree per 10m of frontage	Where buildings are setback 2m or more – 1 tree per 10m of frontage
<b>Hours of operation – residential boundary</b>	No requirement but subject to	No requirement, but subject to	No requirement but subject to	No requirement but subject to noise standards	<sup>62</sup> 0700-2100 Mon-Fri	No requirement, but subject to noise standards	No requirement but subject to	No requirement but subject to	No requirement but subject to noise standards	No requirement but subject to noise standards	Yes adjoining living zones 7am -11pm	Yes adjoining living zones 7am -11pm

<sup>60</sup> In Business zones in Amberly, a setback of 1m is required to the road boundary if the entrance does not face the street.

<sup>61</sup> In practice this rule applies to frontages that are not retail frontages e.g where the sides of centres adjoin a road.

<sup>62</sup> Where located on a site adjoining a Residential Zone, no activity, other than residential, visitor accommodation, or emergency service call outs shall operate outside of the specified hours.

	noise standards	noise standards	noise standards		0900-1700 Sat, Sun, public holidays		noise standards	noise standards			7 days a week	7 days a week
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## Industrial Bulk & Location Rules

	Waimakariri (B2) <sup>63</sup>	Selwyn	Christchurch (Industrial General) <sup>64</sup>	Ashburton (Business D) <sup>65</sup>	Hurunui (Industrial)	Queenstown (Industrial not released)	Kapiti (Industrial/Service)
<b>Activity controls limiting sensitive activities</b>	No	Yes	Yes	Yes – custodial residential only	Yes		Yes
<b>Height</b>	15m	15m (buildings) and 25m (structures)	15m if within 20m of a Residential Zone otherwise no limit	15m	9m (8m where site adjoins a residential or open space zone)		10m
<b>Recession plane with Residential Zone</b>	Comply with Residential zone	Comply with Residential zone	Comply with Residential zone	Comply with Residential zone	Comply with Residential zone		Comply with Residential zone

<sup>63</sup> The Waimakariri Plan also has Business 3-6 which provide for site-specific industries/ spot zones

<sup>64</sup> The Christchurch Plan also has an Industrial Heavy zone, with the IG zone applying to locations in close proximity to residential areas i.e. it is designed as an interface/ buffer zone.

<sup>65</sup> The Ashburton Plan also has Business E and F zones which provide for heavy industry and freezing works

<b>Building setback with Residential Zone</b>	10m (both Residential & rural zones)	2m	3m	4.5m (both Residential & rural zones)	1m		4m
<b>Landscaping - internal boundaries with Residential Zone</b>	No requirement	No requirement	1 tree/ 10m of boundary <sup>66</sup>	2m strip, tree planting to screen buildings at maturity	Trees/shrubs 2m apart (1.8m at maturity) <sup>67</sup>		Yes – landscaped strip 2m wide
<b>Outdoor storage - Screening</b>	1.8m solid fence on internal boundaries	Outdoor storage screened by 1.8m fencing or landscaping with Residential Zone boundaries.	Outdoor storage screened by 1.8m fencing or landscaping with Residential Zone boundaries.  No road boundary screening required	Screened from 'public view'.  1.8m solid fence on internal boundaries	Outdoor storage screened from road frontage by 1.8m fencing or landscaping <sup>13</sup>		Outdoor storage screened by 2m fencing or landscaping with Residential Zone boundaries.
<b>Outdoor storage - location</b>	No requirement	No requirement	Not within the road boundary setbacks below.  No setback required from Residential Zone Boundary	Located to the rear of buildings	No requirement		No requirement

<sup>66</sup> For internal boundaries with open space or education zones 1.8m high screening is required but no tree planting.

<sup>67</sup> Excludes the industrial zone in Amberly and the property PT RS 3166.

<b>Road Boundary - building setback</b>	10m	2m (different rules for B2A &B)	3m if opposite a Residential Zone; 1.5m otherwise	5m (all roads)	No requirement		No requirement
<b>Road Boundary - Landscaping –</b>	2m deep landscape strip; 1 tree/ 10m frontage (specified locations)	No requirement	Where opposite a residential zone 1.5m landscape strip and 1 tree/ 10m frontage;  Otherwise no requirement	1 tree/ 10m frontage	No requirement		Yes, 2m strip where the adjoining road has a carriageway of 8m
<b>Hours of operation – residential boundary</b>	No restriction but subject to noise standards	No restriction but subject to noise standards	No restriction but subject to noise standards	0700-2100 Mon-Fri 0900-1700 Sat, Sun, public holidays	No restriction but subject to noise standards		Yes, hours of operation shall be Mon-Sun 7am-11pm



## Waimakariri District Plan Review

### Comparison of Plan Definitions

**Table 1: Commercial Zones**

Retailing	
Waimakariri	<p>Retail Activity means:</p> <ul style="list-style-type: none"> <li>a. any land, building or part of a building on or in which goods or services are displayed, sold, or offered for sale or hire direct to the public; or</li> <li>b. Within any Land Use Recovery Plan greenfield priority area, any land, building or part of a building in which goods or services are displayed, sold, or offered for sale or hire direct to the public and includes any Home Occupation.</li> </ul> <p>Retail Activity within a Land Use Recovery Plan greenfield priority area excludes any office, other than an office that is ancillary to the primary activity or any office for the purpose of a Home Occupation.</p>
Selwyn	<p>Retail Activity: the use of land or buildings for displaying or offering goods for sale or hire to the public, including service stations. For the purposes of calculating car parking requirements, slow trade and bulk goods retail shall mean large goods which typically have a low turn-over such as building supplies, white wares, furniture and vehicles.</p> <p>Retail Activity (in the Key Activity Centres identified in Appendices 29A and 29B and the Business 2A Zones identified in Appendix 22 (Precincts 2-4 only) and Appendix 43): means the use of land and/or buildings for displaying or offering goods for sale to the public, including Small and Large Format Retail. It excludes food and beverage, drive through facilities, commercial services, service stations, garages and workshops, trade suppliers, and furniture and lighting outlets.</p>
Christchurch	means both retail activities and commercial services.
Ashburton	'Retail activity' means the use of land or buildings for displaying or offering goods for sale or hire to the public and includes, but is not limited to, food and beverage outlets, small and large scale retail outlets, trade suppliers, yard based suppliers, second hand goods outlets and food courts.
Hurunui	means any activity where retailing or trading is the principal activity.
Queenstown	Means the direct sale or hire to the public from any site, and/or the display or offering for sale or hire to the public on any site of goods, merchandise or equipment, but excludes recreational activities.
Kapiti	APPEAL: Retail Activity(ies) or Retail Outlets means the use of land or buildings where goods and services are offered or exposed to the general public for sale, hire or utilisation, and includes but is not limited to food and beverage outlets, drive-through restaurants, trade supply retail, yard based retail activity and service stations.

<b>Supermarkets/Department Stores</b>	
Waimakariri	<p>Supermarket means, for the purpose of assessing on-site parking requirements, a retail premises with a gross floor area of 1000m<sup>2</sup> or greater where the principal activity is the sale of a comprehensive range of grocery items, predominantly for use and consumption off the premises.</p> <p>Large Format Retail means, for the purpose of assessing on-site parking requirements, any individual shop tenancy with a net floor area of 450m<sup>2</sup> or greater, where the tenancy is created by freehold, leasehold, licence or any other arrangement to occupy, but excludes any supermarket.</p>
Selwyn	<p>Supermarket: means that which is defined in ANZSIC code 4110.</p> <p>Department Store: means that which is defined in ANZSIC code 4260.</p>
Christchurch	<p>Supermarket means an individual retail outlet that sells a comprehensive range of food, beverage and other disposable goods such as fresh meat and produce; chilled, frozen, packaged, canned and bottled foodstuffs and beverages; and general housekeeping and personal goods.</p> <p>Department Store means a retail store carrying a wide variety of merchandise, organised into various departments that sell goods such as apparel, furniture, appliances, electronics, household goods, toiletries, cosmetics, jewellery, toys and sporting goods, and where no one merchandise line dominates.</p>
Ashburton	No definition provided
Hurunui	means a retail shop where a comprehensive range of predominantly domestic supplies and convenience goods and services are sold for consumption or use off the premises and includes lotto shops and pharmacies located within such premises.
Queenstown	No definition provided
Kapiti	APPEAL: Large Format Retail means a retail activity of at least 500m <sup>2</sup> in gross floor area. Within the Airport Mixed Use Precinct, large format retail is restricted to the following activities defined by Australian and New Zealand Standard Industrial Classification (ANZSIC 2006): 1. fabrics and other soft good retailing; 2. furniture retailing; 3. domestic hardware and houseware retailing; and 4. domestic appliance retailing.
<b>Offices</b>	
Waimakariri	Office means, for the purpose of assessing on-site parking requirements, a place where the principal activity is administrative, business, clerical, professional, government or management.
Selwyn	Office: a place where administrative, business, clerical or professional and, or management activities are conducted.
Christchurch	<p>means any of the following:</p> <p>administrative offices where the administration of an organisation, whether trading or non-trading, is conducted, including bank administration offices; and</p>

	professional offices where professional services are available and carried out. These include the offices of accountants, solicitors, architects, surveyors, engineers and consultants.
Ashburton	means any of the following: <ul style="list-style-type: none"> <li>- administrative offices where the administration of an organisation, whether trading or non-trading is conducted;</li> <li>- commercial offices such as banks, insurance agents, typing services, duplicating services and real estate agents, being places where trade (other than that involving the immediate exchange of money for goods or the display or production of goods) is transacted;</li> <li>- professional office such as the offices of accountants, solicitors, architects, surveyors and engineers, where a professional service is available and carried out.</li> </ul>
Hurunui	means a place in which business, administrative activities and/or professional services are conducted and includes those of public bodies.
Queenstown	Means any of the following: a. administrative offices where the administration of any entity, whether trading or not, and whether incorporated or not, is conducted; b. commercial offices being place where trade, other than that involving the immediately exchange for goods or the display or production of goods, is transacted; c. professional offices.
Kapiti	Office(s) means an activity including associated buildings or part of a building where people are engaged in the administration of an organisation whether trading or non-trading, and includes but is not restricted to professional offices and professional services where otherwise not defined as retailing. An office may be ancillary to another activity.
<b>Commercial Services</b>	
Waimakariri	No definition provided
Selwyn	Commercial Service: means a business providing personal, property, financial, household, private or business services to the general public as a commercial activity and includes, but is not limited to: <ul style="list-style-type: none"> <li>airline and entertainment booking services;</li> <li>betting shops;</li> <li>copy and quick printing services;</li> <li>customer banking facilities;</li> <li>customer postal services;</li> <li>counter insurance services;</li> <li>credit unions, building societies and investment co-operatives;</li> </ul>

	<p>drycleaning and laundrette services;</p> <p>electrical goods repair services;</p> <p>footwear and leather goods repair services;</p> <p>hairdressing and beauty salons and barbers;</p> <p>key cutting services;</p> <p>money lenders;</p> <p>real estate agents and valuers; and</p> <p>travel agency services.</p>
Christchurch	<p>means a business providing personal, property, financial, household, private or business services to the general public. It includes:</p> <p>authorised betting shops;</p> <p>copy and quick print services;</p> <p>financial and banking facilities;</p> <p>postal services;</p> <p>counter insurance services;</p> <p>dry-cleaning and laundrette services;</p> <p>electrical goods repair services;</p> <p>footwear and leather goods repair services;</p> <p>hairdressing, beauty salons and barbers;</p> <p>internet and computer services;</p> <p>key cutting services;</p> <p>real estate agents and valuers;</p>

	<p>travel agency, airline and entertainment booking services;</p> <p>optometrists;</p> <p>movie and game hire; and</p> <p>animal welfare and/or grooming services.</p> <p>It excludes gymnasiums.</p>
Ashburton	'commercial' means involving the payment of fees for hire or financial reward.
Hurunui	No definition provided
Queenstown	No definition provided
Kapiti	<p>APPEAL: Small-scale Commercial Services means a commercial service within the "Airport Mixed Use Precinct" of the Airport Zone with a publicly accessible area not exceeding 150m<sup>2</sup> and limited to household, personal, finance, insurance, real estate, travel, repair, post, courier, health, veterinary and other such similar services.</p> <p>APPEAL: Commercial Service(s) within the Waikanae North Development Zone means household, personal, finance, insurance, real estate, travel, repair, post, courier, health, veterinary, and other such similar services but not including general or professional office activities above ground floor.</p>
<b>Community Facilities</b>	
Waimakariri	No definition provided
Selwyn	<p>Community Facilities: means places available to the public for the purpose of community activities and includes but is not limited to public playgrounds, recreational halls, community centres, libraries, conference centres, community halls, information centres and public swimming pools.</p> <p>In Precinct 8 of the Rolleston Key Activity Centre only, the following activities are also permitted within a Community Facility building/s, in addition to those listed above:</p> <p>Movie theatre/s</p> <p>Meeting and training facilities and business support services</p> <p>Food and Beverage</p>
Christchurch	means any land and/or buildings used for community activities or education activities. Community facilities include reserves, recreation facilities, libraries, community infrastructure such as community halls, health care facilities, care facilities, emergency service facilities, community corrections facilities, community welfare facilities and

	facilities used for entertainment activities or spiritual activities. Community facilities exclude privately (as opposed to publicly) owned recreation facilities, entertainment activities and restaurants.
Ashburton	'community activity' means the use of land and buildings for the primary purpose of health, welfare, care, safety, education, culture and/or spiritual wellbeing, but excludes recreational activities. A community activity includes educational facilities, hospitals, doctors surgeries and other health professionals, churches, halls, libraries, community centres, police stations, fire stations, courthouses, probation and detention centres.
Hurunui	'Community Services' include educational institutions, places of worship, libraries, hospitals, resthomes, community halls, childcare centres.
Queenstown	'Community Activity' Means the use of land and buildings for the primary purpose of health, welfare, care, safety, education, culture and/or spiritual well being. Excludes recreational activities. A community activity includes day care facilities, education activities, hospitals, doctors surgeries and other health professionals, churches, halls, libraries, community centres, police purposes, fire stations, courthouses, probation and detention centres, government and local government offices.
Kapiti	Community Facility(ies) means: the use of land and buildings by the public for the purposes of welfare, care, safety and culture. Community Facilities include: 1. multi-purpose community halls; 2. places of worship; 3. civic offices; 4. community centres; 5. community libraries; 6. display of information to the public; 7. community museums; 8. community galleries; 9. courthouses; 10. emergency service facilities; 11. hospitals; 12. marae and other cultural facilities; 13. public toilets; and 14. plunket rooms and rooms where information, counselling advice or similar assistance conducive to welfare is provided.
<b>Entertainment</b>	
Waimakariri	No definition provided
Selwyn	'Recreational Facility or Recreational Activity': includes the use of any land, building or structure for the primary purpose of recreation or entertainment and is available to be used by members of more than one household.
Christchurch	means the use of land and/or buildings principally for leisure and amusement activities other than sports, regardless of whether a charge is made for admission or not. It includes public performances, exhibitions, movie and live theatres, and ancillary workshops, storage, offices and retail activity.
Ashburton	'entertainment facilities' means land and/or building(s) or parts of building(s) used principally for any public meetings, public performances or public amusements, whether a charge is made for admission or not; or used principally for public or private worship, religious ceremonies, services or associated instruction. Has the same meaning as Meeting Places.
Hurunui	means land or buildings in which facilities are provided, at a charge to the public, or by private reservation, for: <ul style="list-style-type: none"> <li>– Indoor recreation and entertainment</li> <li>– The promotion of physical health</li> </ul>

Queenstown	'Recreational activity' Means the use of land and/or buildings for the primary purpose of recreation and/or entertainment. Excludes any recreational activity within the meaning of residential activity.
Kapiti	Entertainment Activity(ies) means premises providing public or private entertainment and includes cinemas, theatres and licensed premises.
<b>Guest Accommodation</b>	
Waimakariri	'Non-Permanent Accommodation' means the use of a building or area within a building for the day to day accommodation of tourists and short-stay visitors. For the purposes of this definition double rooms and powered van sites are counted as one single non-permanent accommodation unit.
Selwyn	'Visitor Accommodation': means the use of land and buildings for transient accommodation offered on a daily tariff, except as provided for under the definition of a residential activity. Visitor accommodation may involve the sale of food and liquor to in-house guests.
Christchurch	means the use of land and/or buildings for transient residential accommodation offered at a tariff, which may involve the sale of alcohol and/or food to in-house guests, and the sale of food, with or without alcohol, to the public. It may include the following ancillary activities:  offices;  meeting and conference facilities;  fitness facilities; and  the provision of goods and services primarily for the convenience of guests.  Guest accommodation includes hotels, resorts, motels, motor and tourist lodges, backpackers, hostels and camping grounds. Guest accommodation excludes bed and breakfasts and farm stays.
Ashburton	'visitor accommodation' means the use of land and buildings for short-term, commercial, living accommodation where the length of stay for any one visitor is not greater than 4 months at any one time. Visitor accommodation may include some self-contained or centralised services or facilities, such as food preparation, dining and sanitary facilities, conference, recreation and bar facilities, and associated parking areas for the use of those staying on the site.
Hurunui	'Visitor Accommodation' means buildings used to accommodate visitors on a transient basis on a daily tariff, including motels, motor inns, self-contained units and bedsits; but excluding permanently occupied homes, homestays, bed and breakfasts and holiday houses.
Queenstown	APPEAL: 'visitor accommodation' Means the use of land or buildings for short-term, fee paying, living accommodation where the length of stay for any visitor/guest is less than 3 months; and i. Includes such accommodation as camping grounds, motor parks, hotels, motels, boarding houses, guest houses, backpackers' accommodation, bunkhouses, tourist houses, lodges, homestays, and the commercial letting of a residential unit; and ii. May include some centralised services or facilities, such as food preparation, dining and sanitary facilities, conference, bar and recreational facilities if such facilities are associated with the visitor accommodation activity.



Kapiti	Visitor Accommodation means residential accommodation for six or more travellers, offered at a daily (or similarly specified time) tariff and includes hotels, motels, bed and breakfasts, camping grounds and motor camps, but does not include any temporary residential rental accommodation.
<b>Residential</b>	
Waimakariri	No definition provided.
Selwyn	Residential Activity: means the use of land and buildings for the purpose of living accommodation and ancillary activities. For the purpose of this definition, residential activity shall include: <ul style="list-style-type: none"> <li>a) Accommodation offered to not more than five guests for reward or payment where the registered proprietor resides on-site</li> <li>b) Emergency and/or refuge accommodation</li> <li>c) Supervised living accommodation and any associated caregivers where the residents are not detained on the site</li> </ul>
Christchurch	means the use of land and/or buildings for the purpose of living accommodation. It includes: <ul style="list-style-type: none"> <li>a residential unit, boarding house, student hostel or a family flat (including accessory buildings);</li> <li>emergency and refuge accommodation; and</li> <li>sheltered housing; but</li> </ul> excludes: <ul style="list-style-type: none"> <li>guest accommodation;</li> <li>the use of land and/or buildings for custodial and/or supervised living accommodation where the residents are detained on the site; and</li> <li>accommodation associated with a fire station.</li> </ul>
Ashburton	means the use of land and buildings by people for the purpose of permanent living accommodation, including all associated accessory buildings, leisure activities and the keeping of domestic livestock. For the purposes of this definition, residential activity shall include emergency and refuge accommodation, and the use of holiday homes which is not commercial.
Hurunui	means the use of premises primarily for dwelling

Queenstown	<p>APPEAL: Means the use of land and buildings by people for the purpose of permanent residential accommodation, including all associated accessory buildings, recreational activities and the keeping of domestic livestock. for the purposes of this definition, residential activity shall include Community Housing, emergency, refuge accommodation and the non-commercial use of holiday homes. Excludes visitor accommodation.</p>
Kapiti	<p>Residential Activity(ies) means the use of premises for any domestic or related residential purpose by persons living in the premises alone or in family or non-family groups, including emergency and refuge accommodation (whether any person is subject to care, supervision or not), and temporary residential rental accommodation, but does not include home occupations, visitor accommodation, or business activities.</p>
<b>Utility Infrastructure</b>	
Waimakariri	<p>Utility means any service, facility or structure relating to:</p> <ul style="list-style-type: none"> <li>a. the distribution or transmission of: <ul style="list-style-type: none"> <li>— gas,</li> <li>— electricity,</li> <li>— water (including reservoirs, structures and tanks) and treatment,</li> <li>— agricultural and horticultural irrigation systems;</li> </ul> </li> <li>b. the collection, treatment, transport and disposal of: <ul style="list-style-type: none"> <li>— sewage,</li> <li>— stormwater;</li> </ul> </li> <li>c. the construction and operation of: <ul style="list-style-type: none"> <li>— radio communication facilities,</li> <li>— telecommunication facilities and lines;</li> </ul> </li> <li>d. the construction and operation of: <ul style="list-style-type: none"> <li>— navigational aids, including the provision of any approach control service within the meaning of the Civil Aviation Act 1990,</li> <li>— beacons,</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>— natural hazard protection devices or structures,</li> <li>— meteorological facilities,</li> <li>— roads and railway lines,</li> <li>— cycleways, bridges, pedestrian accessways, street lighting and other street furniture,</li> <li>— heliports, helipads and/or airports as defined by the Airport Authorities Act 1966;</li> </ul> <p>e. the generation of:</p> <ul style="list-style-type: none"> <li>— energy including electricity;</li> </ul> <p>f. any incidental activity in relation to the utility including, and without limitation, the operation, maintenance, alteration and upgrading of the utility;</p> <p>except that a “utility” shall not include a service, facility or structure that serves only one site or allotment and which is wholly contained within that site or allotment.</p>
Selwyn	<p>Utility: includes the use of any structure, building or land for any of the following purposes;</p> <ul style="list-style-type: none"> <li>(a) The generation, transformation and/or transmission of energy;</li> <li>(b) Any telecommunication facility or telecommunication line;</li> <li>(c) Any radio communication facility;</li> <li>(d) The conveyance, storage, treatment or distribution of water for supply, including (but not limited to) irrigation and stockwater;</li> <li>(e) The drainage, reticulation or treatment of stormwater, waste water or sewage;</li> <li>(f) Transport infrastructure, including (but not limited to) roads, accessway, railways, airports and navigational aids;</li> <li>(g) Work to mitigate potential natural hazards, including (but not limited to) stopbanks, groynes and gabions;</li> <li>(h) Meteorological facilities for the observation, recording and communication of weather information</li> </ul>
Christchurch	<p>means:</p> <p>transformation, transmission, generation or distribution of electricity provided by network utility operators or requiring authorities, including:</p>

	<p>transmission lines and electricity distribution lines and associated equipment; and</p> <p>private connections to such utilities;</p> <p>telecommunication and radiocommunication facilities, including:</p> <p>transmitting/receiving devices such as aerials, antennas, dishes (including cables), insulators, castings, tunnels and associated equipment; and</p> <p>support structures such as towers, masts and poles, accessory buildings and private receiving dish antennas;</p> <p>storage tanks and pipes for the distribution or transmission of petroleum or natural or manufactured gas, including necessary incidental equipment provided by network utility operators or requiring authorities, and private connections to such utilities;</p> <p>reticulated water for supply or irrigation, stormwater management basins, swales or reticulated open channelised drainage, and reticulated sewerage provided by network utility operators or requiring authorities, including:</p> <p>private stormwater facilities connecting to such utilities; and</p> <p>necessary incidental equipment, including pumping stations provided by network utility operators or requiring authorities, and private connections to such utilities; and</p> <p>lighthouses, meteorological facilities, navigation aids and beacons, including approach control services within the meaning of the Civil Aviation Act 1990.</p>
Ashburton	<p>means facilities, structures and works necessary for, incidental to, and associated with, providing the following:</p> <ul style="list-style-type: none"> <li>- the generation and transmission of energy;</li> <li>- transportation networks and navigational aids;</li> <li>- the storage, treatment and conveyance of water, stormwater and sewage;</li> <li>- the disposal of waste;</li> <li>- radiocommunications and telecommunications;</li> <li>- the protection of the community from natural hazards;</li> <li>- monitoring and observation of weather;</li> <li>- undertaking a project or work described as a "network utility operation" by regulations made under the Resource Management Act.</li> </ul>
Hurunui	<p>'Utility' means any facility relating to the distribution or transmission of gas or electricity (including those services that may be subject to any conditions imposed under sections 25 and 26 of the Gas Act 1992, and sections 24 and 25 of the Electricity Act 1992), telecommunication and radiocommunication facilities, the distribution of water (including reservoir structures and water tanks), drainage, or sewerage reticulation, irrigation systems, lighthouses, navigational aids, beacons and meteorological activities (including any telecommunication, radio and satellite links). Utility pole means a pole used to support a line or other utility, but excludes masts or buildings.</p>
Queenstown	<p>'Utility' Means the systems, services, structures and networks necessary for operating and supplying essential utilities and services to the community including: a. substations, transformers, lines and necessary and incidental structures and equipment for the transmissions and distribution of electricity; b. pipes and necessary</p>

	<p>incidental structures and equipment for transmitting and distributing gas; c. storage facilities, pipes and necessary incidental structures and equipment for the supply and drainage of water or sewage; d. water and irrigation races, drains, channels, pipes and necessary incidental structures and equipment (excluding water tanks); e. structures, facilities, plant and equipment for the treatment of water; f. structures, facilities, plant, equipment and associated works for receiving and transmitting telecommunications and radio communications; g. structures, facilities, plant, equipment and associated works for monitoring and observation of meteorological activities and natural hazards; h. structures, facilities, plant, equipment and associated works for the protection of the community from natural hazards; i. structures, facilities, plant and equipment necessary for navigation by water or air; j. waste management facilities; k. flood protection works; and l. anything described as a network utility operation in s166 of the Resource Management act 1991. Utility does not include structures or facilities used for electricity generation, the manufacture and storage of gas, or the treatment of sewage.</p>
Kapiti	<p>'Network Utility' means any service provided by a network utility operator as defined under Section 166 of the Resource Management Act 1991 and includes: 1. distribution or transmission by pipeline of natural or manufactured gas, petroleum, biofuel or geothermal energy; 2. telecommunication as defined in section 5 of the Telecommunications Act 2001; or radio communications as defined in section 2(1) of the Radio Communications Act 1989; 3. the provision, operation and maintenance of works for the conveyance of electricity, as defined in section 2 of the Electricity Act 1992; 4. the distribution of water for supply including irrigation; 5. sewerage or drainage system, including pumping stations and open drains; 6. construction, operation and maintenance of railway lines and roads;</p> <p>7. the operation of an airport as defined by the Airport Authorities Act 1966; 8. the provision of any approach control service within the meaning of the Civil Aviation Act 1990; or 9. undertaking a project or work described as a "network utility operation" by regulations made under the Resource Management Act 1991;</p> <p>and includes the following, which may (or may not) be provided by a network utility operator: 1. light houses, navigation aids, beacons, signal and trig stations and natural hazard emergency warning devices; 2. meteorological services; and 3. all associated buildings and structures.</p>

**Table 2: Industrial Zone**

<b>Industrial</b>	
Waimakariri	No definition provided
Selwyn	<p>Industrial Activity: means any activity involving the manufacturing, production, processing, assembly, disassembly, packaging, servicing, testing, repair and/or warehousing of any materials, goods, products, machinery or vehicles, but excludes mining, mineral exploration and quarrying.</p> <p>Industrial Activity (in the Key Activity Centres identified in Appendices 29A and 29B and the Business 2A Zones identified in Appendix 22 (Precincts 2-4 only) and Appendix 43): means any activity involving the manufacturing, production, processing, assembly, disassembly, packaging, servicing, testing, repair and/or warehousing of any materials, goods, products, machinery or vehicles, but excludes Service Stations, Garages and Workshops.</p>
Christchurch	means the use of land and/or buildings for manufacturing, fabricating, processing, repairing, assembly, packaging, wholesaling or storage of products. It excludes high technology industrial activity, mining exploration, quarrying activity, aggregates-processing activity and heavy industrial activity.
Ashburton	means the use of land and buildings for the primary purpose of manufacturing, fabricating, processing, packing, or associated storage of goods.
Hurunui	<p>means the premises used for manufacturing, fabricating, processing, parking or storing of substances, materials or products, into new products, and includes the servicing and repair of goods, vehicles and machinery, whether by machine or hand; with:</p> <ul style="list-style-type: none"> <li>– Primary industry meaning industry listed in Appendix E3</li> <li>– Secondary industry meaning any other industry</li> </ul>
Queenstown	Means the use of land and buildings for the primary purpose of manufacturing, fabricating, processing, packing, or associated storage of goods
Kapiti	Industrial Activity(ies) means any activity where people use materials and physical effort to: 1. extract or convert natural resources; 2. produce goods or energy from natural or converted resources; 3. repair goods; and 4. store goods (ensuing from an industrial process).
<b>Trade Supplier</b>	
Waimakariri	<p>Trade Suppliers means business engaged in sales to businesses, and may also include sales to the general public, and wholly consists of one or more of the following:</p> <ul style="list-style-type: none"> <li>— businesses primarily engaged in selling automotive vehicles, marine craft, and associated parts and accessories for such vehicles and craft;</li> <li>— businesses primarily engaged in selling goods for consumption or use in the construction, modification, cladding, fixed decoration or outfitting of buildings;</li> </ul>

	<p>— businesses primarily engaged in selling goods for consumption or use in the business operations of primary producers or in animal husbandry;</p> <p>— businesses primarily engaged in selling goods for permanent exterior installation or planting and includes: landscaping suppliers; and suppliers of bark, compost, firewood, and paving and domestic paving aggregates; and</p> <p>— businesses primarily engaged in selling goods for office type use or consumption, and includes suppliers of computers, copiers, printers, office furniture and other related equipment.</p>
Selwyn	<p>Trade Supplier: means a business engaged in sales to businesses and institutional customers and may also include sales to the general public, and wholly consists of suppliers of goods in one or more of the following categories:</p> <p>automotive and marine suppliers;</p> <p>building suppliers;</p> <p>catering equipment suppliers;</p> <p>farming and agricultural suppliers;</p> <p>garden and patio suppliers;</p> <p>hire services (except hire or loan of books, video, DVD and other similar home entertainment items);</p> <p>industrial clothing and safety equipment suppliers; and</p> <p>office furniture, equipment and systems suppliers.</p>
Christchurch	<p>means a business engaged in sales to businesses and institutional customers (but may also include sales to the general public) and consists only of suppliers of goods in one or more of the following categories:</p> <p>automotive and/or marine suppliers;</p> <p>building suppliers;</p> <p>catering equipment suppliers;</p> <p>farming and agricultural suppliers;</p> <p>garden and patio suppliers;</p>



	hire services (except hire or loan of books, videos, DVDs and other similar home entertainment items); industrial clothing and safety equipment suppliers; and office furniture, equipment and systems suppliers.
Ashburton	No definition provided.
Hurunui	No definition provided.
Queenstown	Means a business that is a mixture of wholesaling and retailing goods in one or more of the following categories: a. automotive and marine suppliers; b. building suppliers; c. catering equipment suppliers; d. farming and agricultural suppliers; e. garden and patio suppliers f. hire services (except hire or loan of books, video, DVD and other similar home entertainment items); g. industrial clothing and safety equipment suppliers; and h. office furniture, equipment and systems suppliers.
Kapiti	APPEAL: Trade Supply Retail means a business and associated premises engaged in sales to businesses and institutional customers and may also include sales to the general public, and consists only of suppliers of goods in one or more of the following categories: 1. automotive and marine suppliers; 2. building suppliers; 3. catering equipment suppliers; 4. farming and agricultural suppliers; 5. garden and landscaping suppliers; 6. plumbing supplies and equipment; 7. hire services (except hire or loan of books, video, DVD and other 8. similar home entertainment items); 9. industrial clothing and safety equipment suppliers; and 10. office furniture, equipment and systems suppliers.
<b>Yard-based Supplier</b>	
Waimakariri	No definition provided.
Selwyn	Building Suppliers: means a business primarily engaged in selling goods for consumption or use in the construction, modification, cladding, fixed decoration or outfitting of buildings and without limiting the generality of this term, includes:  glaziers;  locksmiths; and  suppliers of:  awnings and window coverings;  bathroom, toilet and sauna installations;  electrical materials and plumbing supplies;

	<p>heating, cooling and ventilation installations;</p> <p>kitchen and laundry installations, excluding standalone appliances;</p> <p>paint, varnish and wall coverings;</p> <p>permanent floor coverings;</p> <p>power tools and equipment;</p> <p>safes and security installations;</p> <p>timber and building materials; and</p> <p>any other goods allowed by any other definition under 'trade supplier'.</p>
Christchurch	means the use of any land and/or building for selling or hiring products for construction or external use (which includes activities such as sale of vehicles and garden supplies), where more than 50% of the area devoted to sales or display is located within covered or uncovered external yard or forecourt space, as distinct from within a secured and weatherproof building. Drive-in or drive-through covered areas devoted to storage and display of construction materials (including covered vehicle lanes) will be deemed yard area for the purpose of this definition.
Ashburton	No definition provided.
Hurunui	No definition provided.
Queenstown	No definition provided.
Kapiti	APPEAL: Yard Based Retail means any retail activity with the primary function of the supply of goods, for sale or hire, from a yard area and includes building supplies (DIY or Trade), garden and landscaping supplies, automotive and marine yards, water supply tanks, farming and agricultural supplies and heavy machinery or plant. More than 50% of the area devoted to sales or display must be located in covered or uncovered external yard as distinct from within a secure and weatherproofed building where trade, business and general public customers are able to view items for sale and load, pick up or retrieve the goods, but does not include site access and parking.
<b>Ancillary Retailing</b>	
Waimakariri	No definition provided.
Selwyn	Ancillary Retail: means any retail activity forming part of and being incidental to a principal permitted or consented activity on the same allotment.

Christchurch	Ancillary has its ordinary dictionary meaning, except that it excludes any activity or any part of an activity carried out on another site.
Ashburton	No definition provided.
Hurunui	No definition provided.
Queenstown	No definition provided.
Kapiti	Ancillary means: 1. supportive; 2. subordinate; and 3. allied in characteristics, nature or type.
<b>Ancillary Offices</b>	
Waimakariri	No definition provided.
Selwyn	Ancillary Offices: means any office activity forming part of and being incidental to a principal permitted or consented activity on the same allotment, and which forms an inseparable part of the business occupying the allotment and which occupies no more than 25% of the principal activity.
Christchurch	Ancillary has its ordinary dictionary meaning, except that it excludes any activity or any part of an activity carried out on another site.
Ashburton	No definition provided.
Hurunui	No definition provided.
Queenstown	No definition provided.
Kapiti	Office(s) means an activity including associated buildings or part of a building where people are engaged in the administration of an organisation whether trading or non-trading, and includes but is not restricted to professional offices and professional services where otherwise not defined as retailing. <b>An office may be ancillary to another activity.</b>
<b>Gymnasiums and Sports Centres</b>	
Waimakariri	No definition provided.
Selwyn	No definition provided.
Christchurch	means a building or room/s used for organised or instructed indoor exercise, including aerobics or weight/circuit training, and ancillary facilities such as health care services, spa/sauna, a small apparel sales area and cafeteria for patrons. Specialised facilities, such as squash courts, are considered ancillary to the gymnasium for the purposes of calculating parking requirements.

Ashburton	'place of assembly' means land or buildings which are used principally for the public or private assembly of persons for cultural, entertainment, recreation, leisure, education or similar purposes. They include conference centres, seminar rooms, gymnasiums, public halls, theatres and cinemas, display galleries and museums.
Hurunui	No definition provided.
Queenstown	No definition provided.
Kapiti	No definition provided.
<b>Utility Infrastructure (See Table 1 above)</b>	
<b>Cafes and Dairies</b>	
Waimakariri	'Food and beverage' outlet means the use of land or buildings primarily for the sale of food and/or beverages prepared for immediate consumption on or off the premises to the general public. It includes restaurants, taverns, cafes and takeaway bars, and excludes supermarkets.
Selwyn	'Food and Beverage': means a retail activity involving the sale of food and, or beverages prepared for immediate consumption on or off the premises including restaurants, taverns, cafes and takeaway bars but does not include supermarkets, dairies or bottle stores.
Christchurch	Café means a small food and beverage outlet that primarily provides breakfast, lunch, light meals, snack foods and drinks for sale. It excludes a restaurant.  'Food and Beverage' means the use of land and/or buildings primarily for the sale of food and/or beverages prepared for immediate consumption on or off the site to the general public. It includes restaurants, taverns, cafés, fast food outlets, takeaway bars and any ancillary services. It excludes supermarkets.
Ashburton	No definition provided.
Hurunui	'Residential services' means any activity which serves the immediate needs of surrounding residential area, and includes the sale of products made within residential premises, dry cleaners, dairies and small shops of less than 150m <sup>2</sup> , but does not include service stations or vehicle or machinery repairs.
Queenstown	No definition provided.
Kapiti	APPEAL: Local Convenience Retail Outlet(s) means a small scale shop or dairy providing day-to-day convenience retail products to serve a local neighbourhood. Local convenience retail outlets do not include supermarkets, large format retail activities, clothing outlets, trade / wholesale activities, yard based retail, restaurants, pubs, cafes, commercial offices, home occupations, or service stations.
<b>Service Stations</b>	
Waimakariri	No definition provided.

Selwyn	<p>Service Station: means any site where the dominant activity is the retail sale of motor vehicle fuels (including petrol, LPG, CNG and diesel) and may also include any one or more of the following:</p> <p>The sale of kerosene, alcohol based fuels, lubricating oils, tyres, batteries, vehicle spare parts and other accessories normally associated with motor vehicles;</p> <p>Mechanical repair and servicing of motors (including motor cycles, caravans, motor boats, trailers);</p> <p>Warrant of fitness testing;</p> <p>The sale of other merchandise where this is an ancillary activity to the sale of the motor fuel and vehicle accessories;</p> <p>Truck stops.</p> <p>Except that for the purposes of calculating car parking requirements, the following may be separately assessed: Mechanical repair and servicing of motors (including motor cycles, caravans, motor boats, trailers), Warrant of fitness testing and or the sale of other merchandise where this is an ancillary activity to the sale of the motor fuel and vehicle accessories.</p>
Christchurch	<p>means any site where the primary activity is the retail sale of motor vehicle fuels, including petrol, LPG, CNG and diesel. It may include any one or more of the following ancillary activities:</p> <p>the sale or hire of kerosene, alcohol-based fuels, lubricating oils, tyres, batteries, vehicle spare parts, trailers and other accessories normally associated with motor vehicles;</p> <p>the mechanical repair, servicing and cleaning of motor vehicles (other than heavy vehicles) and domestic garden equipment, but not panel beating, spray painting and heavy engineering, such as engine reboring and crankshaft grinding;</p> <p>truck stops;</p> <p>inspection and certification of motor vehicles; and</p> <p>the sale of other goods for the convenience and comfort of service station customers.</p> <p>It excludes any industrial activity or heavy industrial activity. In relation to Sub-chapter 6.5 Scheduled activities, service station includes both the activities set out above and activities that would otherwise meet this definition but do not rely on the retail sale of motor vehicle fuels as the primary activity (e.g. mechanics, tyre shops and inspection centres).</p>
Ashburton	<p>means any site where the dominant activity is the retail sale of motor vehicle fuels (including petrol, LPG, CNG, diesel, or similar), and may also include any one or more of the following:</p> <ul style="list-style-type: none"> <li>- the sale of kerosene, alcohol based fuels, lubricating oils, tyres, batteries, vehicle spare parts and other accessories normally associated with motor vehicles;</li> </ul>

	<ul style="list-style-type: none"> <li>- mechanical repair and servicing of motor vehicles (includes motor cycles, caravans, boat motors, trailers);</li> <li>- warrant of fitness testing;</li> <li>- the sale of other merchandise where this is an ancillary activity to the sale of motor fuel and vehicle accessories;</li> <li>- truck stops;</li> <li>- car wash facilities.</li> </ul>
Hurunui	No definitions provided.
Queenstown	Means any site where the dominant activity is the retail sale of motor vehicle fuels, including petrol, LPG, CNG, and diesel, and may also include any one or more of the following: a. the sale of kerosene, alcohol based fuels, lubricating oils, tyres, batteries, vehicle spare parts and other accessories normally associated with motor vehicles; b. mechanical repair and servicing of motor vehicles, including motor cycles, caravans, boat motors, trailers, except in any Residential, Town Centre or Township Zone; c. inspection and/or certification of vehicles; d. the sale of other merchandise where this is an ancillary activity to the main use of the site. Excludes: i. panel beating, spray painting and heavy engineering such as engine reboring and crankshaft grinding, which are not included within mechanical repairs of motor vehicles and domestic garden equipment for the purposes of b. above.
Kapiti	Service Station means a business engaged in fuelling motor vehicles, selling petroleum products (including diesel, oil, kerosene, liquid petroleum gas and natural gas) and other accessories normally associated with motor vehicles, and includes truck stops. In addition, a service station may include ancillary retail sales, washing of vehicles, mechanical repairs and servicing of motor vehicles provided that the repairs undertaken on the premises shall be confined to the mechanical repair of motor vehicles (other than heavy diesel fuel vehicles) and domestic garden equipment and shall exclude panel beating, spray painting and heavy engineering such as engine reboring and crankshaft grinding, and provided further that the area devoted to retail sales (other than for motor vehicles parts, accessories, or goods associated with motor vehicles) does not exceed 150m <sup>2</sup> of gross floor area.
<b>Community Corrections Facilities</b>	
Waimakariri	No definition provided.
Selwyn	No definition provided.
Christchurch	means buildings used for non-custodial community corrections purposes. This includes probation, rehabilitation and reintegration services, assessments, reporting, workshops and programmes. Community corrections facilities may be used for the administration of, and a meeting point for, community work groups.
Ashburton	'community activity' means the use of land and buildings for the primary purpose of health, welfare, care, safety, education, culture and/or spiritual wellbeing, but excludes recreational activities. A community activity includes educational facilities, hospitals, doctors surgeries and other health professionals, churches, halls, libraries, community centres, police stations, fire stations, courthouses, <b>probation and detention</b> centres.
Hurunui	No definition provided.

Queenstown	'Community Activity' Means the use of land and buildings for the primary purpose of health, welfare, care, safety, education, culture and/or spiritual well being. Excludes recreational activities. A community activity includes day care facilities, education activities, hospitals, doctors surgeries and other health professionals, churches, halls, libraries, community centres, police purposes, fire stations, courthouses, <b>probation and detention centres</b> , government and local government offices.
Kapiti	Community Facility(ies) means: the use of land and buildings by the public for the purposes of welfare, care, safety and culture. Community Facilities include: 1. multi-purpose community halls; 2. places of worship; 3. civic offices; 4. community centres; 5. community libraries; 6. display of information to the public; 7. community museums; 8. community galleries; 9. courthouses; 10. emergency service facilities; 11. hospitals; 12. marae and other cultural facilities; 13. public toilets; and 14. plunket rooms and rooms where information, counselling advice or similar assistance conducive to welfare is provided.  For the avoidance of doubt, any offices and storage areas required to operate the facility form part of the community facility but the community facility does not include any other retail, industrial or commercial activities unless specifically provided for in the District Plan. <b>A community facility does not include probation or detention centres or prisons.</b>
<b>Emergency Services</b>	
Waimakariri	Emergency service means a service or authority responsible for the safety and welfare of people and property in the community, and includes any fire station, ambulance station or police station, and vehicle or facility associated with such a service.
Selwyn	Emergency Services: means facilities and activities utilised for the protection and safety of people and property in times of an emergency and shall include New Zealand Fire Service, New Zealand Police and St Johns Ambulance.
Christchurch	Emergency Service facility means the facilities of authorities that are responsible for the safety and welfare of people and property in the community. It includes fire stations, ambulance stations, police stations and emergency coordination facilities.
Ashburton	means the services and facilities of authorities which are responsible for the safety and welfare of people and property in the community and includes fire stations, ambulance stations, and police emergency call out and communication activities.
Hurunui	No definition provided.
Queenstown	No definition provided.
Kapiti	No definition provided.
<b>Parking Lots</b>	



Waimakariri	Public parking means parking provided, or administered, by the Waimakariri District Council to meet parking demand within town centres, including where there is frontage to a principal shopping street, which may be funded or partly funded through financial contribution.
Selwyn	Parking Areas: means a continuous portion of a site, sites, allotment, allotments or part of any site or allotment on which parking for motor vehicles is provided and includes associated access.
Christchurch	means stand-alone single level parking facilities at ground level used primarily for parking of motor vehicles and which are not provided to meet demand associated with an activity or development on the same site. It includes parking areas, access and landscaped areas associated with the parking.
Ashburton	No definition provided.
Hurunui	No definition provided.
Queenstown	'Parking Area' Means that part of a site within which vehicle parking spaces are accommodated, and includes all parking spaces, manoeuvre areas and required landscape areas.
Kapiti	<p>Carpark(s) includes an area of land available for the parking of vehicles off-street. It is available for use by visitors to or occupants of a property and is accessory to the principal use of the property. 1. This excludes vehicle parking as an activity, for example car yards, parking buildings and depots. These are activities in their own right and are covered by the relevant rules and standards.</p> <p>Building mass plane.</p> <p>Comment [SH6]: 20 - Kapiti Coast Airport Holdings Ltd – seeks to amend the retail definitions included in Chapter 1 to the extent required to give effect to the policy outcomes sought under their appeal.</p> <p>Refer to Chapter 11.6, for technical information on the design and layout requirements for carparks</p>