

## WAIMAKARIRI DISTRICT COUNCIL

### MEMO

**FILE NO AND TRIM NO:** DDS-14-08-05 / 240927166610

**DATE:** 1 November 2024

**MEMO TO:** Hearing Commissioners

**FROM:** Andrew Willis

**SUBJECT:** Missed Submission and Further Submission Points - Hearing Stream 9 – Commercial and Mixed Use Zones, 9A – Industrial Zones and Hearing Stream 3 – Natural Hazards

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1. The purpose of this memorandum is to inform the Hearing Panel of the following:
  - Hearing Stream 9 – Commercial and Mixed Use Zones – six further submitters missed
  - Hearing Stream 9A – Industrial Zones - one missed submission point
  - Hearing Stream 3 – Natural Hazards:
    - four missed submission points;
    - three incorrectly numbered submission points and one submitter name error;
    - Five missed further submissions made against entire submissions;
    - Nine missed further submissions made against individual points;
    - 43 missed further submissions points (all from one submitter);
    - One submission point incorrectly attributed; and
    - One further submission point included in error.
2. The missed points were noticed in a further check of all original submission points and all further submission points across all s42A reports released to date.
3. The recommendations on these further submissions are included as **Appendix 1**. Given the length of the s42A submission tables, only the changed submissions are included in this memo. Due to the generic nature of the general further submissions missed from Hearing Stream 3, these missed submissions are only addressed in the memo and not identified in Appendix 1. In order to distinguish between the recommendations made in the s42A report and the recommendations that arise from this memo, recommendations from this memo are shown in **blue text** (with underline and ~~strike-out~~ as appropriate).

### **Hearing Stream 9 – Commercial and Mixed Use Zones**

#### Omitted further submission points

4. Further submission 37 by Richard and Geoff Spark was omitted from 13 Bellgrove [408] submission points addressed in the Commercial and Mixed Use Zones s42A report. FS 37 supported in part the entire submission and sought the Bellgrove submission be accepted to the extent it supports the relief sought in the original submission by Richard and Geoff Spark.
5. Further submission 100 by Sports and Education Corporation and 101 by DEXIN Investments Ltd were omitted from the Templeton Group submission [412.1]. The further submissions were neutral on the Templeton Group submission.
6. Submission point [325.346] by Kāinga Ora was omitted from the s42A report and was addressed in the Right of Reply report, however the following further submissions were missed from the Right of Reply report; Richard & Geoff Spark [FS 37] (oppose in part), David

Cowley [FS 41] (oppose), Miranda Hales [FS 46] (oppose), and R J Paterson Family Trust [FS 91] (support in part).

7. These further submitters were included against other submissions within the s42A report, and the error was not raised by any of the further submitters. I therefore do not consider any prejudice to arise from this omission. The recommendations on these further submissions are included at Attachment 1.

### **Hearing Stream 9A – Industrial Zones**

#### Missed submission point

8. Daiken New Zealand [145.64] supported the proposed zoning of the Daiken site as Heavy Industrial Zone (HIZ) as this recognised the established activity and provided for the ongoing operation and growth of the existing facility and associated activities. This submission point was not covered in the Industrial Zones s42A or Reply reports. Consistent with the submission (but not in response to it), maintaining the HIZ for the Daiken site was recommended. I note that there were no submissions in opposition to an HIZ on this site.
9. Given that the submission was in support of the notified zoning, the lack of opposition to an HIZ zone on the site, and that the HIZ was recommended to remain for the site, I consider that there are no material consequences or prejudice arising from the omission of this submission in the s42A report. Consequently, I recommend that submission [145.64] is accepted. An amended s42A Appendix B entry is provided in **Appendix 1**.

### **Hearing Stream 3 – Natural Hazards**

#### Missed submission points

10. Transpower [195.17] opposed the inclusion of a definition of “upgrading” as the submitter considered it adds unnecessary complexity and regulation and appeared to confine what may be considered to be upgrading (taking a different approach to the rules that relate to upgrading of infrastructure in the Infrastructure and Energy Chapter). Transpower considered that the rationale for the differing rule framework was not clear nor justified.
11. This submission was not covered in the Natural Hazards s42A or Reply reports,<sup>1</sup> however, the definition of ‘upgrading’ was assessed in the s42A report and recommended to be amended in response to other submission points (note Mainpower submission point [249.21] addressed below). I note that Transpower did not cover this submission point or the s42A recommended changes to the definition in their supporting evidence before the hearing.
12. In response to this omission, I contacted Transpower’s planner, and she advised that Transpower did not wish to pursue this submission point.<sup>2</sup> As such, no prejudice arises from this omission.
13. Whilst I understand the rationale behind Transpower’s submission I do not consider the issues raised in the submission are sufficient to justify its deletion. I note that ‘upgrading’ is purposefully referenced across the chapter (in objectives, policies and rules) as an easier development pathway is proposed for upgrades (as opposed to entirely new developments). I consider this is appropriate and, noting that Transpower does not wish to pursue this submission point, I therefore recommend it is **rejected** as set out in **Appendix 1**.

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<sup>1</sup> There were no further submissions on this submission point.

<sup>2</sup> Ainsley McLeod (planner for Transpower), response by email dated 06.09.24.

14. Mainpower [249.21] submitted in support of retaining the definition of “upgrading” as notified. This submission was not addressed in the s42A or Reply reports.<sup>3</sup> While the s42A report recommended to amend the definition of “upgrading” in response to an ECan [316.82] submission, the changes were limited to adding a new clause to cover community scale natural hazard mitigation works which Mainpower does not undertake.<sup>4</sup> This matter was also not covered in Mainpower’s evidence. Given that the definition of upgrading was covered in the s42A report, that the recommended amendments do not affect Mainpower and that no evidence was led by Mainpower on the recommended amended definition, I consider this submission point omission is not significant, and no prejudice arises. I therefore recommend that this submission is **accepted in part** as set out in **Appendix 1**.
15. Christchurch International Airport (CIAL) sought to retain the definition of 'non-critical infrastructure' as notified [254.10]. This submission point was not covered in the s42A or Reply reports.<sup>5</sup> It was also not covered in CIAL’s evidence. MainPower submitted in support of this definition [249.16] which the s42A report recommended accepting, consistent with CIAL’s submission. Because this definition was retained, consistent with CIAL’s submission, I do not consider its omission to be significant and no prejudice arises. It is recommended that [254.10] is **accepted** as set out in **Appendix 1**.
16. The Department of Conservation [419.20] noted that the Natural Hazards Chapter refers to the maintenance of natural defences but that there is no definition of this included in the Proposed Plan. To improve clarity, DoC sought to insert the following definition for “natural defences” (drawn from NCZPS Policy 26):

*“Natural defences means:*

*In relation to natural hazards in the coastal area natural defences include natural beaches, estuaries, wetlands, intertidal areas, coastal vegetation, dunes and barrier islands.”*

17. This submission point was not covered in the s42A or Reply reports.<sup>6</sup> No evidence was presented by DoC in support of the submission point. ECan [316.60] also sought amendments to clarify what natural defences are and this submission was addressed in section 3.5.4 in the s42A report. The s42A report noted that some chapter provisions (for example NH-O4 and NH-P17) referred to ‘natural defences’, while Policy NH-P15 referred to ‘natural features’ (rather than ‘natural defences’). In my s42A report I recommended that to improve alignment between the objectives and policies, the term “natural features” be used instead of “natural defences”. In addition, in response to other submissions<sup>7</sup> a new definition of “natural features” was recommended to be included as follows:

“Natural feature, in relation to the Natural Hazards Chapter, means:

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<sup>3</sup> There were no further submissions on this submission point.

<sup>4</sup> Community scale natural hazards mitigation works are limited to the Council, Crown and the Regional Council.

<sup>5</sup> A further submission by Kainga Ora [FS 88] opposes the entire submission by CIAL [254].

<sup>6</sup> A further submission by Forest and Bird [FS 78] supported the entire submission by DoC [419]. There were no further submissions on this submission point.

<sup>7</sup> John Stevenson [162.168], Chloe Chai and Mark McKitterick [256.168], CA and GJ McKeever [111.168] and Keith Goodwin [418.169]

natural ponding areas, wetlands, water body margins and riparian margins, terraces, dunes, and beaches. It excludes artificial water races and drainage infrastructure such as swales and Stormwater Management Areas.”

18. I note that the new definition of “natural features” includes reference to beaches, wetlands and dunes which are included in the DoC submission wording, but excludes areas within the coastal marine area which are outside of the jurisdiction of the Council (e.g. estuaries, intertidal areas, and barrier islands). I consider that the inclusion of the proposed definition of “natural features” responds in part to the requested inclusion of a definition of “natural defences” – it provides the clarity that the submitter requested, and includes components of the requested definition. Because of this, the fact that natural defences was covered in the report (in response to ECan [316.60], this missed submission does not alter my s42A report recommendation and noting that no evidence was presented by DoC to support the submission point, I consider that this omission is not significant and no material prejudice arises. As I am not recommending the inclusion of a “natural defences” definition, I recommend that submission [419.20] is **rejected**.

Submissions addressed with numbering and name errors

19. The following submissions were addressed in the s42A report but were incorrectly numbered:

Submission number	Submitter	Error
162.90	John Stevenson	The submission is incorrectly identified in the s42A Appendix B as 162.9 (need to add a ‘0’)
167.4	Beach Road Estates Limited	The submission is incorrectly identified in the s42A Appendix B as 167.40 (0 added - no 167.40 exists).
167.5	Beach Road Estates Limited	The submission is incorrectly identified in the s42A Appendix B as 167.50 (0 added - no 167.50 exists)
256.70 & 256.80	Chloe Chai and Mark McKitterick	The submitter is incorrectly identified as Chloe Chai & Mark McKitterick in the s42A Appendix B.

20. I consider these errors are not significant and there are no natural justice issues arising. An updated Appendix B is included in **Appendix 1**.

Omitted further submissions

21. There were 43 missed further submission points from one submitter, as set out in **Appendix 1**. These further submissions were in opposition to the submitter’s own original submissions. Of these, only submissions [256.168] (definition of natural features) and [256.72] (amendment to NH-P15 natural features and NH-P17 re natural features) were referenced as scope for amendments. In these cases it does not make a difference that the submitter changed their position between their original and further submission as there were other submissions seeking the same changes to NH-P15 and NH-P17 and the inclusion of a definition of “natural features”. As such, I consider these omissions are not significant and there is no prejudice arising. **Appendix 1** includes these further submissions and my recommendations for each of them.

22. There were four further submissions that opposed entire submissions that were missed from the Natural Hazards s42A Appendix B, as follows:

- a. David Cowley [FS 41] opposed Kainga Ora [325];
- b. Ohoka Residents Association [FS 137] opposed Rolleston Industrial Developments Limited [326],
- c. David Cowley [FS 41] opposed Environment Canterbury [316], and

- d. Richard & Geoff Spark [FS 37] opposed in part Environment Canterbury [316].
23. Due to the general nature of these submissions, I have addressed them here and not included them in Appendix 1 which is in line with the approach taken to general submissions in 'Table 3: General Further Submissions' in the Natural Hazards s42A report.
24. In addition, further submissions were omitted from nine submission points addressed in the Natural Hazards s42A report and these points are set out in Table 2 in **Appendix 1**.
25. Of the missed further submissions, the further submissions by David Cowley in opposition to Kainga Ora [FS 325] and Environment Canterbury [FS 316], and the further submission by Ohoka Residents Association [FS 137] in opposition to RIDL [326], were not included elsewhere in the Natural Hazards s42A Appendix B. All other missed further submitters were identified in the s42A Appendix B either as an original submitter or as a further submitter.

#### Other errors

26. **Appendix 1** includes two other submission errors (a submitter name typo and a further submission which was incorrectly allocated to the natural hazards topic. In my opinion these errors are not significant and there are no prejudice issues arising.

APPENDIX 1 – UPDATED RECOMMENDATIONS ON SUBMISSION AND FURTHER SUBMISSION POINTS

Table 1: Hearing Stream 9A – Industrial Zones and Hearing Stream 3 – Natural Hazards - Missed Submissions in blue font underline

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
<b>Hearing Stream 9A – Industrial Zones</b>							
<a href="#">145.64</a>	<a href="#">Daiken NZ</a>	<a href="#">Planning Maps</a>	<a href="#">Retain zoning of the Daiken site as Heavy Industrial Zone.</a>	<a href="#">Not addressed in s42A report</a>	<a href="#">Accept</a>	<a href="#">The HIZ is appropriate for the activities on site.</a>	<a href="#">No</a>
<b>Hearing Stream 3 – Natural Hazards</b>							
<a href="#">195.17</a>	<a href="#">Transpower New Zealand Limited</a>	<a href="#">Definition of upgrading</a>	<a href="#">Delete the definition of 'upgrading'.</a>	<a href="#">Not addressed in s42A report</a>	<a href="#">Reject</a>	<a href="#">'Upgrading' is purposefully referenced across the chapter (in objectives, policies and rules) as an easier development pathway (as opposed to entirely new developments).</a>	<a href="#">No</a>
<a href="#">249.21</a>	<a href="#">Mainpower</a>	<a href="#">Definition of upgrading</a>	<a href="#">Retain definition of 'upgrading' as notified.</a>	<a href="#">Not addressed in s42A report</a>	<a href="#">Accept in part</a>	<a href="#">'Upgrading' appropriately provides an easier development pathway (as opposed to entirely new developments), noting recommended changes to the definition.</a>	<a href="#">No</a>
<a href="#">254.10</a>	<a href="#">Christchurch International Airport Limited</a>	<a href="#">Definition of non-critical infrastructure</a>	<a href="#">Retain the definition for 'non-critical infrastructure' as notified.</a>	<a href="#">Not addressed in s42A report</a>	<a href="#">Accept</a>	<a href="#">It is necessary to distinguish between critical and non-critical infrastructure.</a>	<a href="#">No</a>
<a href="#">FS 88</a>	<a href="#">Kainga Ora</a>		<a href="#">Oppose</a>		<a href="#">Reject</a>		
<a href="#">419.20</a>	<a href="#">Department of Conservation</a>	<a href="#">Definitions</a>	<a href="#">Insert a definition for 'natural defences', to improve clarity "Natural defences means: In relation to natural hazards in the coastal area natural defences include natural beaches, estuaries, wetlands, intertidal areas, coastal vegetation, dunes and barrier islands."</a>	<a href="#">Not addressed in s42A report</a>	<a href="#">Reject</a>	<a href="#">Introducing a definition of "natural features" for the chapter is preferred.</a>	<a href="#">No</a>
<a href="#">FS 78</a>	<a href="#">Forest and Bird</a>		<a href="#">Support</a>		<a href="#">Reject</a>		

Table 2: Hearing stream 3 - Natural Hazards s42A report missed Further Submissions in blue font and underlined

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report Addressed where	Officer's Recommendation	Officers' Reasons/Comments	Changes to Proposed Plan?
256.56	Chloe Chai and Mark McKitterick	NH-O2	Neutral on NH-O2.	3.5.2	Accept in part	Given recommended changes to NH-O2, this submission is accepted in part	No
<u>FS2</u>	<u>Mark McKitterick</u>		<u>Oppose</u>		<u>Reject</u>		
256.57	Chloe Chai and Mark McKitterick	NH-O3	Neutral on NH-O3.	3.5.3	Accept	This submission does not seek changes that require assessment.	No
<u>FS2</u>	<u>Mark McKitterick</u>		<u>Oppose</u>		<u>Reject</u>		
256.58	Chloe Chai and Mark McKitterick	NH-O4	Neutral on NH-O4.	3.5.4	Accept in part	Given recommended changes to NH-O4, this submission is accepted in part	No
<u>FS2</u>	<u>Mark McKitterick</u>		<u>Oppose</u>		<u>Reject</u>		
256.59	Chloe Chai and Mark McKitterick	NH-P1	Retain NH-P1 as notified.	3.6.1	Accept	This submission does not seek changes that require assessment.	No
<u>FS2</u>	<u>Mark McKitterick</u>		<u>Oppose</u>		<u>Reject</u>		
256.60	Chloe Chai and Mark McKitterick	NH-P2	Retain NH-P2 as notified.	3.6.2	Accept in part	Given recommended changes to NH-P2, this submission is accepted in part	No
<u>FS2</u>	<u>Mark McKitterick</u>		<u>Oppose</u>		<u>Reject</u>		
256.61	Chloe Chai and Mark McKitterick	NH-P3	Retain NH-P3 as notified.	3.6.3	Accept in part	Given recommended changes to NH-P3, this submission is accepted in part	No
<u>FS2</u>	<u>Mark McKitterick</u>		<u>Oppose</u>		<u>Reject</u>		
256.62	Chloe Chai and Mark McKitterick	NH-P4	Retain NH-P4 as notified.	3.6.4	Accept in part	Given recommended changes to NH-P4, this submission is accepted in part	No
<u>FS2</u>	<u>Mark McKitterick</u>		<u>Oppose</u>		<u>Reject</u>		
256.63	Chloe Chai and Mark McKitterick	NH-P5	Neutral on NH-P5.	3.6.5	Accept	This submission does not seek changes that require assessment	No
<u>FS2</u>	<u>Mark McKitterick</u>		<u>Oppose</u>		<u>Reject</u>		
256.64	Chloe Chai and Mark McKitterick	NH-P6	Retain NH-P6 as notified.	3.6.6	Accept	This submission does not seek changes that require assessment	No
<u>FS2</u>	<u>Mark McKitterick</u>		<u>Oppose</u>		<u>Reject</u>		
256.65	Chloe Chai and Mark McKitterick	NH-P7	Retain NH-P7 as notified.	3.6.7	Accept in part	Given recommended changes to NH-P7, this submission is accepted in part	No
<u>FS2</u>	<u>Mark McKitterick</u>		<u>Oppose</u>		<u>Reject</u>		
256.66	Chloe Chai and Mark McKitterick	NH-P8	Neutral on NH-P8.	3.6.8	Accept	This submission does not seek changes that require assessment	No
<u>FS2</u>	<u>Mark McKitterick</u>		<u>Oppose</u>		<u>Reject</u>		
256.67	Chloe Chai and Mark McKitterick	NH-P9	Neutral on NH-P9.	3.6.9	Accept	Given recommended changes to NH-P9, this submission is accepted in part.	No
<u>FS2</u>	<u>Mark McKitterick</u>		<u>Oppose</u>		<u>Reject</u>		
256.68	Chloe Chai and Mark McKitterick	NH-P10	Support NH-P10.	3.6.10	Accept in part	Given recommended changes to NH-P10, this submission is accepted in part	No
<u>FS2</u>	<u>Mark McKitterick</u>		<u>Oppose</u>		<u>Reject</u>		
256.69	Chloe Chai and Mark McKitterick	NH-P11	Retain NH-P11 as notified.	3.6.11	Accept	This submission does not seek changes that require assessment	No
<u>FS2</u>	<u>Mark McKitterick</u>		<u>Oppose</u>		<u>Reject</u>		
256.71	Chloe Chai and Mark McKitterick	NH-P13	Neutral on NH-P13.	3.6.13	Accept in part	Given recommended changes to NH-P13, this submission is accepted in part.	No
<u>FS2</u>	<u>Mark McKitterick</u>		<u>Oppose</u>		<u>Reject</u>		
256.72	Chloe Chai and Mark McKitterick	NH-P15	Amend NH-P15 and Definitions:	3.6.15	Accept	It is considered that this proposed amendment helps to add clarity. The submitter's proposed	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report Addressed	Officer's Recommendation	Officers' Reasons/Comments	Changes to Proposed Plan?
			<p>"Protect natural features which assist in avoiding or reducing the impacts from natural hazards, such as natural ponding areas, wetlands, water body margins and riparian margins, dunes, berms and beaches from inappropriate subdivision, use and development and restore, maintain or enhance the functioning of these features."</p> <p>Where:</p> <p>'Natural Feature' is defined as: <u>natural ponding areas, wetlands, water body margins and riparian margins, dunes, and beaches.</u> <u>Excludes man-made water races and drainage infrastructure such as swales and Stormwater Management Areas.</u></p>			definition of 'natural features' has already been accepted in part.	
<a href="#">FS2</a>	<a href="#">Mark McKitterick</a>		<a href="#">Oppose</a>		<a href="#">Reject</a>		
256.73	Chloe Chai and Mark McKitterick	NH-P16	<p>Amend NH-P16:</p> <p>"Encourage redevelopment, or changes in land use, where that would reduce <u>or mitigate</u> the risk of adverse effects from natural hazards, including managed retreat and designing for relocation or recoverability from natural hazard events".</p>	3.6.16	Reject	It is considered that the proposed addition of 'or mitigate' is not required as mitigation is a method of reducing the risk of adverse effects from natural hazards. Including these words would create a tautology. As such, it is recommended that this submission is rejected.	No
<a href="#">FS2</a>	<a href="#">Mark McKitterick</a>		<a href="#">Oppose</a>		<a href="#">Accept</a>		
256.74	Chloe Chai and Mark McKitterick	NH-P18	Neutral on NH-P18.	3.6.18	Accept	This submission does not seek changes that require assessment	No
<a href="#">FS2</a>	<a href="#">Mark McKitterick</a>		<a href="#">Oppose</a>		<a href="#">Reject</a>		
256.75	Chloe Chai and Mark McKitterick	NH-P19	<p>Delete NH-P19, or clarify the word 'other' as follows:</p> <p>"Encourage the consideration of <del>other</del> <u>earthquake, tsunami, erosion, volcanic and geothermal activity, landslip, subsidence, sedimentation, wind, drought, fire</u> natural hazards as part of subdivision, use and development."</p>	3.6.19	Reject	The intent of this policy was to recognise that there are other natural hazards that are not expressly covered in the other chapter policies and to provide guidance on how these are to be addressed. Limiting the application of the policy to the submitters' listed natural hazards is narrower than the RMA natural hazards definition and therefore narrower than the Council's responsibilities under the Act. Given this, it is recommended that the submission is rejected.	No
<a href="#">FS2</a>	<a href="#">Mark McKitterick</a>		<a href="#">Oppose</a>		<a href="#">Accept</a>		
256.76	Chloe Chai and Mark McKitterick	NH-R1	Retain NH-R1 as notified.	3.7.2	Accept in part	Given recommended changes to NH-R1, this submission is accepted in part	No
<a href="#">FS2</a>	<a href="#">Mark McKitterick</a>		<a href="#">Oppose</a>		<a href="#">Reject</a>		



Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report Addressed	Officer's Recommendation	Officers' Reasons/Comments	Changes to Proposed Plan?
256.77	Chloe Chai and Mark McKitterick	NH-R2	Retain NH-R2 as notified.	3.7.3	Accept in part	Given recommended changes to NH-R2, this submission is accepted in part	No
<a href="#">FS2</a>	<a href="#">Mark McKitterick</a>		<a href="#">Oppose</a>		<a href="#">Reject</a>		
256.78	Chloe Chai and Mark McKitterick	NH-R3	Retain NH-R3 as notified.	3.7.4	Accept in part	Given recommended changes to NH-R3, this submission is accepted in part	No
<a href="#">FS2</a>	<a href="#">Mark McKitterick</a>		<a href="#">Oppose</a>		<a href="#">Reject</a>		
256.79	Chloe Chai and Mark McKitterick	NH-R4	Retain NH-R4 as notified.	3.7.5	Accept in part	Given recommended changes to NH-R4, this submission is accepted in part	No
<a href="#">FS2</a>	<a href="#">Mark McKitterick</a>		<a href="#">Oppose</a>		<a href="#">Reject</a>		
256.81	Chloe Chai and Mark McKitterick	NH-R8	Retain NH-R8 as notified.	3.7.10	Accept in part	Given recommended changes to NH-R8, this submission is accepted in part	No
<a href="#">FS2</a>	<a href="#">Mark McKitterick</a>		<a href="#">Oppose</a>		<a href="#">Reject</a>		
256.82	Chloe Chai and Mark McKitterick	NH-R9	Retain NH-R9 as notified.	3.7.12	Accept in part	Given recommended changes to NH-R9, this submission is accepted in part	No
<a href="#">FS2</a>	<a href="#">Mark McKitterick</a>		<a href="#">Oppose</a>		<a href="#">Reject</a>		
256.83	Chloe Chai and Mark McKitterick	NH-R10	Retain NH-R10 as notified.	3.7.13	Accept in part	Given recommended changes to NH-R10, this submission is accepted in part	No
<a href="#">FS2</a>	<a href="#">Mark McKitterick</a>		<a href="#">Oppose</a>		<a href="#">Reject</a>		
256.84	Chloe Chai and Mark McKitterick	NH-R11	Retain NH-R11 as notified.	3.7.14	Accept	This submission does not seek changes that require assessment	No
<a href="#">FS2</a>	<a href="#">Mark McKitterick</a>		<a href="#">Oppose</a>		<a href="#">Reject</a>		
256.85	Chloe Chai and Mark McKitterick	NH-R12	Retain NH-R12 as notified.	3.7.15	Accept	This submission does not seek changes that require assessment	No
<a href="#">FS2</a>	<a href="#">Mark McKitterick</a>		<a href="#">Oppose</a>		<a href="#">Reject</a>		
256.86	Chloe Chai and Mark McKitterick	NH-R13	Retain NH-R13 as notified.	3.7.16	Accept	This submission does not seek changes that require assessment	No
<a href="#">FS2</a>	<a href="#">Mark McKitterick</a>		<a href="#">Oppose</a>		<a href="#">Reject</a>		
256.88	Chloe Chai and Mark McKitterick	NH-S1	Retain NH-S1 as notified.	3.8.1	Accept in part	Given recommended changes to NH-S1, this submission is accepted in part	No
<a href="#">FS2</a>	<a href="#">Mark McKitterick</a>		<a href="#">Oppose</a>		<a href="#">Reject</a>		
256.87	Chloe Chai and Mark McKitterick	NH-R14	Retain NH-R14 as notified.	3.7.17	Accept in part	Given recommended changes to NH-R14, this submission is accepted in part	No
<a href="#">FS2</a>	<a href="#">Mark McKitterick</a>		<a href="#">Oppose</a>		<a href="#">Reject</a>		
256.150	Chloe Chai and Mark McKitterick	NH-R5	Retain NH-R5 as notified.	3.7.6	Accept in part	Given recommended changes to NH-R5, this submission is accepted in part	No
<a href="#">FS2</a>	<a href="#">Mark McKitterick</a>		<a href="#">Oppose</a>		<a href="#">Reject</a>		
256.151	Chloe Chai and Mark McKitterick	NH-R6	Retain NH-R6 as notified.	3.7.8	Accept in part	Given recommended changes to NH-R6, this submission is accepted in part	No
<a href="#">FS2</a>	<a href="#">Mark McKitterick</a>		<a href="#">Oppose</a>		<a href="#">Reject</a>		
256.159	Chloe Chai and Mark McKitterick	NH-P14	Neutral	3.6.14	Accept in part	Given recommended changes to NH-P14, this submission is accepted in part	No
<a href="#">FS2</a>	<a href="#">Mark McKitterick</a>		<a href="#">Oppose</a>		<a href="#">Reject</a>		
256.160	Chloe Chai and Mark McKitterick	NH-P17	Neutral	3.6.17	Accept in part	Given recommended changes to NH-P17, this submission is accepted in part.	No
<a href="#">FS2</a>	<a href="#">Mark McKitterick</a>		<a href="#">Oppose</a>		<a href="#">Reject</a>		
256.161	Chloe Chai and Mark McKitterick	NH-R15	Neutral	3.7.18	Accept	This submission does not seek changes that require assessment	No
<a href="#">FS2</a>	<a href="#">Mark McKitterick</a>		<a href="#">Oppose</a>		<a href="#">Reject</a>		
256.162	Chloe and Mark McKitterick	NH-R16	Neutral	3.7.19	Accept	This submission does not seek changes that require assessment	No

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<a href="#">FS2</a>	<a href="#">Mark McKitterick</a>		<a href="#">Oppose</a>		<a href="#">Reject</a>		
256.163	Chloe Chai and Mark McKitterick	NH-R17	Neutral	3.7.20	Accept in part	Given recommended changes to NH-R17, this submission is accepted in part	No
<a href="#">FS2</a>	<a href="#">Mark McKitterick</a>		<a href="#">Oppose</a>		<a href="#">Reject</a>		
256.164	Chloe Chai and Mark McKitterick	NH-R18	Neutral	3.7.21	Accept in part	This submission does not seek changes that require assessment	No
<a href="#">FS2</a>	<a href="#">Mark McKitterick</a>		<a href="#">Oppose</a>		<a href="#">Reject</a>		
256.165	Chloe Chai and Mark McKitterick	NH-R19	Neutral	3.7.22	Accept	This submission does not seek changes that require assessment	No
<a href="#">FS2</a>	<a href="#">Mark McKitterick</a>		<a href="#">Oppose</a>		<a href="#">Reject</a>		
256.166	Chloe Chai and Mark McKitterick	NH-R20	Neutral	3.7.23	Accept	This submission does not seek changes that require assessment	No
<a href="#">FS2</a>	<a href="#">Mark McKitterick</a>		<a href="#">Oppose</a>		<a href="#">Reject</a>		
256.167	Chloe Chai and Mark McKitterick	NH-S2	Neutral	3.8.2	Accept	This submission does not seek changes that require assessment	No
<a href="#">FS2</a>	<a href="#">Mark McKitterick</a>		<a href="#">Oppose</a>		<a href="#">Reject</a>		
256.168	Chloe Chai and Mark McKitterick	Natural feature definition	Seek to insert a definition for 'natural feature' <i>"Natural feature Means: natural ponding areas, wetlands, water body margins and riparian margins, dunes, and beaches. It excludes man-made water races and drainage infrastructure such as swales and Stormwater Management Areas."</i>	3.3.5	Accept in part	Agree with this inclusion as this provides clarity for interpreting the provisions that refer to natural features. However recommend changing 'man-made' to 'artificial' so it is gender neutral.	Yes
<a href="#">FS2</a>	<a href="#">Mark McKitterick</a>		<a href="#">Oppose</a>		<a href="#">Reject</a>		
210.6	Waimakariri Irrigation Limited	NH-P12	This submission was incorrectly summarised as "Neutral on NHP12." WIL support the intent of NH-P12 to provide for new and upgraded infrastructure in high flood hazard areas where there is a functional or operational need for that location. However, they consider it inappropriate that the policy requires that there are no practical alternatives, particularly in the case of existing below ground infrastructure and consider it would be inappropriate to have to prove that there are no practical alternatives to upgrades whenever undertaking those works. They seek to amend NHP12(3) to delete the requirement that there be no practical alternatives.	3.6.12	Accept	NH-P12 is limited to below ground infrastructure which is less likely to be adversely affected in a flood hazard event. Noting these matters, removal of the requirement to demonstrate that there are no practical alternatives is acceptable for this policy and it is recommended this submission is accepted.	Yes
<a href="#">FS 83</a>	<a href="#">Federated Farmers of NZ - North Canterbury Province</a>		<a href="#">Support</a>		<a href="#">Accept</a>		

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report Addressed	Officer's Recommendation	Officers' Reasons/Comments	Changes to Proposed Plan?
<a href="#">FS 92</a>	<a href="#">Transpower New Zealand Limited</a>		<a href="#">Support</a>		<a href="#">Accept</a>		
<a href="#">FS 99</a>	<a href="#">KiwiRail</a>		<a href="#">Support</a>		<a href="#">Accept</a>		
249.172	MainPower	NH-P14	Amend NH-P14: Within the fault overlays: 1. provide for new and upgrading of existing not non critical infrastructure below and above ground in the Ashley Fault Avoidance Overlay where: a. it does not increase the risk to life or property from a natural hazard event; and b. it does not result in a reduction in the ability of people and communities to recover from a natural hazard event; 2. avoid new and upgrading of existing critical infrastructure below and above ground in the Ashley Fault Avoidance Overlay unless there is no reasonable alternative or there is an operational need or functional need, in which case the infrastructure must be designed to: a. maintain, as far as practicable, its integrity and ongoing operation during and after natural hazard events; or b. be able to be reinstated in a timely manner; 3. enable small scale critical infrastructure and other infrastructure in the Fault Awareness Overlay, while ensuring that larger critical infrastructure does not increase the risk to life or property from natural hazard events unless: a. there is no reasonable alternative or there is an operational or functional need, in which case the infrastructure must be designed to maintain, as far as practicable, its integrity and ongoing operation during and after natural hazard events; or b. be able to be reinstated in a timely manner."	3.6.14	Accept in part	CRPS Policy 11.3.4 states that new critical infrastructure will be located outside high hazard areas unless there is no reasonable alternative and also requires demonstration that the infrastructure can continue to function during a natural hazard event. It is accepted that there are often operational and functional reasons as to why critical infrastructure needs to locate within certain areas and indeed this is recognised within other natural hazards policies such as NHP13(1). It is considered appropriate to add this consideration to NH-P14.	Yes
<a href="#">FS 110</a>	<a href="#">Waka Kotahi NZ Transport Agency</a>		<a href="#">Support</a>		<a href="#">Accept</a>		
275.22	Waka Kotahi NZ Transport Agency	NH-P13	Amend NH-P13: Only allow for the new and upgrading of existing above ground critical infrastructure in high flood hazard or high coastal flood hazard areas where: 1. there is a functional need or operational need for that location, including as a result of the linear nature of some	3.6.13	Accept	The linear nature of some infrastructure is a good example of a functional or operational need to locate in a high hazard area. It is not considered that the additional words are required, however they do add clarity and therefore it is recommended this submission is accepted.	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report Addressed	Officer's Recommendation	Officers' Reasons/Comments	Changes to Proposed Plan?
			infrastructure, and there are no practical alternatives; ...				
<a href="#">FS 99</a>	<a href="#">KiwiRail</a>		<a href="#">Support</a>		<a href="#">Accept</a>		
316.79	Canterbury Regional Council	NH-R4	Insert a provision in NH-R4 that any filling above ground level is not in an overland flow path.	3.7.5	Accept in part	The proposed rules covering 0.25m of fill in the chapter are considered a pragmatic response to this issue and an approach that is able to be measured. However, it is accepted that up to 0.25m of earthworks in an overland flow path could cause adverse effects. It is therefore recommended to amend <a href="#">this rule the chapter</a> to refer to the effects of displacing or diverting floodwaters. <a href="#">This is to be achieved by deleting references to earthworks in NH-R4, NH-R5, NH-R6, NH-R17 and NHR18 and introducing two new rules to cover displacement and disruption in coastal and non-coastal hazard affected areas. This is a simpler, more effective and risk-based means of addressing offsite flood effects.</a> <sup>8</sup>	Yes
<a href="#">FS 110</a>	<a href="#">Waka Kotahi NZ Transport Agency</a>		<a href="#">Oppose</a>		<a href="#">Reject</a>		
325.127	Kaing Ora	NH-S1	Amend to align with the relief sought in the submission point on the Planning Maps and general submission point for the Natural Hazards Chapter, which seek: - Delete Urban Flood Assessment Overlay and Non-Urban Flood Assessment Overlay, and mapped fixed floor level overlays. Include these as non-statutory map layers in the Waimakariri District Natural Hazards Interactive Viewer. - Amend relevant provisions to delete reference to these overlays, instead refer to the specific hazard type that will be identified through a flood assessment. - Recognise that large areas of the urban environment are in High Hazard Areas but as residential and commercial activities are anticipated, sensitive activities should be discretionary rather than noncomplying.	3.7.2	Reject	As per recommendation for NH-R1.	No
<a href="#">FS 102</a>	<a href="#">McAlpines Ltd</a>		<a href="#">Support in part</a>		<a href="#">Reject</a>		
414.21	Federated Farmers of New Zealand	Definition of Upgrading	Delete	3.3.10	Reject	This definition is limited to the Natural Hazards Chapter as stated in the definition. Unfortunately, no examples of inconsistency were provided in the submission, and it is also not clear what the negative effects on landholders are from these	No

<sup>8</sup> Amendments made to officer's recommendations through the Natural Hazard Right of Reply Report

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Changes to Proposed Plan?
						activities. It is useful to distinguish between maintenance, upgrading and new mitigation works and infrastructure in different hazard overlays and sensitive environments to help target the rules to the activity.	
<u>FS 58</u>	<u>MainPower NZ Ltd</u>		<u>Oppose</u>		<u>Accept</u>		
<u>FS 110</u>	<u>Waka Kotahi NZ Transport Agency</u>		<u>Oppose</u>		<u>Accept</u>		

**Table 3: Hearing Stream 3 - Natural Hazards s42A report Submissions with Errors – Amendments shown in blue font and underlined or ~~strikethrough~~**

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
<u>162.90</u>	John Stevenson	NH-R12	Retain NH-R12 as notified.	3.7.15	Accept	This submission does not seek changes that require assessment	No
<u>167.40</u>	Beach Road Estates Limited	NH-R1	Retain NH-R11 as notified.	3.7.2	Accept in part	Given recommended changes to NH-R1, this submission is accepted in part	No
<u>167.50</u>	Beach Road Estates Limited	NH-R15	Retain NH-R15(1) as notified.	3.7.18	Accept	This submission does not seek changes that require assessment	No
256.70	Chloe Chai <del>&amp;</del> <u>and</u> Mark McKitterick	NH-P12	Neutral on NH-P12.	3.6.12	Accept in part	Given recommended changes to NH-P12, this submission is accepted in part.	No
<u>FS80</u>	<u>Paul Lupitt</u> (Note: this FS should have been attributed to CIAL)		<u>Oppose the submission</u>		<u>Accept</u>		

**Table 4: Hearing Stream 9 – Commercial and Mixed Use Zones missed further submissions - in blue font and underlined**

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Changes to Proposed Plan?
408.53	Bellgrove Rangiora Ltd	CMUZ-P1	Retain CMUZ-P1 as notified.	Section 3	Accept in part	See body of the report for the assessment of this submission point.	No
<a href="#">FS 37</a>	<a href="#">Richard &amp; Geoff Spark</a>		<a href="#">Support in part</a>		<a href="#">Accept</a>		
408.54	Bellgrove Rangiora Ltd	CMUZ-P3	Retain CMUZ-P3 as notified.	Section 3	Accept	See body of the report for the assessment of this submission point.	No
<a href="#">FS 37</a>	<a href="#">Richard &amp; Geoff Spark</a>		<a href="#">Support in part</a>		<a href="#">Accept</a>		
408.55	Bellgrove Rangiora Ltd	LCZ-O1	Amend LCZ-O1 to clarify what is meant by 'convenience activities'.	Section 3	Reject	See body of the report for the assessment of this submission point.	No
<a href="#">FS 37</a>	<a href="#">Richard &amp; Geoff Spark</a>		<a href="#">Support in part</a>		<a href="#">Reject</a>		
408.56	Bellgrove Rangiora Ltd	LCZ-P1	Amend LCZ-P1(2): "... 2. enable a range of Local Centres which, excluding the Woodend Local Centre, generally comprise 1,000m <sup>2</sup> to 4,000m <sup>2</sup> total floor space <u>and up to 15 shops with a maximum retail tenancy of 350m<sup>2</sup> GFA</u> ..."	Section 3	Accept in part	See body of the report for the assessment of this submission point.	Yes
<a href="#">FS 37</a>	<a href="#">Richard &amp; Geoff Spark</a>		<a href="#">Support in part</a>		<a href="#">Accept</a>		
408.57	Bellgrove Rangiora Ltd	LCZ-R1	Amend LCZ-R (1)(b) to be less than 1,000m <sup>2</sup> GFA.	Section 3	Reject	See body of the report for the assessment of this submission point.	No
<a href="#">FS 37</a>	<a href="#">Richard &amp; Geoff Spark</a>		<a href="#">Support in part</a>		<a href="#">Reject</a>		
408.58	Bellgrove Rangiora Ltd	LCZ-R4	Amend LCZ-R4 (1)(c): "... c. for all other sites the activity shall be a maximum of 300m <sup>2</sup> GFA <u>(excluding food and beverage outlets which are covered separately under Built Form Standard LCZ-R16).</u> "	Section 3	Accept in part	See body of the report for the assessment of this submission point.	Yes
<a href="#">FS 37</a>	<a href="#">Richard &amp; Geoff Spark</a>		<a href="#">Support in part</a>		<a href="#">Accept</a>		
408.59	Bellgrove Rangiora Ltd	LCZ-R7	Retain LCZ-R7 as notified.	Section 3	Accept	See body of the report for the assessment of this submission point.	No
<a href="#">FS 37</a>	<a href="#">Richard &amp; Geoff Spark</a>		<a href="#">Support in part</a>		<a href="#">Accept</a>		
408.60	Bellgrove Rangiora Ltd	LCZ-R16	Amend LCZ-R16 (1)(b) to enable food and beverage outlets up to 500m <sup>2</sup> in size as permitted.	Section 3	Accept	See body of the report for the assessment of this submission point.	Yes
<a href="#">FS 37</a>	<a href="#">Richard &amp; Geoff Spark</a>		<a href="#">Support in part</a>		<a href="#">Accept</a>		
408.61	Bellgrove Rangiora Ltd	LCZ-BFS1	Amend LCZ-BFS1:  "1. The maximum height of any building, calculated as per the height	Section 3	Accept	See body of the report for the assessment of this submission point.	Yes



Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Changes to Proposed Plan?
			calculation, shall be 4012m above ground level".				
<a href="#">FS 37</a>	<a href="#">Richard &amp; Geoff Spark</a>		<a href="#">Support in part</a>		<a href="#">Accept</a>		
408.62	Bellgrove Rangiora Ltd	LCZ-BFS4	Amend LCZ-BFS4:  "1. Landscaping shall be provided along the full length of all internal boundaries that adjoins Residential Zones, Rural Zones, or Open Space and Recreation Zones. This landscape strip shall be a minimum of <del>2m</del> 1m deep. ..."	<a href="#">Section 3</a>	Reject	See body of the report for the assessment of this submission point.	No
<a href="#">FS 37</a>	<a href="#">Richard &amp; Geoff Spark</a>		<a href="#">Support in part</a>		<a href="#">Reject</a>		
408.63	Bellgrove Rangiora Ltd	LCZ-BFS5	Amend LCZ-BFS5:  "1. Where a site is not built to a road boundary, landscaping shall be provided along the full length of the road boundary, except for vehicle crossings, outdoor seating or dining areas. This landscape strip shall be a minimum of <del>2m</del> 1m deep ..."	Section 3	Reject	See body of the report for the assessment of this submission point.	No
<a href="#">FS 37</a>	<a href="#">Richard &amp; Geoff Spark</a>		<a href="#">Support in part</a>		<a href="#">Reject</a>		
408.64	Bellgrove Rangiora Ltd	LCZ-BFS6	Amend LCZ-BFS6:  "1. All buildings shall: a. be built to the road boundary <u>or comply with the landscaping requirements of LCZ-BFS5 above</u> b. provide pedestrian access directly from the road boundary..."  Include within the matters of discretion (CMUZMD7) site opportunities where other boundaries may be more desirable to have as the primary frontage. For example an additional matter could be: - <u>consideration of other frontages to the commercial lot and how this may impact lot layout (i.e. boundaries with public open space areas and/or open space reserve).</u> Include within the matters of discretion (CMUZMD7) operational	Section 3	Accept in part	See body of the report for the assessment of this submission point.	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Changes to Proposed Plan?
			and functional requirements: - <u>consideration of specific operational and functional requirements of an activity.</u>				
<a href="#">FS 37</a>	<a href="#">Richard &amp; Geoff Spark</a>		<a href="#">Support in part</a>		<a href="#">Accept</a>		
408.65	Bellgrove Rangiora Ltd	LCZ-BFS8	Amend LCZ-BFS8:  "1. Any outdoor storage or parking areas shall be screened by 1.8m high solid fencing or dense hedge landscaping from any adjoining site in Residential Zones, Rural Zones, Commercial and Mixed Use Zones or Open Space and Recreation Zones or the road boundary."	Section 3	Accept	See body of the report for the assessment of this submission point.	Yes
<a href="#">FS 37</a>	<a href="#">Richard &amp; Geoff Spark</a>		<a href="#">Support in part</a>		<a href="#">Accept</a>		
412.1	Templeton Group	Definition of hotel and visitor accommodation	<u>Amend/clarify the definition of 'hotel' and 'visitor accommodation' so that it is clear that a hotel is included within the wider definition of 'visitor accommodation'. Replace the words 'guest' in the definition of 'hotel' with the word 'visitor'. Alternatively, specifically provide for hotels in the Town Centre Zone, Local Centre Zone and Mixed Use Zone</u>	Section 3	Accept in part	See body of the report for the assessment of this submission point	Yes
<a href="#">FS 100</a>	<a href="#">Sports and Education Corporation</a>		<a href="#">Neutral</a>		<a href="#">Accept</a>		
<a href="#">FS 101</a>	<a href="#">DEXIN Investment Ltd</a>		<a href="#">Neutral</a>		<a href="#">Accept</a>		
325.346	Kainga Ora - Homes and Communities	CMUZ-MD16	Retain CMUZ-MD16 as notified.	Right of Reply Report	Accept	See the Right of Reply Report	No
<a href="#">FS 37</a>	<a href="#">Richard &amp; Geoff Spark</a>		<a href="#">Oppose in part</a>		<a href="#">Reject</a>		
<a href="#">FS 41</a>	<a href="#">David Cowley</a>		<a href="#">Oppose in part</a>		<a href="#">Reject</a>		
<a href="#">FS 46</a>	<a href="#">Miranda Hales</a>		<a href="#">Oppose</a>		<a href="#">Reject</a>		
<a href="#">FS 91</a>	<a href="#">RJ Paterson Family Trust</a>		<a href="#">Support in part</a>		<a href="#">Accept</a>		