

Te Tai o Poutini Plan

Addendum to Section 42A Report on Commercial and Industrial Zones



1.0 Introduction

1. This addendum to the Section 42A Report for the Commercial (COMZ) and Industrial (INZ) Zone chapters under the Proposed Te Tai o Poutini Plan (pTTPP) has been prepared to address key matters raised by submitters in evidence filed before the hearing.
2. This addendum has been prepared by Briar Belgrave, the s42A Report author. My qualifications and experience are set out in the s42A Report.

2.0 Provisions

3. This section identifies the key matters I have further considered in response to submitter evidence, in addition to a submission point reallocated to the COMZ and INZ topic post filing the s42A report. My analysis on these matters is set out in the table below.
4. The recommended provisions at Attachment 1 include the recommended amendments in response to submitter evidence and the reallocated submission point.
5. My opinion on matters have not changed in response to written evidence where they are not detailed in this addendum report.
6. No amendments to the provisions of the CMUZ chapters are recommended in response to written evidence.
7. The key matters raised and addressed below in relation to the INZ chapters include:
 - a. The zoning of Lot 2 DP 5008311 and Lot 3 Deposited Plan 2887;
 - b. The wording of objectives and policies;
 - c. The activity status for non-compliance with maximum building height and the associated matters of discretion;
 - d. The requirements for stormwater treatment; and
 - e. The management of education facilities and tertiary education facilities.
8. I note that following receipt of planning evidence from Pauline Hadfield on behalf of Griffen & Smith Ltd which clarified the rezoning request on S253.004, that this submission point has now been reallocated to Rural Zones hearing stream where it can appropriately be addressed.

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INZ				
9. Rezoning request	John Kinney on behalf of Isaac Construction Limited (S258.002) Kim Seaton on behalf of Isaac Construction Limited (S258.002)	The submitter seeks to: <ul style="list-style-type: none"> • Retain that area of Lot 2 DP 508311 at Kaiata that adjoins the eastern and south-eastern boundary of the site (to a depth of 50m) as LIZ; • Rezone the remainder of Lot 2 DP 5008311 as GIZ. 	The key reasons for the relief sought are: <ul style="list-style-type: none"> • The activities (current and future) with potentially large site coverage requirements are more consistent with a GIZ. • GIZ for the site would be more consistent with the statement explaining the GIZ in the chapter overview. • The extent of the zone (retaining LIZ on the eastern/south eastern residential and open space interfaces) will ensure amenity and reverse sensitivity effects are avoided. • Economic benefits to the District and Kaiata 	I note the submitter has provided detailed information, including a s32 evaluation as part of their evidence. I agree with the s32 evaluation findings that retaining 50m of LIZ on Lot 2 DP 508311 that adjoins the eastern and south eastern boundary and rezoning the remainder of the Lot as GIZ would provide more flexibility and consistency with the application of industrial zones than is currently proposed.

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			<p>from enabling a wider range of industrial uses on the site.</p> <ul style="list-style-type: none"> • Rezoning will enable a more efficient use of existing industrial land. • Will deliver a more consistent zoning pattern in respect of other existing GIZ sites to the north and south. 	
10. Rezoning request	Ngāi Tahu (S620.014)	Rezone Lot 3 Deposited Plan 2887 to "General Rural".	Lot 3 Deposited Plan 2887 (near Kaniere) is part of the Ngai Tahu Forestry Estates. It is proposed to be zoned 'General Industrial'. Due to its historical and current use (forestry), we recommend that it is zoned 'General Rural'.	At paragraphs 614 – 616 of my s42A report, I noted that further information was required in relation to S421.001 which questioned the suitability of the industrial zoned land at Kainere. Since filing the s42A report, I have been made aware of S620.014 in which Ngai Tahu helpfully clarifies the land zoned for industrial purposes is currently being used for forestry purposes and on that basis request that the land be rezoned as General Rural. Given the existing forestry land uses on the site, as well as significant topographical constraints, I agree with Ngai Tahu that the land would be better zoned as General Rural and would be unlikely to feasibly support industrial activities

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					in the future. I retain my position however in relation to the light industry zoning along the boundary where the industrial area adjoins with the settlement zone and general residential zone.
11.	INZ-O1	Richard Black on behalf of Westland Milk Products, paragraphs 4.1-4.3	The submitter seeks to retain the wording reference of enabling the efficient and effective operation and development of industrial activities under INZ-O1 and that a new objective is included to recognise the contribution of industrial activities to economic and social wellbeing.	The intent of the recommended amendments to INZ-O1 are supported, however, recognising and providing for the efficient and effective operation and development of industrial activities is a critical outcome in the INZ.	I acknowledge the submitter's concerns in that 'are enabled' is less specific as the notified wording of INZ-O1 in relation to providing for the efficient and effective operation and development of industrial activities. However, I consider that both variations seek to achieve the same outcome in terms of being enabling towards industrial activities in appropriate locations, and recommend retaining a single objective to simplify the drafting approach. I support the following further amendments to INZ-O1 in response to matters raised by Mr Black: To provide for the efficient and effective operation and development of industrial activities <u>Recognise that industrial activities contribute to economic and social wellbeing, and provide for their efficient and effective operation and development are enabled</u> in the INZ - Industrial Zones in a manner that maintains a standard of amenity appropriate to these areas and does not compromise the amenity of adjoining <u>zones</u> areas.
12.	INZ-P6	Lucy Smith on behalf	Amend INZ-P6 as	There is duplication between INZ-P6 and INZ-	Having considered the correspondence from Ms Smith, I agree that INZ-P6 and INZ-P8 create

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INZ-P8	of Terra Firma	<p>follows:</p> <p>Provide for a wide range of industrial and compatible activities, and corresponding environmental quality and amenity, within the INZ - Industrial Zones, while ensuring an acceptable level of environmental quality and amenity within the zones.</p>	P8.	<p>duplication as both policies seek to manage the effects of industrial activities located within the INZ on other more sensitive receiving zones. I support the amendments recommended by Ms Smith to INZ-P6, and consider that it is appropriate for this policy to address the quality development and amenity effects within the INZ, whilst INZ-P8 is focused to effects on surrounding areas.</p> <p>Consequentially, I recommend that INZ-P8 is amended to include the Open Space and Recreation Zone, as this is one of the more sensitive zones that the relevant GIZ and LIZ rules seek to manage:</p> <p>Impose performance standards on <u>Avoid, remedy or mitigate adverse effects of development and land use in the INZ - Industrial Zones to maintain that</u> protects the amenity values of the commercial, residential, <u>open space and recreation</u>, and rural areas surrounding the INZ - Industrial Zones.</p>
GIZ				
13. GIZ-R1 GIZ-R9	Richard Black on behalf of Westland Milk Products, paragraphs 6.1-6.7 (S63.011, S63.012).	Apply a restricted discretionary activity status for activities that do not comply with maximum building	The functional requirements of industrial activities are such that non-compliances to height can be anticipated.	I have considered the evidence of Mr Black, particularly in relation to the functional need of industrial activities, I support an amendment to GIZ-R1 to apply a restricted discretionary activity status to non-compliance with the maximum

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		height.	<p>Non-compliances to building height can be managed by the following additional matter of discretion:</p> <p><u>Effects on built form and character of the surrounding area</u></p>	<p>permitted height of 20m. I also note the following:</p> <ul style="list-style-type: none"> • GIZ-R1.3 and GIZ-R1.8 will apply to manage potential effects associated with building bulk, intensity, and location to sensitive adjacent sites; and • In addition to the functional requirements of industrial activities, I consider that GIZ sites are typically larger in size, and there are opportunities to locate over height buildings away from site boundaries and internalise potential effects. <p>I consider that the following amendments to the recommended matters of discretion under GIZ-R9 are appropriate to assess potential effects associated with non-compliances to building height:</p> <ol style="list-style-type: none"> a. Bulk, location, and design of buildings. b. Effects on the safety, amenity and attractiveness of the street or public places. c. <u>Amenity</u>, visual dominance, shading, and nuisance effects on neighbouring sites. d. Design and location of parking and access. e. Landscape treatment. f. <u>Characteristics of the site and development that are relevant to the rule.</u>

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				For completeness, I note that the effects on built form as recommended by Mr Black are sufficiently addressed under GIZ-R9 matter of discretion a, and that potential effects on character are addressed in the more detailed considerations under matters of discretion b and c.
14. GIZ-R1 (in relation to stormwater treatment)	Richard Black on behalf of Westland Milk Products, section 5.	Amendments to the rule to identify scenarios where stormwater treatment does not apply.	As there is no definition of 'contaminated stormwater', there is the potential that treatment is required for stormwater runoff associated with low risk scenarios, such as accessory office building and small-scale car parking areas. There are also separate requirements for the treatment of carpark areas. The requirements under GIZ-R1 have the potential to be more onerous than the requirements under TRN-R1.	I agree that stormwater treatment can be required through other rules under the pTTPP and processes such as an authorised trade waste system. I also agree that in these instances, the requirements of GIZ-R1.7 should not create unnecessary duplication. I support amendments to GIZ-R1, including: <ul style="list-style-type: none"> • Confirmation that treatment is required for parking areas greater than 1,000m², as this is consistent with the requirements of TRN-R1; and • Excluding areas that discharge lawfully into an authorised trade waste system. I do not support excluding roof areas, as stormwater runoff from buildings within the INZ will generally carry a greater risk of contamination compared to other zones. For this reason, I also recommend the deletion of 'contaminated' as this creates uncertainty in terms of when treatment is

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					required.
15.	GIZ-R14	Steve Tuck on behalf of Silver Fern Farms, paragraph 5.20-5.23 (FS101.035)	Apply a non-complying activity status to educational facilities.	A non-complying activity status is an appropriate way to consider Educational Facility proposals in the GIZ and to manage any proposals with more than minor effects on industry, or that are contrary to the objectives and policies	Having considered Mr Tuck's evidence, I support an amendment to GIZ-R14 to refer to tertiary educational facilities, noting that this will achieve consistency with terminology in the National Planning Standards. I also consider that the addition of 'tertiary' education facility provides a clear differentiation between education facilities that may be appropriate in the GIZ compared to those facilities that have the potential to undermine industrial zoned land and activities, such as childcare centres. In my view, a discretionary activity status is appropriate to consider a range of potential effects for tertiary education facilities. I agree with Mr Tuck that a non-complying activity status appropriate for other types of education facilities in the GIZ and LIZ. For consistency, I also support these amendments to LIZ-R14.
LIZ					
16.	LIZ-R1 LIZ-R9 (in relation to building)	Richard Black on behalf of Westland Milk Products, paragraphs 7.1-76 (S63.015, S63.016).	Apply a restricted discretionary activity status for activities that do not comply with maximum building	The functional requirements of industrial activities are such that non-compliances to height can be anticipated.	For the reasons set out at paragraph 13 above, I support applying a restricted discretionary activity status to non-compliances to building height, subject to the associated recommendations to the matters of discretion.

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height)		height.	<p>Non-compliances to building height can be managed by the following additional matter of discretion:</p> <p><u>Effects on built form and character of the surrounding area</u></p>	
17. LIZ-R1 (in relation to stormwater run-off)	Richard Black on behalf of Westland Milk Products, section 5.	Amendments to the rule to identify scenarios where stormwater treatment does not apply.	<p>As there is no definition of 'contaminated stormwater', there is the potential that treatment is required for stormwater runoff associated with low risk scenarios, such as accessory office building and small-scale car parking areas.</p> <p>There are also separate requirements for the treatment of carpark areas. The requirements under GIZ-R1 have the</p>	For the reasons set out at paragraph 14 above, I support a number of amendments to LIZ-R1 in relation to stormwater treatment requirements, including exclusions for car parking areas less than 1,000m ² to achieve consistency with the TRN Chapter and areas that discharge lawfully into an uathorised trade waste system to avoid unnecessary duplication with other processes.

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			potential to be more onerous than the requirements under TRN-R1.	

4.0 Recommendation

18. Having considered all the statements of evidence filed on behalf of submitters, I recommend the further amendments to the INZ chapters as set out at Attachment 1.
19. Amendments to recommendations on submissions are set out in full at Attachment 2, including where the recommendation has changed as a result of considering submitter evidence.