

SUBMISSION ON A PUBLICLY NOTIFIED PROPOSAL FOR POLICY STATEMENT OR PLAN

Under Clause 6 of The First Schedule to The Resource Management Act 1991

To: Selwyn District Council

Submission on: Proposed Plan Change 32 – Rural Residential Activities

Name of Submitter: Poultry Industry Association of New Zealand (Inc), Egg Producers Federation of New Zealand (Inc)

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Attention: Melissa Douché

1. The specific provisions of Proposed Plan Change 32 – Rural Residential Activities that this submission relates to are:

Entire Plan Change.

2. Our submission is:

- 2.1 The intensive poultry industry is a dynamic and expanding sector of New Zealand's primary production, which includes the production of both poultry meat and eggs.
- 2.2 New Zealand consumes an average of 34.1kg of poultry meat per capita, which accounts for 35% of total meat consumed (2011 statistics). New Zealand currently has around 126 commercial egg producers, with the largest 20 producers accounting for over 75% of total production. New Zealand's estimated 3.4 million laying hens produced around 80 million dozen eggs in 2010 (nearly a billion eggs in total). Retail sales of eggs are worth upwards of \$200 million. Total egg production has slowly increased over the past decade, with an increase in per capita consumption also - now around 226 eggs per person annually. The intensive nature of layer farming makes it an efficient and contained land use.
- 2.3 PIANZ is the national organisation that represents the interests of numerous poultry companies, including those with interests in the Selwyn District. The EPF is the national organisation that represents the interests of commercial egg producers nationwide. PIANZ and EPFNZ are referred to in this submission as "the submitters".
- 2.4 The submitters' current operations in the Selwyn District are as follows:
 - 5 meat chicken breeders;
 - 25 meat chicken growers;
 - 2 non-chicken meat breeders;
 - 1 processing plant;
 - 5 layer farms;
 - 1 rearing farm; and

- 1 hatchery.

General Feedback on Proposed Plan Change 32

- 2.5 The submitters are generally supportive of Proposed Plan Change 32 (PC32), which aims to amend the Living 3 zone provisions (introduced by Plan Changes 8 and 9 for two specific land parcels) to apply to more general applications for rural residential development. It appears that the intention is to make the Living 3 zone into a default rural residential zone. The rationale for introducing a specific rural residential zone is to make sure the District Plan *'gives effect to the now operative Chapter 12A [of the Regional Policy Statement] and facilitates the development of rural residential living environments that achieve environmentally sustainable outcomes, avoid, remedy or mitigate adverse effects and meet the needs and expectations of future land owners living within these communities.'* (Para 1.18 of PC32 Introduction).
- 2.6 In particular, the submitters are supportive of the following aspects of PC32:
- That the intent of the amended Living 3 zone is to reduce the pressure for residential lots in productive rural areas. Currently, 4ha lots in rural areas are being used for rural residential activities which is resulting in further fragmentation of the land resource;
 - That PC32 directs applicants seeking to rezone or develop Living 3 land to consider the potential reverse sensitivity effects on existing rural production activities;
 - That existing intensive farming activities have been specifically identified as a constraint to further development; and
 - The total number of households provided in Selwyn until 2016 is consistent with Chapter 12A of the Canterbury Regional Policy Statement.

Without limiting the general nature of the above, the following points are made as follows:

Aspects of PC32 Supported by the Submitters

- 2.7 The submitters represent a range of intensive poultry farming activities in the Selwyn District. One of the key threats to the ongoing viability of these activities is being encroached upon by development, including rural residential dwellings. The submitters support that PC32 aims to consolidate rural residential development in areas adjacent to existing urban centres to reduce the impact on rural production activities.
- 2.8 It is noted that PC32 (as a re-notified version of PC17) no longer proposes any rezoning of land for rural residential development, instead relying on private developers applying for private plan changes to initiate rezoning. The submitters note that this is a more risky approach in terms of achieving quality outcomes and ensuring rural residential development occurs in the right places it will be market driven, as opposed to Council driven. However, it is understood that much of the opposition to PC32 is likely to be focused on whether or not specific land parcels should be rezoned and removing rezoning from PC32 is likely to speed up the plan change process.
- 2.9 As such, the submitters' main focus in reviewing this plan change is to ensure that the provisions for rezoning land to the amended Living 3 zone are clear, reasonable and provide adequate protection for intensive farming activities.

2.10 The submitters are generally supportive of how PC32 guides decision makers when assessing plan change applications for new Living 3 zones. PC32 instructs that when new Living 3 zones are proposed they should '*avoid unconsolidated urban sprawl, loss of rural character and adverse reverse sensitivity effects*' (Amendment 3). More specifically, the submitters are supportive of the following provisions:

- **Amendment 65:** New Objective B3.4.6 – particularly Bullets 3, 6 and 7 relating to avoiding the cumulative effects of rural residential development, consolidating urban areas and avoiding incompatible amenity expectations;
- **Amendment 66:** New 5th paragraph to the Explanation and Reasons for the Quality of Environment Objectives – particularly relating to recognising that locating rural residential development in rural zones increases the risk of reverse sensitivity effects, partially due to differing expectations of amenity.
- **Amendment 68:** New Policy B3.4.3(b) – particularly the requirement that new areas are to adjoin the Urban Limits in the RPS. Bullets 1, 5 and 8 are also supported in relation to avoiding identified constraints (including intensive farming activities as per the Rural Residential Background report), consolidating urban areas and requiring an approved Outline Development Plan prior to development;
- **Amendment 74:** New 3rd paragraph Residential Density – Issues – supportive of identifying that the use of 4ha allotments in the Inner Plains zone for rural residential development is an issue;
- **Amendment 75:** New 7th paragraph to Explanations and Reasons for Residential Density Objectives – particularly relating to discouraging new Living 3 zones if they are not consistent with the Rural Residential Background Report;
- **Amendment 81:** New Explanation and Reasons for Policy B4.2.13 – particularly the recognition that the maximum number of rural residential households should be as per Chapter 12A of the RPS and that '*the subdivision of Rural zone land to rural residential densities should be precluded unless through the Living 3 zone.*'
- **Amendment 83:** New 6th bullet point in Anticipated Environmental Results – particularly relating to reverse sensitivity and the use of Outline Development Plans;
- **Amendment 85:** New Policy B4.3.11 requiring all proposed Living 3 zones to include an Outline Development Plan;
- **Amendment 109:** New Rule 4.9.32 – supportive of increased boundary setbacks compared to higher density residential zones (e.g. Living 2). Although the required setback of 15m from non-road boundaries is relatively small (considering the potential for reverse sensitivity effects at the zone interface with rural areas), it is considered acceptable provided that identified constraints to development are avoided when rezoning new Living 3 zones, including the constraint of existing intensive farming activities;
- **Amendment 112:** Amended 5th paragraph of the Reasons for the Building Density Rules – supportive of only one dwelling per site in Living 3 zone as this is an appropriate density to achieve the required rural character for the development. Also support non-complying activity status for more than one dwelling per lot;
- **Amendment 119:** New Assessment Criteria for Living 3 Zone – particularly the subdivision assessment criteria relating to reducing potential reverse sensitivity effects;

- **Amendment 125:** New Policy B3.4.20 – supports and is consistent with Amendment 81;

Please note that all explanations included in PC32 that relate to the reasoning behind the above provisions are also supported by the submitters.

Suggested Changes to Rural Subdivision Provisions

- 2.11 Although the submitters are generally in support of PC32, they are concerned about the potential cumulative effect of providing for more rural residential development without solving the existing issue of 4ha rural lots being used for residential purposes.
- 2.12 Both the Rural Residential Background Report and PC32 identify that without a designated rural residential zone, the smallest rural lots allowed in the Inner Plains zone (4ha) are being used as a substitute for rural residential lots as opposed to being retained for productive purposes. This is identified specifically as an issue in the Residential Density Issues section (Amendment 74 in PC32).
- 2.13 The submitters agree that providing a specific rural residential zone (Living 3) will alleviate the pressure for smaller lots in rural areas to a certain degree, however PC32 does not include any provisions to actively discourage the uptake of 4ha rural lots for residential purposes. The submitters are concerned that PC32 has the potential to provide new opportunities for rural residential development in addition to the 4ha lots in rural areas, resulting in more rural residential development than was anticipated for or desired by the Council.
- 2.14 The submitters suggest that the Council revisit the existing minimum lot size in the Inner Plains zone and consider increasing the standard from 4ha to a larger lot size. A larger minimum lot size would discourage further subdivision of productive rural land for purely residential purposes as it would be uneconomical to live on a larger lot without putting it to productive use.
- 2.15 The submitters believe that such a review would be within the scope of PC32 as one of the intentions of the plan change is to *'facilitate the provision of some rural residential development to offset the demand on 4ha parcels for rural lifestyle living, while ensuring that the urban consolidation principles of Chapter 12A are not compromised'* (Paragraph 1.15 of PC32 Introduction). The submitters suggest that allowing the same level of development potential to remain in the Inner Plains zone as well as providing for additional development potential by way of the amended Living 3 zone may undermine the urban consolidation principles of Chapter 12A of the RPS – the exact outcome that PC32 was designed to avoid.

Summary

- 2.16 The submitters are generally in support of PC32 and appreciate that the Council are attempting to control the scale of rural residential development without compromising existing rural production activities or the future growth of townships. The submitters are supportive of the strong directive wording of PC32 and the robust contextual analysis that was undertaken through the Rural Residential Background Report.
- 2.17 The submitters are of the opinion that PC32 will be more effective in achieving consolidated rural residential growth if the existing rural subdivision provisions in the Inner Plains zone are also made more restrictive. Increasing the minimum lot size is likely to discourage the use of 4ha lots for rural residential purposes and

ensure that the majority of rural residential growth occurs in the designated Living 3 zones.

3. The submitters seek the following relief from Selwyn District Council:

- 3.1 That the Council undertake a review of the minimum lot size standard for the Inner Plains Zone as part of Plan Change 32 with the intention of making the minimum lot size larger than 4ha.


AND/OR

- 3.2 Such other additional or consequential relief as is necessary to satisfy the concerns of the submitter.

4. We wish to be heard in support of our submission.

5. If others make a similar submission we will consider presenting a joint case with them at a hearing.

Signature


(Signature of submitter or person authorised to sign on behalf of submitter)

Date

19 April 2012

**Address for Service
of Submitters**

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