

## Selwyn District Plan

Section 32 requires a proponent of a plan change to examine whether the provisions in the proposal are the most appropriate to achieve the objectives of the existing District Plan, to the extent that those existing objectives are relevant.

The relevant objectives (and their associated policies) are assessed in the following table:

PLAN SECTION, OBJECTIVE/POLICY	COMMENTS
<b>B1 NATURAL RESOURCES</b>	
<p><b>LAND AND SOIL</b></p> <p><b>Objective B1.1.1</b></p> <p>Adverse effects of activities on the District's land and soil resources are avoided, remedied or mitigated.</p> <p><b>Objective B1.1.3</b></p> <p>Promote the sustainable management of the soil resources of the District.</p> <p><b>Policy B1.1.1</b></p> <p>Ensure any activity involving hazardous substance or waste disposal is carried out in a way which reduces the risk of contaminating land or soil.</p> <p><b>Policy B1.1.7</b></p> <p>Avoid removing large quantities of topsoil from sites unless:</p> <ul style="list-style-type: none"> <li>– The site will be covered in hardstanding; or</li> <li>– The topsoil will be replaced and the site replanted, when the activity ceases.</li> </ul>	<p>The District Plan puts in place a strategy to manage land and soil issues. These concern contaminated and unstable land, erosion and the irreversible use of versatile soils.</p> <p>The proposed DPMA does not involve land that is contaminated, unstable or erosion prone. The provisions of the plan change therefore need to focus only on mechanisms to ensure that earthworks are managed in accordance with best practice. The predominant mechanism is through two management plans in respect of earthworks and construction management. These require details of proposed works and management practices to be detailed.</p> <p>In addition, to management of ground disturbance, the provisions of the plan change impose requirements in respect of the storage and use of hazardous substances. The provisions similarly require a management plan to be prepared which details best practice management to avoid the risk of soil contamination.</p> <p>It is also noted that whilst the on-going development of a dairy processing plant will create large areas of hardstand, the area of soil lost is very small, relative to the expansive area of the wider plains. Nor are the soils within the DPMA considered highly versatile.</p> <p>The concentration of DPMA facilities at one site meets the overall objective to preserve good quality soils. The maintenance of soils for productive uses must also be considered in the context that the DPMA is processing and adding value to rural produce, and is best located in a rural environment to be close to the product source and to optimise efficiency in transport and production.</p>

PLAN SECTION, OBJECTIVE/POLICY	COMMENTS
	<p>It is also noted that at a policy level, the focus of the Plan is on consolidation of residential development in and around existing townships and not on the avoidance of development in rural areas for rural industrial activities.</p>
<p><b>WATER</b></p> <p><b>Objective B1.3.1</b></p> <p>Contamination of ground water or surface water is avoided and/or mitigated and water quality improved in degraded waterbodies through changes in land management practices and controls on land uses likely to cause waterbody contamination.</p> <p><b>Objective B1.3.6</b></p> <p>Land use activities, and particularly earthworks, forestry, vegetation clearance and modification, and agricultural activities, are managed within catchments and riparian areas to protect water quantity and quality, aquatic habitat, and natural character.</p> <p><b>Policy B1.3.4</b></p> <p>Manage land to protect water resources and avoid, remedy, or mitigate adverse effects on surface water quality and quantity, and aquatic habitat from activities and development, including:</p> <ul style="list-style-type: none"> <li>– Activities locating close to waterbodies; or</li> <li>– Activities which may result in surface run-off of contaminants, or leaching of contaminants into groundwater.</li> </ul>	<p>The District Plan acknowledges that ground and surface water management is managed by Environment Canterbury. Of relevance to this plan change is the objective that land use activity does not cause contamination of water resources. Objective B1.3.6 particularly mentions earthworks and Policy B1.3.4 identifies surface run-off as activities that may affect water quality. These are the primary effects arising from activity within the DPMA in respect of effects on water quality.</p> <p>The DPMA does not contain nor is it close to any naturally occurring waterbodies. It is however transected by a water race.</p> <p>Measures within the plan change provisions which particularly address water quality include:</p> <p>The requirement for both the Earthworks and Construction Management Plans to detail how excavations may be managed in proximity of the water race, the provision of detail on management of stockpiled material, final landforms, re-vegetation and sediment control.</p> <p>The requirement to similarly detail measures for the storage and use of hazardous substances provides a mechanism to ensure that ground and surface water bodies are appropriately protected from potential contamination.</p> <p>These provisions are more specific than existing provisions in the District Plan that apply to rural activities generally. The mechanism allows Council to approve changes in best practice through a flexible process. The requirement to regularly update the types and volumes of hazardous substances on site and to review best practice management techniques enables a responsive management regime to be put in place and assurance that the water</p>

PLAN SECTION, OBJECTIVE/POLICY	COMMENTS
	resource will not be contaminated by on-site activities.
<b>B2 PHYSICAL RESOURCES</b>	
<p><b>TRANSPORT NETWORKS</b></p> <p><b>ROAD, PATHWAYS, RAIL AND AIRFIELDS</b></p> <p><b>Objective B2.1.1</b></p> <p>An integrated approach to land use and transport planning to ensure the safe and efficient operation of the District's roads, pathways, railway lines and airfields is not compromised by adverse effects from activities on surrounding land or by residential growth.</p> <p><b>Policy B2.1.2</b></p> <p>Manage effects of activities on the safe and efficient operation of the District's existing and planned road network, considering the classification and function of each road in the hierarchy.</p> <p><b>Policy B2.1.3</b></p> <p>Recognise and protect the primary function of roads classified as State Highways or Arterial Roads in Appendix 9, to ensure the safe and efficient flow of through traffic en route to its destination.</p> <p><b>Policy B2.1.4 (a)</b></p> <p>Ensure all sites, allotments or properties have legal access to a legal road which is formed to the standard necessary to meet the needs of the activity considering:</p> <ul style="list-style-type: none"> <li>– the number and type of vehicle movements generated by the activity;</li> <li>– the road classification and function; and</li> <li>– any pedestrian, cycle, public transport or other access required by the activity.</li> </ul> <p><b>Policy B2.1.4(b)</b></p> <p>Avoid or mitigate adverse effects on the safe flow of traffic along State Highways and Arterial Roads from new property access or new/expanded activities which generate a high level of traffic movements.</p>	<p>The relevant transport objectives (and their associated policies) relate to the integration of land use and transport and the safe and efficient use of roads.</p> <p>The DPMA is accessed from Heslerton Road, which becomes Old South Road and in turn intersects with State Highway 1. In addition, the Main Trunk Railway Line runs to the north of the DPMA. Access to the DPMA therefore involves an existing rail crossing on Heslerton Road. It also creates opportunity for development of a future rail siding within the DPMA for freight transportation.</p> <p>The provisions contain a number of mechanisms to ensure that the relevant transport objectives are achieved. These include a requirement for the proponent of any building which may increase the capacity for processing or storage within the DPMA to ensure that the design of both the site access point, and the State Highway intersection remains appropriate relative to the anticipated increase in traffic. Written approval must be obtained from the road and/or rail controlling authorities.</p> <p>Accordingly, a process is triggered whereby the building proponent must consult with NZTA, KiwiRail and the District Council and obtain approval for any up-grade in design.</p> <p>The ODP contains several relevant transport controls. These include a requirement that any access into the DPMA is limited to the existing access point, a possible second access point off Heslerton Road, and an emergency access point onto Irvines Road. The ODP also requires that prior to operation of the second Heslerton Road access point, that the road is up-graded to meet Council standards.</p> <p>In addition, an area of land in the north west corner of the DPMA is identified as land that should not be subject to any built development, preserving this open space for accommodating possible future</p>

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<p><b>Policy B2.1.7</b></p> <p>Provide for pedestrian safety, security, circulation and access within parking areas by considering the interaction of vehicle access and manoeuvring, circulation, loading and parking, with likely pedestrian routes onto the site, including for users of public transport, and between car and cycle parks, and building entrances.</p> <p><b>Policy B2.1.9</b></p> <p>Ensure buildings are set back a sufficient distance from road boundaries to maintain good visibility for pedestrians and motorists, to allow safe access and egress.</p> <p><b>Policy B2.1.19</b></p> <p>Encourage viable alternatives to road transport such as the movement of freight via rail.</p>	<p>intersection up-grades with State Highway 1.</p> <p>The ODP also makes provision for a future rail siding adjacent to the Main Trunk Railway Line, as well as controlling building setback relative to both the State Highway and local roads.</p> <p>Specific provision also requires that all parking and manoeuvring areas within the DPMA meet the existing requirements of the District Plan in respect of design and layout, as prescribed in Appendix 10.</p> <p>These measures all demonstrate how the proposed plan change provisions will positively contribute to those objectives and policies concerned with safe flow of traffic on the State Highway, safe access into and circulation within the DPMA; the provision for movement of freight via rail, and how access to the DPMA will be reviewed and managed to meet the traffic demands of any future growth.</p> <p>The Transportation Assessment in <b>Appendix 6</b> provides further analysis in respect of these matters.</p>
<b>B3 PEOPLE'S HEALTH, SAFETY AND VALUES</b>	
<p><b>HAZARDOUS SUBSTANCES</b></p> <p><b>Objective B3.2.1</b></p> <p>To ensure that adequate measures are taken to avoid, remedy or mitigate any adverse effects to human health, to the amenity of townships, the rural environment and to the natural environment arising from the manufacture, storage, transport on water bodies and disposal of hazardous substances.</p> <p><b>Policy B3.2.1(a)</b></p> <p>Allow appropriate quantities and classes of hazardous substances to be stored in the rural area to provide for land use activities that are consistent with the District Plan objectives and policies for those areas; and</p> <p><b>Policy B3.2.1(b)</b></p> <p>Ensure hazardous substances are used and stored under conditions which reduce the risk</p>	<p>The District Plan acknowledges the regulatory controls of HSNO and the Regional Council in respect of hazardous substances, which are more effective as primary controls of safety.</p> <p>The provisions of the Plan Change require a Management Plan to be prepared which identifies the types and volumes of hazardous substances stored and used within the DPMA, the management measures that are applied, emergency procedures and up-dating. These measures positively contribute to achievement of Objective B3.2.1.</p>

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of any leaks or spills contaminating land or water.	
<p><b>QUALITY OF THE ENVIRONMENT</b></p> <p><b>Objective B3.4.1</b></p> <p>The District's rural area is a pleasant place to live and work in.</p> <p><b>Objective B3.4.2</b></p> <p>A variety of activities are provided for in the rural area, while maintaining rural character and avoiding reverse sensitivity effects.</p> <p><b>RURAL CHARACTER</b></p> <p><b>Policy B3.4.1</b></p> <p>Recognise the Rural zone as an area where a variety of activities occur and maintain environmental standards that allows for primary production and other business activities to operate.</p> <p><b>Policy B3.4.3</b></p> <p>Avoid, remedy or mitigate significant adverse effects of activities on the amenity values of the rural area.</p> <p><b>Policy B3.4.4</b></p> <p>Ensure that any adverse effects arising from "rural based" industrial activities in the Rural (Inner Plains) Zone of a size and scale beyond what is permitted by the District Plan and "other" types of industrial activities in all Rural zones are avoided, remedied or mitigated to the extent that the adverse effects are no more than minor.</p> <p><b>Policy B3.4.5</b></p> <p>Maintain low levels of building density in the Rural zone and the predominance of vegetation cover.</p> <p><b>Policy B3.4.6</b></p> <p>Avoid high rise buildings or highly reflective utility structures.</p>	<p>The plan change site is located within the rural environment. Its focus is on concentrating and providing for development around an established dairy plant whilst the balance of the rural zone is retained for farming activities. The DPMA actively supports achievement of Objective B3.4.2 to provide for a variety of activities within the rural environment, and in particular an activity which is concerned with primary production. The District Plan specifically identifies a dairy plant as being an appropriate activity. It is noted that proposed Policy B3.4.5 in the plan change sits under Objective B3.4.2.</p> <p>To ensure the rural area is maintained as a pleasant place to live and work in, the DPMA establishes parameters or limits around those effects which have the potential to extend beyond the DPMA boundary. These primarily concern noise, transport and landscape effects and have been assessed in the attached reports. Additional controls are put in place on effects such as lighting, construction and earthworks and storage of hazardous substances. The combined effect of these provisions is to avoid and mitigate those effects and set standards beyond which resource consent would be required for further assessment.</p> <p>There is an inherent tension between recognising and providing for rural based business, and protecting rural character and limiting building density. To achieve increased business activity, thus supporting rural productivity, it is necessary to enable built form that is greater than that expected from farming activity. The provisions of the plan change provide certainty as to where this built development will occur within the rural environment. Within the DPMA itself, there is certainty as to where buildings will be located, and in particular buildings with greater height. This informs the longer term landscape strategy for the site as a whole. Providing for this intensity of development within an established site, gives certainty to the community that this type of development</p>

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	is not dispersed and ensures that the balance of the rural area maintains its existing level of openness and amenity.
<b>GLARE AND NIGHTGLOW</b> <b>Policy B3.4.10</b> Avoid night lighting shining directly into houses, other than a house located on the same site as the activity, or from vehicles using roads in the District.	The provisions of the plan change include a specific rule imposing limits on lighting within the DPMA.
<b>NOISE AND VIBRATION</b> <b>Policy B3.4.12</b> Recognise temporary noise associated with short-term, seasonal activities as part of the rural environment, but ensure continuous or regular noise is at a level which does not disturb people indoors on adjoining properties.	The provisions of the plan change include limits on noise (derived from conditions that have been imposed on previous consents). These limits are more stringent than those currently applying in the Rural Outer Plains Zone, and are supplemented by additional requirements for a management plan, and compliance check by an acoustic engineer prior to the construction of new buildings which may increase noise effects within the DPMA. Some adverse noise effects during the night-time are anticipated at a single dwelling within the Noise Control Boundary.
<b>DUST</b> <b>Policy B3.4.15</b> Mitigate nuisance effects on adjoining dwellings caused by dust from earthworks, or stockpiled material.	The management of dust is a specific requirement in the proposed provisions, to be detailed as part of a management plan prepared for earthworks or construction more generally.
<b>REVERSE SENSITIVITY EFFECTS</b> <b>Policy B3.4.19</b> Ensure new or upgraded road infrastructure and new or expanding activities, which may have adverse effects on surrounding properties, are located and managed to mitigate these potential effects. <b>Policy B3.4.20</b> Protect existing lawfully established activities in the Rural zone from potential for reverse sensitivity effects with other activities which propose to establish in close proximity.	The DPMA will incorporate an existing activity, as well as provide for its future expansion. Whilst the provisions have been developed to avoid, or mitigate effects beyond the boundary, a Noise Control Boundary has been identified which imposes a requirement on neighbours who may wish to build a new house within this area to include appropriate noise insulation as part of the building construction and a ventilation system that avoids the need to open windows.

Note: There are a range of other objectives and policies that are not directly relevant to this plan change e.g. culture and historic heritage. These are not required to be assessed by s32.