

INTRODUCTION AND GENERAL PROVISIONS

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1 Scope of Report

- [1] This Recommendation Report relates to Hearing 2 concerning the 'Introduction' and 'General Provisions' chapters of the PDP and contains the Hearing Panel's recommendations to Council on the submissions and further submissions received on those chapters.
- [2] The Hearing Panel members for the Introduction and General Provisions Chapters were:
- Gary Rae
 - Malcom Lyall
 - Raewyn Solomon
 - Rob van Voorthuysen (Chair)
- [3] The initial Section 42A Report and the end of hearing Section 42A Report for this topic were:
- Section 42A Report, PART 1 – Introduction and General Provisions, 23 July 2021, Jessica Tuilaepa
 - Right of Reply Report, PART 1 – Introduction and General Provisions, 6 October 2021, Jessica Tuilaepa
- [4] The Hearing Panel's recommended amendments to the notified provisions of the Introduction and General Provisions chapters are set out in Appendix 1. Amendments recommended by the Section 42A Report author that have been adopted by the Hearing Panel are shown in strike out and underlining. Further or different amendments recommended by the Hearing Panel are shown in strike out, underlining and red font, and are attributed to submissions in the footnotes in Appendix 1.
- [5] There are no recommended amendments to the notified planning maps resulting from this Recommendation Report.
- [6] Readers should also note that we have, at their request, amended all references to 'Trustpower' to 'Manawa Energy'.
- [7] Further submitters are not listed in the tables in this Recommendation Report because further submissions are either accepted or rejected consistent with our recommendations on the original submissions to which they relate.

2 Hearing and Submitters Heard

- [8] The hearing for the Introduction and General Provisions chapters was held on 21 September 2021. The submitters who appeared at the hearing are listed below, together with an identification of whether they were an original submitter, a further submitter, or both.

Sub #	Submitter	Original	Further
DPR-0033	Davina Penny	✓	
DPR-0212	Ellesmere Sustainable Agriculture Inc	✓	
DPR-0298	Trices Road Rezoning Group	✓	
DPR-0300	Ara Poutama Aotearoa Department of Corrections	✓	
DPR-0358	Rolleston West Residential Limited (RWRL)	✓	
DPR-0363	Iport Rolleston Holdings Limited (IRHL)		
DPR-0374	Rolleston Industrial Holdings Limited (RIHL)		
DPR-0384	Rolleston Industrial Developments Limited (RIDL)		
DPR-0362	John Ferguson	✓	

Sub #	Submitter	Original	Further
DPR-0367	Orion ¹	✓	
DPR-0371	Christchurch International Airport Limited	✓	
DPR-0415	Fulton Hogan	✓	
DPR-0422	Federated Farmers	✓	
DPR-0424	Ryman Healthcare Limited	✓	
DPR-0464	New Zealand Motor Caravan Association Inc	✓	

[9] Some of the submitters were represented by counsel or had expert witnesses appear on their behalf. The counsel and expert witnesses we heard from are listed in Appendix 2. Copies of all the legal submissions and evidence (expert and non-expert) received are held by the Council. We do not separately summarise that material here, but we refer to or quote from some of it where relevant in the remainder of this Recommendation Report.

[10] We record that we have read and considered all submissions and further submissions, regardless of whether the submitter or further submitter appeared at the hearing and whether or not they were represented by counsel or expert witnesses.

3 Sub-topic Recommendations

[11] In this part of the Recommendation Report we assess the submissions by sub-topic, using the same headings as the initial Section 42A Report.

3.1 General submissions on the whole PDP

[12] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0008	Mike Davis	001
DPR-0046	Chris & Carleen Morrish	001
DPR-0049	Ivan & Barbara Court	001
DPR-0077	Claire Wratten	001
DPR-0279	Rex Verity	008
DPR-0373	Foodstuffs South Island Ltd & Foodstuffs (South Island) Properties Ltd	001
DPR-0457	Flynn Washington	004
DPR-0482	Jayne Grace Philp	001, 002

3.2 Plan Structure and Format

[13] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0006	Colin Eady	001
DPR-0168	Paula Godfrey	017
DPR-0358	Rolleston West Residential Limited (RWRL)	004
DPR-0362	John Ferguson	003
DPR-0363	Ipport Rolleston Holdings Limited (IRHL)	003
DPR-0374	Rolleston Industrial Holdings Limited (RIHL)	009
DPR-0384	Rolleston Industrial Developments Limited (RIDL)	011
DPR-0427	Lou Sanson, Director-General of Conservation	001, 002

¹ Commissioner Lyall recused himself from consideration of this submission due to a conflict of interest.

3.3 Fossil Fuels and Climate Change

- [14] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0066	N Konijn	001
DPR-0159	Lincoln Envirotown Trust	003
DPR-0167	Bevin Fitzsimons	001
DPR-0258	Coal Action Network Aotearoa	001
DPR-0280	Peter William Ireland	001
DPR-0283	David Evans	002
DPR-0357	Siana Fitzjohn	001
DPR-0457	Flynn Washington	001
DPR-0469	David Zwartz	001
DPR-0470	James Barber, Frances Mountier, Alfie Mountier & Florrie Mountier	002

3.4 Highly Productive Land

- [15] The Section 42A Report author recommended rejecting the two submissions that respectively sought an objective, policies, and rules concerning soil resources and provisions relating to highly productive land. As will be evident from other Recommendation Reports (including Strategic Directions and Urban Growth amongst others), we consider that the issue of protecting 'highly productive land' from urban growth merits provisions in the PDP. Consequently, we recommend that these submissions be accepted in part.

Sub #	Submitter	Submission Points	Accept in part
DPR-0279	Rex Verity	003	✓
DPR-0353	Horticulture New Zealand	301	✓

3.5 Non-notification clauses

- [16] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0358	Rolleston West Residential Limited (RWRL)	003
DPR-0363	Iport Rolleston Holdings Limited (IRHL)	002
DPR-0374	Rolleston Industrial Holdings Limited (RIHL)	008
DPR-0384	Rolleston Industrial Developments Limited (RIDL)	010

3.6 Introduction

3.6.1 INTRO2 – Purpose

- [17] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author insofar as they relate to INTRO2. In terms of s32AA of the RMA, we are satisfied that the recommended amendments to INTRO2 to provide better alignment with the purpose of RMA are the most appropriate option for achieving the purpose of the RMA, the relevant objectives of the PDP and other relevant statutory documents.

3.6.2 **INTRO3 – About the Selwyn District**

- [18] INTRO3 described the dominant landuse in the district as farming. Federated Farmers and Horticulture NZ sought an amendment to refer to farming as primary production. We found the following evidence of Ms Wharfe to be particularly persuasive.

“The term ‘Farming’ is used in INTRO3. In my opinion the term ‘rural production’ better encapsulates the activities undertaken in the rural area, rather than the term ‘farming’ which is not defined and does not clearly encompass the range of rural production activities undertaken”.²

- [19] Ms Wharfe also noted that the PDP has a definition of ‘rural production’ which is a subset of ‘primary production’, and also that the definition of ‘rural production’ specifically excludes mining and quarrying.³ We adopt the reasoning of Horticulture NZ as summarised by the above reference to the evidence of Ms Wharfe and we accordingly recommend that INTRO3 is amended to refer to “rural production which includes agriculture, pastoral, horticultural or forestry activities”. Consequently, for the following submitters and submission points our recommendations are set out below. The reasons for our recommendations are outlined above. We are satisfied that in terms of s32AA of the RMA our recommendations reflect the most appropriate option for achieving the purpose of the RMA, the relevant objectives of the PDP and other relevant statutory documents.

Sub #	Submitter	Submission Points	Accept in part
DPR-0142	New Zealand Pork Industry Board	001	✓
DPR-0343	Canterbury District Health Board	001	✓
DPR-0353	Horticulture New Zealand	001, 002	✓
DPR-0379	Jill Thomson	001	✓
DPR-0422	Federated Farmers of New Zealand – North Canterbury	001	✓

3.7 **How the Plan works**

3.7.1 **Statutory Context**

- [20] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author. In terms of s32AA of the RMA, we are satisfied that the recommended amendment HPW3 to clarify that the notification is not limited only to protected customary rights groups or customary marine title groups and may include other parties in the case of limited notification is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of the PDP and other relevant statutory documents.

Sub #	Submitter	Submission Points
DPR-0353	Horticulture New Zealand	003, 004, 005
DPR-0379	Jill Thomson	002, 003, 004, 005
DPR-0422	Federated Farmers of New Zealand - North Canterbury	002, 003, 004

² Lynette Wharfe, paragraph 1.4, page 1.

³ Ibid, paragraphs 5.4 and 5.5, page 7.

3.7.2 General Approach (excluding cross boundary matters)

- [21] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author. In terms of s32AA of the RMA, we are satisfied that the recommended amendments to HPW7 to reference the surfaces of rivers and lakes are subject to provisions in the PDP; to HPW10 to provide clarity for users regarding the consultation process; and to HPW11 to provide clarity for users regarding the notification process are the most appropriate options for achieving the purpose of the RMA, the relevant objectives of the PDP and other relevant statutory documents.

Sub #	Submitter	Submission Points
DPR-0353	Horticulture New Zealand	006, 007, 008, 009, 010, 011, 013
DPR-0379	Jill Thomson	006, 007, 008, 011, 012, 013
DPR-0422	Federated Farmers of New Zealand - North Canterbury	005, 006, 007, 008, 009, 011

- [22] We note that for Horticulture NZ Lynette Wharfe advised that the s42A Report author recommended HPW10 be amended and she supported the recommended change. However, she considered that the provision could be further amended by adding "Further information and contacts to assist with consultation is available from the Council." We agree that would assist users of the PDP and we recommend the inclusion of those words.

- [23] Consequently, for the following submitters and submission points our recommendations are set out below. The reasons for our recommendations are outlined above. We are satisfied that in terms of s32AA of the RMA our recommendations reflect the most appropriate option for achieving the purpose of the RMA, the relevant objectives of the PDP and other relevant statutory documents.

Sub #	Submitter	Submission Points	Accept in part
DPR-0353	Horticulture New Zealand	012	✓
DPR-0422	Federated Farmers of New Zealand – North Canterbury	010	✓

3.7.3 Cross Boundary Matters

- [24] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author. In terms of s32AA of the RMA, we are satisfied that the recommended amendments to HPW13 to recognise the resource management issue of managing soils and enabling their productive use; to HPW14 to recognise the electricity distribution network as a cross boundary infrastructure issue; and to HPW18 to demonstrate a commitment from Council to publishing and communicating key findings of the Monitoring Strategy are most appropriate options for achieving the purpose of the RMA, the relevant objectives of the PDP and other relevant statutory documents.

Sub #	Submitter	Submission Points
DPR-0353	Horticulture New Zealand	014, 015, 016, 017
DPR-0367	Orion New Zealand Limited	008
DPR-0371	Christchurch International Airport Limited	001
DPR-0379	Jill Thomson	006, 007, 008, 011, 012, 013
DPR-0422	Federated Farmers of New Zealand - North Canterbury	012, 013
DPR-0446	Transpower New Zealand Limited	001

Sub #	Submitter	Submission Points
DPR-0453	Midland Port, Lyttelton Port Company Limited	001

- [25] Regarding the Section 42A Report author's recommended insertion of a new row in HPW13, we were persuaded by the evidence of Lynette Wharfe that the Section 42A Report author's wording could be improved by including references to "appropriate provisions" and "highly productive land". However, we consider that the wording should also refer to a consistent "approach". We recommend accordingly.
- [26] We also recommend a Schedule 1 clause 16(2) amendment to clarify the wording in the 'Issue' column of HPW14 addressing telecommunication and electricity distribution.

3.7.4 Relationship between Spatial Layers

- [27] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author. In terms of s32AA of the RMA, we are satisfied that the Section 42A Report author's recommended amendment to HPW27 to use terminology that better aligns with the RMA is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of the PDP and other relevant statutory documents.

Sub #	Submitter	Submission Points
DPR-0260	Canterbury Regional Council (Environment Canterbury)	054, 0181, 0182, 0183, 0184, 1085, 0186, 0187, 0188
DPR-0353	Horticulture New Zealand	018, 019, 020, 021, 022, 023, 024, 025, 026, 027, 028, 029, 030
DPR-0371	Christchurch International Airport Limited	002
DPR-0379	Jill Thomson	009, 014, 052, 053, 054, 055, 056, 057, 058, 059, 060, 061, 062, 063, 064, 065, 066, 067, 068, 069, 070, 071, 072, 073, 074, 075, 076
DPR-0453	Midland Port, Lyttelton Port Company Limited	002, 003, 004
DPR-0456	Four Star Developments & Gould Developments Ltd	018

3.8 Interpretation – Definitions and Glossary - Introduction

- [28] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author. In terms of s32AA of the RMA, we are satisfied that the recommended amendment to the Definitions chapter to provide an overview of the chapter and the origin and application of definitions is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of the PDP and other relevant statutory documents.
- [29] In particular, we agree with the author's advice in the Reply Report that the explanation surrounding the origins of definitions needs to be clear. In that regard we note that some definitions originate from the RMA but are also defined in the Planning Standards and therefore have the grey shading to indicate they are Planning Standards definitions. For that reason, not all RMA definitions are shaded grey. We have slightly improved the clarity of the author's recommended wording in the first and second sentences of the Overview text.

Sub #	Submitter	Submission Points
DPR-0358	Rolleston West Residential Limited (RWRL)	007, 008
DPR-0363	Iport Rolleston Holdings Limited (IRHL)	006, 007
DPR-0374	Rolleston Industrial Holdings Limited (RIHL)	012, 013
DPR-0379	Jill Thomson	018, 019
DPR-0384	Rolleston Industrial Developments Limited (RIDL)	014, 015
DPR-0415	Fulton Hogan Limited	023

3.9 Abbreviations

3.9.1 Future Development Strategy - FDS

- [30] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author, and we record that this abbreviation has been included in the PDP by way of a cl.16(2) RMA amendment.

Sub #	Submitter	Submission Points
DPR-0358	Rolleston West Residential Limited (RWRL)	006
DPR-0363	Iport Rolleston Holdings Limited (IRHL)	005
DPR-0374	Rolleston Industrial Holdings Limited (RIHL)	011
DPR-0384	Rolleston Industrial Developments Limited (RIDL)	013

3.9.2 Housing Development Capacity Assessment - HDCA

- [31] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author, and we record that this abbreviation has been included in the PDP by way of a cl.16(2) RMA amendment.

Sub #	Submitter	Submission Points
DPR-0358	Rolleston West Residential Limited (RWRL)	005
DPR-0363	Iport Rolleston Holdings Limited (IRHL)	004
DPR-0374	Rolleston Industrial Holdings Limited (RIHL)	010
DPR-0384	Rolleston Industrial Developments Limited (RIDL)	012

3.9.3 Pouhere Taonga/Heritage New Zealand - HNZ

- [32] For the following submitter and their submission point we adopt the recommendations and reasons of the Section 42A Report author, and we record that this abbreviation has been included in the PDP by way of a cl.16(2) RMA amendment.

Sub #	Submitter	Submission Point
DPR-0379	Jill Thomson	016

3.9.4 Integrated Transport Assessment - ITA

- [33] For the following submitter and their submission point we adopt the recommendations and reasons of the Section 42A Report author, and we record that this abbreviation has been included in the PDP by way of a cl.16(2) RMA amendment.

Sub #	Submitter	Submission Point
DPR-0409	Hughes Developments Limited	037

3.9.5 NESTA

- [34] For the following submitter and their submission point we adopt the recommendations and reasons of the Section 42A Report author, and we record that this abbreviation has been included in the PDP by way of a cl.16(2) RMA amendment.

Sub #	Submitter	Submission Point
DPR-0446	Transpower New Zealand Limited	002

3.9.6 Not to Scale - NTS

- [35] For the following submitter and their submission point we adopt the recommendations and reasons of the Section 42A Report author, and we record that this abbreviation has been included in the PDP by way of a cl.16(2) RMA amendment.

Sub #	Submitter	Submission Point
DPR-0379	Jill Thomson	017

3.9.7 Resource Management Act 1991 – RMA

- [36] For the following submitter and their submission point we adopt the recommendations and reasons of the Section 42A Report author, and we record that this abbreviation has been included in the PDP by way of a cl.16(2) RMA amendment.

Sub #	Submitter	Submission Point
DPR-0379	Jill Thomson	015

3.9.8 Abbreviations in General

- [37] For the following submitter and their submission point we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Point
DPR-0353	Horticulture New Zealand	032

3.10 Resource Management Act Definitions

- [38] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0359	Fire and Emergency New Zealand	005, 007, 008
DPR-0367	Orion New Zealand Limited	015
DPR-0371	Christchurch International Airport Limited	007
DPR-0379	Jill Thomson	046, 047, 048, 049
DPR-0422	Federated Farmers of New Zealand - North Canterbury	016, 021, 031, 036, 042, 057
DPR-0427	Lou Sanson, Director-General of Conservation	006
DPR-0448	New Zealand Defence Force	006
DPR-0453	Midland Port, Lyttelton Port Company Limited	005
DPR-0458	KiwiRail Holdings Limited (KiwiRail)	004

3.11 National Planning Standards and National Environmental Standards Definitions

[39] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author. We note that this results in no changes to the notified provisions.

[40] In particular, in response to the submission of the New Zealand Motor Caravan Association (NZMCA) we agree with the author's assessment set out in the Reply Report that the definition of 'Building' comes from the National Planning Standards and cannot be amended. We also agree that the definition of 'ancillary structure' manages non-motorised caravans sufficiently and no other subset definition of 'building' is required (as was sought by the NZMCA).

Sub #	Submitter	Submission Points
DPR-0042	John Collyns	001
DPR-0043	Poultry Industry Association of New Zealand & Egg Producers Federation of New Zealand	002, 005
DPR-0100	Annette Shankie	007
DPR-0122	Frews Quarries Ltd	001, 002, 006, 007, 009, 010, 012, 013, 014,
DPR-0127	Birchfield Coal Mines Ltd	001
DPR-0142	New Zealand Pork Industry Board (NZ Pork)	002, 005, 006, 010
DPR-0205	Lincoln University	064
DPR-0211	William Trolove	009
DPR-0213	New Zealand Institute for Plant and Food Research Limited (Plant and Food) & Landcare Research (Landcare)	026
DPR-0215	Winstone Aggregates	006, 007, 008, 009, 010, 016, 017, 018
DPR-0217	Summerset Villages (Prebbleton) Limited	004
DPR-0300	Ara Poutama Aotearoa the Department of Corrections	002
DPR-0342	AgResearch Limited	001
DPR-0353	Horticulture New Zealand	040, 078
DPR-0356	Aggregate and Quarry Association	001, 002, 003, 004, 005
DPR-0358	Rolleston West Residential Limited (RWRL)	011, 013, 014, 019, 022, 025, 029, 033, 034, 036, 038, 047, 048, 053, 05
DPR-0359	Fire and Emergency New Zealand	001, 009
DPR-0363	Iport Rolleston Holdings Limited (IRHL)	010, 012, 013, 018, 021, 024, 028, 032, 033, 035, 037, 046, 047, 052, 053
DPR-0365	Stuart PC Limited	043
DPR-0370	Fonterra Limited	005, 008, 011, 015
DPR-0371	Christchurch International Airport Limited	008
DPR-0372	Dairy Holdings Limited	010, 013
DPR-0374	Rolleston Industrial Holdings Limited (RIHL)	016, 018, 019, 024, 027, 030, 034, 038, 039, 041, 043, 052, 053, 058, 059
DPR-0378	The Ministry of Education	001, 002
DPR-0379	Jill Thomson	049, 050
DPR-0383	Z Energy Limited, BP Oil New Zealand Limited & Mobil Oil New Zealand Limited	020

Sub #	Submitter	Submission Points
DPR-0384	Rolleston Industrial Developments Limited (RIDL)	020, 021, 026, 029, 032, 036, 040, 041, 043, 045, 054, 055, 060, 061
DPR-0386	Rolleston Square Limited	004
DPR-0390	Rakaia Irrigation Limited (RIL)	006
DPR-0415	Fulton Hogan Limited	001, 002, 004
DPR-0422	Federated Farmers of New Zealand - North Canterbury	015, 024, 032, 033, 038, 043, 059, 070, 073, 091
DPR-0424	Retirement Villages Association of New Zealand Incorporated (RVA)	001
DPR-0425	Ryman Healthcare Limited	001
DPR-0427	Lou Sanson, Director-General of Conservation	008
DPR-0441	Manawa Energy	001, 002, 003, 004, 011, 012, 017
DPR-0448	New Zealand Defence Force	009, 011
DPR-0453	Midland Port, Lyttelton Port Company Limited	011
DPR-0454	Central Plains Water Limited	003
DPR-0458	KiwiRail Holdings Limited (KiwiRail)	002, 010, 011
DPR-0464	New Zealand Motor Caravan Association Inc.	001

3.12 Selwyn District Council Definitions

3.12.1 Activity Centre Network

[41] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author. In terms of s32AA of the RMA, we are satisfied that the recommended amendment to 'Activity Centre Network' to read as a definition and not as a description is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of the PDP and other relevant statutory documents.

Sub #	Submitter	Submission Points
DPR-0298	Trices Road Re-zoning Group	005
DPR-0353	Horticulture New Zealand	033, 034
DPR-0358	Rolleston West Residential Limited (RWRL)	010
DPR-0363	Iport Rolleston Holdings Limited (IRHL)	009
DPR-0374	Rolleston Industrial Holdings Limited (RIHL)	015
DPR-0379	Jill Thomson	020
DPR-0384	Rolleston Industrial Developments Limited (RIDL)	017
DPR-0422	Federated Farmers of New Zealand - North Canterbury	018

3.12.2 Addition

[42] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author. In terms of s32AA of the RMA, we are satisfied that the recommended amendment to 'Addition' to provide clarity for PDP users as to the circumstances in which the definition applies is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of the PDP and other relevant statutory documents.

Sub #	Submitter	Submission Points
DPR-0422	Federated Farmers of New Zealand - North Canterbury	019
DPR-0441	Manawa Energy	003

3.12.3 Adjoining

- [43] For the following submitter and their submission point we adopt the recommendations and reasons of the Section 42A Report author. We note that this results in no changes to the notified provisions.

Sub #	Submitter	Submission Point
DPR-0458	KiwiRail Holdings Limited (KiwiRail)	001

3.12.4 Ancillary Structure

- [44] For the following submitter and their submission point we adopt the recommendations and reasons of the Section 42A Report author. We note that this results in no changes to the notified provisions.

Sub #	Submitter	Submission Points
DPR-0353	Horticulture New Zealand	037
DPR-0372	Dairy Holdings Limited	001
DPR-0388	Craigmore Farming Services Limited	001
DPR-0390	Rakaia Irrigation Limited (RIL)	001

3.12.5 Automotive Activity

- [45] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author. We note that this results in no changes to the notified provisions.

Sub #	Submitter	Submission Points
DPR-0358	Rolleston West Residential Limited (RWRL)	012
DPR-0363	Iport Rolleston Holdings Limited (IRHL)	011
DPR-0374	Rolleston Industrial Holdings Limited (RIHL)	017
DPR-0384	Rolleston Industrial Developments Limited (RIDL)	019

3.12.6 Building Square

- [46] For the following submitter and their submission point we adopt the recommendations and reasons of the Section 42A Report author. We note that this results in no changes to the notified provisions.

Sub #	Submitter	Submission Point
DPR-0142	New Zealand Pork Industry Board (NZ Pork)	004

3.12.7 Corrections Activity

- [47] For the following submitter and its submission point we adopt the recommendations and reasons of the Section 42A Report author that were contained in the Reply Report, namely:
- Deleting the definition of ‘corrections activity’ and replacing it with a new definition of ‘Corrections Prison’ as defined in section 3 of the Corrections Act 2004;
 - Adding a new non-complying activity rule to the NCZ, LCZ, LFRZ, and TCZ zones which makes a ‘corrections prison’ a non-complying activity;

- Making consequential changes to GIZ-R18 which makes a ‘corrections prison’ as defined in section 3 of the Corrections Act 2004 a non-complying activity⁴; and
- Making consequential changes to permitted activity rules NCZ-R13, LCZ-R15, and LFRZ-R11, TCZ-R16 to remove references to ‘corrections activity’, while continuing to provide for ‘community corrections activity’ as a permitted activity.

[48] In terms of s32AA of the RMA, we agree that the proposed amendments result in the activity status of both Community Corrections Activities and Corrections Prisons being clearer to PDP users. We are satisfied that this is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of the PDP and other relevant statutory documents. We record that consequential amendments to provisions impacted by this change in approach have been included in the PDP by way of a cl.16(2) RMA amendment.

[49] In particular, we agree the above amendments will avoid the mixing of non-custodial and custodial prison activities within the same definition. That is a more effective and efficient way of triggering a non-complying status for custodial prison activities consistent with the intended outcome for these listed zones.

Sub #	Submitter	Submission Point
DPR-0300	Ara Poutama Aotearoa the Department of Corrections	003

3.12.8 Development Plan

[50] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author. We note that this results in no changes to the notified provisions.

Sub #	Submitter	Submission Points
DPR-0358	Rolleston West Residential Limited (RWRL)	017
DPR-0363	Iport Rolleston Holdings Limited (IRHL)	016
DPR-0374	Rolleston Industrial Holdings Limited (RIHL)	022
DPR-0384	Rolleston Industrial Developments Limited (RIDL)	024

3.12.9 Emergency

[51] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author. We note that this results in no changes to the notified provisions.

Sub #	Submitter	Submission Points
DPR-0359	Fire and Emergency New Zealand	002
DPR-0367	Orion New Zealand Limited	012

3.12.10 Future Development Strategy

[52] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author. We note that this results in no changes to the notified provisions.

⁴ We note that consistent with Ms Tuilaepa’s recommendation here, an additional GIZ rule was recommended to be inserted into the PDP by the GIZ Hearing Panel to make a ‘corrections prison’ as defined in section 3 of the Corrections Act 2004 a non-complying activity.

Sub #	Submitter	Submission Points
DPR-0358	Rolleston West Residential Limited (RWRL)	023
DPR-0363	Iport Rolleston Holdings Limited (IRHL)	022
DPR-0374	Rolleston Industrial Holdings Limited (RIHL)	028
DPR-0384	Rolleston Industrial Developments Limited (RIDL)	030

3.12.11 Health Care Facility

- [53] For the following submitter and their submission point we adopt the recommendations and reasons of the Section 42A Report author. We note that this results in no changes to the notified provision, noting that spelling error has been corrected as a clause 16(2) amendment.

Sub #	Submitter	Submission Point
DPR-0422	Federated Farmers of New Zealand - North Canterbury	045

3.12.12 Keeping of Animals

- [54] For the following submitter and their submission point we adopt the recommendations and reasons of the Section 42A Report author. We note that this results in no changes to the notified provisions.

Sub #	Submitter	Submission Point
DPR-0142	New Zealand Pork Industry Board (NZ Pork)	009

3.12.13 Key Activity Centre

- [55] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author. We note that this results in no changes to the notified provision, noting that spelling error has been corrected as a clause 16(2) amendment.

Sub #	Submitter	Submission Points
DPR-0358	Rolleston West Residential Limited (RWRL)	031
DPR-0363	Iport Rolleston Holdings Limited (IRHL)	030
DPR-0374	Rolleston Industrial Holdings Limited (RIHL)	036
DPR-0384	Rolleston Industrial Developments Limited (RIDL)	038

3.12.14 Maintenance or Repair

- [56] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author, including in their Reply Report. In terms of s32AA of the RMA, we are satisfied that the recommended amendment to 'Maintenance or Repair' to provide clarity to PDP users regarding the circumstances where the definition applies to network utilities and important infrastructure is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of the PDP and other relevant statutory documents.
- [57] In particular, we agree that a reference to 'minor upgrades' in the clause would be appropriate, provided that the request by Federated Farmers to remove a change in voltage from being considered 'maintenance or repair' is also made. We also agree that minor repairs are likely to be involved in a maintenance schedule and so that should be acknowledged in the definition.

Sub #	Submitter	Submission Points
DPR-0269	Heritage New Zealand Pouhere Taonga	001
DPR-0367	Orion New Zealand Limited	017
DPR-0422	Federated Farmers of New Zealand - North Canterbury	062
DPR-0441	Manawa Energy	011
DPR-0446	Transpower New Zealand Limited	006
DPR-0458	KiwiRail Holdings Limited (KiwiRail)	008

3.12.15 Outline Development Plan

- [58] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author. We note that this results in no changes to the notified provision.

Sub #	Submitter	Submission Points
DPR-0358	Rolleston West Residential Limited (RWRL)	040
DPR-0363	Iport Rolleston Holdings Limited (IRHL)	039
DPR-0374	Rolleston Industrial Holdings Limited (RIHL)	045
DPR-0384	Rolleston Industrial Developments Limited (RIDL)	047

3.12.16 Principal Building

- [59] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author. In terms of s32AA of the RMA, we are satisfied that recommended amendment 'Principal Building' to clarify that it does not include accessory buildings or containers in the PORTZ is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of the PDP and other relevant statutory documents.

Sub #	Submitter	Submission Points
DPR-0260	Canterbury Regional Council (Environment Canterbury)	017
DPR-0453	Midland Port, Lyttelton Port Company Limited	012

3.12.17 Public Floor Area

- [60] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author. We note that this results in no changes to the notified provision.

Sub #	Submitter	Submission Points
DPR-0358	Rolleston West Residential Limited (RWRL)	045
DPR-0363	Iport Rolleston Holdings Limited (IRHL)	044
DPR-0374	Rolleston Industrial Holdings Limited (RIHL)	050
DPR-0384	Rolleston Industrial Developments Limited (RIDL)	052

3.12.18 Relocated Building

- [61] For the following submitter and their submission point we adopt the recommendations and reasons of the Section 42A Report author. We note that this results in no changes to the notified provision.

Sub #	Submitter	Submission Point
DPR-0422	Federated Farmers of New Zealand - North Canterbury	074

3.12.19 Research Activity

- [62] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author. In terms of s32AA of the RMA, we are satisfied that the recommended amendment to 'Research Activity' to provide clarity to PDP users as to which ancillary activities are anticipated alongside Research Activities is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of the PDP and other relevant statutory documents.

Sub #	Submitter	Submission Points
DPR-0205	Lincoln University	060
DPR-0213	Plant and Food & Landcare	023
DPR-0342	AgResearch Limited	002

3.12.20 Reverse Sensitivity

- [63] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author. In terms of s32AA of the RMA, we are satisfied that the recommended amendment to 'Reverse Sensitivity' to provide clarity to PDP users as to the circumstances in which the definition applies is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of the PDP and other relevant statutory documents.

Sub #	Submitter	Submission Points
DPR-0142	New Zealand Pork Industry Board (NZ Pork)	011
DPR-0353	Horticulture New Zealand	068
DPR-0358	Rolleston West Residential Limited (RWRL)	051
DPR-0363	Iport Rolleston Holdings Limited (IRHL)	050
DPR-0367	Orion New Zealand Limited	022
DPR-0370	Fonterra Limited	009
DPR-0371	Christchurch International Airport Limited	011
DPR-0374	Rolleston Industrial Holdings Limited (RIHL)	056
DPR-0375	Waka Kotahi NZ Transport Agency	009
DPR-0384	Rolleston Industrial Developments Limited (RIDL)	058
DPR-0422	Federated Farmers of New Zealand - North Canterbury	077
DPR-0441	Manawa Energy	012
DPR-0446	Transpower New Zealand Limited	013
DPR-0448	New Zealand Defence Force	010
DPR-0453	Midland Port, Lyttelton Port Company Limited	013
DPR-0454	Central Plains Water Limited	004
DPR-0458	KiwiRail Holdings Limited (KiwiRail)	012

3.12.21 Sensitive Activity

- [64] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author. We note that this results in no changes to the notified provision.

Sub #	Submitter	Submission Points
DPR-0142	New Zealand Pork Industry Board (NZ Pork)	014
DPR-0215	Winstone Aggregates	015
DPR-0353	Horticulture New Zealand	072

Sub #	Submitter	Submission Points
DPR-0358	Rolleston West Residential Limited (RWRL)	052
DPR-0359	Fire and Emergency New Zealand	010
DPR-0363	Iport Rolleston Holdings Limited (IRHL)	051
DPR-0367	Orion New Zealand Limited	023
DPR-0368	Beef + Lamb New Zealand Ltd & Deer Industry New Zealand	003
DPR-0370	Fonterra Limited	012
DPR-0371	Christchurch International Airport Limited	014
DPR-0372	Dairy Holdings Limited	017
DPR-0374	Rolleston Industrial Holdings Limited (RIHL)	057
DPR-0375	Waka Kotahi NZ Transport Agency	010
DPR-0378	The Ministry of Education	004
DPR-0384	Rolleston Industrial Developments Limited (RIDL)	059
DPR-0390	Rakaia Irrigation Limited (RIL)	009
DPR-0415	Fulton Hogan Limited	005
DPR-0422	Federated Farmers of New Zealand - North Canterbury	082
DPR-0446	Transpower New Zealand Limited	014

3.12.22 *Setback*

- [65] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author. In particular, we note that in her Reply Report Ms Tuilaepa advised that further amendments to the PDP were required to ensure the terms 'setback' and 'set back' were used in their correct context and that those grammatical errors would be corrected via a clause 16(2) amendment process.

Sub #	Submitter	Submission Points
DPR-0362	John Ferguson	001
DPR-0370	Fonterra Limited	013

3.12.23 *Township Network*

- [66] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author. We note that this results in no changes to the notified provision.

Sub #	Submitter	Submission Points
DPR-0298	Trices Road Re-zoning Group	004
DPR-0358	Rolleston West Residential Limited (RWRL)	057
DPR-0363	Iport Rolleston Holdings Limited (IRHL)	056
DPR-0374	Rolleston Industrial Holdings Limited (RIHL)	062
DPR-0384	Rolleston Industrial Developments Limited (RIDL)	064
DPR-0460	Marama Te Wai Ltd	007

3.12.24 *Waste*

- [67] For the following submitter and their submission point we adopt the recommendations and reasons of the Section 42A Report author. We note that this results in no changes to the notified provision, noting that this definition has been corrected via a clause 16(2) amendment.

Sub #	Submitter	Submission Point
DPR-0422	Federated Farmers of New Zealand - North Canterbury	090

3.13 New definitions proposed by Submitters – Minimise

[68] The Director-General of Conservation recommended the insertion of a new definition for the word ‘minimise’. That word (and variations of it such as ‘minimised’) are used throughout the PDP. We consider the use of that word to be appropriate and it provides superior direction to decision-makers as opposed to alternative words sought by some submitters such as ‘manage’. Words such as ‘manage’ provide no direction as to the outcome that Council would wish decision-makers to pursue as it is a neutral process-oriented word.

[69] Accordingly, we find that the PDP should contain a definition of the word ‘minimise’ that uses the wording suggested by the Director-General of Conservation in their submission, but is expanded to cover the potential use of the word ‘minimisation’ as well:

Reduce to the smallest extent reasonably practicable. Minimised, minimising and minimisation have the corresponding meaning.

[70] Consequently, for the following submitter and their submission point our recommendation is set out below. In terms of s32AA of the RMA, we assess that in terms effectiveness and efficiency, costs and benefits, the risk of acting or not acting, the introduction of a definition for the word ‘minimise’ is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of the PDP and other relevant statutory documents. In particular, not introducing a definition would risk creating uncertainty for users of the PDP and associated costs in litigating resource consent outcomes on a case by case basis.

Sub #	Submitter	Submission Point	Accept
DPR-0427	Lou Sanson, Director-General of Conservation	019	✓

3.14 New definitions proposed by Submitters – Removal and Re-siting

[71] For the following submitter and their submission point we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Point
DPR-0296	House Movers Section of the New Zealand Heavy Haulage Association Inc	008

3.15 NDI - National Direction Instruments

[72] For the following submitter and their submission point we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0353	Horticulture New Zealand	080, 081, 082, 083

3.16 Tangata Whenua/Mana Whenua**3.16.1 MANA – Recognition of hapū and iwi**

[73] We agree with the Section 42A Report author’s original recommendation relating to MANA7 and MANA8.

[74] MANA3 describes the relationship of Māori with land, water, sites, wāhi tapu, and other taonga. Submitters sought to ‘water down’ the fourth paragraph which stated “*These effects*

harm the relationship local iwi have with the land, waahi tapu and other waahi taonga and limit the ability of Māori to engage in the traditional practice of kaitiakitanga.”

[75] The Section 42A Report author originally recommended amending the wording along the lines sought by submitters. In response to our written questions the author conceded that the amended wording may have unintentionally reduced the severity of historical impacts on Māori engaging in their traditional practices in favour of anticipating future possibilities.

[76] In the Reply Report the author recommended amending that wording to read:

~~These~~ *The effects of certain land users have also harmed harm the relationship local iwi have with the land, waahi tapu and other waahi taonga and have limited limit the ability of Māori to engage in the traditional practice of kaitiakitanga. Te Waihora is the centre of the takiwā of Te Taumutu Runanga and the adjoining lands are shared in common interest with Te Ngai Tūāhuriri Runanga and Te Rūnanga o Arowhenua.*

[77] We agree that wording is preferable to the notified wording and that it reflects the fact that, while harm may have occurred in the past, there is hope for the contemporary relationship going forward, whilst staying within the scope of submissions.

[78] In response to the evidence of Federated Farmers and ESAI the author also recommended amending the final paragraph as follows:

As a whole the Selwyn District is rich in places of cultural significance, mahinga kai and ancestral values. And All all of these places are held in high esteem. and with close cultural relationships by the iwi and with local bodies working to Iwi, regulatory authorities and local interest groups work together, through close cultural relationships, to facilitate the kaitiakitanga of these sites.

[79] We also agree that wording is preferable to the notified wording.

[80] Consequently, for the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author. In terms of s32AA of the RMA, we are satisfied that the recommended amendments are the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this PDP and other relevant statutory documents.

Sub #	Submitter	Submission Points
DPR-0212	Ellesmere Sustainable Agriculture Incorporated	005, 006, 007, 008,
DPR-0343	Canterbury District Health Board	002, 003, 004, 005, 006, 007 008, 009, 010
DPR-0422	Federated Farmers of New Zealand - North Canterbury	094, 095, 096

3.17 PART 4 Appendices

3.17.1 APP3 – Height in relation to boundary

[81] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0101	Chorus New Zealand Limited, Spark New Zealand Trading Limited & Vodafone New Zealand Limited	032

Sub #	Submitter	Submission Points
DPR-0126	Foster Commercial	013
DPR-0446	Transpower New Zealand Limited	062

4 Other Matters

- [82] The recommended amendments to the PDP provisions contained in Appendix 1 are those that result from this Hearing Panel's assessment of submissions and further submissions. However, readers should note that further or different amendments to these provisions may have been recommended by:
- Hearing Panels considering submissions and further submissions on other chapters of the PDP;
 - the Hearing Panels considering rezoning requests, and
 - the Independent Hearing Panel (IHP) considering submissions and further submissions on Variation 1 to the PDP
- [83] Any such further or different amendments are not shown in Appendix 1 of this Recommendation Report. However, the Chair⁵ and Deputy Chair⁶ of the PDP Hearing Panels have considered the various recommended amendments and have ensured that the overall final wording of the consolidated version of the amended PDP is internally consistent.
- [84] In undertaking that 'consistency' exercise, care was taken to ensure that the final wording of the consolidated version of the amended PDP did not alter the intent of the recommended amendments contained in Appendix 1 of this Recommendation Report.
- [85] There are no other matters arising from our consideration of the submissions and further submissions or that arose during the hearing.

⁵ Who is also the Chair of the IHP.

⁶ Who chaired one stream of hearings.

Appendix 1: Recommended Amendments

Note to readers: Only provisions that have recommended amendments are included below. All other provisions remain as notified. Amendments recommended by the Section 42A Report author that have been adopted by the Hearing Panel are shown in strike out and underlining. Further or different amendments recommended by the Hearing Panel are shown in strike out, underlining and red font.

Amendments to the PDP Maps

There are no amendments recommended to PDP Planning Maps arising from our recommendations on the submissions and further submissions covered by this Recommendation Report.

Amendments to the PDP Text

Part 1 – Introduction and General Provisions

Introduction

INTRO2 – Purpose

This District Plan is a community document which reflects the views and values of our community as identified through Selwyn 2031 – District Development Strategy. The Plan provides a framework to guide the sustainable management of natural and physical resources within the District, being the purpose of the Resource Management Act 1991 (the RMA). The RMA requires the Council to prepare a District Plan on behalf of the community and to review it every 10 years. ~~sustainable development in our District.~~ It is a forward-looking document, managing land use and development ~~of natural and physical resources~~ today while protecting the interests and opportunities of future generations to also utilise ~~those~~ natural and physical resources in a sustainable way.

The Plan recognises the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga. It enables kaitiakitanga and takes into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

Council regularly monitors development trends in the District to ensure that directions set in the Plan are appropriate to achieve sustainable ~~land use, and~~ development and protection in the Selwyn context. ~~The Resource Management Act 1991 (the RMA) has a primary purpose to promote the sustainable management of natural and physical resources. The RMA requires the Council to prepare a District Plan on behalf of the community and to review it every 10 years.~~⁷

⁷ DPR-0379.001 Jill Thomson

INTRO3 – About the Selwyn District

The dominant land use in the District ~~is rural production which includes agriculture, pastoral, horticultural or forestry activities remains farming. Farming~~ Rural production⁸ is becoming increasingly diverse both in terms of crops grown and livestock reared, and the methods used to undertake such activities. There are many other activities, which also occur in the District, which need to be recognised and provided for as part of promoting sustainable management of natural and physical resources in the Selwyn District.

How the Plan works

HPW3 – The Relationship with other plans and documents

When developing its District Plan, Section 74, and 75 of the RMA requires the Council to give effect to any national policy statement, the New Zealand Coastal Policy Statement, a national planning standard and any regional policy statement; not be inconsistent with a water conservation order or regional plan; and have regard to management plans and strategies prepared under other Acts. The following documents are of particular relevance:

Name of document	Description
Marine and Coastal Area (Takutai Moana) Act 2011	<p>The purpose of this Act is to:</p> <ol style="list-style-type: none"> 1. establish a durable scheme to ensure the protection of the legitimate interests of all New Zealanders in the marine and coastal area of New Zealand; and 2. recognise the mana tuku iho exercised in the marine and coastal area by iwi, hapū, and whānau as tangata whenua; and provide for the exercise of customary interests in the common marine and coastal area; and 3. acknowledge the Treaty of Waitangi (te Tiriti o Waitangi). <p>Local authorities are required to assess whether protected customary rights groups or customary marine title groups will be affected by a resource consent application, and give limited notification to groups where they are affected <u>may give public notification of a resource consent application that adversely affects protected customary rights groups or customary marine title groups where there are other adverse effects not related to protected customary rights or customary marine title, and alternatively to others parties in the case of limited notification.</u>⁹</p>

HPW7 – Resource Consents

The District Plan provides for two types of resource consent: land use and subdivision, with land use including activities on the surface of lakes and rivers.¹⁰ Various resource consents and permits are also issued by the Canterbury Regional Council particularly in relation to the use of beds of lakes and rivers.

⁸ DPR-0353.001 and 002 Horticulture New Zealand and DPR-0422.001 Federated Farmers of New Zealand – North Canterbury

⁹ DPR-0379.003 Jill Thomson

¹⁰ DPR-0379.011 Jill Thomson

An application for resource consent must be made in accordance with the Act. Forms and accompanying information for land use and subdivision consent are available from the Council offices or on the Council's website. An Assessment of Effects on the Environment and other relevant information prepared in accordance with Schedule 4 of the Act must also be provided.

HPW10 – Consultation

There is no legal duty for an applicant to consult any person before they lodge a resource consent application. However, consultation is recognised as good practice in order to identify potential issues and ways in which those issues might be addressed, potentially saving costs and reducing time delays as a result. In some cases such as where cultural issues are involved, consultation with tangata whenua may be the only way in practice for the applicant to properly assess the potential adverse effects of a proposal and an applicant risks prejudicing the outcome of their application if they do not undertake consultation and to address these effects sufficiently in their application.¹¹ The appropriate level of consultation will likely depend on the effects or impacts of the proposal. Further information and contacts to assist with consultation is available from the Council.¹²

HPW11 – Notification

The Council may decide whether to notify an application for resource consent for an activity using the assessment criteria set out in the notification provisions of the RMA.¹³

...

HPW13 – Growth Management

Issue	Local Authority	Process
<u>Managing soils and enabling their productive use</u> ¹⁴	<u>Canterbury Regional Council, Christchurch City Council, and Waimakariri District Council.</u> ¹⁵	<u>Encourage a consistent approach and appropriate provisions for managing highly productive land and enabling its productive use across district plans.</u> ¹⁶

HPW14 – Infrastructure

Issue	Local Authority	Process
The safe and efficient functioning of the District's telecommunication <u>networks</u> , <u>and its</u> electricity transmission <u>and electricity</u>	Ashburton District Council, Christchurch City Council, Hurunui District Council, Waimakariri District Council, and Westland District Council.	Consultation between Councils and utility and infrastructure providers. Encourage consistent provisions between adjoining district plans.

¹¹ DPR-0422.010 Federated Farmers of New Zealand - North Canterbury and DPR-0353.012 Horticulture New Zealand

¹² DPR-0353.012 Horticulture New Zealand

¹³ DPR-0379.013 Jill Thomson

¹⁴ DPR-0353.014 Horticulture New Zealand

¹⁵ DPR-0353.014 Horticulture New Zealand

¹⁶ DPR-0353.014 Horticulture New Zealand

distribution ¹⁷ networks, including protecting important infrastructure from reverse sensitivity effects.		
HPW18 – Monitoring Statement		
The RMA requires Council to review the efficiency and effectiveness of the policies, rules, and methods in the Plan, to implement appropriate changes to address the findings of this monitoring and to publish the results within five years.		
....		
Council is committed to preparing a non-statutory monitoring strategy to co-ordinate, prioritise, and carry out its district plan effectiveness and efficiency monitoring and reporting functions <u>and to publishing and communicating its key findings</u> ¹⁸ . A monitoring strategy also provides the opportunity to integrate district plan effectiveness and efficiency monitoring with Council’s wider monitoring and reporting duties under the RMA and LGA, including monitoring the state of the environment and the exercise of resource consent conditions.		
HPW27 – Specific Control Areas Descriptions		
Arthur's Pass Alpine Design	SCA-AD1	An area subject to urban design controls to manage and protect the existing Alpine vibe <u>amenity values</u> ¹⁹ of the township.
Castle Hill Alpine Design	SCA-AD2	An area subject to urban design controls to manage and protect the existing Alpine vibe <u>amenity values</u> ²⁰ of the township.

Interpretation

<u>Definitions Overview</u>	
This part of the District Plan explains the extended meaning of words and phrases developed specifically for <u>the Plan, having regard to the context in which they are used</u> . The definitions herein replace the ordinary dictionary meaning of the subject word or phrase.	
Definitions only apply where identified in the ePlan with a green dotted underline. In all other instances, words and phrases used in the District Plan <u>have their ordinary dictionary meaning</u> .	
<u>Other definitions on which each definition relies (reliant definitions) are identified through the same green underlining and hyperlinking in the definition for information purposes, to assist interpretation of the primary definition and to illustrate the interrelationship between some definitions.</u>	
<u>Where a word or phrase is defined in this chapter, its definition includes any variations of the word or phrase that are plural or vice versa, unless specified.</u>	

¹⁷ DPR-0367.008 Orion New Zealand Limited and recommended Schedule 1 clause 16(2) amendment.

¹⁸ DPR-0422.013 Federated Farmers of New Zealand - North Canterbury and DPR-0353.017 Horticulture New Zealand

¹⁹ DPR-0353.030 Horticulture New Zealand

²⁰ DPR-0353.030 Horticulture New Zealand

Where a general activity (such as commercial activity) is listed in a rule list, it includes all of the more specific activities included therein (such as retail activity or food and beverage activity) unless otherwise specified in the rule list for that zone.

The word 'includes' (or variations thereof, where appropriate in the context) followed by a list (whether bullet pointed or not) is not limited to those matters specified in the list.

The defined terms used in the District Plan are set out in full below.

Where a term has grey shading this indicates the term originates from the National Planning Standards.²¹

Definitions	
ACTIVITY CENTRE NETWORK	<p>The Activity Centre Network consists of:</p> <ul style="list-style-type: none"> a. Key Activity Centres <ul style="list-style-type: none"> i. Key Activity Centres (KACs) are key existing commercial/business centres identified as focal points for employment, community activities, and the transport network: and which are suitable for mixed-use development. The Selwyn District has four KACs being Rolleston, Lincoln, Darfield and Leeston. ii. Rolleston is the largest activity centre and is the primary focus of much of the districts future retail and commercial activity. The Rolleston KAC will have a diverse variety and range of retail and commercial activities and in conjunction with the smaller centres will be able to support the districts retail and commercial needs. iii. Lincoln will also have a range of retail and commercial services but not to the same extent as Rolleston. As such it will act as a secondary commercial centre to Rolleston. iv. Darfield and Leeston these centres will also have a range of retail and commercial services but will play a secondary role to the Lincoln activity centre in the overall activity centre network. These centres will likely have a rural focus on the goods and services provided compared to Rolleston and Lincoln. They will serve a large rural area and in some cases smaller townships in the surrounding area of each town.²² b. Service Activity Centres <ul style="list-style-type: none"> i. Provide goods and services to residents of the town as well as the wider rural area. However there will still be a reliance on the Key Activity Centres for larger scale businesses and more variety in retail and commercial activities. The Selwyn District has two Service Activity Centres being Prebbleton and West Melton. c. Rural Activity Centres

²¹ DPR-0379.018 Jill Thomson, DPR-0358.007 RWRL, DPR-0363.006 IRHL, DPR-0374.012 RIHL and DPR-0384.014 RIDL

²² DPR-0379.020 Jill Thomson and DPR-0422.018 Federated Farmers of New Zealand - North Canterbury

Definitions	
	<p>i. are the smallest activity centres and are primarily focused on convenience of local residents with some services offered to the surrounding rural area. For more variety in retail and commercial activities these centres will rely on the Service Activity Centres or the Key Activity Centres.</p> <p>ii. Overall each activity centre will play a specific role within the district's activity centre network. A centres composition will be more complex and varied at the KAC level, particularly at Rolleston, and becoming less so as activity centre size and the population it services reduces. Having this variation in different levels of activity centres will allow for a more efficient and stable retail and commercial market in Selwyn. This will also enable smaller activity centres to be more specific and efficient in what services and goods they provide for their local areas and residents; and</p> <p>d. Rural Townships</p>
ADDITION	Any works undertaken to an existing building which has the effect of increasing the gross floor area of that building. It includes the construction of new floors, walls, ceilings and roofs. In relation to an historic heritage item it means an extension or increase in floor area, number of stories, or height of a building or structure. ²³
CORRECTION ACTIVITY	<p>Land or buildings used in whole or in part for community corrections activities or for the assembly, corrective training, housing or incarceration of persons convicted of offences or on remand and includes (without limitation):</p> <ul style="list-style-type: none"> • a prison, corrective training institution or police jail establishment under the Penal Institutions act 1952 • a "Habilitation Centre" as defined in section 2 of the Criminal Justice act 1985 • a periodic detention centre established under section 126 (1) of the Criminal Justice act 1985; or of, any like facility²⁴
<u>CORRECTIONS PRISON</u>	<u>Has the same meaning as Section 2 of the Corrections Act 2004.</u> ²⁵
MAINTENANCE OR REPAIR	<p>a. In relation to ecosystems and indigenous biodiversity, any work or activity necessary to continue the operation and/or functioning of the existing line, building, structure, facility or utility, and shall also provide for the replacement of an existing line, building, structure or other facility with another of the same or similar height, size or scale, within the same or similar position and for the same or similar purpose. It does not include any expansion of the existing line, building, structure, facility or utility.</p> <p>b. in relation to natural features and landscapes, any work or activity necessary to continue the operation and/or functioning of an existing fence line, track, road or <u>railway line</u>, and shall also provide for the replacement of an existing fence line, track, road</p>

²³ DPR-0422.019 Federated Farmers of New Zealand - North Canterbury

²⁴ DPR-0300.003 The Department of Corrections

²⁵ DPR-0300.003 The Department of Corrections

Definitions	
	<p>or <u>railway line</u> with another of the same or similar scale, within the same or similar position and for the same or similar purpose. It excludes the extension or enlargement of any existing fence line, track, road or <u>railway line</u>²⁶.</p> <p>c. in relation to historic heritage, to replace or mend in-situ, decayed or damaged heritage fabric using materials, including identical, closely similar or otherwise appropriate material, which resemble the form, appearance and profile of the heritage fabric as closely as possible. It includes:</p> <ul style="list-style-type: none"> i. temporary securing of heritage fabric for purposes such as making a structure safe or weathertight; and ii. Building Code upgrades which may be needed to meet relevant standards, as part of the repairs <p><u>In relation to network utilities, important infrastructure and their ancillary activities in all locations, any work or activity necessary to continue the operation and/or functioning of the existing line, building, structure, facility or utility, and shall also provide for the replacement or minor upgrade of an existing line, building, structure or other facility with another of the same or similar height, size or scale, within the same or similar position and for the same or similar purpose. It does not include any expansion of the existing line, building, structure, facility or utility or any increase in voltage.</u>²⁷</p>
MINIMISE	<u>Reduce to the smallest extent reasonably practicable. Minimised, minimising and minimisation have the corresponding meaning.</u> ²⁸
PRINCIPAL BUILDING	<p>Any building or buildings which is/are used as part of the primary activity or activities on the site. Principal buildings include residential units, but do not include:</p> <ul style="list-style-type: none"> a. <u>accessory buildings or minor residential units</u>;²⁹ b. <u>containers in the PORTZ</u>.³⁰
RESEARCH ACTIVITY	The use of land and buildings for the purpose of scientific research, inquiry or investigation, product development and testing, and consultancy and marketing of research information; and includes laboratories, quarantines, pilot plant facilities, workshops and ancillary administrative, commercial, <u>educational</u> ³¹ , and conference facilities.
REVERSE SENSITIVITY	The potential for an approved (whether by consent or designation), <u>lawfully established</u> ³² existing or permitted activity to be compromised, constrained, or curtailed by the more recent establishment, <u>intensification</u> ³³ , or alteration of another activity <u>that</u>

²⁶ DPR-0458.008 KiwiRail Holdings Limited

²⁷ DPR-0367.017 Orion New Zealand Limited, DPR-0446.006 Transpower New Zealand Limited and DPR-0422.062 Federated Farmers of New Zealand - North Canterbury

²⁸ DPR-0427.019 The Director General of Conservation

²⁹ DPR-0260.017 Environment Canterbury

³⁰ DPR-0453.012 LPC

³¹ DPR-0205.060 Lincoln University, DPR-0213.023 Plant and Food and Landcare, and DPR-0342.002 AgResearch Limited

³² DPR-0448.010 NZDF

³³ DPR-0371.011 CIAL, DPR-0370.009 Fonterra, DPR-0367.022 Orion, and DPR-0453.013 LPC

Definitions	
	which ³⁴ may be sensitive to the actual, potential, or perceived adverse environmental effects generated by the an ³⁵ approved, <u>lawfully established</u> ²⁴ existing or permitted activity.

Tangata Whenua/Mana Whenua

MANA3 – Relationship with land, water, sites, wāhi tapu, and other taonga
<p>Māori tradition embodies the vision of Papatuanuku, a mother earth figure and land from which all things are born including people. Land, soil, and water are regarded as taonga of which Māori people are the kaitiaki and draw from this a sense of unity and identity for tangata whenua.</p> <p>....</p> <p>Land uses especially increasing development have affected water quality and mahinga kai (food gathering) sites and have increased the threat to areas of cultural value in Te Waihora, Muriwai and surrounding areas. These <u>The effects of certain land users have also harmed</u> harm the relationship local iwi have with the land, waahi tapu and other waahi toanga and <u>have limited</u> limit the ability of Māori to engage in the traditional practice of kaitiakitanga. Te Waihora is the centre of the takiwā of Te Taumutu Runanga and the adjoining lands are shared in common interest with Te Ngai Tūāhuriri Runanga and Te Runanga o Arowhenua.</p> <p>Another area in the Selwyn District which local iwi have connection to is Kura Tawhiti (Castle Hill). This was an area of learning, cultivation, and mahinga kai for mana whenua and is part of a larger culturally significant landscape which ranges north, south and east of the rock formations.</p> <p>As a whole the Selwyn District is rich in places of cultural significance, mahinga kai and ancestral values. <u>All values, and all of these places are held in high esteem, and with close cultural relationships by the iwi and with local bodies working to</u> <u>iwi, regulatory authorities and local interest groups work together, through close cultural relationships, to</u>³⁶facilitate the kaitiakitanga of these sites.</p>

³⁴ DPR-0446.013 Transpower

³⁵ DPR-0446.013 Transpower

³⁶ DPR-0414-002 Federated Farmers of New Zealand - North Canterbury, DPR-0212.005 and 006 EASI

Part 3 – Area Specific Matters

Zones

Commercial and Mixed Use Zones

NCZ – Neighbourhood Centre Zone

NCZ-Rules

NCZ-R13	<u>Community Corrections Activities</u>	
	Activity Status: PER 1. Any <u>community</u> corrections activity 2. Where: a. The activity is a community corrections activity. And-Where the activity complies with the following rule requirements: NCZ-REQ1 Servicing NCZ-REQ4 Fencing and outdoor storage	...
NCZ-RX	<u>Corrections Prison</u>	
	<u>Activity Status:</u> NC 1. Any Corrections Prison	

LCZ – Local Centre Zone

LCZ-Rules

LCZ-R15	<u>Community Corrections Activities</u>	
	Activity Status: PER 1. Any <u>community</u> corrections activity 2. Where: a. The activity is a community corrections activity. And-Where the activity complies with the following rule requirements: NCZ-REQ1 Servicing NCZ-REQ4 Fencing and outdoor storage	
LCZ-RX	<u>Corrections Prison</u>	
	<u>Activity Status:</u> NC 1. Any Corrections Prison	

LFRZ - Large Format Retail Zone

LFRZ-Rules

LFRZ-R11	<u>Community Corrections Activities</u>	
	Activity Status: PER 1. Any <u>community</u> corrections activity 2. Where: c. The activity is a community corrections activity. And Where the activity complies with the following rule requirements: LFRZ-REQ1 Servicing LFRZ-REQ5 Outdoor storage	
LFRZ-RX	<u>Corrections Prison</u>	
	<u>Activity Status:</u> NC 1. <u>Any Corrections Prison</u>	

TCZ – Town Centre Zone

TCZ-Rules

TCZ-R16	<u>Community Corrections Activities</u>	
	Activity Status: PER 1. Any <u>community</u> corrections activity 2. Where: d. The activity is a community corrections activity. And Where the activity complies with the following rule requirements: TCZ-REQ1 Servicing TCZ-REQ5 Fencing and outdoor storage areas TCZ-REQ8 Active frontage	
TCZ-RX	<u>Corrections Prison</u>	
	<u>Activity Status:</u> NC 1. <u>Any Corrections Prison</u>	

Appendix 2: List of Appearances and Tabled Evidence

Hearing Appearances

Sub #	Submitter	Author	Role
DPR-0033	Davina Penny		
DPR-0212	Ellesmere Sustainable Agriculture Inc	Carey Barnett	Representative
DPR-0298	Trices Road Rezoning Group	Ivan Thomson	Planner
DPR-0300	Ara Poutama Aotearoa Department of Corrections	Maurice Dale	Planner
DPR-0358	Rolleston West Residential Limited (RWRL)	Lucy Forrester	Counsel
DPR-0363	Iport Rolleston Holdings Limited (IRHL)	Jeremy Philips	Planner
DPR-0374	Rolleston Industrial Holdings Limited (RIHL)		
DPR-0384	Rolleston Industrial Developments Limited (RIDL)		
DPR-0362	John Ferguson		
DPR-0367	Orion	Melanie Foote	Planner
DPR-0371	Christchurch International Airport Limited	Amy Hill	Counsel
DPR-0415	Fulton Hogan	Tim Ensor	Planner
DPR-0422	Federated Farmers	Elisha Young-Ebert	Policy
DPR-0464	New Zealand Motor Caravan Association Inc	James Imlach Rayya Ali	Representatives

John Collyns (RVA Retirement Villages Association) and his planner Richard Turner were excused from attendance. Mr Turner answered our questions in writing.

Tabled Evidence

Sub #	Submitter	Author	Role
DPR-0006	Colin Eady		
DPR-0043	Poultry IANZ & Egg Producers FNZ	Mary McConnell	Planner
DPR-0101	Chorus New Zealand Limited (Chorus) Spark New Zealand Trading Limited (Spark) Vodafone New Zealand Limited (Vodafone):	Chris Horne	Planner
DPR-0342	AgResearch Limited	Graeme Mathieson	Planner
DPR-0353	Horticulture NZ	Lynette Wharfe	Planner
DPR-0359	Fire and Emergency NZ	Nicolle Vincent	Planner
DPR-0370	Fonterra Limited	Dean Chrystal	Planner
DPR-0375	Waka Kotahi NZ Transport Agency	Deborah Hewitt	Planner
DPR-0414	Kāinga Ora	Nick Roberts	Planner
DPR-0441	Manawa Energy	Shelby Macfarlane-Hill	Representative
DPR-0448	NZ Defence Force	Karen Baverstock	Planner