

**BEFORE THE HEARING PANEL OF
THE SELWYN DISTRICT COUNCIL**

IN THE MATTER OF
The Resource Management Act
1991

AND

IN THE MATTER OF the hearing of
submissions on the Proposed
Selwyn District Plan

Hearing One: Strategic Directions

23 July 2021



Statement of

ELLESMERE
SUSTAINABLE AGRICULTURE INC.

1. INTRODUCTION

- 1.1 This statement is provided in support of submissions and further submissions lodged on the 'Strategic Directions' Chapter of the Proposed Selwyn District Plan (hereafter referred to as 'PSDP') by Ellesmere Sustainable Agriculture Incorporated (hereafter referred to as 'ESAI'). It also addresses matters raised and recommendations suggested in the Section 42A Officer's Report – Hearing One: Strategic Directions in response to submissions.
- 1.2 Representatives of ESAI have read the relevant documentation and the Section 42A Officer's Report. The following consists of further information regarding ESAI's submissions in order to assist the Hearing Commissioners in making their decisions on submissions relating to the Strategic Directions Chapter.
- 1.3 Any queries regarding this statement can be directed to the author, Carey Barnett¹, in the first instance. The statement has been reviewed by the members of the ESAI Committee.

2. BACKGROUND OF THE SUBMITTER

- 2.1 An 'Introductory Statement' regarding the background of ESAI is attached as **Appendix One** to this statement. The Introductory Statement is an introduction to the Hearing Commissioners, submitters, relevant experts and reporting officers expressing the interest and activities of ESAI in the Selwyn district, Canterbury and New Zealand. It illustrates and introduces the:

- History of the group and its activities;
- Current Committee members;
- Difference of this group to other rural and agriculture based entities;
- Environmental context; and,
- ESAI's largest project to date 'Tinaku – Germinate Growth'.

This information forms a basis for all ESAI's submissions on the PSDP.

3. SUBMISSIONS

- 3.1 ESAI lodged several submissions and further submissions on the Strategic Directions chapter of the PSDP. The information contained in Table One below sets out the main submissions and in addition states further reasoning and comment on the matters raised by the Section 42A Reporting Officer. This format has been used to assist the Hearing Commissioners in their decision making process.

¹ Carey Barnett has previously been employed as an Environmental Planner – Team Leader Consent Planning at Selwyn District Council (four years at SDC including policy planning) and nine years as Senior Planner and Principal at Boffa Miskell Limited. She was also the Secretary for ESA for nine years and is a Governance Board member for ESA's Tinaku Project.

Overall Considerations

- 3.2 ESAI has specifically submitted on this chapter because it was concerned with the lack of strategic direction offered to the rural area of the Selwyn District and the agricultural and rural based activities that occur within it. In ESAI's view there appears to be little recognition of the importance that agricultural and rural activities play in maintaining a thriving district. As a consequence of this, ESAI – with respect, disagrees with the view provided in the S42A Officer's Report that the matters indicated for inclusion by ESAI and other like submitters were already included within the General Rural Zone objectives. Neither does ESAI agree with the view that because there is only one rural zone proposed that there would therefore be duplication of objectives set out in the General Rural Zone provisions in the Strategic Directions section.
- 3.3 It is ESAI's view that the Strategic Direction chapter is formulated to provide an overall directive for the entire district. This chapter provides the over-arching guide to what is aimed to be achieved at the district-wide level. It sets the scene of a district plan for the people and environment of the district. While some particular provisions for the district are covered in detail in this chapter, rural direction in terms of rural production or development activities are not. Rural environs and the activities within it are vital to the economy of the district and its character as a whole. Guardianship/Kaitiakitanga here also offers a host of non-regulatory rural protections that need to be recognised strategically as providing strength to the implementation of the district plan². ESAI sees no fundamental reason why rural based strategic objectives should not be included in this chapter. They would further enhance the implementation of rules, policies and objectives that are more specifically delivered in the general rural zone in a logical cascade of provisions. Leaving out a strategic direction for rural areas and activities leaves them at the peril of pressures from more intensive development and their associated environmental effects e.g. loss of versatile soils and productive land.
- 3.4 Given the above, ESAI has also partnered in discussion on this topic with Federated Farmers NZ – North Canterbury, Horticulture NZ and NZ Pork which have submitted with similar concerns. All agree that the PSDP would be enhanced by the addition of rural strategic direction objectives. To this accord a new Strategic Objective has been drafted in conjunction with these entities:

SD-DI-OX – Thriving Rural Area

'Selwyn's productive land and versatile soils are retained for rural production, including food production, and rural production activities are enabled to ensure that rural communities can thrive, use resources efficiently, maintain rural character and contribute positively to the district and national identity and economy.'

- 3.5 Specific reasoning in relation to each of ESAI's submissions on this chapter is contained below with ESAI's recommended outcomes provided.

² Non-regulatory mechanisms include activities such as riparian restoration projects, agricultural education and environmental enhancement programmes, iwi initiatives, technology and farming methods.

Table One: ESAI Submissions and Recommendations

Provision to which the submission relates	Position on this provision	Reasons for submission are:	Requested decision by Council:	S42A Officer Recommendation	ESA Recommendation
STRATEGIC DIRECTIONS					
SD-Overview					
SD-DI-Objectives	Support in part	ESAI is concerned that the strategic direction objectives do not recognise sufficiently the importance of communities, stakeholders and individuals in the overall direction for the district. The district plan is a plan not only for the district but also for its people, of which the hopes and desires for all can be achieved.	<p>Amend SD-DI-O3 – Integration and Land Use, Ecosystems, and Water – Ki Uta Ki Tai</p> <p>‘Land and water resources are managed through an integrated approach, which recognises both the importance of Ki uta ki tai to Ngai Tahu and <u>communities</u>, and the inter-relationship between ecosystems and natural processes.’</p> <p>Add additional Objective:</p> <p><u>‘SD-DI-OX Thriving Rural Area Selwyn’s rural productive activities are recognised and provided for so they continue to thrive, use resources efficiently and contribute positively to the district and national economy.’</u></p>	<p>Accept ESAI’s addition of ‘communities’ to SD-DI-O3.</p> <p>Reject ESAI’s proposed addition of new Objective SD-DI-OX.</p>	<p>Accept recommendation of S42A Reporting Officer.</p> <p>ESAI considers that by adding ‘communities’ to this objective this adds a further dimension that recognises the importance of communities in managing land and water resources. Communities, including both stakeholders and individuals, are vital to land and water management and the philosophy of all working together to achieve enhanced environmental outcomes within the Selwyn District.</p> <p>ESAI recommends the insertion of a specific rural objective in the Strategic Directions Objectives and supports the following wording that is in keeping with not only the original ESAI wording but also those provided by submitters – Horticulture NZ, Pork NZ and Federated Farmers of NZ – North Canterbury:</p> <p>New objective: <u>SD-DI-OX – Thriving Rural Area</u></p> <p><u>‘Selwyn’s productive land and versatile soils are retained for rural production, including food production, and rural production activities are enabled to ensure that rural communities can thrive, use resources efficiently, maintain rural character and contribute positively to the district and national identity and economy.’</u></p>
SD-IR-Objectives SD-IR-O3 Natural Hazards	Oppose in part	ESAI considers that the last portion of this objective promotes exacerbation of natural hazard events in some areas which may result in considerable loss of property and/or life. No exacerbation of hazard effects should occur as a result of infrastructure operation. Recent flood hazard mitigation infrastructure works through Leeston township, while potentially minimising adverse flood effects in the township, have been modelled and show that there will now be an increased impact on rural properties down gradient of the township in the rural area to the	<p>Amend SD-IR-O3 Natural Hazards as follows:</p> <p>‘The risk from natural hazards, including the effects of climate change, to people, property, and important infrastructure is not increased, other than where necessary to provide for important infrastructure that has no reasonable alternative.</p>	Reject ESAI’s suggested amendment to SD-IR-O3.	<p>ESAI recommends the amendment of SD-IR-O3 to ensure that no infrastructure is encouraged to be established where it would increase risk of natural hazard occurrence even if there was no other alternative viable. All necessary safe guards, investigation, site analysis and natural hazard modelling should be undertaken to ensure that any infrastructure regardless of its level of importance, is suitably located and will not cause any level of increased risk to the environment, property, community or lives that cannot be mitigated to either maintain or minimise the level of this risk.</p> <p>The example used in this submission, the upgrade of stormwater and flood protection in Leeston, identified through potential flood modelling minimisation of flood effects for a significant number of properties down gradient of the township, but the modelling also showed exacerbated flood effects on other properties further to the southeast. This is not a</p>

		southeast.			<p>suitable prospect and puts the Council at risk of challenge should the modelling prove to be correct. Therefore new policy development should not be encouraging this type of development to occur without suitable mitigation and hazard reduction measures also being put in place.</p> <p>The following wording is suggested as an alternative to the relief sort and is considered to be within the scope of the submission. However, ESA notes that its original submission would effectively achieve the same outcome more succinctly:</p> <p>Suggested secondary alternative wording–</p> <p>Amend SD-IR-O3 Natural Hazards as follows:</p> <p>‘The risk from natural hazards, including the effects of climate change, to people, property, and important infrastructure is not increased. other than Where necessary to provide for important infrastructure that has no reasonable alternative location and/or scale <u>but may increase the risk of natural hazard events, duration or extent in the same area or a different area, the level of increased risk must be mitigated and reduced to below or at the existing risk level.</u>’</p>
SD-RU-Objectives	Support in full inclusion of new Strategic Direction Rural Objectives stated in this submission.	The PSDP does not contain any specific strategic rural objectives even though the significant proportion of the district is rural in character and is largely dependent on a rural economy and rural activities. ESAI consider that it is imperative that the strategic directions of the plan include objectives specific to the rural environment, economy and communities.	<p>Include the following Strategic Rural Objectives:</p> <p><u>‘SD-RU O1 Productive Rural Opportunities</u> <u>A range of opportunities is enabled in the rural environment, primarily for rural productive activities, and also for other activities which use the rural resource efficiently and contribute positively to the economy.</u></p> <p><u>SD-RU-O2 Contribution of Rural Land</u> <u>The contribution of rural land to maintaining the values of the natural, physical, social, economic and cultural environment is recognised.’</u></p>	Reject ESAI’s suggested new objectives.	<p>As set out above, ESAI supports the inclusion of an objective that sets a strategic direction for a thriving rural area which is extremely important for the district as a whole.</p> <p>In lieu of the relief sort in the original submission, ESAI now recommends the insertion of one specific rural objective in the Strategic Directions Objectives and supports the following wording that is within the scope of not only the original ESAI submission but also those provided by submitters – Horticulture NZ, NZ Pork and Federated Farmers of NZ – North Canterbury:</p> <p>New objective: <u>SD-DI-OX – Thriving Rural Area</u></p> <p><u>‘Selwyn’s productive land and versatile soils are retained for rural production, including food production, and rural production activities are enabled to ensure that rural communities can thrive, use resources efficiently, maintain rural character and contribute positively to the district and national identity and economy.’</u></p>

4. RECOMMENDATIONS

- 4.1 ESAI recommends that the Hearing Commissioners amend the provisions of the Strategic Directions Chapter of the Proposed Selwyn District Plan by adopting the recommendations of ESAI provided in Table One above. A representative from ESAI will be present at the hearing and available to answer any questions of clarification.
- 4.2 ESAI wishes to thank the Hearing Commissioners for giving due consideration to the submissions of ESAI.

Ellesmere Sustainable Agriculture Incorporated.

APPENDIX ONE

INTRODUCTORY STATEMENT