

**BEFORE THE HEARING COMMISSIONERS
FOR THE SELWYN DISTRICT COUNCIL**

Under the Resource Management Act 1991

In the matter of Hearing 1: Strategic Directions in the Proposed Selwyn District Plan

Submission by SYNLAIT MILK LIMITED

STATEMENT OF EVIDENCE OF NICOLA JOANNE RYKERS

23 July 2021

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- 1 My name is Nicola Joanne Rykers.
- 2 I am a Director of Locality Ltd, a company I established in 2016 to provide planning consultancy services. I am a sole practitioner. Prior to this role I held the position of Director of Urban Design and Engagement at the Central City Development Unit of the Canterbury Earthquake Recovery Authority (CERA), and was previously a Partner of Boffa Miskell Limited, a planning, design and ecology consultancy.
- 3 I have a Bachelor of Regional Planning (Honours) degree from Massey University, and I am a full member of the New Zealand Planning Institute.
- 4 I have practiced in the planning profession for over 30 years, working on a broad range of projects that have included policy analysis and development, the development of rules, the scoping and preparation of environmental assessments and resource consents, and the provision of strategic planning advice to organisations and individuals on land use development. I have provided strategic planning advice to Synlait since 2010.
- 5 I have read, understood and will comply with the Code of Conduct for Expert Witnesses contained in the Environment Court's Practice Note 2014. This evidence has been prepared in accordance with this Note and I agree to comply with it.

Scope of Evidence

- 6 My evidence shall address the submission of Synlait Milk Limited (Synlait) which supports Strategic Direction SD-IR-02 (DPR-0420-003) and its subsequent further submission (FS001) in support of Fonterra's submission (DPR-370-018). The submission of Fonterra seeks to further amend the wording of SD-IR-02.

Strategic Directions for Important Infrastructure

- 7 Synlait's dairy processing plant falls within the definition of Important Infrastructure in the Proposed District Plan, reflecting the economic and social significance and scale of the facility within Selwyn District. I understand that Synlait supported SD-IR-02 as it articulates the need to enable the development, upgrade, maintenance and operation of its plant as a matter of district importance and as a component of the "overarching direction" of the proposed district plan.

- 8 The submission of Fonterra introduces wording which more explicitly refers to reverse sensitivity and incompatible development as matters that may adversely affect the operation of dairy plants. Synlait operates its plant on a 24-hour basis to receive and process perishable milk from the region. The presence of sensitive activities and potential for reverse sensitivity present significant risks to the operational efficiency of the facility. On this basis, Synlait supported the amended wording, or wording to similar effect, to that in the Fonterra submission.
- 9 I have been provided with further amended wording from Fonterra's planning expert which I understand to be the outcome of discussion between planning experts for a number of submitters to the Strategic Directions chapter. The amended wording is attached to my evidence as Attachment A and seeks to refine the objectives for Important Infrastructure so that they clearly relate to three matters. These are recognition of the benefits of Important Infrastructure (SD-IR-01), the need to enable and protect Important Infrastructure (SD-IR-02) and management of the effects of Important Infrastructure (SD-IR-03).
- 10 In my opinion, the revised structure and re-arrangement of wording between SD-IR-01, SD-IR-02 and SD-IR-03 better sets out and describes the considerations of recognising, enabling and protecting Important Infrastructure and setting the direction to be followed in the more detailed provisions that follow in the relevant, specific chapters of the proposed district plan (being the Dairy Processing Zone and the General Rural Zone as it applies to land in proximity of the Dairy Processing Zone). In particular, it is the clearer recognition of the effects of incompatible activities and potential for reverse sensitivity within the objective suite that is important.

Conclusion

- 11 In conclusion, I am supportive of Synlait's further submission that it is important for the objectives to articulate the need to avoid sensitive land uses establishing in proximity to the Dairy Processing Zone. In my opinion, the suite of SD-IR objectives refined and presented by Fonterra better achieves this outcome than the notified version and will assist in efficient administration of the proposed district plan.

Dated 23 July 2021


Nicola Rykers

Attachment A: Recommended Amendments

SD-DI-O2 District Wellbeing and Prosperity

Selwyn's prosperous economy is supported through the efficient use of land, resources, and infrastructure, while ensuring existing activities are protected from incompatible activities **and reverse sensitivity effects**¹.

SD-IR-O1 – Community Needs Benefits of Important Infrastructure

The Important Infrastructure needs of the community are fulfilled ~~and their operation protected.~~ **recognising the social, economic, environmental and cultural benefits that Important Infrastructure provides**².

SD-IR-O2 Effects of ~~on~~ Important Infrastructure

~~The development, upgrade, maintenance, and operation of all important infrastructure is enabled in a way that minimises adverse effects, while having regard to the practical constraints and the logistical and technical practicalities associated with important infrastructure.~~

The safe, efficient and effective development, upgrade, maintenance and operation of Important Infrastructure is enabled³ **and protected from incompatible development, activities and reverse sensitivity effects**⁴.

SD-IR-P1 Reverse Sensitivity and Incompatible Activities⁵

Only provide for new development that does not affect the efficient and effective operation of Important Infrastructure, including by:

1. **Avoiding noise sensitive activities within the 50dBA L_{dn} noise contour for Christchurch International Airport;**
2. **Managing the risk of birdstrike to aircraft using Christchurch International Airport;**
3. **Avoiding noise sensitive activities within the Port Zone 55dBA LA_{eq} noise control overlay;**
4. **Avoiding sensitive land uses establishing in proximity to the Dairy Processing Zone;**
5. **Avoiding adverse effects on the electricity network and significant electricity distribution lines, including by identifying a buffer corridor within which buildings, excavations and sensitive activities will generally not be provided for.**

SD-IR-023 Effects of Important Infrastructure

The adverse effects of developing, up-grading, maintaining and operating Important Infrastructure on the surrounding environment are managed, having regard to the social and economic benefits, technical and operational requirements of that Important Infrastructure⁶.

¹ Submission origin: submissions from DI-O2 CIAL and Orion. Scope: 371-16, 367-1.

² Submission origin: submissions from IR-O2 Clause (a) All parties. Scope: 367-2, 453-15.

³ Submission origin: submissions from IR-O2 Clause (a) All parties. Scope: 367-3, 370-18, 371-17, 453-16, 420-F1.

⁴ Submission origin: submissions from IR-O1 LPC and Orion. Scope: 367-3, 370-18, 371-17, 453-16, 420-F1.

⁵ Submission origin: submissions from IR-O2 All parties. Scope: 367-3, 370-18, 371-17, 453-16, 420-F1.

⁶ Submission origin: submissions from IR-O2 Clause (a) and (c) All parties. Scope: 367-3, 370-18, 371-17, 453-16, 420-F1.

SD-IR-034 Natural Hazards....

SD-UFD-02 Urban Growth and Development

There is sufficient feasible development capacity in appropriate locations⁷ to meet anticipated demands for housing and business activities

SD-UFD-03 Integration of Land Use and Infrastructure

Urban growth and development:

1. is well-integrated with the efficient provision, including the timing and funding, of infrastructure; and
2. has the ability to manage or respond to the effects of climate change; and
3. manages reverse sensitivity effects and conflict between incompatible activities, including avoiding development which would limit the operation or development of existing and consented Important Infrastructure⁸.

⁷ Submission origin: submissions from UFD-02 CIAL and LPC. Scope: 371-19, 453-17.

⁸ Submission origin: submissions from UFD-03 Orion, Fonterra, CIAL and LPC. Scope: 367-6, 370-21, 371-20, 453-18.