



**District Plan Committee meeting
Held on Wednesday 25 July 2018 at 9.00am at
Selwyn District Council,
Rolleston**

Present: Mayor S Broughton, Councillors M Alexander, M Lemon, P McEvedy, N Reid, B Mugford, G Miller, M Lyall, J Bland, C Watson, J Morten, Mr D Ward (CEO SDC), Ms T Wati (Te Ngāi Tūāhuriri Rūnanga).

In attendance: T Harris (Chair), Messrs J Burgess (Planning Manager), B Rhodes (Strategy and Policy Team leader), S Hill (Business Relationship Manager), Mesdames J Ashley (District Plan Review Project Lead), J Tuilaepa (Senior Strategy and Policy Planner), V Barker (Planning Consultant), K Johnston (Communications Consultant), N Brown (District Plan Administrator).

Standing Items:

1. Apologies

Councillor P Skelton (Environment Canterbury) and Mr Hirini Matunga (Te Taumutu Rūnanga)

Apologies for lateness:
Councillors P McEvedy and D Hasson

Moved – Councillor Watson / Seconded – Councillor Lyall

‘That the apologies received from the above Councillors be received for information.’

CARRIED

2. Declaration of Interest

Ms T Wati (Te Ngāi Tūāhuriri Rūnanga) – Item 11 “Sites of Cultural Significance”

3. Deputations by Appointment

Nil.

4. Confirmation of Minutes

20 June 2018

Minutes amended to:

In Preferred Option Report – Community and Recreation Facilities –
*“Councillor Alexander added Malvern **Rifle** Club for engagement list”.*

Incorrect name of association noted in the draft minutes as “Malvern Gun Club”.

Moved – The Mayor / Seconded – Councillor Miller

‘That the Committee accepts the minutes of the 20 June 2018 as amended being true and correct’.

CARRIED

27 June 2018

Taken as read and accepted.

Moved – Councillor Alexander / Seconded Mr D Ward

‘That the Committee accepts the minutes of the 27 June 2018 as being true and correct’.

CARRIED

5. Outstanding Issues Register

Nil.

6. Preferred Option Report and Communications and Engagement Summary Plan – Business Zone Framework

Ms Hunter spoke to her report. The Selwyn District Plan Review includes a review of the business zone framework and its alignment with the new draft National Planning Standards (NPS) (under current consultation). The Preferred Option (PO) Report proposed changes including splitting the current Business chapter of the Plan into a Commercial and an Industrial chapter as per the draft NPS, with the added possibility of having special purpose zones for Lincoln Uni/Hub (Blinc Innovation) as a research, education and technology zone and potentially the inland Ports to reflect the unique activities that take place within the areas.

Key issues are that there is no clear hierarchy for different business zones, there is leakage of business activities into other zones (commercial activities into industrial zones) and there is a lack of alignment with higher order planning documents.

The Business Zones currently in the Plan include: Business 1 (existing 'commercial' zone), Business 2 (existing 'industrial' zone), and Business 3 (hybrid of Business Zones 1 & 2).

Ms Hunter commented on the current progress of the draft NPS, noting there was some uncertainty in developing the proposed zoning framework due to the uncertainty of the final form of the NPS. The PO report is aimed at meeting the new NPS as well as enabling more diverse business services and employment opportunities. Discretion is only *which* zone to choose, however 'Special Purpose Zones' could be created.

Councillor Hasson in 9.15am

Ms Hunter concluded by summarising the recommendations from the report. Once the NPS is gazetted the framework will be reassessed.

Councillor Watson questioned why West Melton was recorded as a service township and Southbridge is recorded as a rural township. West Melton has both residential and light commercial (reference to table on page 59). He also queried whether the hierarchy was population based - according to functionality it does have a lot more activity than Southbridge.

Ms Hunter clarified that Table 1 4.4 was taken from the Selwyn 2031 document. Mr Rhodes also confirmed that it was based on population and surrounding area. He agreed with Councillor Watson that Southbridge does have a wider range of services. However, for simplicity, the hierarchy was purely based on population. He also noted that Selwyn 2031 is due to be reviewed again in the next few years.

Councillor Reid thanked Ms Hunter for the comprehensive report. She was pleased there is engagement with MfE but questioned why Fonterra and Synlait were not mentioned in the report.

Ms Ashley answered that the Fonterra and Synlait sites are subject to a separate workstream 'Dairy Processing Management Areas', which is an overlay in the rural zone - as opposed to being part of the business zone. The Committee will be updated on August 22nd regarding this.

A discussion was held regarding further clarification on 'Special Purpose Zones'.

Councillor Reid commented on the 'Special Purpose Zones'. In the report, it was referred to as a Special Purpose Education Zone, but the presentation mentioned that 'Education' falls under the Research, Education and Technology Zone. She questioned what was envisaged for schools that have designations coming in under that Zone.

Ms Hunter answered that it is the Ministry of Education (MoE) that designates schools. A Special Purpose Education Zone is an option for other schools that are not run by MoE, so they have the ability to have a zoning to allow them to carry out their activities.

Councillor Alexander questioned the proposed changes to the national planning standards. He asked about the possibility of new zoning being added.

Ms Tuilaepa (Senior Strategy and Policy Planner) confirmed that a copy of the submission will be available at the Council meeting on 8 August, which will outline Council's position. The Ministry for the Environment (MfE) have been open to suggestions as they want the standards to work. In terms of the new special purpose 'Research, Education and Technology Zone', and have agreed that it is a good use of the special purpose zone provisions. MfE have also provided guidance on how large format retail fits into the commercial zone, however, Selwyn District Council have questions about that. Given conversations with other Councils around New Zealand (who have also proposed a large format retail zone and office park zone), there is reasonable likelihood that it will be adopted. If not, there is the Special purpose Zone option or an option to apply for precincts (different layer of rules over a zone), to suit the District's needs.

A discussion was held regarding how Kāinga Nohoanga fits with the zoning framework.

Ms Wati commented that Kāinga Nohoanga includes research, education, and schooling, and asked whether it will be zoned specifically for the University (B3 Zone) or if it could be zoned for Kāinga Nohoanga also?

Ms Ashley answered that in accordance to the standards, a Kāinga Nohoanga Zone will be its own zone – distinct from other business zones. Therefore it can be tailored to suit, but it will need to align to things happening in other areas. It will sit as its own zone, so specific provisions can be applied. It would not likely be called a Special Purpose Zone – it would be called a 'Kāinga Nohoanga' zone.

Ms Tuilaepa confirmed that under the NPS it is currently proposed as a 'special purpose 'Maori Cultural Zone' to provide for that kind of zone. In the submission, it is suggested the special purpose Maori Cultural Zone is given a name unique to the area that it covers. It will provide for a wide range of activities within that special purpose zone. Ms Tuilaepa commented that further information could be provided on request.

A discussion was held regarding Port zoning.

Councillor Miller queried whether there are any specific advantages in having a special purpose Port Zone, rather than just treating it as a large scale logistics operation?

Ms Hunter answered that there is a choice whether to have a port zone, a heavy industrial zone, or to keep it as an industrial zone. Further engagement with the owners and operators is required.

Councillor Hasson asked about the special purpose zone for the University and to what extent the special zoned area for Education purposes extend onto the University Land.

Ms Hunter answered that the Special Purpose Research, Education and Technology Zone would be applied to the existing B3 zoned area - it is a replacement zoning.

The Chair commented that the issue that Councillor Hasson raised might be best dealt with later in the agenda, during the 'Research Facilities' presentation.

Councillor Reid asked for clarification about the Special Purpose Port Zone and whether it is a special purpose zone that MfE have identified – given the definition of a 'port'. She questioned why it would be a 'port zone'.

Councillor Bland out 9.45am

Ms Hunter answered that it is a zone as defined by MfE in the NPS. 'Heavy industrial' zoning could also be applied to that site.

Ms Tuilaepa added that the thing that separates the inland ports from the likes of the warehouse distribution centre, is the fact that under the RPS they are considered regionally significant infrastructure which needs to be protected. There is a distinction that not just any person could apply to have the port zoning over their property. They would need to be a port company, as listed in the criteria as listed in the RPS.

Moved – Councillor Miller / Seconded – Councillor Lemon

Recommendations

"That the Committee notes the report."

"That the Committee endorses the Preferred Options for the development of the Business Zone Framework for further development and engagement."

"That the Committee notes the summary plan."

CARRIED

7. Preferred Option Report and Communications and Engagement Summary Plan – Business Interface and Urban Design Outcomes

Mr Cumberpatch spoke to his report. The report built upon the previous business topic baseline reports to identify respective issues and options for addressing the management of the business zone environments within the Selwyn District. The scope is made up of two separate but inter-related topics.

The first part is interfaces with non-business zones, where existing business zones (B1 and B2) have a boundary with the more sensitive residential or rural land. It also addresses where this interface is separated by the road. The second part of the report was achievement of urban design best practice in town centres. It builds on the findings of the October 2017 baseline report, and a collation of findings by Selwyn District Council's Senior Urban Designer – Ms Wolfer.

Mr Cumberpatch gave an overview of interfaces with non-business zones. Commercial and industrial activities can have a range of impacts on the amenity of

surrounding areas. Effects can include noise, traffic, odour, lighting and loss of privacy and amenity due to larger scale buildings.

Councillor Bland in 9.50am

Mr Cumberpatch summarised the recommended Preferred Option for both topics.

There was a discussion about active frontage.

Councillor Reid was concerned about the definition of 'active frontage'. Transport Engineer, Steven Burgess held a presentation last year regarding street design. Mr Burgess stated that "glass frontage is not active frontage". Councillor Reid stated that active frontage is where there is active movement, not visual movement, so a glass wall is similar to a normal wall. She commented that it is confusing having definitions where it is talked about having more glass?

Mr Cumberpatch answered that there are a number of issues that have been identified around active frontage. In particular, the definition. It has been identified that the definition could be simplified and the references to height is better expressed as a performance standard rather than being written into the definition.

Councillor Bland out 9.56am

Councillor Hasson commented that on the overseas standards, where frontages are separated by a wide berm. However, there seems to always be encroachment into the 1.5m zone. She wondered how an active frontage area is going to be managed.

The Chair summarised that there are two issues raised about active frontage and agreed with the comments to review the definition.

Councillor Miller commented on the tone of the comment on pages 110 & 120 of the report and suggested that the way an architectural observation was written is revised.

Mr Cumberpatch accepted Councillor Miller's comments.

Councillor Alexander asked for clarification of a mention in the report referencing 'Rural outer plains'. It was stated that in the outer plains that recession planes are not needed. Should they be retained in the inner plains area?

Councillor Watson out 10.02am

Mr Cumberpatch answered that this was a recommendation from the baseline report that made that distinction. The observation is that there was more likely to be larger areas of pasture on the outer plains.

Councillor Reid out 10.03am

The Chair summarised that Councillors are in support of the approach that has been put forward (while acknowledging the two issues that have been raised).

Moved – Councillor Lyall / Seconded – Councillor Mr D Ward

Recommendations

“That the Committee notes the report.”

“That the Committee endorses the Preferred Options for ‘Interfaces with Non-Business Zones and Achievement of Urban Design Best Practice in Town Centres’ for further development and engagement.”

“That the Committee notes the summary plan.”

CARRIED

8. Preferred Option Report and Communications and Engagement Summary Plan – Business in Small Settlements

Mr Bonis spoke to his report. He briefed the Committee on the Preferred Option Report for ‘Business in Small Settlements’, which considers mechanisms for recognising and providing for existing business activities within the small settlements that are zoned Living 1.

Councillor Watson in 10.05am

Councillor Bland in 10.06am

The recommendation in the report is to select Option 4 – having a policy overlay.

Mr Bonis summarised the main risks to the overlay approach is ensuring that the notation is carefully applied to the smaller settlements and that the rules are crafted in a way that balances enablement with management. The report provides an initial template for the application of an overlay but requires iterations with the technical experts drafting the noise standards, living zones, traffic and signage.

Ms Wati thanked Mr Bonis for his presentation and asked what the current status of Taumutu is and what zoning it is in as it wasn’t in the small settlement zones?

Mr Rhodes answered that it was not sitting in the small settlements, but that Selwyn 2031 listed it in the special character area. The list of activity centres and township network was focused on Living 1 and business zoned areas, which is what defines a township in the strategy. Taumutu is zoned Outer Plains but it was recognised in the list as an identified settlement.

Ms Wati was surprised it was not featured on the list given the status.

The Chair noted this for consideration.

A discussion was held about how the investigation was carried out.

Councillor Murray asked about two businesses that aren't currently zoned and whether this would be covered through the preferred option proposal? He also noted for clarification purposes that a name contained in the report is 'Cridge Seeds' not 'Craigs Seeds'.

Mr Bonis commented that he is unsure what the reason is for spot zoning the two particular sites within Doyleston. The main issue is that the way the nuisance provision works is that the more sensitive zone at the interface prevails. The approach of the first report was briefly summarised. There is provision for recognition of businesses.

Councillor Miller stated that he agrees with the overlay.

Mr Bonis commented that the plan provisions are going to be more directive in those living zones. There needs to be recognition that diversity of activity is anticipated and provided for. He stated that within the preferred option report, status quo (reliance on existing use rights) is not an option that is recommended.

Councillor Watson questioned home-based businesses and whether it still fits within the Living 1 concept?

Mr Bonis replied that it is a fine line between how the Plan treats home occupations and home businesses. The residential workstream will need to look at how to allow more flexibility for those homes to operate as economic business units as well. The overlay approach aims to make it clearer.

The Chair summarised that for home-based activities there are no set of rules that reflect all circumstances. If there is limited adverse effect on neighbours then the resource consent process will cater for that.

Councillor Watson commented on the complexity of the overlay and suggested that it could be made simpler.

Councillor Reid agreed.

Ms Tuilaepa commented that Councillors need to recognise that the Living 1 zone as it is currently is not going to exist due to what the NPS is proposing - not only for business zones but for residential also. The overlay needs to be taken with the view that the smaller townships that don't have business zones will not have Living 1 as it is known. It will likely be a Settlement Zone that is different to a residential zone in a larger township that has a business zone. It will be more permissive and allow for a greater variety of residential, commercial and rural activities than a generic residential zone. So it will have a more permissive residential zone underneath as well as this overlay potentially over the top.

Moved – Councillor Millar / Seconded – Councillor Lyall

Recommendations

"That the Committee notes the report."

“That the Committee endorses the Preferred Option for ‘Business in Small Settlements’ for further development and engagement.”

“That the Committee notes the summary plan.”

CARRIED

9. Preferred Option Report and Communications and Engagement Summary Plan – Noise and Vibration

Ms Barker introduced Jeremy Trevathan of Acoustic Engineering Services (AES). AES prepared both the Noise and Vibration Baseline Reports. Ms Barker is the topic lead for ‘Noise and Vibration’.

Ms Barker spoke to the Preferred Option report and outlined the current District Plan approach in regards to Noise and Vibration.

Noise

Noise is controlled by maximum limits in each zone and different limits apply for daytime versus night time. Daytime limits are higher. In the Living zones noise limits apply to all activities except residential, spiritual or educational activities and emergency services warning devices. Noise is assessed at any point beyond the boundary of the site from which the noise source is situated.

In the Business zones any activity except residential is permitted if noise levels are met and the assessment points vary.

In the Rural zone noise limits are specified at the boundary of any living zone and at the notional boundary of noise sensitive activities in the rural zone. There are also a number of exemptions, excluding activities of a limited duration required by normal primary production activities, noise from mobile machinery (including farm machinery).

There are also a number of activities which have specific limits rather than reliance on zone limits, including temporary military training activities, aircraft movements and bird scaring devices. There are also provisions relating to the international airport noise contours and development in relation to state highways.

Councillor Morten in 10.51am

Vibration

Ms Barker stated that there are few controls in the Plan. There is a single policy, a rule around blasting and a limit at the notional boundary of a sensitive activity with reference to a standard and guideline, and vibration from any other activity except for blasting being required to comply with a standard.

Councillor Watson in 10.53am

Ms Barker stated that matters raised in the Noise and Vibration baseline reports have been distilled into 10 overarching issues. These are: Outdated standards, Day time and night time hours, application of noise limits, application of noise limits to the rail and road corridor, noise limits, management of noise at the interface between zones, exemptions, reverse sensitivity provisions, policies and definitions, and vibration. Ms Barker summarised the issues as per the report.

Stakeholder engagement included consultation with 14 parties. Ms Barker summarised the key comments from each party, as per the report. Ms Barker noted that overall the feedback was positive and highlighted the need for continued engagement during the next phase of the review.

The Preferred Option report takes into account the approach to noise and vibration by other districts. Selwyn is particularly out of step in regards to the day time and night time hours and zone noise limits.

Ms Barker advised that the preferred option recommendation is 'Option 2' which is to update and amend the existing provisions as per the 17 recommendations contained in the report.

In relation to recommendation 3.1.8(a) CIAL – based on the CIAL feedback and the noise contour review that this recommendation be amended and broadened to “further consider the CIAL related provisions and update and amend as required in consultation with CIAL”.

Ms Barker concluded that further consultation and integration with other topics (such as Business) will be critical during the next stage, especially in relation to the actual limits proposed, where they apply and especially the management of the business/rural interface. It will be critical that work packages are integrated to produce a comprehensive package of rules.

Councillor Alexander commented in relation to two sports that he has been involved with – target shooting and motorsport. He was pleased to see that in recommendation 3.1.5(d) that further work is recommended as setting a limit of 50db would not work with regard to target shooting. It is about ensuring that existing uses can continue without creating a rule that a new neighbour will use to drive out an activity.

Mr Trevathan agreed with Councillor Alexander that the next step in the process is to better understand these activities and the regime they currently operate under and how they can be protected. He stated that in recommendation 3.1.5(d) there is a particular mention of new rifle ranges that the current Plan does not provide guidance on.

Councillor Watson supports the preferred option and agrees that a lot of concerns are answered by measuring sound.

Mr Trevathan advised that the current contours are supposed to be a 30 year projection, and he is uncertain what revisions to the contours are proposed until the modelling is completed and the proposed changes are clear.

Ms Barker commented that a two-page letter was received, although it was relatively high level. CIAL are recalculating the airport noise contours by the end of 2018, and they will then be available to inform the District Plan. In the meantime, Selwyn District Council are to look for direction from the Christchurch City Plan as CIAL want provisions similar to those. There is no firm information as yet about the noise contour changes or development affected.

The Mayor commented that the reason for changing the flight path is structured around fuel efficiency, rather than taking up more land.

Councillor Lemon thanked Ms Barker and Mr Trevathan for the comprehensive report and supports measuring effects at the receiver of noise, not the generator. Federated Farmers will be actively involved with discussions around business - rural interface but also notes that there is the residential – rural interface to take into account. Reverse sensitivities will be worrying to some farmers in that space.

Councillor Lemon also asked for clarification, is the exclusion of education sites for noise limits, and is that for just during daylight hours?

Ms Barker answered that it is a blanket exemption in the Living Zones. Education activities are designated anyway, so they have special protection by their designation. One of the recommendations in the Community and Recreation facilities report is that those noise exemptions be removed from the Plan as the rules do not make a lot of sense and are not clearly justified.

Mr Ward suggested that people read the CIAL report “Christchurch Flight Paths Trial Interim Report”. The Mayor asked Ms Brown (District Plan Administrator) to circulate a copy of this report to the Committee.

Councillor Hasson questioned how the increase of noise generated by helicopters taking off on rural land is going to be measured in the future?

Ms Barker answered that as part of ‘Airfields, Air strips and Helicopter landing pads’ report, there was a recommendation that the rules regarding helicopter noise is revised. This will be progressed during the next stage in consultation with Council’s acoustic consultants.

Councillor Bland asked whether the Memorandum of Understanding and cooperation was taken into account, as the military cannot function if it was constrained by legislation.

Ms Barker answered that the Burnham Camp and West Melton rifle range are designated under the District Plan and the NZDF wishes to retain these designations. SDC and the Military have been working closely on temporary military training activity provisions. They were consulted with regarding both the baseline reports and the preferred option report. Ms Barker recognises the importance to this District and the

need for continued engagement with NZDF to ensure they can continue to operate effectively.

Councillor Miller commended Ms Barker and Mr Trevathan on the report. He understands that CIAL are trying to protect their 24hour operation and commented that Selwyn also wants that same protection for businesses in this District that have 24hour activities – particularly around industrial zones and dairy processing. The day and night time noise provisions are a concern. The assumption for business owners in the industrial zone is that noise limits within the boundary actually go right up to the boundary. Further clarity is needed for businesses within the industrial zone to understand that.

Mr Trevathan agrees with Councillor Miller. The rules are clear, as they stand, at that interface between the business zone and rural there is a limit that applies. When you are looking at noise from one industrial operation to another within the zone no limit applies. However, some operators don't realise that the closer they get to the rural boundary another limit applies. It is a balance of allowing people to carry out the commercial enterprises versus protecting the amenity of dwellings in rural areas.

Councillor Miller states where a business is in an area zoned for a commercial activity, then the expectation is that it should be able to carry out that activity. Making it more difficult to operate in that commercial zone for those business owners who bought in that zoning thinking they would quite rightly be able to carry out those activities, would potentially do damage to the industry. There needs to be a clear delineation.

The Chair summarised that the approach suggested may see that noise limits, instead of being at the boundary or the interface be moved back to the notional boundary. The Chair stated that the Coolpak issue may not have arisen if the rules package presented was in place today. The Chair asked Mr Trevathan to confirm this.

Mr Trevathan confirmed that if you have a noisy activity and a noise-sensitive activity then there needs to be some physical setback between the two. Setting some stringent rules at the edge of the industrial zone means that effectively that setback is moving into the industrial land. The other option is if the limits apply at the notional boundary of dwellings, then that intervening area of rural land is being used as a buffer.

Councillor Miller commented on the potential devaluing of land right around the periphery of the industrial zone.

Mr Trevathan agreed with Councillor Miller.

Communications and Engagement Summary Plan

No discussion was held, summary plan taken as read and accepted.

Moved – Councillor Watson / Seconded – Councillor Mugford

Recommendations

“That the Committee notes the report.”

“That the Committee endorses the Preferred Option for ‘Noise and Vibration’ for further development and engagement, except that Recommendation 3.1.8(a) be amended to “further consider the CIAL related provisions and update and amend as required in consultation with CIAL.”

“That the Committee notes the summary plan.”

CARRIED

10. Supplementary Preferred Option Report and Communications and Engagement Summary Plan – West Melton Airfield

Ms Barker explained that the West Melton Airfield was part of the ‘Airfields, Air strips and Helicopter landing pads’ report, which the Committee endorsed with the exception of the West Melton Airfield approach. The direction was that further discussions occur with West Melton Airfield to progress the development of specific provisions to apply to West Melton Airfield. Following that direction a meeting was held between Council staff, a West Melton Airfield Representative and ECan to progress a proposed approach, and there has been ongoing correspondence leading up to this report being prepared.

The approach being sought is an Outline Development Plan/Management area. Ms Barker explained that this would involve the site being shown on the planning maps with specific provisions tailored to the facility which would replace the rural zone provisions where appropriate.

The key provisions the Club are seeking include an identified building development area where new building will be confined to with controls like maximum height; approach surface controls which limit structures and vegetation within these areas (already in the Plan but require amendment); noise contours or a cap on flight movements annually and possibly weekly or monthly; a limit on traffic movements; allowance for the construction of non-habitable buildings within the Flood Management Area.

Councillor McEvedy in 11.24am

The Club will provide a package of info to the Council, including a spatial plan and draft provisions and the necessary assessments to support the provisions at their own cost. This includes a Visual Character and Amenity Assessment (with a spatial plan), Noise Assessment, and a Transport Assessment. The Council would then use this information as the basis for the drafting of provisions. The costs to Council would include a planning resource, Acoustic Consultant and possibly a Transport Consultant. Council's urban designer could assess the spatial plan. Costs are expected to be in the vicinity of \$25k for the drafting phase.

Whether non-habitable buildings are exempt from flooding management rules (site within Waimakariri Flood Plain Area and currently non-complying consent is needed) is an issue that will need to be worked through further with ECan as ECan noted that buildings habitable or otherwise (and earthworks and planting) have the potential to reduce the flood flow or storage capacity of the floodplain.

NZDF operate the West Melton Rifle Range near the site. They have not expressed initial concern but have not formed an official position at this stage and ongoing consultation will be required.

The recommendation is to develop an Outline Development Plan type approach, subject to the identified information being supplied by the Club and the noise and flooding issues in particular being worked through in more detail. Reliable flight data and acoustic engineering input is seen as being crucial to the development of appropriate noise provisions. Targeted stakeholder engagement will also be required during the next phase.

Councillor Watson supports this approach and queried how the cost application works? Does the Community fund what is a plan change requested by a certain user, or does the user help support that funding also?

Ms Barker answered that the provisions will be developed, as a separate work stream package to the 'Airfields, Airstrips and Helicopter Landing Pad' provisions at an additional cost. Costs will likely include a consultant planner, acoustic consultant and possibly a transport consultant. The supporting assessments as the basis for the provisions will be funded by the Airfield.

Moved – Councillor Morten / Seconded – Mr D Ward

Recommendations

“That the Committee notes the report.”

“That the Committee endorses the Preferred Option for ‘West Melton Airfield’ for further development and engagement.”

“That the Committee notes the summary plan.”

CARRIED

Note

The following items will be moved to the next District Plan Committee meeting:

- *Preferred Option Report and Communications and Engagement Summary Plan – Family Flats*
- *Preferred Option Report and Communications and Engagement Summary Plan – Alternative Housing*

12. Preferred Option Report and Communications and Engagement Summary Plan – Waste Disposal

Mr Tapper briefed the Committee on the findings of the combined Baseline and Preferred Option Report that assess a series of options for the ongoing management of waste in the Selwyn District, including a preferred option for further engagement.

Watson out 11.31am

Mr Tapper summarised the Preferred Option, which would involve the removal of the majority of waste-related provisions from the proposed Plan, so as to allow waste activities to be controlled by the existing legislation. All of the waste-related rules in the Townships Volume would be removed, with the exception of the rule making landfills and waste management facilities a non-complying activity. In addition, the policy framework would be streamlined so as to avoid duplication with existing legislation.

In terms of the Rural Volume, the waste generation rules would be removed. The waste storage and disposal rules would be streamlined to relate to the control of hazardous substances disposal, setback distances from waterbodies, property boundaries and culturally sensitive locations, and the depth at which waste may be buried.

As part of this option, the designation of existing Council-owned facilities would be further considered to ensure they can more easily meet the community's needs without requiring resource consent. However, all other landfills would remain non-complying.

No discussion was held as no questions were raised by Councillors on this topic.

Communications and Engagement Summary Plan

No discussion was held, summary plan taken as read and accepted

Moved – Councillor Alexander / Seconded – Councillor Morten

Recommendations

“That the Committee notes the report.”

“That the Committee endorses the Preferred Option for ‘Waste Disposal’ for further development and engagement.”

“That the Committee notes the summary plan.”

CARRIED

13. Preferred Option Report and Communications and Engagement Summary Plan – Research Sites in Rural Zones

Mr Tapper spoke to his report. He briefed the Committee on the findings of the combined Baseline and Preferred Option Report. The report reviewed whether the existing District Plan provisions remain relevant and appropriate for controlling the use of rural sites for research purposes in the district. In addition, the scope addresses the issue of land being used for research relating to Genetically Modified Organisms (GMOs) and determines whether it is appropriate to control this form of research through additional District Plan provisions.

A number of organisations run rural-related research sites in the Rural Zone of the district, including both Crown-owned (AgResearch, Plant and Food Research, Lincoln University and the New Zealand Forest Research Institute) and private operations (e.g. Kimihia Research Centre run by PGG Wrightson).

Watson in 11.37am

There are currently no GMOs being tested in the District, and no genetically modified food, crops or animals have been released in New Zealand to date. Therefore, there is a recommendation that there is no need to control this through the District Plan.

Mr Tapper summarised stakeholder engagement.

Mr Tapper summarised the recommended Preferred Option 2. It is not considered necessary to control the testing or release of GMOs within the District Plan as there is other legislation that has stringent tests for anyone wanting to undertake GMO-related work. Key draft changes include treating research activities undertaken by privately owned entities, tertiary education providers or Crown research institutes the same, (i.e. they won't need a resource consent as long as the activities have a rural association, which means that they are related to growing or rearing of crops or livestock); allow conferencing activities directly related to the primary activity on a research site to be undertaken as of right.

Councillor McEvedy thanked Mr Tapper for his report. He commented that there is a lot of private research facilities in the Selwyn District ranging from farmers carrying out their own research through to the corporates. It obviously needs to be a permitted activity.

Mr Tapper referred back to the rule that states that for any activity to be permitted it needs to be related to the growing and rearing of crops and livestock and associated monitoring and research.

Communications and Engagement Summary Plan

No discussion was held, summary plan taken as read and accepted

Moved – Councillor Watson / Seconded – Councillor McEvedy

Recommendations

“That the Committee notes the report.”

“That the Committee endorses the Preferred Option for ‘Research Sites in Rural Zones’ for further development and engagement.”

“That the Committee notes the summary plan.”

CARRIED

12. Update on District Plan Review Financials

The District Plan Review Financials report was provided to the Committee in the Agenda, with an update on the District Plan Review budget and financials to 31 May 2018.

No discussion was held, the District Plan Review Financials report was taken as read and accepted.

Moved – Mr D Ward / Seconded – Councillor Morten

Recommendation

“That the Committee notes the report.”

CARRIED

Note

The Chair noted a Conflict of Interest – Ms Wati, in regards to the next presentation (Preferred Approach Report and Communications and Engagement Summary Plan – Sites and Areas of Cultural Significance).

11. Preferred Approach Report and Communications and Engagement Summary Plan – Sites and Areas of Cultural Significance

Mr Horgan spoke to his report. He outlined to the Committee that he would present findings of the Sites and Areas of Significance Report that has been prepared by Mahaanui Kurataiao Ltd on behalf of Te Taumutu Rūnanga and Te Ngāi Tūāhuriri Rūnanga and to communicate their preferences for the identification and categorisation of sites and areas of cultural significance in the District Plan.

The purpose of the report was to analyse the effectiveness of the Operative DP provisions; propose a preferred approach to identifying/categorising significant sites & areas; identify a preliminary landscape categorisation – accompanied by maps; identify potential risks/threats to cultural values; outline the content of objectives, policies and rules and make recommendations for preferred activity status for activities within the different cultural categories.

In particular, Mr Horgan noted that the operative District Plan has an overwhelming emphasis on earthworks. The relevant objectives and policies are worded with an emphasis on protection of sites/areas of cultural significance. The policies adopt poor terminology e.g. “inappropriate” damage or destruction. Mr Horgan wishes to note that for Ngāi Tahu, any damage on or around sites of cultural areas of significance, is inappropriate.

The rules are almost singularly focused on the management of earthworks as the tool for protection of sites and areas. The main deficiency is that it does not contemplate that there may be effects on cultural values other than those associated with earthworks and the accidental discovery of artefacts.

The recommended approach is to move away from the traditional approach of pinpointing sites on maps. The traditional approach overlooks the fact that mana whenua traditionally occupied and used resources across the district. The report recommends pursuing an approach similar to that adopted in the Christchurch District Plan. The Christchurch District Plan adopts a cultural landscape based approach, which contains provisions which reflect the associated values that require protection.

Mr Davis briefed the Committee on the various landscape categories.

Mr Davis spoke to the first type of category the Ngā Tutohu Whenua concept which is a way to understand the broader cultural landscape within the district. Maps were presented that show cultural catchments that also occur within the Iwi Management Plan.

Ngā Tutohu Whenua are the cultural landscapes of the Selwyn District, which encompass entire catchments, rather than general areas. This includes the 3 distinguishable Ngā Tutohu Whenua geographical areas Rakaia, Waihora and Waimakariri River catchments within the Selwyn district. Mr Davis wishes to note that other perceivable Cultural Landscapes occur within Selwyn District include a portion of Kā Tiritiri o te Moana – the Southern Alps and High Country; Wairiri – the Malvern Hills; a portion of Kā Pakihi Whakatekateka o Waitaha – the Canterbury Plains; and Te Waihora (covered in Ngā Tūrangā Tūpuna)

Mr Davis presented Map 1 – showing Ngā Tutohu Whenua.

Wāhi Tapu and Wāhi Taonga was examined and largely comprised of silent files, Maunga Tapu/Tūpuna, Pā/Kāinga/Mahinga Kai sites, and Ngā Puna (springs). Silent files are largely geographic extents which can be defined at property level where there is information that sits under that which will need to remain silent until particular issues arise, in a more private setting. There are several legal precedents where this has occurred throughout New Zealand already.

Map 2 – depicts springs that have been mapped by ECAN.

Map 3 – depicts ancestral mountain passes and several other alpine localities.

Map 4 – depicts Te Waihora land management area

Ngā Tūranga Tūpuna refers to a larger extent of land within which there is a concentration and broader range of culturally significant sites. It represents areas where Mana Whenua have an elevated concern with regards to the integration and effects of a wide range of land-use activities. It may require notification or engagement as part of a planning process

Map 5 – depicts setbacks

Ngā Wai include Ngā Awa; Ngā Roto; Ngā Hāpua; and Ngā Repo

Mr Horgan explained the potential threats to sites and areas of cultural sites significance. Threats include: earthworks; contaminated land; subdivisions; vegetation removal; disturbance of wetlands, riparian margins and waipuna; restrictions on access; structures, utilities and roads; intensive farming and heavy industry; commercial forestry; and commercial recreation and tourism. He commented that the range of activities that could have an adverse effect on sites and shows the inadequacy of the operative plan to manage cultural sites.

In regards to the objectives, policies and rules, Mr Horgan wishes to note a specific policy(s) on engagement. There is guidance on the types of rules and controls that may be appropriate are contained in tables in Appendix 2 - Ngā Wai; Appendix 3 - Ngā Tūranga Tūpuna; Appendix 4 - Wāhi Tapu/Wāhi Taonga. The rules tables are indicative only – with the final Rūnanga position being confirmed once Council has advised definitions, zones, and activity status for land uses.

Mr Horgan concluded the presentation by presenting the recommendation that Council endorse the Preferred Approach for 'Sites and Areas of Cultural Significance' for further development and engagement.

Councillor Hasson thanked Mr Horgan and Mr Davis for the presentation and asked for clarification regarding the map showing Wai Puna springs. Councillor Hasson queried the accuracy of the maps presented.

Mr Davis stated that Mahaanui Kurataio Ltd is not Mana Whenua (the ones to be consulted with) so stated that it is inappropriate for them to comment on this. Springs information was taken from live maps from the ECAN website.

Councillor Hasson queried access to land for land drainage. Some streams and creeks have a Queen's chain on them. Where does the iwi sit with regards to using the Queen's Chain as access for Mahinga kai?

Mr Davis answered that this question is best directed to mana whenua directly. In an ideal world, where habitats are restored and species can be harvested sustainably, access arrangements can be worked out on a case by case basis.

The Chair commented that the details will be followed up with the Rūnanga.

Councillor Lemon thanked Mahaanui Kurataio for presenting the report and commented that there is a lot of complementary work being done by the Biodiversity working group and the Cultural Landscape Values Management area.

Councillor Lemon asked a question in relation to access to Wāhi Taonga in the riverbeds, given we are governed by ECAN? He added a point of clarification, when presented to Biodiversity Working Group, it was not stating that iwi have automatic rights to that access.

Mr Horgan answered, no, the intention is it will be worked through on a case by case basis (access).

Councillor McEvedy thanked Mahaanui Kurataio for a good report. Councillor Hasson queried earlier how it would work in with the cultural landscapes area and Wāhi Taonga sites already being administered and overseen under Farm Environment Plans under Plan Change 1 (to the LWRP). Duplication of work and overlap will exist. Councillor McEvedy has spent a lot of time working with another Mahaanui representative already and commented that there is room for cooperation and collaboration. It is important that everyone understands the same thing given we have already gone through the process of Plan Change 1 with Farm Environment Plans.

Ms Wati provided clarification that information is derived from the same people (iwi or Rūnanga themselves) for water zone and cultural landscape management information. When it becomes operative, there will be specific triggers in what the Rūnanga want to see, but they will need to be aware of what the activities are first.

Mr Davis commented that Regional Councils are charged with ensuring management and protection for certain sets of activities, as with other legislation. This was at the forefront and being mindful of being potentially onerous on property owners. There are many other places within the District which are unique that have not been assessed and included in the report. There are other relevant works that are managed for and protected in other ways. This specific set has been crafted specifically for the Committee's consideration as it is relevant to those activities that SDC govern and manage.

Councillor Miller asked for clarification that the proposal that is being put forward is in line with Christchurch City Council as the line on the map across Te Waihora did not line up. The wider community will want to know the implications of those landscapes and zoning.

Mr Davis answered that having a category and a site class like (Wāhi Tapu and Wāhi Taonga) is usually born of a conceptualisation where earthworks are assessed and when they trigger a certain process beyond that (with regards to certain areas) this will generate a conversation between applicants and Rūnanga. With regards to the site class, it hasn't gone beyond what is in the Operative District Plan in regards to what they are and where they are, with the exception of two cases where recognition hasn't been afforded in the past and there is now an opportunity. They aren't large areas, however they are areas that are now better understood now by kaitiaki.

Councillor Miller referred back his comment in the first part of the question about the lines of Te Waihora. He suggested that it is a good opportunity to engage with CCC and ask whether it is a good idea to have a boundary through a lake. Mahaanui Kurataio could lead that charge as it would be beneficial as there are waterways in both Christchurch and Selwyn.

Mr Davis commented that his Iwi would support that.

Communications and Engagement Summary Plan

No discussion was held, summary plan taken as read and accepted

Moved – Councillor Lemon / Seconded – Councillor Reid

Recommendations

“That the Committee notes the report.”

“That the Committee endorses the Preferred Approach for ‘Sites and Areas of Cultural Significance’ for further development and engagement.”

“That the Committee notes the summary plan.”

CARRIED

Minutes confirmed:

This day 22 of August 2018

Tim Harris

CHAIR PERSON