



**District Plan Committee
meeting
held on Wednesday 18 April 2018 at 9.00am at
Selwyn District Council,
Rolleston**

Present: The Mayor S Broughton (Chair), Councillors M Alexander, M Lemon, B Mugford, J Bland, N Reid, C Watson, J Morten, Mr D Ward (CEO SDC), Hirini Matunga (Te Taumutu Rūnanga), Ms T Wati (Te Ngāi Tūāhuriri Rūnanga) & P Skelton (Environment Canterbury).

In attendance: J Burgess (Planning Manager), J Ashley (District Plan Review Project Lead), R Love (Strategy and Policy Planner), S Hill (Business Relationship Manager), J Tapper (Planning Consultant), K Johnston (Communications Consultant), F Lojkine & P Heveldt (Stantec), & note taker T Van Der Velde (District Plan Administrator).

Standing Items:

1. Apologies

Cr P McEvedy
Cr D Hasson
Cr G Miller
Cr M Lyall

Apologies for lateness:
Mr D Ward (CEO SDC)

Moved – Councillor Alexander / Seconded – Councillor Morten

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

CARRIED

2. Declaration of Interest

Nil.

3. Deputations by Appointment

4. Confirmation of Minutes

Taken as read and accepted.

Moved – Councillor Watson / Seconded – Councillor Mugford

‘That the Committee accepts the minutes of the 28 March 2018 as being true and correct’.

CARRIED

5. Outstanding Issues Register

Nil.

6(a) Preferred Options Report – Hazardous Substances and Contaminated Land:

Mr Love introduced himself and advised that Council have contracted out the Hazardous Substances and Contaminated Land scope of work out to Stantec.

Mr Heveldt introduced himself as an Environmental Scientist with Stantec in Christchurch, with a lengthy career of over 40 years in dealing with hazardous substances and contaminated land. Mr Heveldt along with Ms Lojkine (Principal Planner, also with Stantec) have prepared the preferred option report.

First consideration was that the amendments to the Resource Management Act (RMA) in 2017 removed the requirements for councils to manage hazardous substances. The reason is there was considered to be other relevant legislation – principally the Hazardous Substances and New Organism Act (HSNO) and the Health and Safety Work Act which already deals comprehensively with issues related to hazardous substances.

Mr Heveldt advised that they firstly looked at sites storing and using hazardous substances in the Selwyn District and through a combination of using Environment Canterbury (Ecan) land use register, own experience of the district, driving around the district and looking at sites and various other information sources it was determined that the majority of sites that stored or are users of hazardous substances in the District is quite small. There are agglomerations of larger sites which are well known including I-zone Business Park and the academic and research sites in Lincoln, as well as Synlait and Fonterra. Synlait and Fonterra are covered by resource consents with associated conditions.

The effects that hazardous substances has on sensitive activities and sensitive environments was looked at. Mr Heveldt advised they looked at the risks from sites using or storing hazardous substances in regards to natural hazard events and determined the controls required for compliance with HSNO and other legislation typically provide an appropriate level of risk control.

The cumulative effect of storing hazardous substances was looked at with sites that may be close to each other and how that risk may compound across multiple sites.

In regard to contaminated land the consultants looked at the issues in the district in general and determined that largely it is not a major issue for the district, but needs to be managed and the advent of the National Environmental Standards for contaminated land provides sufficient level of control.

A preferred option for further engagement was determined set out on page 35 of the report and recommends the management and use of hazardous substances and contaminated land is dealt with through the HSNO, Health and Safety Work Act controls and the National Environmental Standards for assessing and managing contaminated soil to protect human health (NESC), rather than using district plan provisions.

It was also determined that the district plan provisions can be retained to manage hazardous substances in close proximity to other sites or sensitive areas. Such provisions should be integrated with the zone provisions and any cumulative effects of the storage and use of hazardous substances can be managed through a combination of zoning and land use rules.

Ms Lojkiné introduced herself and advised that she and Mr Heveldt had a very close look at the current District Plan provisions and also at the provisions of the District Plan of all of the adjoining Districts. It was clear by looking at the current plan provisions that they are pretty wide ranging and that there is a significant amount of overlap with District Plan provisions and legislation that could cause considerable confusion.

The new District Plan opens up an opportunity to rationalise the provisions and get a streamlined District Plan that does what it needs to do.

Legislation such as HSNO and Health and Safety Work Act take care of a lot things, but it may be some sites still have some residual risks to surrounding landowners which we would suggest some measure of control in the District Plan, most preferably through the zone provisions.

Councillor Alexander commented that there are two examples he could give where there is an overlap of one zone in close proximity to the other, including the manufacture of 1080 in I-zone which is permitted in an industrial zone but effects can extend into a residential zone. Councillor Alexander questioned how do you envisage a zone based provision handling that kind of overlap?

Ms Lojkiné responded that she would expect this example to be managed in the zone provisions either by requiring resource consent and imposing conditions that keep the effects contained within the zone or not significant beyond the zone, or by potentially using buffer zones as discussed in the report.

Councillor Lemon questioned that with the preferred approach relying on both HSNO and zoning provisions and the Council gets a complaint, who handles what? If there is a breach how is the HSNO Act enforced? Is that at National level?

Mr Heveldt responded that HSNO is enforced at government level, with WorkSafe being the compliance agency.

'Cr Morten out 9.13am'

Councillor Lemon questioned why Leeston is singled out in the report when he has noticed other sites in the district also have the potential for hazardous substances to be stored?

Mr Heveldt responded that there are a number of rural supply businesses in Leeston which have agri-chemicals, and while only one from his memory required resource consent or had quantities that required resource consent, there is a surprising number in Leeston.

Councillor Skelton questioned what Ms Lojkinė was contemplating in the last part of the preferred option in relation to contaminated land and the listed land use register that Ecan holds. Are you intending that there should be anything in the district plan to deal with contaminated land?

Ms Lojkinė responded that what we have recommended in the preferred option is a “stripped down approach” to district plan provisions, along the same sort of approach that Christchurch has adopted. They have a basic policy framework which provides them with some assistance in processing consents, but does not result in an overlap.

Cr Skelton clarified so there will be some measure of control over future uses of contaminated land that is on the register?

Ms Lojkinė responded yes she would recommended that.

‘Cr Morten in 9.16am’

The Mayor reiterated for staff to note the concerns that have been raised about leaving a ‘gap’ in provisions. He appreciates that Council does not want overlap but he does not want to retreat so far that Council leaves itself open for things to happen or be done that Council would have otherwise not have allowed with the current rules having remained in place.

Moved – Councillor Lemon / Seconded – Councillor Watson

“That the Committee notes the report.”

“That the Committee endorses the Preferred Option for Hazardous Substances and Contaminated Land for further development.”

CARRIED

6(b) Communications and Engagement Summary Plan – Hazardous Substances and Contaminated Land

To inform the Committee of the communications and engagement activities to be undertaken in relation to the Hazardous Substances and Contaminated Land topic. (Noted by Committee).

Ms Johnston introduced herself and explained the summary plan is straight forward in the sense that Council are looking at sharing the preferred option report with partners in May. In June Council are looking at targeting landowners with a letter and advising them of preferred option report and the opportunity to provide feedback.

Councillor Watson questioned that Council has individualised the owners and occupiers of sites with hazardous substances and general rate payers as having less interest. He would argue that if you were the neighbour of the person carrying hazardous substances you would be more concerned?

Councillor Watson also advised that as far as engagement is concerned he sees the “Agri Hub,” Lincoln University, Ag Research and Land Care as a direct party to consult with?

Ms Johnston responded the table which indicates the level of interest for certain parties is a work in progress. Throughout the process the level of interest can change. For example once the land owners, rate payers or wider public are contacted and aware there could be more interest which will then need to be reflected in the plan.

Mr Love clarified that it is very general and parts of “Agri Hub” in Lincoln would come under landowners and occupiers consultation.

Mr Watson commented that his preference would be that the “Agri Hub” have some sort of individual point of difference for the use or storage of genetically modified material, organisms and hazardous substances where they have to have some sort of environmental protection.

The Mayor questioned the partners listed on the summary plan as being Mahaanui Kurataiao should be adjusted to read Te Taumutu and Ngāi Tūāhuriri Runanga.

Mr Burgess agreed with the Mayor to have a separate line listing the Runanga.

Mr Matunga clarified that the primary relationship is with the individual Runanga engaged through Mahaanui Kurataiao.

Mayor commented about page 39 in the report regarding targeted consultation by letter with landowners and occupiers. The Mayor wanted to clarify whether the engagement is broad enough to cover those who own industrial land but are not currently using it for industrial purposes so that everyone who may have aspirations in the next 10 years to do something with their land has the same level of contact with their neighbours.

Ms Johnston noted this.

Moved – Councillor Mugford / Seconded – Councillor Bland

“That the Committee notes the summary plan.”

CARRIED

7(a) Preferred Option Report – Lighting and Glare

Ms Lojkin spoke to her preferred option report and explained that work was undertaken by herself from a planning perspective along with Ian Campbell, a lighting engineer from Dunedin who provided technical input.

The reports look at three major types of light effect:

Light Spill: Which is where light goes beyond the direct area that it is supposed to light, generally almost impossible to avoid due to the way lighting is developed.

Glare: A source of light that shines directly into an observer's eyes.

Night Glow: Where waste light either reflects off the ground or is directed upwards where dust and particles in the atmosphere causes it to scatter, resulting in an effect called 'night glow'.

As part of preparing the report Stantec had a look at the major sources of light in the district which involved a drive around the district at night.

Major sources are residential areas in the district as well as rural areas, including Synlait and Fonterra plants. I-zone was considered a separate type of source from the rest of Rolleston settlement as there are more 24 hour operational industrial areas that are lit more.

There are special provisions for the West Melton Observatory in the plan at the moment that control lighting from a certain distance around the observatory to try and minimise effects on astronomic events at the observatory.

The consultants found that the current District Plan approach to the management of light and glare is working reasonably well. However, they recommend it more clearly addresses light spill versus glare as they are separate things that need to be managed differently.

There are also some inconsistencies with the Engineering Code of Practice and the District Plan that need to be resolved. There is no New Zealand standard for spill light but there is an Australian standard which a lot of engineers use to manage light spill beyond the boundary of the light source. Standards are currently under review and are anticipated to be released before District Plan is notified. It is therefore suggested those standards are checked for consistency with the District Plan once released.

There are no glare standards available but there are measures that can be made to the District Plan to provide a clearer way of managing glare.

For the West Melton Observatory Stantec have recommended that Council leave the lighting area at its current size. However, there are some minor errors that need to be corrected to make sure there is a consistent approach to managing the lighting area between the rural area and the West Melton settlement.

There was quite a careful look at whether there needs to be provision to manage night glow in the district, as at the moment there is not. The Consultants have recommended

that it not be included as specific provisions but be identified as a potential issue when going out for public consultation.

Councillor Alexander questioned whether the light spill and the glare reports recognised the technological advancement of LED lighting. For example, the Council has installed LED lights in Foster Park which covers the sports fields to the boundary with no light spill. Cr Alexander explained The District Plan should challenge new users to put in a better style of lighting.

Councillor Watson commented that he generally supports the report and discussed that sport fields are generally lit to 50 lux where as the standard coming out of New Zealand league and New Zealand rugby is 300 to around 350lux which is significantly more. Cr Watson does not want to see the Council be overly restrictive in regards to lighting.

‘Cr Morten out 9.36am’

Ms Lojkine discussed the Inland Port which has very little spill and are shielded from above.

Mr Matunga commented raised the issue of night glow and the need to protect the night sky in the vicinity of the Marae at Taumutu. The Runanga is very keen to protect the night sky.

Councillor Lemon responded that he wondered if there is opportunity to have an area exclusion zone such as that of Mount John and that this was something Council could investigate. Mr Matunga was supportive of this approach.

The Mayor commented that in general he supports the preferred option excluding the last note to continue not have any specific rules or provisions in the District Plan relating to the protection for our night sky.

Councillor Alexander advised he concurs with The Mayor and would like to see specific policies in the District Plan for the night sky.

‘In D Ward 9.42am’

Mr Burgess suggested that maybe this is another piece of work that needs to be looked at in detail and be brought back to the District Plan Committee as this topic can also cut across with other topics in the District Plan Review.

Ms Ashley commented that the project team will have further discussions with Ms Lojkine about doing a bit more of work for this piece.

Councillor Watson commented that he thinks Council need to be very careful that Council does not just make this a rural issue. If Council are looking at growth in townships Council should be careful to support urban townships as well to ensure they have peaceful living.

Moved – Councillor Mayor / Seconded – Councillor Alexander

Recommendation amended to:

“That the Committee notes the report.”

“That the Committee endorses the Preferred Option (Option 2) for Lighting and Glare for further development (targeted engagement, Section 32 and Drafting Phase), except that further work on the preferred option for the protection of the Selwyn night sky across the District be undertaken and presented to a subsequent District Plan Committee meeting.”

CARRIED

7(b) Communications and Engagement Summary Plan – Lighting and Glare

To inform the Committee of the communications and engagement activities to be undertaken in relation to the Lighting and Glare topic.

(Noted by Committee).

On the basis that further work is to be carried out in relation to night glow, the Mayor advised that the Communication and Engagement Summary Plan would need to be updated and approved at a subsequent meeting.

Moved – Councillor Mugford / Seconded – The Mayor

“That the Committee notes the summary plan, subject to amendments to incorporate further work regarding night glow.”

CARRIED

8(a) Preferred Option Report – Wild Fire Risk

Mr Love introduced himself and spoke to his presentation. Mr Love explained the first graph in his presentation is from Fire and Emergency New Zealand (FENZ) which shows the number of fires per year in the District. This shows significant amount of fires in the District per year and FENZ have advised that the amount of fires will only increase due to climate change creating drier and extended summers.

Mr Love provided a map showing the locations of fires throughout the 2016-2018 period. A significant portion of fires were in the Inner Plains which FENZ are concerned about due to the amount of lifestyle blocks, over grown vegetation and amount of ignition sources.

The overarching philosophy is not to enforce people to create a barren defensible space, but to allow landowners the opportunity to create this space by restricting adjoining landowners from compromising their defensible space. Ultimately it will be up to the landowner to create the defensible space, clear it, maintain it, and appropriately plant it.

Mr Love explained the National Environmental Standard for Plantation Forestry (NES-PF) overlaps with this scope. This standard primarily applies to new forests, over one hectare and for commercial harvesting.

‘Cr Morten in 9.51am’

Mr Love explained options as per preferred options report in summary:

Option 2a the Setback of buildings to vegetation.

Mr Love clarified ‘Principal Buildings’ includes buildings such as businesses, churches, community centres but not including garages and sheds.

Option 2b which is the opposite of 2a. 2b is the Setback of new or replanted forestry plantations from buildings / residential zones.

Option 2f setback of shelter belts/ amenity plantings from buildings, similar to Option 2b.

Option 2h is to broaden matters of discretion and control.

Councillor Watson commented that it is a good report, which will enable discussion and feedback. Cr Watson added that when he lived in Canberra they had provisions for houses in rural areas that required sprinklers and metal gutters. Cr Watson questioned if Council could implement something like that in Selwyn where there is a high fire risk?

‘Cr Bland in 9.54am’

Mr Burgess responded that it could be an overlap with the building code. It also depends on the status of any resource consent application as a restrictive discretionary activity for a house or principal building in a particular zone may enable fire risk to be considered under these assessment matters. If it is a discretionary activity or non-complying activity we could potentially put conditions on it, including design elements. It depends on how prescriptive Council want to get. It will need to fit in with FENZ requirements.

Mr Love added a lot of it falls under the building code control provisions which is something he looked at in regards to appropriate building materials etc.

Councillor Lemon talked about a debrief meeting after the Port Hills fires and the issues that came out of that, including whether landowners had the right connections for firefighting devices. Cr Lemon asked how Council can capture that in some way, maybe through the building consent process, so that Council have got up to date FENZ recommendations. Mr Burgess commented that he will raise this with Vanessa Mitchell.

Councillor Alexander commented that the recommended provisions are potentially hugely restrictive to lifestyle blocks (setback of 30 metres). Cr Alexander spoke of his own property and his concerns regarding the implications of the proposed the setback provisions for all lifestyle block owners. Cr Alexander considered that the approach was hugely onerous on that sector and will be a regulatory nightmare.

The Mayor asked for clarity around shelter belts in orchards. Mr Love responded that they are included in the report and will be further examined in the section 32 stage.

Ms Wati questioned whether there would be restrictions on fires required for hangi. Mr Love clarified that the use of fire for putting down a hangi was not part of the scope of work.

Councillor Lemon touched on definitions and the importance of these.

Mr Ward commended Mr Love on his first time presentation and comprehensive report. Mr Ward supports the recommendation.

Councillor Bland advises he agrees with Councillor Alexanders comments.

The Mayor sought clarification around where the 30 metres and 40 metres provisions came from and the numbers of properties that will be affected. Mr Love responded that 40 metres comes from the NES-PF provisions and the 30 metres comes from the FENZ guidance. Provisions are district wide but will affect mostly new properties.

Councillor Alexander reiterated his concerns regarding the potential impacts of this applying to existing lifestyle blocks.

Councillor Watson would like more feedback before cutting anything out.

Councillor Alexander commented that a feature of our district is our shelter belts and with this report you could potentially lose them and the character of our district. Cr Alexander commented that he would like this reconsidered.

The Mayor responded that the report is a starting point and there is also an engagement and communications plan to make sure that owners of property in the rural zones as well as the wider public have good engagement and input into this. In addition there will be further discussions with FENZ. If Council adopt what it is in the report it will generate further discussion on points that have been raised around the table.

Moved – Councillor Lemon / Seconded – Councillor Mugford

“That the Committee notes the report.”

“That the Committee endorses the Preferred Options 2A, 2B, 2F and 2H for Wild Fire Risk for further development.”

Councillor Alexander voted against

CARRIED

8(b) Communications and Engagement Summary Plan – Wild Fire

To inform the Committee of the communications and engagement activities to be undertaken in relation to the Wild Fire Risk topic.

(Noted by Committee).

Ms Johnston advised this is a topic of interest to a lot of people. The topic is part of public consultation later in the year. Council need to provide clear messaging. Council will share the report to forestry operators and owners and it will be available on the website for feedback.

The Mayor asked if consultation could include images / graphics to allow for better understanding.

Ms Johnston responded yes we are looking at using a similar sort of tool as Long Term Plan consultation which includes summaries and images.

Councillor Alexander commented that from the summary plan a key stakeholder missing is Federated Farmers and also not identified are lifestyle block owners who might be hard to engage because there is no organisation or body specifically tailored to lifestyle block owners. Tree Crop Association might have feedback on impact.

Councillor Reid commented could Council easily identify lifestyle blocks and do a mail out?

Councillor Bland commented that shelter belts are to shelter property from the winds.

The Mayor Commented if Councillors think of any additional groups that need to be engaged please speak to Ms Johnston about it.

Moved – Mr D Ward / Seconded – Councillor Mugford

“That the Committee notes the summary plan.”

CARRIED

‘Meeting adjourned for a break at 10.24am’

‘Meeting reconvened at 10.40am’

'The Major advised we will hear from Mr Love for the Intensive Farming Preferred Option and Communications and Engagement reports (items 11a & 11b) then return to item 9 of the agenda'

11(a) Preferred Option Report – Intensive Farming

Mr Love spoke to his presentation including a set of graphs which demonstrates the current intensive farming situation in Canterbury of which a substantial number of poultry and pig farms are located in the Selwyn District.

Councillor Watson asked Mr Love to distribute maps to him via e-mail.

Mr Love explained the current definitions in the District Plan, with the key determiner being around soil fertility, and the current rules (two rules) in the District Plan. In summary all intensive livestock productions need consent, which during assessment process will have their odour and dust effects assessed.

'Mr D Ward in 10.43am'

Mr Love discussed issues in the operative plan. There is currently duplication between Environment Canterbury (Ecan) and Council with assessing dust and odour discharges. This duplication creates confusion, inconsistency with the air regional plan, and the current definitions are not clear in activities that they seek to capture and the controlled rule is complex and unworkable.

Mr Love discussed the Canterbury Air Regional Plan (CARP) and the definitions and catch all rules that apply. Generally new intensive farming activities are classified as restricted discretionary activities, subject to certain conditions. He also noted that the Ministry for the Environment have issued some good practice guides for assessing and managing odour and/or dust and discussed the responsibilities for District Councils and Regional Councils.

Mr Love advised that up to this point engagement that has been undertaken is internally with Selwyn District Council (SDC) Consents and SDC monitoring and compliance. Externally Mahaanui Kurataiao Ltd, Canterbury Regional Council, and NZ Pork have been engaged. Other stakeholders were approached for comment but no responses were received before deadline. Just recently Tegel has engaged and going forward Council will remain actively seeking responses from other stakeholders.

Option 1, which is not recommended, is the status quo (retain current provisions). This is the simplest option and lowest cost but does not address known issues and does not utilise opportunity to improve the effectiveness and efficiency of the Plan.

Option 2 – Amend provisions and remove duplication with the CARP, being the preferred option. Overall SDC will no longer manage odour and dust effects, but will retain controls over other factors (noise, building coverage, transport, etc.). This approach is supported by the legal advice Council has received.

Mr Love provided an example of proposed definitions for Extensive farming and Intensive farming in the plan. The key determiner for these definitions is the use and maintenance of ground cover rather than soil fertility which is in line with the CARP. Mr

Love noted that there may be an issue in what is ground cover for example how much grass per metre, however he recommended that Council use the same approach as Ecan which is for compliance and monitoring to use a common sense approach.

Mr Love discussed Options: Option 2: Amend provisions and remove duplication with CARP which is the preferred option. Removes overlap between Councils, reduces cost and confusion. All potential and actual affects will be addressed either by ECan or SDC.

Option 3a: Amend provisions but retain full control which is similar to option 2.

Option 3b (Amend provisions but retain full control) this option is the same as Option 3a, other than: The use of an alternative definition. Introduction of a reciprocal setback buffer from 300 metres to 400/500 metres. Not recommended due to multiple issues.

In summary, existing plan duplicates provisions and processes within the Regional framework and is complex and unclear. Preferred Option 2 will remove all dust and odour controls, and allow the CARP to deal with this. All intensive farming activities will be permitted subject to conditions (zone, site coverage, noise etc.). Definitions will provide greater clarity as to what an extensive and intensive farm is.

Councillor Alexander asked to clarify setbacks. Cr Alexander explained that it seems if someone wants to establish an intensive farm they do not have the same requirement for a setback – has this been addressed in the proposals?

Mr Love explained this has been addressed in the report and the current situation is considered appropriate. Any effect on a sensitive activity will be considered in the consent process. If someone was going to establish an intensive farm they will have to go through a resource consent process which would assess and address any effect on the neighbouring dwellings. It was considered in the operative district plan as well, whether to put a reciprocal setback in it or not and this was addressed in the presentation.

Councillor Reid questioned the setback of 300 metres, how did we come up with that and asked if Council are moving out of line with what Ecan has (200 metres)? Mr Love responded that is the existing 'reverse sensitivity' setback which appears to be working well.

Mr Skelton commented that it is a sensible approach as long as Council know that one of the problems with dealing with odour and dust is that the land use is established in areas that could be sensitive such as quarries. If Council identify areas where land use is appropriate then that makes the Regional Council's job much easier in controlling discharges.

Councillor Morten asked for Councillor Skelton to clarify if he was suggesting that we identify particular areas that we think are suitable for this type of activity?

Councillor Skelton responded yes that would be ideal.

Councillor Morten commented that if we look at the soil types in our district that there are a number of different soil types spread right across the plains which could be

suitable for carrying out these types of activities. Councillor Morten added have we assumed the only intensive farms are poultry and pigs? Mr Love responded that poultry and pigs are primarily the major ones, however the definition captures any farming activity that would meet the definition.

The Mayor commented that it seems the Committee is comfortable with the report, noting that Mr Love will receive further feedback from Tegel and there will be engagement as discussed in the next report.

Moved – Councillor Bland / Seconded – Councillor Lemon

“That the Committee notes the report.”

“That the Committee endorses the Preferred Option (Option 2) for Intensive Farming for further development.”

CARRIED

11(b) Communications and Engagement Summary Plan – Intensive Farming

To inform the Committee of the communications and engagement activities to be undertaken in relation to the Intensive Farming topic.

(Noted by Committee).

Ms Johnston provided the framework of what Council are looking at in regards to consultation. There will be a preferred option report for consultation with affected parties. Once a preferred option report is endorsed Council are looking at targeted consultations with key stakeholders and affected landowners. If it affects a very large number of landowners Council will do that in the public consultation which is a bit later in the year. Council will go out to the district post Long Term Plan with a wide ranging set of issues and draft changes. There will be opportunity for everyone to provide feedback.

Moved – Councillor Watson / Seconded – Councillor Lemon

“That the Committee notes the summary plan.”

CARRIED

9(a) Preferred Option Report – Scheduled Sites

Mr Tapper, Planning Consultant from Planz Consultant spoke to his report.

Mr Tapper conducted a review of Scheduled Sites in current operative plan.

There are currently four sites in the Selwyn District.

1. Brinks Chicken a poultry processing plant to the east of Rolleston,
2. Feedco Feedmill which is a feedmill on Selwyn Road,
3. Alex McDonalds Merchants potato processing in Darfield,
4. Redfern Subdivision in Darfield.

The overall aim of the scope was to determine whether the current provisions for scheduled sites can be carried over to the proposed plan or whether there needs to be changes made.

A scheduled site is a site that has specific rules relating to that site listed within the plan.

Mr Tapper explained Alex McDonalds Merchants have now moved to a new site in Springfield and had sold their old site which had rules enabling them to undertake potato processing on that site. They now have a new resource consent for their new site in Springfield. Mr Tapper has spoken to the new landowner of their old site who is thinking about developing it for residential purposes. As such, the owner suggested there is no practical need for rule to be carried over.

The Redfern subdivision rule in the plan related to ensuring the subdivision was carried out in line with the associated outline development plan. This has now been developed and no longer needs to be a Scheduled Site.

This leaves Brinks Chicken and Feed Co Feedmill, which are subject to one rule that relates to both sites. Nature of rule effectively allows both sites to expand operation or sites as a discretionary activity rather than a non-complying activity. The two sites are already well established.

Mr Tapper views the discretionary activity status for any expansion as appropriate mitigation given that the two sites were already existing prior to the non-complying activity status being inserted in the plan and that the effects of those two sites are already well known and the activities are already established. Mr Tapper also noted that this is the most cost effective and efficient option for Council given the rules can be carried over noting there will need to be some minor rule changes in regards to referencing changes. There is a slight risk that other activities of a similar nature might see this as setting a precedent but this can be handled through the submissions process.

Therefore Mr Tapper's recommendation is to carry over the existing scheduled sites and rules for Brinks and Feedco, with appropriate amendments for referencing.

The Mayor expressed an alternative view in that he would rather see all scheduled sites removed and for any affected landowners to be put in a submission which would create

a level playing field for anyone else operating a similar activity across the district to come in on that basis.

Councillor Alexander commented that the existing scheduled sites deserve the protection, people can see these in the plan and use them as existing examples to submit on, so supports the recommendation.

Moved – Councillor Watson / Seconded – Councillor Alexander

“That the Committee notes the report.”

“That the Committee endorses the Preferred Option (Option 1) for Scheduled Sites for further development.”

CARRIED

9(b) Communications and Engagement Summary Plan – Scheduled Sites

To inform the Committee of the communications and engagement activities to be undertaken in relation to the Scheduled Sites topic.
(Noted by Committee).

Moved – Mr D Ward / Seconded – Councillor Morten

“That the Committee notes the summary plan.”

CARRIED

10(a) Preferred Option Report – Keeping and Boarding of Animals & Vet Clinics

Mr Tapper spoke to his report for the Keeping and Boarding of Animals and Vet Clinics. As part of the review Mr Tapper looked at effectiveness of the existing provisions for controlling both vet clinics and the keeping of bees.

The Review identified 3 main issues:

Firstly the operative plan's definition for the boarding of animals currently includes veterinary hospitals and clinics that contain animals overnight but the definition does not include just standard veterinary clinics that do not contain animals overnight. This activity is not currently defined in the plan despite having some unique effects.

Secondly the operative provisions mean that horse training facilities are required to be assessed as a restricted discretionary activity in the rural zone given that they are included under the boarding of animals rules. This is despite them not being entirely different to a standard rural activity where horses are kept on site.

Thirdly the keeping of bees is not currently specifically provided for within the existing planning framework in Selwyn and therefore it is not specifically controlled.

In terms of the control of the boarding of animals (including dog kennels and catteries), Mr Tapper considers the likely effects to be well understood. The potential effects commonly relate to noise from animals, also from traffic (vehicles coming to collect their animals) and inadequate animal control with animals potentially escaping. On that basis animal boarding facilities are generally an accepted part of the rural environment but not generally suitable within townships.

The operative plan has been written along those lines and lists the boarding of animals in rural zones as being restricted discretionary provided the required setback distances from boundaries can be met. The matters of discretion relate to noise, traffic, odour and animal containment. The boarding of animals in living and business zones is non-complying with a couple of discretionary activity statuses in a couple of the business zones.

Mr Tapper considered this to be an appropriate level of control for the boarding of animals and he does not see any reason to alter the level of control.

Keeping of animals it is not currently defined in the plan, however boarding of animals such as commercial rearing and livestock production are all separately defined. It is therefore reasonable to consider that the keeping of animals applies to all other circumstances where animals are kept on site. It would be appropriate to include a definition for clarity.

Mr Tapper discussed the rules for the keeping of animals in living and business zones. Current rules are an appropriate approach. An alternative option may be to cover the keeping of non-domesticated animals in townships through a bylaw.

In terms of vet clinics it is noted that the operative rules do not control vet clinics who do not keep animals overnight. Standard vet clinics are controlled by bulk and location, noise, and traffic rules generally. Vet clinics are commonly located in business zones in the district as vet clinics often operate in a similar manner to commercial activities. Vet clinics have a need to be in close proximity to highly populated areas, the most appropriate approach for this is to consider vet clinics as a permitted activity subject to a range of standards. This is in line with the approach taken by Christchurch City Council.

In terms of horse training facilities, the boarding of animals rules currently capture horse training facilities. On that basis Mr Tapper recommends that horse training facilities have a separate definition within the rural environment.

Lastly Mr Tapper advised that for the keeping of bees, it should be noted that under the Biosecurity Act there is a legal obligation to register as a bee keeper and register hives with Asure Quality which involves inspection and monitoring. Council currently relies on section 17 of the RMA to deal with any adverse effects.

Mr Tapper talked about risks involved. Mr Tapper considers the best practice to be the implementation of a bylaw which is in line with Ashburton District Council.

In summary, the recommendation is for Council to look into implementing a bylaw for the keeping of bees and secondly the existing rules for boarding of animals and keeping of animals be rolled over with amendments in regards to vet clinics and horse training facilities.

Councillor Watson commented that he is in support of a bylaw for bee keeping but is not in support of registration for bee hives.

Councillor Mugford commented that the matter of registration is already a requirement with Asure Quality.

Councillor Alexander commented that he is in support of the bylaw and talked about being a former bee keeper and added that from his experience registration is not an onerous requirement, there is no cost and it gives bee keepers protection.

The Mayor questioned if the bylaw would cover the keeping of all animals in residential areas. Mr Tapper responded that is the approach that Ashburton have gone through.

The Mayor advised that what is included in the bylaw is not a decision for today's Committee and clarified that in the report it states the bylaw "could" include registration.

Mr Tapper responded a bylaw would be subject to an entirely separate process and scrutiny in the end.

Moved – Councillor Alexander / Seconded – The Mayor

Recommendation amended to:

“That the Committee notes the report.”

“That the preferred option for the ‘Keeping and Boarding of Animals and Vet Clinics’ is endorsed for further engagement (targeted stakeholder engagement, Section 32 and Drafting Phase), except that the keeping of animals, poultry and bees in residential areas be managed through a bylaw.”

CARRIED

10(b) Communications and Engagement Summary Plan – Keeping and Boarding of Animals & Vet Clinics

To inform the Committee of the communications and engagement activities to be undertaken in relation to the Keeping and Boarding of Animals & Vet Clinics topic. (Noted by Committee).

Ms Johnston commented that there will be formal public consultation with bee keepers as part of the Bylaw process. When the Bylaw is introduced there will be ample opportunity for bee keepers to have their voice.

Moved – Councillor Alexander / Seconded – Councillor Lemon

“That the Committee notes the summary plan.”

CARRIED

12. Update on District Plan Review Financials

Mr Burgess spoke to the financial report and explained that the budget tracked slightly higher in February from January of this year.

He added the Project Team is continuously monitoring contractual obligations with suppliers for the District Plan Review. There are generally not too many issues with suppliers, it has been a relatively smooth process and suppliers are generally delivering scopes of work to budget and on time.

As per report there are a number of pieces of work that are commencing which will incur some financial spend over the next month, with this work informing subsequent District Plan Committee meetings in May, June and July ahead of the public consultation.

Overall, the District Plan Review is currently operating below budget. At the moment Ms Hodgkin, Ms Ashley and Mr Burgess are working through the 2018-2019 financials. There will be certain pieces of work that will start in this financial year but may get carried over to next year's budget.

Workload progress is also tracking on time.

Moved – Councillor Watson / Seconded – Councillor Lemon

“That the Committee notes the report.”

CARRIED

Meeting Concluded at: 11.45am

This day of 2018

CHAIR PERSON