

**BEFORE THE HEARINGS PANEL
FOR THE PROPOSED WAIMAKARIRI DISTRICT PLAN**

UNDER the Resource Management Act 1991 (RMA)

IN THE MATTER of the Proposed Waimakariri District Plan

AND

IN THE MATTER of Hearing Stream 6: Rural and Open Space Zones

**STATEMENT OF EVIDENCE OF SERENA ORR ON BEHALF OF THE
CANTERBURY REGIONAL COUNCIL**

RURAL AND OPEN SPACE AND RECREATION ZONES

25 SEPTEMBER 2023

Canterbury Regional Council's Solicitor
PO Box 4341 CHRISTCHURCH 8140
DX WX11179
Tel +64 3 379 7622
Fax +64 379 2467

Solicitor: I F Edwards
Imogen.edwards@wynnwilliams.co.nz

WYNN WILLIAMS

SUMMARY STATEMENT

- 1 The Canterbury Regional Council's (**Regional Council**) submission was generally supportive of the notified Proposed Waimakariri District Plan (**pWDP**) provisions, the subject of this hearing stream. The Regional Council did, however, seek some amendments to policies in the rural and open space zones chapters.
- 2 My evidence focuses on the recommendations that are important in giving effect to the Canterbury Regional Policy Statement (**CRPS**) and in relation to achieving the best outcomes for the rural and open space zones. My evidence also focuses on amendments to the pWDP sought in the Regional Council's submission where the relief sought has been addressed by recommendations in the S42A reports.
- 3 I have recommended several amendments to be made to the pWDP further to those addressed in the Section 42A Reports, prepared by Mark Buckley and Neil Sheerin, including the following:
 - a. Minor wording changes to RURZ-P2, GRUZ-R2, RLZ-R2, NOSZ-O1, and NOSZ-R13, for clarity;
 - b. An amendment to OSRZ-MCD7 to include the consideration of adverse impacts on natural values in the scale and nature of the activity or facility as it relates to open space and recreation zones;
 - c. An amendment to RURZ-MD4 to widen the scope of wilding pines as a matter of discretion for forestry, carbon forests, and woodlots to better give effect to CRPS policy 5.3.13;
 - d. An amendment to RURZ-O1 to include the long-term adverse effects on soil to the overarching rural objective to better give effect to CRPS policy 15.3.1;
 - e. An amendment to SD-O4 to more explicitly provide for the appropriate use of soil to better give effect to CRPS policy 5.3.2; and
 - f. An amendment to UFD-P3 to ensure rural residential development is only provided for in Greater Christchurch where it is in accordance with an adopted rural residential development strategy as per CRPS policy 6.3.9.
- 4 My amendments are attached as **Appendix 1** to my evidence.

INTRODUCTION

- 5 My full name is Serena Ashleigh Orr.
- 6 I am employed as a Planner at the Regional Council, and I have held this position since June 2022.
- 7 I hold a Bachelor of Science from the University of Auckland and a Master of Environmental Policy and Management from Lincoln University.
- 8 My relevant experience includes preparing submissions on district plan changes and providing planning assistance and regional policy advice to the territorial authorities in the Canterbury region.
- 9 Part of my role with the Integrated Planning Team at the Regional Council is to focus on the implementation of the CRPS. This includes reviewing and responding to national, regional and district planning instruments (policy statements, strategies, district plans and plan changes) on behalf of the Regional Council, in order to ensure consistency with the regional planning framework.
- 10 I have prepared this planning evidence on behalf of the Regional Council.

CODE OF CONDUCT

- 11 Whilst I acknowledge that this is not an Environment Court hearing, I confirm that I have read and am familiar with the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023. I have complied with the Code of Conduct in preparing this evidence and I agree to comply with it while giving any oral evidence during this hearing. Except where I state that I am relying on the evidence of another person, my evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.
- 12 Although I am employed by the Regional Council, I am conscious that in giving evidence in an expert capacity, my overriding duty is to the Hearings Panel.

SCOPE OF EVIDENCE

- 13 I have been asked to provide evidence in relation to the rural and open space and recreation chapters of the pWDP. My evidence addresses:
- a. An overview of the Regional Council's interest in the pWDP and the Rural and Open Space and Recreation Zone chapters of the pWDP;
 - b. The relevant statutory framework with a particular focus on the CRPS;
 - c. Recommendations in the following Section 42A Reports (insofar as they relate to the Regional Council's submission points):
 - i. Officer's Report: Whaitua Taiwhenua – Rural Zones Chapter, prepared by Mark Buckley for Waimakariri District Council, dated 8 September 2023.
 - ii. Officer's Report: Whaitua Tākaro – Open Space and Recreation Zones Chapter, prepared by Neil Sheerin for Waimakariri District Council, dated 1 September 2023.
- 14 In preparing my evidence I have reviewed the following documents:
- a. the Section 32 rural report and open space and recreation report prepared and notified by Waimakariri District Council (**WDC**);
 - b. the notified provisions of the Rural and Open Space Zone chapters of the pWDP;
 - c. the submissions made on the notified provisions within the Rural and Open Space Zone chapters of the pWDP, to the extent they are relevant to the Regional Council's interests;
 - d. the Section 42A Reports;
 - e. the CRPS;
 - f. Memorandum to the Hearing Panel on NPS-HPL by WDC, dated 30 June 2023;
 - g. Waimakariri Rural Residential Development Strategy 2019; and
 - h. Our Space 2018 – 48 Greater Christchurch Settlement Pattern Update (adopted by WDC on 2 July 2019).

REGIONAL COUNCIL'S INTEREST AND OVERVIEW OF SUBMISSIONS IN HEARING STREAM 6 OF THE PWDP

- 15 The Regional Council considers that the pWDP chapters, the subject of Hearing Stream 6, generally give effect to the CRPS, but the Regional Council does have remaining concerns in relation to some specific provisions that are the subject of Hearing Stream 6.
- 16 The Regional Council works with territorial authorities across the region, including through engagement on draft district plan provisions, and district development, growth management and town centre strategies. The Council also lodges submissions on publicly notified plan changes, where a plan change application raises issues relevant to the implementation of the CRPS. Since 2003, the Regional Council has worked collaboratively as a part of the Greater Christchurch Partnership on planning and managing urban growth and development in Greater Christchurch.
- 17 The focus of the Regional Council's submission was to ensure that the CRPS is given effect to and to avoid any duplication or inconsistencies with the regional planning framework. This reflects the Regional Council's statutory responsibility regarding the implementation of the CRPS. Where necessary, submission points have been made in partial support of the proposed provisions, with amendments requested where these would achieve greater consistency or better give effect to the CRPS.
- 18 A copy of my recommended amendments to the provisions, the subject of Hearing Stream 6, is provided as **Appendix 1** to this statement of evidence.

Rural Zone

- 19 The Regional Council's original submission in relation to the rural zone seeks:
 - a. An additional policy in relation to wilding tree spread.
 - b. Amendments to expand the objective and subsequent policies for activities in rural zones beyond primary production.

- 20 In its further submission, the Regional Council supported the following original submissions in relation to certain provisions in the Rural Zones:
- a. Christchurch City Council – Submission point 360.20 - Amendments to objectives and policies for all Rural Zones, Rural Lifestyle Zone, and Large Lot Residential Zone objectives, policies and rules to protect the highly productive land/versatile soils from fragmentation and unsuitable 'primary production' activities such as forestry or quarrying.
 - b. Horticulture New Zealand – Submission point: 295.99 - An additional policy to recognise highly productive land or versatile soils when assessing subdivision. Insert new policy SUB-PX: "Within the Rural Zones and in urban areas with an interface with a rural zone ensure that subdivision does not compromise the use of highly productive land and versatile land for rural production."

Open Space and Recreation Zone

- 21 The focus of the Regional Council's submission regarding the Open Space and Recreation Zone is to ensure the pWDP gives effect to the CRPS. The Regional Council generally supports the proposed changes, its submission in relation to the open space and recreation zone seeks:
- a. An amendment to the proposed objective to recognise that natural landscapes and features and their associated values may also be present in open space and recreation zones.
 - b. An amendment to include planting of vegetation for hazard mitigation purposes in addition to soil conservation purposes due to the interconnectedness between hazard mitigation and erosion control.
 - c. An amendment to Matters of Control or Discretion to include reference to relevant natural landscapes and features and indigenous vegetation that might be present.

STATUTORY FRAMEWORK

- 22 A summary of the relevant statutory framework is set out in **Appendix 2** to my evidence.

RECOMMENDATIONS IN THE S42A REPORT

Rural Zone

- 23 The Council supported RURZ-P1, RURZ-P2, RURZ-P8, GRUZ-R30, GRUZ-BFS5, RLZ-R31, and RLZ-BFS5, as notified or where the original intent has been retained.
- 24 An additional policy was sought to be included in the general policies for the Rural Zone, and amendments to RURZ-O2 were also sought with a further submission supporting amendments to the general objectives and policies for rural zones and a new subdivision policy to protect highly productive land.

Policies RURZ-P1, RURZ-P2, and RURZ-P8, Rules and standards GRUZ-R30, GRUZ-BFS5, RLZ-R31, and RLZ-BFS5

- 25 The Regional Council's submission sought that the above policies, rules and standards be retained in the pWDP as notified.
- 26 I agree with Mr Buckley's recommendations as set out in his Section 42A report (paragraph 114, 191, 450, 499, 723, and 746), excluding his recommendation in respect of RURZ-P2 for which I have suggested an amendment, as they are consistent with the original intent of the proposed provisions.

Objective RURZ-O1

- 27 The Regional Council in its further submission supported Horticulture New Zealand's submission (295.99) that the protection of highly productive land or versatile soils as set out in the NPS-HPL, are important.
- 28 I consider the suggested inclusion of clause 3 of RURZ-O1 is an effective way to recognise the importance of protecting highly productive and versatile soils in a rural environment.
- 29 However, in my opinion, clause 3 of RURZ-O1, "the importance of protecting the highly productive and versatile soils that form part of the highly productive land in the District" fails to recognise the need to give effect to policy 15.3.1 of the CRPS.

- 30 Policy 15.3.1 of the CRPS requires the avoidance of significant long-term adverse effects on soil quality by land-use activities and management practices.
- 31 Clause 3 of RURZ-O1 only considers the protection of soil where it is identified as HPL under the NPS-HPL definition. The CRPS does not distinguish the need to avoid soil degradation between zones or different land use capability classes, and is not dependent on the interim definition of highly productive land in the NPS-HPL. Therefore, it is my view that the addition of the following words to this objective would better give effect to policy 15.3.1 and objective 15.2.1 of the CRPS.
- 32 To address this gap, I have suggested the addition of the following:

the importance of protecting the highly productive and versatile soils that form part of the highly productive land in the District, and the need to avoid long-term adverse effects on soil throughout the District.

RURZ-O2

- 33 The Regional Council's submission requested the inclusion of recreational and other activities beyond primary production to be included in RURZ-O2 Activities in Rural Zones.
- 34 I agree with Mr Buckley's recommendation at paragraph 100 to retain RURZ-O2 as notified. In particular, I agree with Mr Buckley at paragraph 399 of his report where he mentions Objective RURZ-O2 recognises that some activities, such as certain recreational activities, have a functional need to be in that environment and are therefore provided for in the objective e.g., activities inside the river margins. This provision is acknowledged by Mr Buckley to be further supported by policy RURZ-P3 to provide for activities, such as recreational activities, where they directly support the health, safety and well-being of people living within the rural community.

Policy RURZ-P2

- 35 The Regional Council, in its original submission, supported this policy as notified or where the original intent is retained.
- 36 To ensure policy RURZ-P2 gives direction to objective RURZ-O1 and gives effect to policy 15.3.1 of the CRPS and to provide greater

consistency within the plan, I suggest an amendment to the recommendation of Mr Buckley at paragraph 838 for RURZ-P2 in Appendix 1 attached below.

- 37 The removal of versatile expands the application of clause (2)(a) of RURZ-P2 to consider the avoidance of adverse effects on soil quality in the district beyond just LUC class 1 to 3 soils and inside the rural lifestyle zone. The consideration of adverse effects on soil beyond what is classified as versatile soil would better retain the original intent of the policy supported by the Regional Council and better give effect to policy 15.3.1 of the CRPS. I support the recommended inclusion of avoidance in clause (2)(a) of RURZ-P2 by Mr Buckley instead of minimisation as this also better aligns with CRPS policy 15.3.1.

Policy GRUZ-P2

- 38 The Regional Council, in its further submission, supported Christchurch City Council's submission (360.20) that highly productive land/versatile soils are to be protected from fragmentation and unsuitable 'primary production' activities in the general objectives and policies for all rural zones including the large lot residential zone.
- 39 The suggested amendment by Mr Buckley in his Section 42A report at paragraph 838 addresses part of this further submission point on land fragmentation. I agree with the inclusion of clause 5 to GRUZ-P2 to include no loss of productive capacity of highly productive land as criteria for limiting the fragmentation of land and that it will enable the consideration of highly productive land in subsequent subdivision applications.
- 40 Clause 5 of GRUZ-P2 in combination with clause 3 of RURZ-P2 both support the Regional Council's further submission point to Horticulture New Zealand's request for an additional policy to recognise highly productive land or versatile soils when assessing subdivision.

Policy RURZ-P9 and matter of discretion RURZ-MD4

- 41 In the Regional Council's original submission, the addition of a new policy to address the need to minimise the risk of wilding trees in accordance with Policy 5.3.13 of the CRPS was requested. This relief has been accepted by Mr Buckley in his Section 42A report at paragraph 197, and I agree with his recommended approach to drafting RURZ-P9.

- 42 The corresponding matters of discretion RURZ-MD4(5) relates to the spread of wilding trees for forestry, carbon forests and woodlots and was inserted to help implement Policy 5.3.13 of the CRPS and meet the Council's obligations under the New Zealand Wilding Conifer Management Strategy. While I support the inclusion of a matter of discretion for wilding pines, in my opinion the drafting of RURZ-MD4(5) is overly narrow.
- 43 Policy 5.3.13 of the CRPS requires, in its methods, territorial authorities to minimise the risk of wilding tree spread. This policy does not limit the consideration for the risk of wilding tree spread solely to conservation land, SNAs and QE II National Trust Land. Therefore, it is my view that listing such areas is surplus to the clause and limits the circumstances where this matter of discretion should be applied. Consequently, I have recommended the deletion of the latter half of this clause so that it may be applied more broadly to implement the newly inserted policy RURZ-P9.

Rules GRUZ-R2 and RLZ-R2

- 44 The rule framework for primary production and associated setbacks for the general rural zone and the rural lifestyle zone are almost identical and therefore my comments apply to both rules in their entirety.
- 45 The Regional Council generally supported the intent of the proposed provisions, however following some amendments as per Mr Buckley's recommendations at paragraph 200 and 575 I am concerned that some key words were accidentally omitted and that this changes the intent of the policy. I have included my suggested amendments and minor edits in Appendix 1.

NPS-HPL and Versatile Soil policies in other parts of the pWDP

Objective SD-O4

- 46 In the Regional Council's original submission, it was requested that SD-O4 more explicitly provide for the need to make appropriate use of soil which is valued for existing or foreseeable future primary production by avoiding development and/or fragmentation that forecloses the use of productive soils for primary production as per policy 5.3.2(1)(c) and 5.3.12(1) of the CRPS.

- 47 Mr Buckley in his Section 42A report for strategic objectives indicated that this submission point by the Regional Council was not applicable at the time and would be covered in the Section 42A report for the Rural zone instead. Mr Buckley, at para. 820 of his Section 42A report for the Rural zone acknowledges the submission of the Regional Council and the requirement to give effect to the NPS-HPL (policy 4) and policy 5.3.2 and 5.3.12 of the CRPS would require amendments to SD-O4.
- 48 It is my view that this submission point has been partly addressed in specific rural policies through Mr Buckley's recommended amendments to policy GRUZ-P2 and RURZ-P2. However, there are some parts of the rural lifestyle zone where land fragmentation should also be addressed as it is located outside of the Greater Christchurch boundary and therefore chapter 5 policies of the CRPS are applicable. To address this inconsistency, the consideration of land fragmentation should be addressed at the higher strategic direction level through SD-O4.
- 49 The addition of the words and soil to SD-O4 is important to more explicitly consider soil as a resource for rural production in the management of the rural environment. Further to this, the inclusion of or the fragmentation of land enables the consideration of land fragmentation beyond the general rural zone and acknowledges land fragmentation as an adverse effect to the productive capacity of soil. Both of these suggested amendments ensure that adverse effects on soil resources, regardless of the type of rural zoning, are avoided, remedied, or mitigated as per policy 5.3.2 and policy 15.3.1 of the CRPS.

Policy UFD-P3

- 50 At paragraph 824 and 943, Mr Buckley suggests the urban form and development policy UFD-P3 is applicable to the rural zone as it applies to clause 3.6 and 3.10 of the NPS-HPL and Chapter 5 of the CRPS. In the Regional Council's original submission, the Council sought to amend the policy so that rural residential development in Greater Christchurch could only be provided for through an adopted Rural Residential Development Strategy (**RRDS**) and in accordance with CRPS policy 6.3.9.
- 51 In Mr Buckley's Rural Zone Section 42A report at paragraph 943, Mr Buckley proposes a new clause, (f), to be included in this policy to avoid the loss of LUC class 1 to 3 soils to strengthen the protection of versatile

soils in the rural environment and recognise those activities which are dependent upon highly productive land.

- 52 I agree with Mr Buckley's inclusion of clause (f) in this policy to protect LUC class 1 to 3 soils. It appears some of the amended policy wording has been inadvertently repeated and therefore, I propose amendments to address this for greater plan clarity and ease of the plan-user in Appendix 1.
- 53 At paragraph 825 of Mr Buckley's Rural Zone Section 42A report, he indicates that the versatile soils policies of the CRPS do not apply to the part of the district within the Greater Christchurch area. I agree that chapter 5 policies of the CRPS as they relate to soil are not applicable inside the Greater Christchurch area however, I note that Objective 5.2.1 of the CRPS applies to the entire region, including Greater Christchurch. This objective seeks development that is located, designed and functions in a way that achieves consolidated, well designed, and sustainable growth in and around existing urban areas as the primary focus, enables rural activities, avoids adverse effects on significant natural and physical resources and avoids conflicts between incompatible activities.
- 54 As per the Regional Council's submission, policy 6.3.9 of the CRPS for rural residential development in Greater Christchurch can only be provided for in accordance with a RRDS. Therefore, it is important that policy UFD-P3 explicitly identifies, that when providing for new large lot residential development it is only appropriate within the bounds of Greater Christchurch if it has been identified in the Waimakariri Rural Residential Development Strategy June 2019. The inclusion of and outside of the Greater Christchurch area, to clause 2 of UFD-P3 would give effect to policy 6.3.9 of the CRPS.

Open Space and Recreation Zone

- 55 The Regional Council's submission supported in part, objective NOSZ-O1, rule NOSZ-R13 and the matter of control/discretion OSRZ-MCD7 with some amendments requested.

Objective NOSZ-O1

- 56 I disagree with Mr Sheerin in his Section 42A report, at paragraph 134, that the addition of the words: natural features and landscapes to

Objective NOSZ-O1 would cause duplication and confusion. In my view, the addition of these words helps to integrate across the chapters in the pWDP and would ensure plan-users are aware of important provisions with appropriate signposting in the relevant zone chapters.

- 57 Whilst many natural features and landscapes are located in the Natural Open Space Zone not all natural features and landscapes are covered by Natural Open Space Zones, therefore it cannot be assumed that the clause for undeveloped natural open spaces encapsulates these features and landscapes. The addition of this wording would be consistent with Policy 12.3.2 in the CRPS that seeks the protection of outstanding natural features and landscapes from inappropriate subdivision, use and development and policy 12.3.3 for the appropriate management of other important landscapes including for their natural character and amenity values.

Objective NOSZ-R13

- 58 I acknowledge the acceptance of the Regional Council's submission point at paragraph 208, and agree with Mr Sheerin's inclusion of edits to and addition of clause 2(d) and (e), as it relates the planting of vegetation for hazard mitigation purposes and the inclusion of erosion control.
- 59 One amendment to this rule as attached in Appendix 1 is for the exclusion of the year of the Canterbury Regional Pest Management Plan (**CRPMP**). This ensures that when this document is updated, any subsequent versions and references to the CRPMP in the pWDP are valid.

Matter of Control/Discretion OSRZ-MCD7

- 60 The Regional Council's submission requested the inclusion of reference to natural features and landscapes and indigenous vegetation to clause 2 (d). This submission was rejected by Mr Sheerin under the consideration that natural values can include natural features and landscapes and indigenous vegetation.
- 61 Under this definition of natural values, it is my view that clause 2 (d) is overly narrow in scope when considering matters of control or discretion. This clause only enables the natural values of the area to be considered in relation to which an activity/facility or its scale have a layout and design that is appropriate.

62 Whilst accepting this definition of natural values, in my opinion, the insertion of natural values should also be included in clause 2 (f) to ensure that any adverse impacts of the scale and nature of the activity or facility can be considered and that these are not limited to design and layout.

CONCLUSION

63 In summary, I generally agree with the recommendations of the S42A report officers. I have however provided several amendments that in my view would help with the clarity of the provisions, and to ensure that the CRPS is given effect to. The amendments also help to ensure that appropriate setbacks to mitigate shading are achieved.

64 The key issues that my evidence addresses include:

- a. minor wording changes to address clarity issues;
- b. an amendment to consider the fragmentation of land at a strategic level;
- c. an amendment to consider the spread of wilding pines more widely;
- d. an amendment to restrict new rural residential development to what has been identified in an adopted RRDS within Greater Christchurch;
- e. an amendment in relation to the consideration of natural values;
- f. an amendment in relation to the consideration of natural features and landscapes; and
- g. the need to consider the adverse effects on all land-use capability classes.

Dated this 25th day of September 2023



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Serena Orr

Appendix 1 – Amendments sought to the pWDP through the Regional Council submission on Rural and Open Space Zones chapters

Provision	As notified	Council S42A Drafting	Canterbury Regional Council Recommended Amendments (in red)
Rural			
RURZ-O1	<p>Rural Environment</p> <p>An environment with a predominant land use character comprising primary production activities and natural environment values, where rural openness dominates over built form, while recognising:</p> <ol style="list-style-type: none"> 1. the east of the District has a predominant character of small rural sites with a pattern of built form of residential units and structures at more regular intervals at a low density compared to urban environments; and 2. the remainder of the District, while having a range in the size of rural sites, has a predominant character of larger rural sites with a corresponding density of residential units and built form. 	<p>Rural Environment</p> <p>An environment with a predominant land use character comprising primary production activities and natural environment values, where rural openness dominates over built form, while recognising:</p> <ol style="list-style-type: none"> 1. the east of the District has a predominant character of small rural sites with a pattern of built form of residential units and structures at more regular intervals at a low density compared to urban environments; and 2. the remainder of the District, while having a range in the size of rural sites, has a predominant character of larger rural sites with a corresponding density of residential units and built form; 3. <u>the importance of protecting the highly productive and versatile soils that form part of the highly productive land in the District.</u> 	<p>Rural Environment</p> <p>An environment with a predominant land use character comprising primary production activities and natural environment values, where rural openness dominates over built form, while recognising:</p> <ol style="list-style-type: none"> 1. the east of the District has a predominant character of small rural sites with a pattern of built form of residential units and structures at more regular intervals at a low density compared to urban environments; and 2. the remainder of the District, while having a range in the size of rural sites, has a predominant character of larger rural sites with a corresponding density of residential units and built form; <u>and</u> 3. <u>the importance of protecting the highly productive and versatile soils that form part of the highly productive land in the District. and the need to avoid long-term adverse effects on soil throughout the District.</u>

Provision	As notified	Council S42A Drafting	Canterbury Regional Council Recommended Amendments (in red)
RURZ-P2	<p>Rural land</p> <p>Maintain the availability and life supporting capacity of land in recognition of its importance for undertaking primary production, and to maintain or enhance natural environment values in Rural Zones, including by:</p> <ol style="list-style-type: none"> 1. providing for primary production activities; 2. providing for those activities that directly support primary production, or those activities with a functional need to be located within Rural Zones, where: <ol style="list-style-type: none"> a. adverse effects on soil and highly productive land are minimised; a. the amenity values and character of Rural Zones are maintained; and c. to the extent practicable, adverse effects are internalised within the site where an activity is being undertaken. 3. ensuring subdivision and subsequent development is managed so that it does not foreclose the ability for rural land to be utilised for primary production activities including not diminishing the potential for rural land to meet the reasonably foreseeable needs of future generations. 	<p>Rural land</p> <p>Maintain the availability and life supporting capacity of land in recognition of its importance for undertaking primary production, and to maintain or enhance natural environment values in Rural Zones, including by:</p> <ol style="list-style-type: none"> 1. providing <u>Enabling</u> for primary production activities; 2. providing <u>Enabling</u> for those activities that directly support primary production, or those activities with a functional need to be located within Rural Zones, where: <ol style="list-style-type: none"> a. adverse effects on <u>versatile soils</u> and highly productive land are minimised <u>avoided</u>; b. the amenity values and character of Rural Zones are maintained; and c. to the extent practicable, adverse effects are internalised within the site where an activity is being undertaken. 3. ensuring subdivision and subsequent development is managed so that it does not foreclose the ability for rural land to be utilised for primary production activities including not diminishing the potential for rural land to meet the reasonably foreseeable needs of future generations. 	<p>Rural land</p> <p>Maintain the availability and life supporting capacity of land in recognition of its importance for undertaking primary production, and to maintain or enhance natural environment values in Rural Zones, including by:</p> <ol style="list-style-type: none"> 1. providing <u>Enabling</u> for primary production activities; 2. providing <u>Enabling</u> for those activities that directly support primary production, or those activities with a functional need to be located within Rural Zones, where: <ol style="list-style-type: none"> a. adverse effects on <u>versatile soils</u> and highly productive land are minimised <u>avoided</u>; b. the amenity values and character of Rural Zones are maintained; and c. to the extent practicable, adverse effects are internalised within the site where an activity is being undertaken. 3. ensuring subdivision and subsequent development is managed so that it does not foreclose the ability for rural land to be utilised for primary production activities including not diminishing the potential for rural land to meet the reasonably foreseeable needs of future generations.

Provision	As notified	Council S42A Drafting	Canterbury Regional Council Recommended Amendments (in red)
RURZ-MD4	<p>Forestry, Carbon Forest, Woodlots</p> <ol style="list-style-type: none"> 1. The extent of adverse effects from the additional shading resulting from the non-compliance, taking into account the use of the affected sites, the amount of shadow cast and the period of time adjacent sites are affected. 2. The ability of existing topography or vegetation to mitigate any adverse shading effects on the adjoining site. 3. The nature of the use of adjoining sites and the extent to which the activity may result in conflict and/or reverse sensitivity effects with activities on adjacent sites. 4. Any shading effects on the transport network. 	<p>Forestry, Carbon Forest, Woodlots</p> <ol style="list-style-type: none"> 1. The extent of adverse effects from the additional shading resulting from the non-compliance, taking into account the use of the affected sites, the amount of shadow cast and the period of time adjacent sites are affected. 2. The ability of existing topography or vegetation to mitigate any adverse shading effects on the adjoining site. 3. The nature of the use of adjoining sites and the extent to which the activity may result in conflict and/or reverse sensitivity effects with activities on adjacent sites. 4. Any shading effects on the transport network. 5. <u>The potential for the spread of wilding trees into conservation land, SNAs and QE II National Trust land and the risk to these areas from wilding trees establishment.</u> 	<p>Forestry, Carbon Forest, Woodlots</p> <ol style="list-style-type: none"> 1. The extent of adverse effects from the additional shading resulting from the non-compliance, taking into account the use of the affected sites, the amount of shadow cast and the period of time adjacent sites are affected. 2. The ability of existing topography or vegetation to mitigate any adverse shading effects on the adjoining site. 3. The nature of the use of adjoining sites and the extent to which the activity may result in conflict and/or reverse sensitivity effects with activities on adjacent sites. 4. Any shading effects on the transport network. 5. The potential for the spread of wilding trees into conservation land, SNAs and QE II National Trust land and the risk to these areas from wilding trees establishment.
GRUZ-R2	<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. any forestry less than 1ha, carbon forest or woodlot shall be set back a minimum of: <ol style="list-style-type: none"> a. 40m from any residential unit or minor residential unit on a site under different ownership; b. 10m from any site boundary of a site under different ownership; and 	<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. any forestry less than 1ha, carbon forest or woodlot shall be set back a minimum of: <ol style="list-style-type: none"> a. <u>the greater of either:</u> <ol style="list-style-type: none"> i. <u>40m; or</u> ii. <u>A distance where the forest species when fully grown would shade a residential unit</u> 	<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. any forestry less than 1ha, carbon forest or woodlot shall be set back a minimum of: <ol style="list-style-type: none"> a. <u>the greater of either:</u> <ol style="list-style-type: none"> i. <u>40m; or</u> ii. <u>A distance where the forest species when fully grown would not shade a residential unit or minor residential unit between</u>

Provision	As notified	Council S42A Drafting	Canterbury Regional Council Recommended Amendments (in red)
	<p>c. 10m from any road boundary of a paved public road.</p>	<p><u>or minor residential unit between 10am and 2pm on the shortest day of the year;</u></p> <p>b. from any residential unit or minor residential unit on a site under different ownership, <u>except where topography already causes shading;</u> or</p> <p>c. 10m from any site boundary of a site under different ownership; and</p> <p>d. 10m from any road boundary of a paved public road.</p>	<p><u>10am and 2pm on the shortest day of the year;</u></p> <p>b. from any residential unit or minor residential unit on a site under different ownership, <u>except where topography already causes shading;</u> or and</p> <p>e. <u>b.</u> 10m from any site boundary of a site under different ownership; and</p> <p>e. <u>c.</u> 10m from any road boundary of a paved public road.</p>
RLZ-R2	<p>Activity status: PER</p> <p>Where:</p> <p>1. any forestry less than 1ha, carbon forest or woodlot shall be set back a minimum of:</p> <p>a. 40m from any residential unit or minor residential unit on a site under different ownership;</p> <p>b. 10m from any site boundary of a site under different ownership; and</p> <p>c. 10m from any road boundary of a public road.</p>	<p>Activity status: PER</p> <p>Where:</p> <p>1. any forestry less than 1ha, carbon forest or woodlot shall be set back a minimum of:</p> <p>a. the greater of either:</p> <p>i. <u>40m; or</u></p> <p>ii. <u>A distance where the forest species when fully grown would shade a residential unit or minor residential unit between 10am and 2pm on the shortest day of the year;</u></p> <p>b. from any residential unit or minor residential unit on a site under different ownership, <u>except where topography already causes shading;</u> or</p> <p>c. 10m from any site boundary of a site under different ownership; and</p>	<p>Activity status: PER</p> <p>Where:</p> <p>1. any forestry less than 1ha, carbon forest or woodlot shall be set back a minimum of:</p> <p>a. the greater of either:</p> <p>i. <u>40m; or</u></p> <p>ii. <u>A distance where the forest species when fully grown would not shade a residential unit or minor residential unit between 10am and 2pm on the shortest day of the year;</u></p> <p>b. from any residential unit or minor residential unit on a site under different ownership, <u>except where topography already causes shading;</u> or and</p> <p>e. <u>b.</u> 10m from any site boundary of a site under different ownership; and</p>

Provision	As notified	Council S42A Drafting	Canterbury Regional Council Recommended Amendments (in red)
		d. 10m from any road boundary of a paved public road.	d. c. 10m from any road boundary of a paved public road.
NPS HPL and Versatile Soils			
SD-O4	<p>Rural land</p> <p>Outside of identified residential development areas and the Special Purpose Zone (Kāinga Nohoanga), rural land is managed to ensure that it remains available for productive rural activities by:</p> <ol style="list-style-type: none"> 1. providing for rural production activities, activities that directly support rural production activities and activities reliant on the natural resources of Rural Zones and limit other activities; and 2. ensuring that within rural areas the establishment and operation of rural production activities are not limited by new incompatible sensitive activities. 	<p>Rural land environment</p> <p>Outside of identified residential development areas and the Special Purpose Zone (Kāinga Nohoanga), rural land is managed to ensure that it remains available for productive rural activities by:</p> <ol style="list-style-type: none"> 1. providing for rural primary production, activities, activities that directly support rural production activities rural industry and activities reliant on the natural resources of Rural Zones and limit other activities; and 2. ensuring that within rural areas the establishment and operation of rural primary production activities are not limited by new incompatible sensitive activities. 	<p>Rural land environment</p> <p>Outside of identified residential development areas and the Special Purpose Zone (Kāinga Nohoanga), rural land and soil is managed to ensure that it remains available for productive rural activities by:</p> <ol style="list-style-type: none"> 1. providing for rural primary production, activities, activities that directly support rural production activities rural industry and activities reliant on the natural resources of Rural Zones and limit other activities; and 2. ensuring that within rural areas the establishment and operation of rural primary production activities are not limited by new incompatible sensitive activities or the fragmentation of land.
UFD-P3	<p>Identification/location and extension of Large Lot Residential Zone areas</p> <p>In relation to the identification/location of Large Lot Residential Zone areas:</p> <ol style="list-style-type: none"> 1. new Large Lot Residential development is located in the Future Large Lot Residential Zone Overlay which adjoins an existing Large Lot Residential Zone as identified in the RRDS and is informed through the development of an ODP; 	<p>Identification/location and extension of Large Lot Residential Zone areas</p> <ol style="list-style-type: none"> 1. In relation to the identification/location of Large Lot Residential Zone areas: 2. new Large Lot Residential development is located in the Future Large Lot Residential Zone Overlay which adjoins an existing Large Lot Residential Zone as identified in the RRDS and is informed through the development of an ODP; 	<p>Identification/location and extension of Large Lot Residential Zone areas</p> <p>4.In relation to the identification/location of Large Lot Residential Zone areas:</p> <p>2. 1. New Large Lot Residential development is located in the Future Large Lot Residential Zone Overlay which adjoins an existing Large Lot Residential Zone as identified in the RRDS and is informed through the development of an ODP;</p>

Provision	As notified	Council S42A Drafting	Canterbury Regional Council Recommended Amendments (in red)
	<p>2. new Large Lot Residential development, other than addressed by (1) above, is located so that it:</p> <p>a. occurs in a form that is attached to an existing Large Lot Residential Zone or Small Settlement Zone and promotes a coordinated pattern of development;</p> <p>b. is not located within an identified Development Area of the District's main towns of Rangiora, Kaiapoi and Woodend identified in the Future Development Strategy;</p> <p>c. is not on the direct edges of the District's main towns of Rangiora, Kaiapoi and Woodend, nor on the direct edges of these towns' identified new development areas as identified in the Future Development Strategy;</p> <p>d. occurs in a manner that makes use of existing and planned transport infrastructure and the wastewater system, or where such infrastructure is not available, upgrades, funds and builds infrastructure as required, to an acceptable standard; and</p> <p>e. is informed through the development of an ODP.</p>	<p>3. In relation to the identification/location of Large Lot Residential Zone areas:</p> <p>4. new Large Lot Residential development is located in the Future Large Lot Residential Zone Overlay which adjoins an existing Large Lot Residential Zone as identified in the RRDS and is informed through the development of an ODP;</p> <p>5. new Large Lot Residential development, other than addressed by (1) above, is located so that it:</p> <p>a. occurs in a form that is attached to an existing Large Lot Residential Zone or Small Settlement Zone and promotes a coordinated pattern of development;</p> <p>b. is not located within an identified Development Area of the District's main towns of Rangiora, Kaiapoi and Woodend identified in the Future Development Strategy;</p> <p>c. is not on the direct edges of the District's main towns of Rangiora, Kaiapoi and Woodend, nor on the direct edges of these towns' identified new development areas as identified in the Future Development Strategy;</p> <p>d. occurs in a manner that makes use of existing and planned transport infrastructure and the wastewater system, or where such infrastructure is not available, upgrades, funds and builds</p>	<p>3. In relation to the identification/location of Large Lot Residential Zone areas:</p> <p>4. new Large Lot Residential development is located in the Future Large Lot Residential Zone Overlay which adjoins an existing Large Lot Residential Zone as identified in the RRDS and is informed through the development of an ODP;</p> <p>5. <u>2.</u> New Large Lot Residential development, other than addressed by (1) above, <u>and outside of the Greater Christchurch area,</u> is located so that it:</p> <p>a. occurs in a form that is attached to an existing Large Lot Residential Zone or Small Settlement Zone and promotes a coordinated pattern of development;</p> <p>b. is not located within an identified Development Area of the District's main towns of Rangiora, Kaiapoi and Woodend identified in the Future Development Strategy;</p> <p>c. is not on the direct edges of the District's main towns of Rangiora, Kaiapoi and Woodend, nor on the direct edges of these towns' identified new development areas as identified in the Future Development Strategy;</p> <p>d. occurs in a manner that makes use of existing and planned transport infrastructure and the wastewater system, or where such infrastructure is not available, upgrades, funds and builds infrastructure as required, to an acceptable standard; and</p>

Provision	As notified	Council S42A Drafting	Canterbury Regional Council Recommended Amendments (in red)
		<p>infrastructure as required, to an acceptable standard; and</p> <p>e. is informed through the development of an ODP;</p> <p>f. <u>avoids the loss of LUC class 1 to 3 soils.</u></p>	<p>e. is informed through the development of an ODP; <u>and</u></p> <p>f. <u>avoids the loss of LUC class 1 to 3 soils.</u></p>
Open Space and Recreation Zone			
NOSZ-O1	<p>Predominant character, amenity values, role and function of the Natural Open Space Zone</p> <p>A Natural Open Space Zone where the predominant character, amenity values, role and function of the zone is characterised by:</p> <ol style="list-style-type: none"> 1. undeveloped natural open spaces 2. undeveloped coastal open spaces that include beaches, dunes, water bodies, wetlands, estuary margins, forest and parks; 3. minimal buildings and other structures; 4. activities compatible with the natural environment and location; 5. natural character; 6. indigenous biodiversity; 7. recreation, lifesaving, coastguard, yacht and boating activities and structures; and 8. park management activities, park management facilities and conservation activities. 	Retained as notified.	<p>Predominant character, amenity values, role and function of the Natural Open Space Zone</p> <p>A Natural Open Space Zone where the predominant character, amenity values, role and function of the zone is characterised by:</p> <ol style="list-style-type: none"> 1. undeveloped natural open spaces, <u>including natural features and landscapes;</u> 2. undeveloped coastal open spaces that include beaches, dunes, water bodies, wetlands, estuary margins, forest and parks; 3. minimal buildings and other structures; 4. activities compatible with the natural environment and location; 5. natural character; 6. indigenous biodiversity; 7. recreation, lifesaving, coastguard, yacht and boating activities and structures; and 8. park management activities, park management facilities and conservation activities.

Provision	As notified	Council S42A Drafting	Canterbury Regional Council Recommended Amendments (in red)
NOSZ-R13	<p>Planting of vegetation</p> <p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. planting of vegetation is not for plantation forestry; 2. planting shall be limited to indigenous species that are naturally occurring within the ecological district within which the planting is to take place, except as specified in (3) below; 3. planting of indigenous vegetation of ecologically similar origin, or non-indigenous vegetation, in the following circumstances: <ol style="list-style-type: none"> a. re-introduction of indigenous species no longer occurring naturally in the District, procured from a naturally occurring and ecologically similar source; b. conservation activities (excluding non-indigenous vegetation); c. species conservation (excluding non-indigenous vegetation); d. soil conservation; e. planting for the purposes of screening public amenities and parking areas, or for shelter purposes, or for maintaining the character of an existing cultural or historical site; and f. shall exclude: <ol style="list-style-type: none"> i. all plants listed in the National Pest Plant Accord (reprinted with minor amendments February 2020); ii. all non-indigenous plants listed in the DoC Consolidated List of Environmental Weeds in NZ (May 2008); and 	<p>Planting of vegetation</p> <p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. planting of vegetation is not for plantation forestry; 1. planting shall be limited to indigenous species that are naturally occurring within the ecological district within which the planting is to take place, except as specified in (32) below; 2. planting of indigenous vegetation of ecologically similar origin, or non-indigenous vegetation, in the following circumstances: <ol style="list-style-type: none"> a. re-introduction of indigenous species no longer occurring naturally in the District, procured from a naturally occurring and ecologically similar source; b. conservation activities (excluding non-indigenous vegetation); c. species conservation (excluding non-indigenous vegetation); d. soil conservation, <u>including erosion control</u>; e. <u>natural hazard mitigation</u>; f. planting for the purposes of screening public amenities and parking areas, or for shelter purposes, or for maintaining the character of an existing cultural or historical site; and g. shall exclude: <ol style="list-style-type: none"> i. all plants listed in the National Pest Plant Accord (reprinted with minor amendments February 2020); 	<p>Planting of vegetation</p> <p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 2. planting of vegetation is not for plantation forestry; 1. planting shall be limited to indigenous species that are naturally occurring within the ecological district within which the planting is to take place, except as specified in (32) below; 2. planting of indigenous vegetation of ecologically similar origin, or non-indigenous vegetation, in the following circumstances: <ol style="list-style-type: none"> a. re-introduction of indigenous species no longer occurring naturally in the District, procured from a naturally occurring and ecologically similar source; b. conservation activities (excluding non-indigenous vegetation); c. species conservation (excluding non-indigenous vegetation); d. soil conservation, <u>including erosion control</u>; e. <u>natural hazard mitigation</u>; f. planting for the purposes of screening public amenities and parking areas, or for shelter purposes, or for maintaining the character of an existing cultural or historical site; and g. shall exclude: <ol style="list-style-type: none"> i. all plants listed in the National Pest Plant Accord (reprinted with minor amendments February 2020);

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	<p>iii. all organisms classified as pests and all Organisms of Interest listed in the Canterbury Regional Pest Management Plan 2018-2038.</p>	<p>ii. all non-indigenous plants listed in the DoC Consolidated List of Environmental Weeds in NZ (May 2008); and</p> <p>iii. all organisms classified as pests and all Organisms of Interest listed in the Canterbury Regional Pest Management Plan 2018-2038.</p>	<p>ii. all non-indigenous plants listed in the DoC Consolidated List of Environmental Weeds in NZ (May 2008); and</p> <p>iii. all organisms classified as pests and all Organisms of Interest listed in the Canterbury Regional Pest Management Plan 2018-2038.</p>
OSRZ-MCD7	<p>Scale and nature of the activity or facility</p> <ol style="list-style-type: none"> 1. The extent to which the activity/facility has a functional need or operational need to be located within the open space. 2. The extent to which the activity/facility or its scale will: <ol style="list-style-type: none"> a. significantly reduce open space or impede access to it; b. displace recreation activities or facilities; c. be compatible with the functions of the open space and recreation activities within it; d. have a layout and design that is appropriate to the locality, context, character or natural values of the area; e. adversely impact on the amenity values of the open space and adjoining residents, including (but not necessarily limited to) visual impacts, noise, light spill, glare, nuisance and traffic effects; and f. promote a safe physical environment, taking into account the principles of CPTED. 3. The extent to which the facility interacts with pedestrians and pedestrian linkages. 4. The extent to which the activity will provide economic benefits enabling the ongoing 	<p>Retained as notified.</p>	<p>Scale and nature of the activity or facility</p> <ol style="list-style-type: none"> 1. The extent to which the activity/facility has a functional need or operational need to be located within the open space. 2. The extent to which the activity/facility or its scale will: <ol style="list-style-type: none"> a. significantly reduce open space or impede access to it; b. displace recreation activities or facilities; c. be compatible with the functions of the open space and recreation activities within it; d. have a layout and design that is appropriate to the locality, context, character or natural values of the area; e. adversely impact on <u>natural values and</u> the amenity values of the open space and adjoining residents, including (but not necessarily limited to) visual impacts, noise, light spill, glare, nuisance and traffic effects; and f. promote a safe physical environment, taking into account the principles of CPTED. 3. The extent to which the facility interacts with pedestrians and pedestrian linkages.

Provision	As notified	Council S42A Drafting	Canterbury Regional Council Recommended Amendments (in red)
	<p>operation and maintenance of recreation facilities or open spaces.</p> <p>5. The extent to which the activity/facility maintains existing or future public access connections to multi-modal sustainable transport options including (but not necessarily limited to) walking/cycling and public transport.</p> <p>6. In that part of any of the Open Space and Recreation Zones covered by the Coastal Environment Overlay, the matters of control or discretion in the Coastal Environment Chapter.</p> <p>7. Where development is proposed within District Plan setbacks from scheduled freshwater bodies, the matters of control or discretion in the Natural Character of Freshwater Bodies Chapter.</p>		<p>4. The extent to which the activity will provide economic benefits enabling the ongoing operation and maintenance of recreation facilities or open spaces.</p> <p>5. The extent to which the activity/facility maintains existing or future public access connections to multi-modal sustainable transport options including (but not necessarily limited to) walking/cycling and public transport.</p> <p>6. In that part of any of the Open Space and Recreation Zones covered by the Coastal Environment Overlay, the matters of control or discretion in the Coastal Environment Chapter.</p> <p>7. Where development is proposed within District Plan setbacks from scheduled freshwater bodies, the matters of control or discretion in the Natural Character of Freshwater Bodies Chapter.</p>

APPENDIX 2: STATUTORY FRAMEWORK

1 Section 75(3) of the RMA requires that:

A district plan must give effect to –

- (a) any national policy statement; and*
- (b) any New Zealand coastal policy statement; and*
- (ba) a national planning standard; and*
- (c) any regional policy statement.*

2 Relevant national and regional planning documents that the provisions relevant to Hearing Stream 6 of the pWDP must give effect to the National Policy Statement on Urban Development 2020 (**NPS-UD**), the National Policy Statement for Highly Productive Land 2022 (**NPS-HPL**), the New Zealand Coastal Policy Statement (**NZCPS**) in relation to the coastal environment, and the CRPS.

3 Section 75(4) of the Act requires that a district plan must not be inconsistent with any applicable water conservation order or regional plan, including the Canterbury Land and Water Regional Plan (**LWRP**).

4 I have not sought to repeat all the provisions contained in these national and regional planning documents. My evidence focusses on those provisions that I consider to be most relevant to the Rural and Open Space and Recreation Zone chapters of the pWDP and the submission made by the Regional Council.

5 Whilst WDC is a Greater Christchurch Tier 1 local authority (under the NPS-UD), the Rural and Open Space and Recreation Zones in the pWDP are contained both within the Greater Christchurch Area on Map A of the CRPS and outside of this area. Subsequently both Chapter 5 – Land-use and Infrastructure and Chapter 6 – Recovery and Rebuilding of Greater Christchurch in the CRPS are relevant to the consideration of the provisions in the Rural and Open Space and Recreation Zones.

NPS-HPL

6 The NPS-HPL was gazetted on 19 September 2022 and came into effect on 17 October 2022. It contains one objective and nine policies.

- 7 In general, the NPS-HPL includes policies (5, 6, and 7) that avoid the urban zoning, rezoning and development, and subdivision of highly productive land. Policy 8 states that HPL is protected from inappropriate use and development. Clause 3.7 states rezoning of HPL to rural lifestyle must be avoided.
- 8 The pWDP was notified prior to the gazettal of the NPS-HPL.
- 9 The NPS-HPL requires the mapping of highly productive land (HPL). HPL includes land that is general rural zone or rural production zone and LUC 1, 2 or 3 (as identified in the New Zealand Land Resource Inventory). Land identified for future urban development must not be mapped as HPL.
- 10 The mapping must be notified (for inclusion in a regional policy statement) by regional councils by October 2025 and may include land that is not LUC 1, 2, or 3 as HPL but has the potential to be highly productive. Until then, territorial authorities must still apply the policies of the NPS-HPL to land that has characteristics of HPL.
- 11 Clause 3.5(7) of the NPS-HPL gives the interim definition of highly productive land, until such a time where the regional council has mapped highly productive land in its region. This clause (3.5(7)(b)(ii)) precludes general rural land that has been rezoned rural lifestyle land under a Council initiated, or adopted, notified plan change from the definition of HPL. I agree with S42A officer, Mark Buckley, in his Memo to the Hearing Commissioners on the NPS-HPL, dated 30 June 2023, which stated that until a decision is made for the Rural zone, this interpretation of the NPS-HPL prevails.
- 12 Therefore, for Hearing Stream 6, I only make reference to the NPS-HPL as it applies to the General Rural Zone (**GRUZ**), notwithstanding the need to give effect to the CRPS and Chapter 15 for Soils across both of these zones as no differentiation in zoning is made for its application under the CRPS.

Strategic Planning – Our Space

- 13 The relevant Greater Christchurch local authorities, together with other agencies and iwi have collaboratively undertaken strategic planning through the Greater Christchurch Partnership (GCP) for almost twenty years.

- 14 Our Space 2018-2048 and the draft Greater Christchurch Spatial Plan lays a foundation to strategically consider the integrated nature of the Greater Christchurch area. Our Space seeks to promote a sustainable urban form that protects our natural environment, rural character and versatile soils. The spatial plan looks to focus urban development within the existing urban area, growing up rather than out to help protect the best soils for agriculture.

Canterbury Regional Policy Statement

CRPS Chapter 5 – Land-use and infrastructure (outside of Greater Christchurch)

Responsibilities of Territorial Authorities

- 15 Chapter 5 of the CRPS states that territorial authorities are responsible for setting out objectives, policies, and methods for the integrated management of urban and rural residential zoned development to ensure consolidated, well-designed, and more sustainable urban patterns that avoid, remediate, or mitigate reverse sensitivity effects.¹
- 16 Territorial authorities are responsible for managing the location of urban and rural residential development within the district including consideration of infrastructure, transport, and hazards.² Territorial authorities must set objectives, policies and may include methods to establish a comprehensive approach for the management of urban and rural residential development.³ They also are required to set out objectives, policies, and methods to identify areas to be used for primary production and to control the adverse effects of subdivision and land-use in rural areas including by:⁴
- a. Ensuring subdivision and development does not foreclose the ability to use natural resources for rural productive purposes.
 - b. Ensuring appropriate separation of rural productive activities and land-uses which may result in reverse sensitivity effects on rural productive activities.

¹ Method 2 for Policy 5.3.1

² Method 3 for Policy 5.3.2

³ Method 3 for Policy 5.3.2

⁴ Method 2 for Policy 5.3.12

- c. Managing the interface between the edge of environments sensitive to the effects of rural production activities and areas in productive use to reduce.
 - d. Specifying appropriate provisions to manage tourism, employment, and recreational development in rural areas consistent and compatible with rural values and resources, an open rural environment and a consolidated approach to development patterns.
 - e. Specifying appropriate controls on rural land-use including subdivision intensification, infrastructure provision and waterway setbacks to manage effects on water quality.
- 17 Territorial authorities are also responsible for setting out objectives, policies and may include methods in district plans which minimise the risk of wilding tree spread.⁵

Policy framework

- 18 Chapter 5 of the CRPS provides a policy framework for rural production outside of the Greater Christchurch area. Policy 5.3.1 seeks sustainable development patterns and to ensure any urban growth and limited rural residential development occurs in a form that concentrates, or is attached to, existing urban areas and promotes a coordinated pattern of development.
- 19 Policy 5.3.2 sets out conditions to be met in the wider region (outside of Greater Christchurch) to enable development. This includes to “*ensure that adverse effects are avoided, remedied, or mitigated, including where these would compromise or foreclose:*
- a. *existing or consented regionally significant infrastructure;*
 - b. *options for accommodating the consolidated growth and development of existing urban areas;*
 - c. *the productivity of the region’s soil resources, without regard to the need to make appropriate use of soil which is valued for existing or foreseeable future primary production, or through further fragmentation of rural land;*

⁵ Method 3 for Policy 5.3.13

- d. *the protection of sources of water for community supplies;*
- e. *significant natural and physical resources.”*

- 20 Policy 5.3.3 seeks that substantial developments are designed and built in a way that the amenity values, the quality of the environment and the character of an area are maintained, or appropriately enhanced.
- 21 Policy 5.3.12 seeks for the maintenance and enhancement of natural and physical resources that contribute to Canterbury’s overall rural productive economy by avoiding development and/or fragmentation which forecloses the ability to make appropriate use of that land for primary production and/or results in reverse sensitivity effects that limit or precludes primary production.
- 22 Policy 5.3.13 seeks to avoid, or minimise as far as practicable, the risk of wilding tree spread, through the location of planting, design of planting, species selection and management once planting has occurred.

CRPS Chapter 6 – Recovery and rebuilding of Greater Christchurch

Responsibilities of Territorial Authorities

- 23 Chapter 6 of the CRPS states that territorial authorities must give include objectives, policies, and rules (if any) to give effect to policy 6.3.9 of the CRPS, which relates to rural residential development. This includes requiring the preparation and adoption of rural residential development strategies in accordance with the Local Government Act 2002, which WDC adopted in June 2019.
- 24 Territorial authorities must give effect to policy 6.3.9 and ensure proposed rural residential developments avoid significant reverse sensitivity effects with adjacent rural activities including quarrying and agricultural research farms, or strategic infrastructure.

Policy framework

- 25 Objective 6.2.1 seeks for development within Greater Christchurch to be enabled through a land use and infrastructure framework that maintains the character and amenity of rural areas and settlements and avoids development outside of existing urban areas or greenfield priority areas, unless expressly provided for in the CRPS.

- 26 Policy 6.3.1 sets out the framework for development within the Greater Christchurch Area, this includes giving effect to the urban form set out in Map A. It also provides a limited pathway for the development of educational facilities in rural areas where there are no practicable options in urban areas.
- 27 Policy 6.3.9. seeks the development of rural residential development only in accordance with an adopted rural residential strategy. These developments must be adjacent to or in close proximity to an existing urban or rural residential area and be able to be integrated into or consolidated with the existing settlement. Rural residential areas must not be regarded as in transition to full urban development.

CRPS Chapter 12 – Landscape

Responsibilities of Territorial Authorities

- 28 Chapter 12 of the CRPS states that Territorial authorities are responsible for setting objectives, policies or methods in district plans to avoid, remedy or mitigate the adverse effects of subdivision, use and development of land on outstanding natural features and landscape values.⁶ These values must be protected and:
- a. Continue to enable activities that maintain the integrity of landforms and their associated landscape values; and
 - b. May use zoning, overlays, or land purchase to achieve protection; and
 - c. May provide for covenanting, pest management, revegetation, or other mechanisms as appropriate to the values concerned.

Policy framework

- 29 The policy framework in the CRPS that is most relevant to the Open Space and Recreation Zone is Chapter 12 – Landscape.
- 30 Policy 12.3.2 seeks the protection of outstanding natural features and landscapes from inappropriate subdivision, use and development.

⁶ Method 2 of Policy 12.3.2

- 31 Policy 12.3.3 seeks the identification and management of other important landscapes that are not outstanding landscapes, for natural character, historic cultural, historic heritage, and amenity purposes.

CRPS Chapter 15 – Soils

Responsibilities of Territorial Authorities

- 32 Chapter 15 of the CRPS states that Territorial authorities are responsible for setting objectives and policies and may include methods in district plans to help ensure land use activities and land management practices do not cause significant long term adverse effects on soil quality.
- 33 Joint responsibility exists between the Regional Council and Territorial Authorities for identifying Ngāi Tahu cultural values in relation to soil, for inclusion in regional plans, through engagement with Ngāi Tahu, and through relevant iwi management plans.

Policy framework

- 34 The policy framework in the CRPS that is relevant to soils is mainly found in Chapter 15. The chapter provides for a two-tiered approach. The priority is to avoid significant long-term adverse effects of land-uses and land management practices. If soil degradation has occurred or is occurring, then this must be remedied or mitigated as per Policy 15.3.1.
- 35 Policy 15.3.2 seeks the avoidance of significant new induced soil erosion resulting from land-use and as far as practicable to remedy or mitigate significant induced soil erosion where it has occurred with a focus to maintain vegetative cover on non-arable land.