

**OFFICER'S REPORT FOR:**

**Hearing Panel**

**SUBJECT:**

**Proposed Waimakariri District Plan:  
Overarching and Part 1 matters**

**PREPARED BY:**

**Peter Wilson**

**REPORT DATED:**

**13 April 2023**

**DATE OF HEARING:**

**Hearing Stream 1 & 2  
15 - 18 May 2023**



**WAIMAKARIRI**  
DISTRICT COUNCIL

# 1 Executive Summary

1. Part A of this report discusses the background and history to the Proposed Plan, why it is drafted the way it is, and foreshadows how topics and issues central and critical to the Proposed Plan are proposed to be handled.
2. Part B of this report considers submissions received by the District Council on Part 1 matters (introductions, how the plan works and cross-cutting definitions). There were a number of submissions and further submissions received on overarching matters. Most of the submissions were general in nature and requested relief that I consider is more appropriately addressed in topic chapters. However, following that consideration, there may be a need for consequential changes to the overarching and introductory sections of the Proposed Plan. Some submissions requested relief that I consider is out of scope of the Proposed Plan. A few submissions have requested minor changes to narrative wording.
3. I have recommended changes to the Proposed Plan provisions to address matters raised in submissions and these are summarised as follows:
  - Minor amendment to the description of the district to improve clarity.
  - Updates to national direction instruments.
  - Correction of minor errors.
4. Having considered all the submissions and reviewed all relevant statutory and non-statutory documents, I recommend that the Proposed Plan should be amended as set out in **Appendix A** of this report.
5. A s32AA evaluation is provided in-line below each set of recommendations where there has been a change recommended to the Proposed Plan text.

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## 2 Interpretation

6. Parts A and B of the Officer’s report utilise a number of abbreviations for brevity as set out in Table 1 below:

**Table 1: Abbreviations**

<b>Abbreviation</b>	<b>Means</b>
RMA	Resource Management Act 1991
RMAEHS	Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021
District Council	Waimakariri District Council / territorial authority
Operative Plan	Operative Waimakariri District Plan
Proposed Plan	Proposed Waimakariri District Plan
ECan	Environment Canterbury/Canterbury Regional Council
MDRS	Medium density residential standards, as defined in s2, RMA
NES	National Environmental Standard
NESAQ	National Environmental Standards for Air Quality 2004
NESCS	National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011
NESETA	National Environmental Standards for Electricity Transmission Activities 2009
NESF	National Environmental Standards for Freshwater 2020
NESPF	National Environmental Standards for Plantation Forestry 2017
NESSDW	National Environmental Standards for Sources of Drinking Water 2007
NESSTO	National Environmental Standards for Storing Tyres Outdoors 2021
NESTF	National Environmental Standards for Telecommunication Facilities 2016
NPS	National Policy Statement
NPSET	National Policy Statement on Electricity Transmission 2008
NPSFM	National Policy Statement for Freshwater Management 2020
NPSUD	National Policy Statement on Urban Development 2020
NPSUDC	National Policy Statement on Urban Development Capacity 2016 (superseded)
NPSREG	National Policy Statement for Renewable Electricity Generation 2011
NZCPS	New Zealand Coastal Policy Statement 2010
Our Space	Greater Christchurch Settlement Pattern Update Whakahāngai O Te Hōrapa Nohoanga (Our Space)
RPS	Operative Canterbury Regional Policy Statement

**Table 2: Abbreviations of Submitters’ Names**

<b>Abbreviation</b>	<b>Means</b>
CCC	Christchurch City Council
CDHB	Christchurch District Health Board
Chorus	Chorus New Zealand Ltd
CIAL	Christchurch International Airport Ltd

<b>Abbreviation</b>	<b>Means</b>
Corrections	Ara Poutama Aotearoa the Department of Corrections
DoC	Department of Conservation Te Papa Atawhai
ECan	Environment Canterbury / Canterbury Regional Council
Federated Farmers	Federated Farmers of New Zealand Inc.
FENZ	Fire and Emergency New Zealand
Fish and Game	North Canterbury Fish and Game Council
Forest and Bird	Royal Forest and Bird Protection Society
Heritage NZ	Heritage New Zealand Pouhere Taonga
Hort NZ	Horticulture New Zealand
Kainga Ora	Kainga Ora - Homes and Communities
KiwiRail	KiwiRail Holdings Limited
Mainpower	Mainpower New Zealand Ltd
MoE	Minister / Ministry of Education
Ngāi Tūāhuriri	Te Ngāi Tūāhuriri Rūnanga
NZDF	New Zealand Defence Force
Police	Minister of Police / New Zealand Police
QEII Trust	Queen Elizabeth the Second National Trust
Ravenswood	Ravenswood Developments Ltd
Spark	Spark New Zealand Trading Ltd
Tuhaitara Trust	Te Kohaka o Tuhaitara Trust
Transpower	Transpower New Zealand Ltd
Vodafone	Vodafone New Zealand Ltd / One New Zealand
WDC	Waimakariri District Council (including as requiring authority)
Waka Kotahi	Waka Kotahi NZ Transport Agency

In addition, references to submissions includes further submissions, unless otherwise stated.

## 3 Introduction

### 3.1 Purpose

7. This report is prepared under section 42A of the RMA.
8. Part A of the report addresses the following matters:
  - the background and history to the Proposed Plan
  - amendments to the Proposed Plan since notification
  - changes within the planning environment since notification of the Proposed Plan
  - changes to the legal effect of rules relating to rural subdivision
  - the structure of the Proposed Plan
  - the framework of how subsequent s42A reports will generally address submissions (subject to any further directions from the commissioners)
9. Part B of the report considers submissions received by the District Council in relation to Part 1 matters. Part 1 matters include:
  - Kupu arataki - Introduction
  - Te whakamahi māhere – How the plan works
  - Te whakamāramatanga – Interpretation
  - Ngā taputapu ahunga ā motu - National directions instruments
  - Submissions general to the entire plan
  - Other matters and consequential changes
10. The report outlines recommendations in response to the key issues that have emerged from submissions.
11. The recommendations are informed by the s32 evaluation. In preparing this report I have also had regard to recommendations made in the Strategic Directions and Urban Form and Development s42A reports, sites and areas of significance to Māori, and the Special Purpose Kāinga Nohoanga zone reports.
12. This report is provided to assist the Hearings Panel in their role as commissioners. The Hearings Panel may choose to accept or reject the conclusions and recommendations of this report and may come to different conclusions and make different recommendations, based on the information and evidence provided to them by submitters.

### 3.2 Author

13. My name is Peter Wilson. My role in preparing this report is that of an expert planner.
14. My qualifications, experience, and history of involvement with the Proposed Plan are set out in **Appendix C** of this report.

15. Although this is a district council hearing, I have read the Code of Conduct for Expert Witnesses contained in the Practice Note issued by the Environment Court January 2023. I have complied with that Code when preparing my written statement of evidence and I agree to comply with it when I give any oral evidence.
16. The scope of my evidence relates to overarching and Part 1 matters. I confirm that the issues addressed in this statement of evidence are within my area of expertise as an expert policy planner.
17. Any data, information, facts, and assumptions I have considered in forming my opinions are set out in the part of the evidence in which I express my opinions. Where I have set out opinions in my evidence, I have given reasons for those opinions.
18. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.



## 4 Part A - Overarching Matters

### 4.1.1 Structure of the Proposed Plan

19. As outlined in the overarching s32<sup>1</sup>, the Proposed Plan is a significant change from the Operative Plan. The current plan first became operative in 2005, however has its genesis and structure from 1998. The Operative Plan has been amended or varied approximately 25 times since then, including amendments required by the Canterbury Earthquake Recovery Act 2011, following the Christchurch earthquakes. The Operative Plan also predates the 2013 Regional Policy Statement and the 2013 Mahaanui Iwi Management Plan.

### 4.1.2 Notification of the Proposed Plan

20. Council publicly notified the Proposed Plan on 18 September 2021 with the submission period opened until 26 November 2021. During this time Council received 421 submissions, which resulted in 6767 individual submission points. In addition to these submissions, Council received 12 late submissions. On 1 March 2022 Council accepted 11 of these late submissions, with one late submission being rejected.

21. In accordance with the requirements of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (RMAEHS), on 13 August 2022 the Council notified Variation 1 (Housing Intensification) and a subsequent Variation 2 (Financial Contributions) to the Proposed Plan. Variation 2 was progressed using a 'normal' first schedule process rather than as an intensified streamlined planning process.

22. The Council notified its summary of decisions requested to Variations 1 and 2 on 5 November 2022 and 136 further submissions were received. There were no late further submissions.

### 4.1.3 National direction changes

23. The following national direction changes have occurred since notification of the Proposed Plan in 2021.

Instrument	Changes	How is it being addressed within the Proposed Plan officers' reports?
Resource Management (National Environmental Standards for Freshwater) Regulations 2020	Amended in December 2022, into effect on 5 January 2023.	Most, if not all of the changes are matters for regional council implementation, however I understand that the chapter authors for Natural Character of Freshwater Bodies and Ecosystems will assess the amended national directions for consistency with Proposed Plan objectives and policies in those chapters.
National Policy Statement Freshwater Management 2020		
Resource Management (Stock Exclusion) Regulations 2020		

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<sup>1</sup> Pg 15, Overarching s32, [https://www.waimakariri.govt.nz/\\_\\_data/assets/pdf\\_file/0023/98213/1.-OVERVIEW-S32-REPORT-DPR-2021.PDF](https://www.waimakariri.govt.nz/__data/assets/pdf_file/0023/98213/1.-OVERVIEW-S32-REPORT-DPR-2021.PDF)

Resource Management (Measurement and Reporting of Water Takes) Regulations 2010	Amended in 2020 to introduce a staged regime for reporting on certain types of water takes	
Resource Management (Enabling Housing Supply and Other Matters) Act 2021 (RMEHSA)	<ul style="list-style-type: none"> <li>Introduced the medium density housing standards (MDRS), the intensification planning instrument (IPI), and intensified streamlined planning process (ISPP), and the ability to make rules about financial contributions.</li> <li>Enacted parts of the (amended) NPSUD 2020.</li> </ul>	<p>Implemented by way of:</p> <ul style="list-style-type: none"> <li>Variation 1 (intensification planning instrument)</li> <li>Variation 2 (financial contributions)<sup>2</sup></li> </ul>
National Policy Statement on Indigenous Biodiversity		A draft NPSIB was released. At the time of writing this report the NPSIB has not been gazetted.
National Policy Statement for Highly Productive Land (NPS-HPL)	Now operative.	Discussed in rural chapter report
National Policy Statement for Urban Development 2020 (NPSUD)	Now operative	Amendments were made in 2021 (RMEHA) and 2022 (clause 52(2) RMA)
Resource Management (National Environmental Standards for Storing Tyres Outdoors) Regulations 2021	Now operative.	The notified plan does not explicitly regulate the storage of tyres outdoors and does not list this NES as it was gazetted after the Proposed Plan was drafted. Discussed in Part B of this report.

#### 4.1.4 What changes have occurred since notification

24. A number of minor amendments to the Proposed Plan and two variations have occurred. These have either been by way of cl 16, sch 1 RMA (alteration of minor effect or to correct a minor error) for the Proposed Plan and Variation 1, and also the introduction of additional identifying markup to Variation 1 by way of s 80H RMA. This identifying markup does not form part of the Proposed Plan and is intended to later be removed.

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<sup>2</sup> As a first schedule RMA 1991 plan variation process

25. The RMEHSA requires the Waimakariri District Council (the Council), as a tier 1 council, to adopt the medium density residential standards (MDRS) by way of an intensification planning instrument (IPI) using the intensification streamlined planning process (ISPP). At the time when these changes came into force, the Proposed Plan had been publicly notified. CI 33, sch 1 RMA required the Council to process its IPI as a variation to the Proposed Plan, not to the Operative Plan. It was also only possible to undertake one IPI (s 80 RMA).
26. Council staff have been working with Christchurch City and Selwyn District Councils on alignment and consistency across MDRS matters, where this can be achieved, noting the slightly different contexts for each tier 1 council.
27. The RMEHSA amendments also enabled Councils to undertake variations to plans to enable financial contributions. Council decided, for consistency and alignment with the Proposed Plan, to notify Variation 2 (financial contributions) at the same time and in the same hearings process. Variation 2 proceeds through the Schedule 1 RMA process, as referenced in section 4.1.11 below.

#### **4.1.5 Renotification for further submissions**

28. In March 2023, 24 submission points to the Proposed Plan were found to have had errors in summarising and entering, including 13 submission points having not been entered and summarised at all, and 11 submission points having errors in how they were entered. These areas were discovered post completion of the further submissions period.
29. A public notice calling for further submissions to these 21 submission points was notified on 29 March 2023, with further submissions opened until 13 April 2023. At the time of writing this report, no further submissions were received.

#### **4.1.6 Environment Court decision on immediate legal effect of rural subdivision rules**

30. The Council applied to the Environment Court on 14 July 2021 for an order under s 86D RMA seeking that certain subdivision rules in the Rural zone would have immediate legal effect upon notification of the Proposed Plan or issuing of the order. The Operative Plan allows for 4 ha minimum subdivisions within the General Rural zone as a controlled activity, whereas the Proposed Plan limits this to 20 ha minimum. The order was granted on 17 September 2021.
31. As such, the residential unit and minor residential unit provisions in the General Rural zone rules GRUZ-R41, GRUZ-R42, definitions for 'minor residential unit' and 'residential unit', and district-wide subdivision rule SUB-R10 have had immediate legal effect since 17 September 2021, one day before the Proposed Plan was publicly notified.

#### **4.1.7 Future urban development areas and certification criteria**

32. The Proposed Plan contains a number of greenfield priority areas and future urban development areas (FUDA). Change 1 to the RPS (July 2021) identified future urban housing development areas in Rolleston, Rangiora, and Kaiapoi, with associated policy changes. This in turn implements Greater Christchurch Settlement Pattern Update Whakahāngai O Te Hōrapa Nohoanga (Our Space) and the requirements under the former NPSUDC to provide capacity assessments and future development strategies. In this case, the assessment was out to 2048.

33. I note the ongoing work with the Greater Christchurch Partnership (GCP) on a spatial plan and further integration across the three tier 1 councils – Waimakariri, Selwyn, and Christchurch City. The GCP work is discussed in more detail in the s42A report on the Residential chapter.
34. FUDA are split into existing development areas and new development areas.
35. The Proposed Plan currently proposes the release, through rezoning, of land from FUDA by way of a certification process, whereby once certain criteria are met, the chief executive officer of the Council can approve the land for development. The criteria for achieving certification are usually geotechnical, servicing, and hazard engineering assessments, although there are some area-specific requirements. The Proposed Plan expresses these criteria as standards and appendices. Development must occur in accordance with an outline development plan.
36. Along with the requirements to implement the 2019 National Planning Standards plan format, the other key change between the operative and proposed district plan is the proposed change from an effects based to activities based planning regime.

#### **4.1.8 Designations**

37. Under Clause 4 of Schedule 1 to the RMA, requiring authorities with existing designations in the operative district plan were invited to give notice of their intentions for their designations to be rolled over into the Proposed Plan with or without modification or withdrawn.
38. There are new designations proposed in the Proposed Plan with all notices received from the requiring authorities under s168 and s168A of the RMA being included in the Proposed Plan in accordance with s170 of the RMA.

#### **4.1.9 Consideration of submissions by topic**

39. Where submissions for a particular topic have also been made on other or consequential and subsequent sections of the Proposed Plan these submissions have for the most part been reported on in the relevant topic or chapter report. For example, matters related to the airport noise contour are recommended to be discussed in a noise chapter report, which may in turn require consequential amendments on other chapters. This was done in order to ensure that submissions are considered in the context of the relevant technical information.
40. Some submissions are entirely general and overarching in topic and scope and cannot be allocated to a specific topic or chapter, although components of the general relief can be considered in general topics or chapters. These are discussed in this report with recommendations made accordingly.

#### **4.1.10 Treatment of further submissions**

41. Reporting officers will reference a further submission, where they exist, in the original submission point, by way of a footnote which denotes the name, position (oppose/support), and further submission number [FS XX] of the further submitter. If the further submission contains detail that assists in the recommendation, then this is summarised in the table of recommendations, and also discussed in the body of the report.
42. The s42A reports will be prepared on the understanding that the scope of an original submission cannot be extended by a further submission, however, a further submission can

provide additional detail to support the original submission, along with identifying support or opposition to other original submissions.

#### **4.1.11 Approach to s42A reports**

43. I can confirm that the reporting officers have read the schedule of hearings as set out in the commissioners' minute 1.
44. Within minute 1, hearings by a hearing stream approach are identified. Council reporting officers intend to follow the approach of one 42A report per chapter, with some exceptions, as listed below:
  - Variation 1 which covers the entire Proposed Plan will be the subject of a single s42A report, minus any rezoning requests.
  - Where submissions canvass multiple chapters and/or are of a more strategic nature those topics will be discussed in their own s42A report. An example of this is CIAL's relief with respect to Christchurch International Airport matters.
45. With regard to rezonings, the officers are intending that separate s42A reports for rezoning under the Proposed Plan, and rezoning under Variation 1 through the ISSP are written. Officers' current recommendation is that these matters are heard in hearing stream 12 (rezoning). I note that there may be a need to revisit this recommendation following further consideration of this matter.
46. I have discussed the complexity of the interface between variation 1 and the Proposed Plan with the other reporting officers. At this early stage of the hearings process, myself and other officers have reached no conclusions on how s42A reports will address this issue. It is anticipated that this issue may be subject to future directions from the panel and reporting officers may provide advice to the panel on this issue.
47. In drafting the s42A reports, integration of topics has been discussed, and as a result, some s42A reports have reallocated submission points to another chapter where the matter would more logically fit. This approach ensures that the submission point is considered within the chapter on which the submission was made in the first instance, before any reallocation. However, to ensure a linkage with the chapter in which the provision falls, the s42A reports will acknowledge any reallocated submission point. An example within this report is the Christchurch International Airport submissions on part 1 provisions, but which in my opinion are best addressed in a noise chapter report alongside other submissions related to noise. I have discussed this approach with other report authors and we are in agreement on this approach.

## 5 Part B – Part 1 matters

48. A number of submissions and further submissions were received on the part 1 provisions. The submissions received were diverse and sought a range of outcomes.

15 further submissions were received from 10 unique submitters. 11 opposed, with 4 in support. These are listed below the relevant submission point. Where the further submission is in opposition, the content of the further submission is listed in the **Appendix B** table and discussed in the report.

### Te Ao Māori

49. This report should be read alongside the reports from Mr Alan Matheson, covering the district wide matters of mana whenua, sites and areas of significance to Māori, and the Special Purpose Kāinga Nohoanga zone. There are no specific sections of his reports that I wish to draw attention to.

### Grouping of submissions

50. I have grouped the submissions by chapter and will consider them by chapter. The chapters are:
- Introduction
  - How the plan works
  - Interpretation
  - Definitions
  - National direction instruments
  - General provisions which have no specific section.

## 5.1 Procedural Matters

51. At the time of writing this report there have not been any pre-hearing conferences, clause 8AA meetings or expert witness conferencing in relation to submissions on this topic.

## 5.2 Statutory Considerations

### Resource Management Act 1991

52. The Proposed Plan (including Variations 1 and 2) has been prepared in accordance with the RMA and in particular, the requirements of:
- a) s 74 Matters to be considered by territorial authority, and
  - b) s 75 Contents of district plans,
  - c) s 77E, s 77T ability to make rules about financial contributions
  - d) Subpart 5A, s 77F-s 77S, sch 3A medium density residential standards

There are a number of higher order planning documents and strategic plans that provide direction and guidance for the preparation and content of the Proposed Plan. These documents are discussed in detail within the Section 32 Evaluation Report: Overview.

## Section 32AA

53. I have undertaken an evaluation of the recommended amendments to provisions since the initial section 32 evaluation was undertaken in accordance with s32AA. Section 32AA states:

*32AA Requirements for undertaking and publishing further evaluations*

*(1) A further evaluation required under this Act—*

*(a) is required only for any changes that have been made to, or are proposed for, the proposal since the evaluation report for the proposal was completed (the changes); and*

*(b) must be undertaken in accordance with section 32(1) to (4); and*

*(c) must, despite paragraph (b) and section 32(1) (c), be undertaken at a level of detail that corresponds to the scale and significance of the changes; and*

*(d) must—*

*(i) be published in an evaluation report that is made available for public inspection at the same time as the approved proposal (in the case of a national policy statement or a New Zealand coastal policy statement or a national planning standard), or the decision on the proposal, is notified; or*

*(ii) be referred to in the decision-making record in sufficient detail to demonstrate that the further evaluation was undertaken in accordance with this section.*

*(2) To avoid doubt, an evaluation report does not have to be prepared if a further evaluation is undertaken in accordance with subsection (1) (d) (ii).*

54. The required section 32AA evaluation for Part 1 matters is in-line below each of the chapter recommendations, where changes have been recommended. I have taken this approach due to the limited scale and significance of the recommended changes.

### Trade competition

55. There are no known trade competition issues raised within the submissions.

## 5.3 Consideration of Submissions and Further Submissions

### 5.3.1 Overview

56. This s42A evaluation report considers submissions received by Council in relation to Part 1 matters and general matters in the Proposed Plan.
57. There were 51 original submission points, from 23 original submitters. 11 submission points support the provisions as notified. The remaining submissions seek amendments or clarifications to the notified provisions.

### **5.3.2 Format for Consideration of Submissions**

58. For each identified topic, I have considered the submissions that are seeking changes to the Proposed Plan in the following format:
- Matters raised by submitters.
  - Assessment and recommendations
  - Section 32AA evaluation, inline, where required.
59. The recommended drafting amendments to the relevant chapter/s are set out in **Appendix A** of this report where all text changes are shown in a consolidated manner.
60. Where there are further submissions, I have listed these, discussed, and considered these in the evaluation and recommendation.

## **5.4 Analysis of submissions**

### **5.4.1 Kupu arataki - Introduction and general provisions: matters raised by submitters**

61. Michael Alexander de Hamel [261.1] seeks an amendment to the “Purpose” chapter of the district plan to reference “landowners, residents and visitors to Waimakariri District” as the types of people or plan users that the District Plan is written for and for whom decisions are made.
62. Ken Fletcher [99.4] seeks an amendment to the “Description of the District” chapter to recognise the different character Oxford has from the other main towns in the district and to change the language referring to Large Lot residential development on the “outskirts” of Oxford to “within and around”.
63. Hort NZ [295.2] seeks an amendment to the “Description of the District” chapter to replace “farming” with “primary production” to assist with clarity and implementation. This submission is supported by Federated Farmers [FS 83].
64. Hort NZ [295.1] support the retention of the “Purpose” chapter as notified, and is supported by Federated Farmers [FS 83].

### **5.4.2 Assessment and recommendations**

65. Whilst understanding Mr de Hamel’s intent, I consider that the District Plan is not limited to a particular class of plan readers or users. It is merely a legal requirement that the Waimakariri District must have a plan, without a requirement to specify the types of people that may read it. I recommend this submission [261.1] be **rejected**.
66. For Mr Fletcher’s relief, I do not consider that the style of the ‘description of the district’ section refers to character in the context suggested by the submitter, as character is subjective. Instead, I consider that this section aims to describe the physical features of the district in more objective terms.
67. I consider the use of the term “outskirts” in the context of the sentence describing land use in and around Oxford to be accurate and appropriate. A dictionary definition of outskirts is “the



areas that form the edge of a town or city”<sup>3</sup>, and I consider that this accurately describes where the Large Lot residential zone sits in relation to Oxford. I recommend this submission [99.4] be **rejected**.

68. Hort NZ support the retention of the purpose section as notified [295.1], but also request the removal of the term “farming” from the description of the district section, replacing it with primary production purposes (including food, fibre and timber, amongst others) [295.2]. Within the Proposed Plan, primary production has a definition, the same as the National Planning Standards, defining it as:

*“any aquaculture, agricultural, pastoral, horticultural, mining, quarrying or forestry activities; and*

*includes initial processing, as an ancillary activity, of commodities that result from the listed activities in a);*

*includes any land and buildings used for the production of the commodities from a) and used for the initial processing of the commodities in b); but*

*excludes further processing of those commodities into a different product.”*

69. I consider that “primary production purposes” is a better description of the full range of activities that occur in the rural environment, which extend beyond farming. Timber production, for instance, is not traditionally described as farming. HortNZ have requested a list of activities, however, given that there is a national planning standards definition of what those activities are, I consider that the narrative text would read better if it simply stated, “primary production”, rather than the bracketed list of activities.
70. I note that Federated Farmers<sup>4</sup> support this change by way of further submission, and that as the change occurs to narrative and introductory text, there are no consequential changes required elsewhere. I consider that the change would improve the accuracy of the plan in describing the district. It is also consistent with the changes recommended to objective SD-O4 in Appendix A of the Strategic Directions s42A report.
71. I recommend that Hort NZ submission [295.1] be **accepted** and Hort NZ submission [295.1] be **accepted in part**.

#### Section 32AA further evaluation

72. I consider that the scale and significance of these changes, in the meaning of s 32AA(1)(c), is minor and inconsequential on the rest of the plan provisions, and that the overall environmental, economic, social, and cultural outcomes anticipated by the Proposed Plan provisions will not alter as a result of the recommended changes.

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<sup>3</sup> Cambridge English Dictionary

<sup>4</sup> Federated Farmers [FS 83]

73. As a result of the changes, I consider that the district plan more accurately reflects the activities that occur in the district, thus improving plan readability.

#### **5.4.3 *Te whakamahi māhere - How the plan works: matters raised by submitters***

74. Transpower New Zealand Limited [195.1] request that the advice notes included in the “General Approach” chapter be expanded to include three new advice notes that are relevant to a number of chapters:
- The Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (NESETA).
  - The New Zealand Electrical Code of Practice for Electrical Safe Distances NZECP 34:2001 (NZECP34:2001).
  - The Electricity (Hazards from Trees) Regulations 2003.
75. Christchurch International Airport Limited (CIAL) [254.1] request that the Airport and the noise associated with it is recognised as a cross-boundary issue within the “Cross Boundary Matters” chapter. CIAL’s specific relief is to amend the chapter and recognise the airport noise issue within it. CIAL [245.2] also request additions to the overlay table in the relationships between spatial layers chapter to recognise and provide for specific air noise contours.
76. Hort NZ [295.3, 295.4, 295.5, 295.6] support the statutory context, general approach, cross boundary matters, and relationships between spatial layers chapters as notified. Transpower [195.2] support the cross-boundary matters chapter as notified.
77. There are no further submissions on this sub-chapter.

#### **5.4.4 *Assessment and recommendations***

78. The General Approach chapter currently contains four advice notes (GA-AN1 to GA-AN4). These advice notes are general in nature, clarifying the jurisdictions of councils with their various boundaries, and the application of the specific land use rules in the NESPF, which may override district plan provisions and/or are relevant to regional plans. The advice notes sought by Transpower are more technical in nature, are already contained in provisions within the Energy and Infrastructure chapter and integrated with the relevant rules within that chapter. The Energy and Infrastructure provisions are district-wide in nature, and as such I do not consider that inserting them into the General Approach chapter would improve plan readability. It may in fact, detract from it as a general advice note would lack context.
79. In case amendments are required to the advice notes within the Energy and Infrastructure chapter, or elsewhere, I will not make a recommendation on Transpower’s submission [195.1] here, instead recommending that it is addressed in the Energy and Infrastructure report, along with that entire topic.
80. On the airport matters, my response is similar. I do not think it is necessary to make a recommendation ahead of that content being discussed in the Noise chapter report (for most of the matters raised), and within the Rural Zones report (for the bird strike issue). It may be that there is a need for recognition of the issue within the cross-boundary matters chapter and relationships between spatial layers chapter. However, I consider that it is difficult for me to separate the general requirement for recognition from the technical nature of the relief, and therefore, I similarly, cannot make a recommendation on submissions [254.1] and [254.2].

81. These matters have been referred to the Noise, Christchurch Airport, and Rural zones report writers and will be discussed in the s42A reports for those chapters. The panel may wish to discuss this matter with those chapter authors in the context of hearing stream 1.
82. I recommend that:
- The CIAL submissions [254.1] and [254.2] be considered in a specific noise report.
  - The Rural Zone reporting officer consider CIAL submissions [254.1] and [254.2] in the context of bird strike risk.
  - The Energy and Infrastructure reporting officer consider Transpower submission [195.1].
  - The Hort NZ [295.3, 295.4, 295.5, 295.6] and Transpower [195.2] submissions are **accepted**.
83. I therefore recommend no changes to the Proposed Plan arising from this chapter.

#### **5.4.5 *Te Whakamāramatanga - Interpretation: matters raised by submitters***

##### Cross-cutting definitions

84. The definitions used in the Proposed Plan have been allocated to chapter authors to ensure that they are considered as part of chapter reports. Where definitions are used widely throughout the plan, they may be allocated to one relevant chapter report only. Only two definitions that fall into this category for Part 1 of the Proposed Plan were identified, and these are listed below:
- Sustainable management
  - Territorial authority
85. These definitions are both from the National Planning Standards 2019, and both appear in the How the Plan Works chapters. “Sustainable management” also appears in the mana whenua chapter.
86. There are no specific submissions on these definitions.

##### Submissions

87. As discussed below, there is broad general support for definitions from submissions.
88. Federated Farmers [414.23] seek amendments to bring matters of discretion for each chapter into a table at the bottom of that chapter, and to apply this relief across the entire plan.
89. The Department of Conservation [419.2] seek to retain definitions as notified, except where amendments are sought elsewhere within their submission. Rolleston Industrial Developments Limited [326.4] seek to retain the definitions as notified.
90. Hort NZ [295.63, 295.64] seek to retain the abbreviations and glossary chapter as notified.
91. There are no further submissions on this chapter.

#### **5.4.6 *Assessment and recommendations***

92. In response to Federated Farmers, the matters of discretion do sit at the bottom of each chapter, as this is a requirement of the National Planning Standards 2019. The matters of

discretion are referenced in the relevant rule and sit below the rules (or standards where these exist), and above appendices, and schedules.

93. I recommend that:

- The Federated Farmers submission [414.23] be **rejected**.
- The Department of Conservation [419.2], Rolleston Industrial Developments Limited [326.4], and Hort NZ [295.63, 295.64] submissions be **accepted**.

94. I recommend no changes to the Proposed Plan arising from this chapter.

#### **5.4.7 Ngā taputapu ahunga ā motu - National direction instruments: matters raised by submitters**

95. Federated Farmers [414.5] seek to clarify if the ‘regulations list’, includes the stock exclusion regulations, and if it does, to clarify where responsibility for enforcing these regulations sits.

96. Hort NZ [295.65, 295.66, 295.67, 295.68] seek to retain the national policy statements and NZCPS chapter, the national environmental standards chapter, the regulations chapter and the water conservation order chapters.

#### **5.4.8 Assessment and recommendations**

97. Rayonier [171.1] state, in the context of a substantial submission on plantation forestry matters, that:

*“The NESPF provides specific provision for certain plantation forestry activities and has considered the adverse effects on the environment and provided appropriate standards for the Waimakariri district. Often the PDP refers to Plantation Forestry but that is only certain forests over 1ha in area. The NESPF provides for specific forestry activities such as earthworks, harvesting, replanting. Certain provisions within the PDP do not appear to align with the statement set out in Part 1. They do not [sic] Submissions below will more specifically identify where there is lack of clear alignment with the NESPF. Rather than refer to Plantation forestry to specifically identify which forestry activity within the NESPF is applicable. Clear identification with each topic if the NESPF applies or does not.”*

98. This raises the issue of general alignment of the PDP with the NESPF as a national direction instrument, particularly in the context of the advice note GA-AN4 that is within the “General Approach” sub-chapter that explains how the plan gives effect to the NESPF.

99. I have reviewed where plantation forestry activity provisions exist within rules and provisions in the PDP. The relevant chapter authors are aware where there may be an NESPF consistency matter to consider.

100. I cannot recommend changes to advisory note GA-AN4 at this time, as the relevant chapter authors need to consider the specific issues the NESPF raises for their chapters. Instead, I recommend that if any changes are to be made to the advisory note because of recommendations in other reports, that these be considered in the final wrap-up hearing s42A report.

101. Federated Farmers [414.5] request clarification on if the list of national directions includes the Resource Management (Stock Exclusion) Regulations 2020, and if it does, who is responsible for enforcing these. The current list contains the s360 RMA regulations that were operative in 2019, when the national planning standards were written. I consider that this should be updated with the stock exclusion regulations (and any other regulations), in accordance with the mandatory directions in section 6 of the National Planning Standards. The national planning standards do not explicitly require the Proposed Plan to clarify who enforces regulations.
102. I recommend that:
- That the general direction of relief sought in the Rayonier submission [171.1] be **accepted**, but that no recommendations for changes (if any) to advice note GA-AN4 are made until after the relevant chapter authors have considered submissions that address the NESPF. This may be by way of a s42A report to any wrap up hearing.
  - The Federated Farmers submission [414.5] be **accepted in part**, with changes made to the list of regulations accordingly as set out in Appendix 1.
  - The Hort NZ submissions [295.65, 295.66, 295.67, 295.68] be **accepted**.

#### Section 32AA further evaluation

103. I consider that the scale and significance of these changes, in the meaning of s 32AA(1)(c), is minor and inconsequential on the rest of the plan provisions, and that the overall environmental, economic, social, and cultural outcome anticipated by the Proposed Plan provisions will not alter as a result of the recommended changes.
104. As a result of the changes, I consider that the district plan more accurately reflects the activities that occur in the district, thus improving plan readability.

#### **5.4.9 General matters raised by submitters (which have no particular chapter)**

105. Drucilla Kingi-Patterson [16.2, 16.3,16.4,16.12, 16.13, 16.15, 16.16] seeks for the Proposed Plan to:
- Manage the height of trees.
  - Undertake a scheme where the Council organises tree cutting and takes a percentage on rates.
  - If there is a water issue, seek a scheme whereby a person can ring Council and come to an arrangement.
  - Allow for lights on the runway (presumably the Rangiora Airfield) and seal the road from the hospital to the airfield.
  - Seek a higher health grade for the Rangiora Hospital as the population increases.
  - A scheme whereby the public can submit on “hemp (cannabis)” production locations which need restriction.
  - A scheme whereby the public can submit on insect production locations and/or restrict them through permits and zones.

106. The Kaiapoi-Tuahiwi Community Board [147.23] seek that the Pines [Beach] and Kairaki Beaches communities be treated fairly in any transition from the coastline with sea level rise.
107. The Woodend-Sefton Community Board [155.15] request that planning for active transport modes occurs as part of any development.
108. The Oxford-Ohoka Community Board [172.9] request that the size of the vehicles used in the rural areas be considered when determining the size of carparking. They also request [172.11] that the Oxford A&P showground activities be able to continue on their site.
109. Stephanie Waterfield [320.1] requests that the Council consider the risks and benefits of the expansion of older people's services – mainly medical services - in the District, and that appropriate services must be planned and provided.
110. Lynda Vernel [115.1] wishes to be kept informed about any submissions that may affect their jet-boat operation on the Waimakariri River (Alpine Jet Thrills Limited). They do not see any issues with Proposed Plan provisions affecting their operation at present but wish to remain informed if there is a submission that may affect their operation in the future.
111. The Rangiora-Ashley Community Board [148.8] support the protection that special purpose zones, particularly the Rangiora Showgrounds and the Rangiora Airfield, offer into the future but request no specific relief.
112. Malcolm Hanrahan [307.4] requests that Council do not put as much reliance on submissions to highlight working issues with specific rules. His concern appears to be that plans take time to understand, and that consultants, with high workloads, have not had the time to review the Proposed Plan in detail and understand how it works in specific situations. Mr Hanrahan states that in the past, when plans had immediate legal effect upon notification, that more effort was made to understand them prior to notification as there was more time to consider and test them.
113. Hellers Limited [309.2] and Domett Properties Limited [311.2] request to retain all Proposed Plan provisions as notified.
114. Christchurch City Council [360.1] generally support the Proposed Plan as notified, but note challenges of timing, upcoming RMA reform and changes including the enabling housing supply amendment bill, and wider regional planning issues such as the Greater Christchurch spatial plan, other district plan reviews, and land transport work.
115. The North Canterbury Fish and Game Council [362.1] support the development of a district plan that provides clear direction, reporting, monitoring, and enforcement to protect the regions' diverse and sensitive indigenous biodiversity, and the water quality and fisheries that are impacted by biodiversity management.
116. Phillip Davidson [364.3] requests that Councils should be amalgamated to cut the present number of 67 and endorses central government's "3-Water reforms". Mr Davidson requests that the three-water reforms be "instituted".
117. Christchurch International Airport Limited (CIAL) [254.14, 254.153, 254.154] have requested the insertion of objectives and policies recognising the airport in the Strategic Directions chapter, in order to ensure its protection from incompatible uses and reverse sensitivity. CIAL have specific relief requesting rules to restrict land use and address reverse sensitivity issues under the 50 dBA L<sub>dn</sub> Air Noise Contour and rules for bird strike risk under the relevant plan chapter,

insertion of clauses in the relevant rules requiring notification to CIAL of any application under those rules, cross-references linking relevant rules, and any other relief or consequential relief as necessary to give effect to their submission.

118. Hort NZ and NZ Pork are opposed to the relief of CIAL by way of further submission and seek disallowance of the CIAL relief. Hort NZ consider that the airport's relief will be significant on the horticulture industry, and that no engagement with that industry has occurred, along with no s32 analysis to support it. NZ Pork focused on the bird strike risk relief, and also sought disallowance, stating that no engagement with the pork industry had occurred, no assessment of whether the objective achieves the purposes of the RMA, no s32 assessment, no assessment of costs and benefits, and no assessment of alternatives.
119. Rolleston Industrial Developments "RIDL" [326.1] seek to delete the use of absolute terms such as "avoid", "maximise", and "minimise" from the Proposed Plan, and to amend controlled and restricted discretionary activity rules to provide direction regarding notification [326.3]. They specifically seek that all controlled and restricted discretionary activity rules include the following wording:

"Applications shall not be limited or publicly notified, on the basis of effects associated specifically with this rule and the associated matters of control or discretion."
120. There are four further submissions on RIDL [326.1], all opposed, from Forest & Bird, the Ohoka Residents Association, Andrea Marsden, and Christopher Marsden. Forest & Bird stated that there may be instances where it is appropriate to notify consents. The Ohoka Residents Association is opposed to "any and every amendment requested" to the Proposed Plan that supports Rolleston Industrial Development Limited's proposal for a development in Ohoka [plan change 31]. Andrea Marsden and Christopher Marsden consider that "limiting the use of absolutes ... opens the system to potential abuse" and that "as RIDL are proposing a plan change 31 that directly affects my property, this change to wording must not be allowed".
121. There is one further submission in opposition on RIDL [326.3], from Forest & Bird, which states that there may be instances where it is appropriate to notify consents.
122. Clampett Investments Limited [284.1] and RIDL [326.2] seek all controlled and restricted discretionary rules to be amended to exclude public or limited notification.
123. There are three further submissions on RIDL [326.2], all opposed. Forest & Bird stated that there may be instances where it is appropriate to notify consents. Andrea Marsden and Christopher Marsden stated that as "RIDL have a plan change [RCP 31] for this area then adopting unlimited applications and non-notifications will open the system up to exploitation so the change of wording must be declined".
124. The Department of Conservation [419.1] seek to ensure that hyperlinks throughout the Proposed Plan are correct, including the hyperlink for "site", and "sites".

#### **5.4.10 Assessment and recommendations**

125. I consider that Drucilla Kingi-Patterson's submissions [16.2, 16.3,16.4,16.12, 16.13, 16.15, 16.16] are out of scope of the RMA. I note that s 74(4) RMA only enables scheduled trees to be subject to district plan provisions, and in these circumstances, tree height would only be managed if there was a safety concern. The trees chapter of the Proposed Plan contains

provisions for this matter. For the water issue, the lights on the runway, and the sealing of the road to the airfield, the RMA does not provide scope for relief. These are either Local Government Act 2002 issues or operational matters. The Council has no jurisdiction over the health grade of the hospital, this is a matter for Te Whatu Ora / Health New Zealand. Cannabis, including hemp, is regulated under the Misuse of Drugs Act 1975 and various regulations under this Act, and I consider that concern about these crops is outside of the environmental effects purpose of the RMA. The environmental effects of a cannabis crop are of the same nature and character as any other plant crop. With the issue of insect production locations, if these facilities were to occur in the district, they would fall within the rules of intensive indoor and outdoor primary production and would be required to meet the relevant rules and standards for the rural zone.

126. For the Woodend-Sefton, Oxford-Ohoka, and Rangiora-Ashley community board submissions [147.23, 155.15, 172.9, 172.11] I note:

- The Pines and Kairaki Beach communities may be the most affected communities in the District by the effects of climate change. This issue is discussed in the Special Purpose Zone (Pines Beach and Kairaki Regeneration) and Residential chapter reports.
- Safe active transport is enabled through the Proposed Plan which requires active transport design and facilities across a wide variety of zones and developments as a district-wide matter. The specific provisions for active transport are located in the Transport chapter and will be discussed in the Transport chapter report.
- Minimum car parking standards across all sites are no longer a requirement of district plans, including the Proposed Plan, except where car-parking is an identified as specific requirement. This is a requirement of the NPSUD 2020. Car-parking for accessibility purposes is still a matter that can be considered. The Transport chapter report will address this submission.
- The Proposed Plan establishes a permitted activity rule for certain activities at the Oxford showground, which is zoned as General Residential in the Proposed Plan. The specific provisions and any need for change will be discussed in the Residential chapter report.

127. I agree with Stephanie Waterfield's [320.1] sentiment on the need to provide services for older people but consider that planning for and developing specific types of services is outside the scope of the Proposed Plan.

128. For Lynda Vernel [115.1], she stated that the Proposed Plan provisions as notified did not affect her operation, but she wished to remain informed if a submission later affected her operation. I assume she means if a recommended response to, or a decision on a submission changes a rule or provision that affects her operation. As her operation involves commercial surface water activities, her submission should be considered by that chapter author. I note that all submitters are on the same information regime, and that no specific tailored information can be provided to an individual over and above information that she receives generally through the hearings process. I refer this submission to the Activities on Surface of Water chapter author.

129. The Rangiora-Ashley Community Board [148.8] support the concept of special purpose zones but request no specific relief. I note that the Rangiora Showgrounds and the Rangiora Airfield are not currently or proposed to be zoned as special purpose.



130. For Malcolm Hanrahan [307.4], I consider that the Proposed Plan drafting, and notification was carried out in accordance with the requirements of sch 1, RMA, and that hearings and decision-making are proceeding in accordance with the RMA. His submission requesting that “submission feedback” is not relied upon as much as it may have been in the past is listed under “general comments” within his submission. He has, a list of more specific relief relating to other chapters of the Proposed Plan. It is not possible to change the Schedule 1 process for how submissions are received and analysed.
131. For Domett Properties [311.2], Hellers Limited [309.2], Christchurch City Council [360.1], and the North Canterbury Fish and Game Council [362.1], their general support is noted. The Proposed Plan is recommended to be amended in response to submissions, and where high-level matters have been raised, the relevant chapters of the Proposed Plan will cover these.
132. For Phillip Davidson [364.3], decisions on local government amalgamation and the three waters reform are central government matters and are outside of the scope of the Proposed Plan.
133. For the CIAL relief on objectives and policies and rules [254.14, 254.153] for the airport to handle reverse sensitivity matters, I do not make a recommendation. Instead, I consider that this should be referred to the Noise chapter report author. It may be that following discussion and recommendation on that topic, that consequential amendments are required to the introductory sections of the Proposed Plan.
134. On the cross-referencing relief requested by CIAL [254.154], I have similarly recommended that it be treated alongside the other noise provisions for the purposes of drafting, so I also refer this to the Noise chapter author.
135. For the Clampett Investments Limited [284.1] and RIDL [326.1, 326.2, 326.3] to remove public and limited notification on all controlled and restricted discretionary activity rules, and to remove the terms avoid, maximise and minimise from Proposed Plan provisions I consider that it is not possible to assess all provisions against this submission point generally, and this relief should be considered in the context of each individual provision, as the appropriateness, or otherwise, of notification provisions, and the terms “avoid”, “maximise”, and “minimise”, can only be considered in context of specific provisions and their chapter. I refer these submissions to all subsequent chapter authors for consideration for their relevant provisions.
136. For the Department of Conservation relief [419.1], I note that the hyperlinks are not strictly part of the Proposed Plan, insofar that they can change without formal RMA procedures. However, I consider that they should be treated as part of the plan where they link to a definition, or that link otherwise assists interpretation as if the link is wrong, or incorrectly applied, plan interpretation suffers. I note the amendments to the Proposed Plan since notification as listed on the website.
137. Officer’s reports will consider the need for and the accuracy of hyperlinks as part of their drafting recommendations.
138. I recommend the Department of Conservation submission [419.1] be **accepted**.
139. I recommend that:
  - Drucilla Kingi-Paterson’s submissions [16.2, 16.3,16.4,16.12, 16.13, 16.15, 16.16] be **rejected**.

- Community board submissions [147.23, 155.15, 172.9, 172.11] be **referred** to the relevant chapter authors (Pines Beach/Kairaki, Residential, Transport).
- Stephanie Waterfield’s submission [320.1] be **rejected**.
- Lynda Vernel’s submission [115.1] be **referred** to the Activities on the Surface of Water chapter author.
- Rangiora-Ashley Community Board’s submission [148.8] be **accepted**.
- Malcolm Hanrahan’s submission [307.4] be **rejected**.
- Domett Properties [311.2], Hellers Limited [309.2], Christchurch City Council [360.1], and the North Canterbury Fish and Game Council [362.1] submissions be **accepted**.
- Phillip Davidson’s submission [364.3] be **rejected**.
- CIAL’s submission [254.14, 254.153, 254.154] be **referred** to the Noise chapter report author.
- Clampett Investments Limited [284.1] and Rolleston Industrial Developments Limited [326.1, 326.2, 326.3] submissions be **referred** to all subsequent chapter authors for consideration for their relevant provisions.
- Department of Conservation’s submission [419.1] be **accepted**.

140. I do not recommend any formal changes to the Proposed Plan arising from these general submissions.

#### **5.4.11 Other matters and consequential changes**

##### **Storage of tyres outdoors**

141. The NESSTO regulation is now in effect. This NES focuses on regional council responsibilities under s30 RMA (cl 3, NESSTO), as tyres can pollute water. However, the NESSTO does provide the ability for district councils to set more stringent rules (cl 15). I recommend an update to the list of national direction instruments accordingly.
142. The Proposed Plan does not contain any specific provisions on storing tyres outdoors, and there are no relevant bylaws in effect across the district or region. Environment Canterbury have a website that contains information on the NESSTO, and how to comply with it, pitched at a regional level but with district specific information, including for the Waimakariri District<sup>5</sup>.
143. There is one submission from Drucilla Kingi-Paterson [16.9] seeking specific controls on the storage of tyres outdoors in a Residential zone, which is not a Part 1 matter. This submission will be considered by the Residential chapter author.

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<sup>5</sup> <https://www.ecan.govt.nz/your-region/your-environment/waste-and-hazardous-substances/outdoor-tyre-storage/#:~:text=Storing%20or%20stockpiling%20tyres%20outdoors,amenity%20effects%2C%20and%20liability%20issues.>

144. I consider that the scope for this change derives from Part 6 of the National Planning Standards, which require the Proposed Plan to update its lists of national policy statements and national environmental standards.

***Minor and consequential changes***

145. There is a minor typo in the general approach section, with the words “can be” repeated twice. I recommend that this be corrected, as set out in **Appendix A**.

146. A number of amendments have occurred to national direction instruments, which are listed in section 4.13 above. The National Planning Standards require that the Plan list of national direction instruments is updated accordingly.

147. If any updates or amendments have been missed, further consequential amendments should be made, noting that the list of national direction instruments in the Proposed Plan is merely a list of the updates and changes with no consequence on the provisions themselves.

148. I recommend that:

- The list of national direction instruments is updated to include the NESSTO, and amendments that have occurred since notification as set out in **Appendix A**.
- Minor errors are corrected, as set out in **Appendix A**.

Section 32AA further evaluation

149. I consider that the scale and significance of these changes, in the meaning of s 32AA(1)(c), is minor and inconsequential on the rest of the plan provisions, and that the overall environmental, economic, social, and cultural outcome anticipated by the Proposed Plan provisions will not alter as a result of the recommended changes. The National Planning Standards require the list of national direction instruments to be updated upon review and amendment. The changes also are within scope of cl 16(2), sch 1, RMA, which enables minor errors to be corrected.


150. As a result of the changes, I consider that the district plan more accurately reflects the suite of national planning instruments.

## 6 Recommendations:

I recommend that:

1. The Hearing Commissioners accept, accept in part, or reject submissions (and associated further submissions) as outlined in **Appendix B** of this report; and
2. The Proposed Plan is amended in accordance with the changes recommended in **Appendix A** of this report.

Signed:

Name and Title		Signature
Report Author	Peter Wilson Senior Policy Planner	

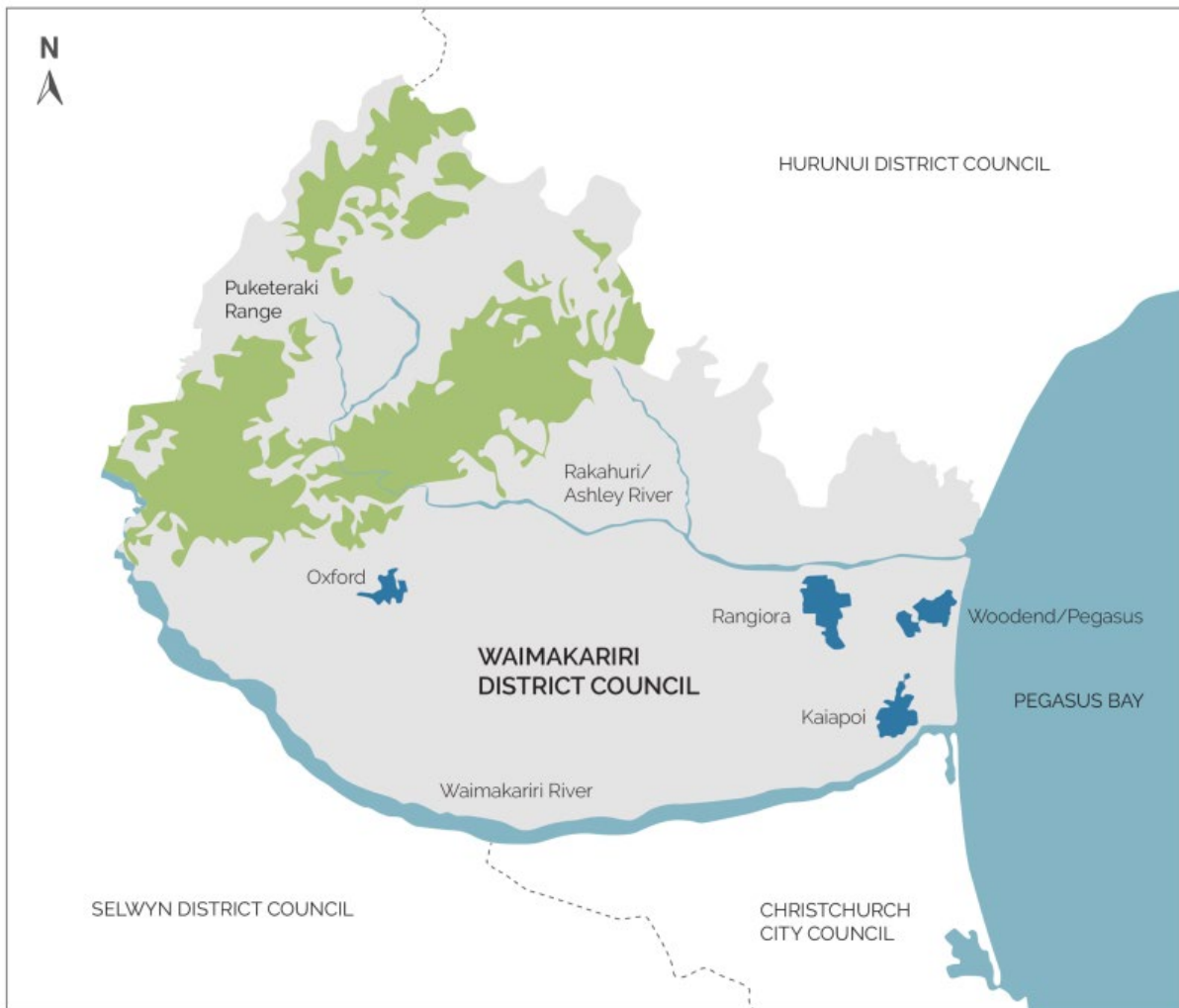
## Appendix A. Recommended Amendments for Part 1 matters

Where I recommend changes in response to submissions, these are shown as follows:

- Text recommended to be added to the Proposed Plan is underlined.
- Text recommended to be deleted from the Proposed Plan is ~~struck through~~.
- The footnote outlines the submitter and submission number which creates the scope for or recommends the change, or otherwise explains the reasons for the change.

### Description of the District

The District Plan applies to the whole of the District's territorial boundary area. The District covers some 225,000ha that extends from the MHWS of Pegasus Bay in the east to the Puketeraki Range in the west. It is bounded to the north by the Hurunui District and from the middle of the Waimakariri River southwards by Christchurch District and Selwyn District.



The whole District sits within the takiwā (territory) of Ngāi Tūāhuriri. The District Council acknowledges Ngāi Tūāhuriri as mana whenua in the District and their history and values are outlined in the Tangata whenua/mana whenua chapter.

The close proximity of Christchurch District influences growth and development patterns in the District. A large portion of the District is flat land used for ~~farming~~ primary production<sup>6</sup>. More recently, smaller rural properties have established for those wanting to live near Christchurch District but within a rural area. The north-western portion of the District is hill and high country including Mt Oxford, Mt Richardson and Mt Thomas. Much of the high country is conservation estate and is a dominant feature of the western landscape.

Some 80% of the population is located in the eastern part of the District which contains the largest towns of Kaiapoi, Rangiora and Woodend/Pegasus. Oxford is the largest town in the west of the District. A number of smaller settlements are located within the District, including Cust, Sefton, and Ashley and the beach settlements of Waikuku Beach, Woodend Beach, The Pines Beach and Kairaki. Large lot residential development (formerly known as 'rural residential' and zoned Residential 4A or 4B) is mainly located in areas zoned for that purpose in locations including Mandeville North, Fernside, Ohoka, Clarkville, Swannanoa, Loburn, Waikuku, Waikuku Beach, Ashley, Waiora Lane, West Eyreton and the outskirts of Oxford.

A range of natural hazards affect the District, some of which may be exacerbated by the effects from climate change. These hazards include flooding, fault rupture, liquefaction and coastal inundation. Some areas are more susceptible than others to natural hazard events, and it is important to improve the District's resilience to natural hazards and mitigate or avoid exposure of people and communities, property and infrastructure to the risk of natural hazards.

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<sup>6</sup> Hort NZ [295.2]

## National Policy Statements and New Zealand Coastal Policy Statement

NPSs and the NZCPS form part of the RMA's policy framework and are prepared by central government. NPSs and the NZCPS contain objectives, policies and methods that must be given effect to by policy statements and plans. NPSs and the NZCPS must also be given regard to by consent authorities when making decisions on resource consent applications, alongside other considerations.

The following provides an overview of the relevant review/s of the District Plan that have undertaken in relation to NPSs and the NZCPS.

<b>National Policy Statements</b>	<b>Details of the Policy Statement and/or Plan review or relevant change to give effect (fully or partially) to each National Policy Statement</b>
National Policy Statement for Freshwater Management 2020	NPSFM has been reviewed in August 2020, <u>and amended January 2023</u>
National Policy Statement on Urban Development 2020	NPSUD has been reviewed in August 2020, <u>and amended December 2021 and May 2022</u>
National Policy Statement for Renewable Electricity Generation 2011	NPSREG has been reviewed in December 2019
New Zealand Coastal Policy Statement 2010	NZCPS has been reviewed in December 2019
National Policy Statement on Electricity Transmission 2008	NPSET has been reviewed in December 2019

## National Environmental Standards

National environmental standards are prepared by central government and can prescribe technical standards, methods (including rules) or other requirements for environmental matters throughout the whole country or specific areas. If an activity doesn't comply with an NES, it is likely to require a resource consent. NES(s) must be observed and enforced by local authorities. The following NES(s) are currently in force:

- Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (amended January 2023)
- Resource Management (National Environmental Standard on Plantation Forestry) Regulations 2017 (amended May 2018)
- Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016
- Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011
- Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009
- Resource Management (National Environmental Standard for Sources of Drinking Water) Regulations 2007
- Resource Management (National Environmental Standards for Air Quality) Regulations 2004 (amended 2011)
- Resource Management (National Environmental Standards for Marine Aquaculture) Regulations 2020
- Resource Management (National Environmental Standards for Storing Tyres Outdoors) Regulations 2021<sup>7</sup>

An NES prevails over District Plan rules unless expressly stated that it does not.

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<sup>7</sup> Consequential change from gazettal of NESSTO, see sections 143-146



## Regulations

The regulations included in this chapter come under the Resource Management Act 1991 (excluding the national environmental standards listed in the National Environmental Standards chapter). These regulations are:

- Resource Management (Discount on Administrative Charges) Regulations 2010
- Resource Management (Exemption) Regulations 1996
- Resource Management (Exemption) Regulations 2017
- Resource Management (Forms, Fees, and Procedure) Regulations 2003
- Resource Management (Infringement Offences) Regulations 1999
- Resource Management (Marine Pollution) Regulations 1998
- Resource Management (Measurement and Reporting of Water Takes) Regulations 2010 (amended September 2020)
- Resource Management (Network Utility Operations) Regulations 2016
- Resource Management (Stock Exclusion) Regulations 2020 (amended January 2023)<sup>8</sup>
- Resource Management (Transitional, Fees, Rents, and Royalties) Regulations 1991

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<sup>8</sup> Federated Farmers [414.5]

## General Approach

### Resource consents and activity status

...

For a resource consent application that requires consent under multiple rules, the overall activity status of a proposal will be determined on the basis of all rules which apply to the proposal. When a proposal involves several components that are subject to multiple rules with different activity statuses, and/or involves an activity/activity across multiple zones, precincts or overlays, and it is appropriate to bundle the activities, the proposal will be assessed on the basis of the most restrictive activity status.

The chapters within Part 2: District wide matters only include rules for certain types of activities. If your proposed activity is within an overlay shown on the planning map, but there are no overlay rules that are applicable to your activity, then the activity can be ~~can be~~<sup>9</sup> assessed under Part 3: Area-Specific chapters and/or Part 2: District wide matters chapters.

An application for resource consent for a proposal must address all rules under which consent is required for that proposal under the District Plan and all relevant matters, or must clearly set out the reason why the application is not in relation to all such matters.

Where a general activity is defined, that definition also applies to any component of that defined activity that is more specifically defined, unless the definition specifically provides otherwise. For example, the definition of 'retail activity' also applies to the definition of 'food and beverage outlet', and 'large format retail'. To determine the status of an activity, where a standard or rule for a specific activity (for example food and beverage outlet) is specified, this will apply, but where there is no standard or rule for a specific activity (such as food and beverage outlet) the standard or rule for a general activity (such as retail activity) will apply.

Application forms and detailed guidance on how to read the District Plan, make an application and the information that is to be submitted with an application are available on the District Council website.

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<sup>9</sup> Minor error identified and corrected, cl 16(1) sch 1 RMA

## **Appendix B. Recommended Responses to Submissions and Further Submissions**

The recommended responses to the submissions made on this topic are presented below.

Table B 1: Recommended responses to submissions and further submissions - Kupu arataki – Introduction and general provisions

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
<b>Kupu arataki – Introduction and general provisions</b>							
261.1	Michael Alexander de Hamel	Purpose	Amend Purpose to: "...The District Plan sets out a framework for the integrated and sustainable management of natural and physical resources <u>for landowners, residents and visitors to Waimakariri District....</u> "	Sections 5.4.1-2	Reject	See Section 5.4	No
99.4	Ken Fletcher	Description of the District	Amend Description of the District: "...Oxford, the largest town in the west of the District, <u>has a different character to Rangiora/Kaiapoi/Woodend...</u> Large lot residential development (formerly known as 'rural residential' and zoned Residential 4A or 4B) is mainly located in areas zoned for that purpose in locations including Mandeville North, Fernside, Ohoka, Clarkville, Swannanoa, Loburn, Waikuku, Waikuku Beach, Ashley, Waiora Lane, West Eyreton and <u>within and around Oxford.</u> "	Sections 5.4.1-2	Reject	See Section 5.4	No
295.1 <sup>10</sup>	Hort NZ - Ailsa Robertson	Purpose	Retain Purpose as notified.	Sections 5.4.1-2	Accept	No changes are recommended based on the content of this submission point	No
295.2 <sup>11</sup>	Hort NZ	Description of the District	Amend to: "The close proximity of Christchurch District influences growth and development patterns in the District. A large portion of the District is flat land used for <u>farming primary production purposes (including food, fibre and timber, amongst others)...</u> "	Sections 5.4.1-2	Accept	Amend district description to: "A large portion of the District is flat land used for <u>farming primary production.</u> "  See section 5.4.2.	Yes

<sup>10</sup> Support - Federated Farmers of NZ - North Canterbury Province [FS 83]<sup>11</sup> Support - Federated Farmers of NZ - North Canterbury Province [FS 83]

Table B 2: Recommended responses to submissions and further submissions – Te whakamahi māhere - how the plan works

Sub. Ref.	Submitter / Further Submitter	Provisions	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
<b>Te whakamahi māhere – How the plan works</b>							
295.3	Hort NZ	Statutory context	Retain Statutory Context Chapter.	Sections 5.4.3-4	Accept	No changes are recommended based on the content of this submission point	No
195.1 <sup>12</sup>	Transpower New Zealand Limited	General approach	<p>Insert new Advice Notes in the General Approach Chapter:</p> <p><u>"GA-ANX The NESETA contain separate regulations for the operation, maintenance, upgrading, relocation or removal of transmission lines that were operating, or able to be operated, on or prior to 14 January 2010 and remain part of the National Grid. Except as provided for by the regulations in the NESETA, no rules in a Plan apply to such activities. An activity that does not relate to an existing transmission line that is part of the National Grid, or where new transmission lines and associated structures are proposed, rules and standards in a plan apply.</u></p> <p><u>GA-ANY NZECP 34:2001 includes restrictions on the location of buildings, structures, and activities in relation to the National Grid and electricity distribution lines. Buildings, structures, and activities in the vicinity of the National Grid or electricity distribution lines must comply with the NZECP 34:2001. Compliance with the rule requirements of the District Plan does not ensure compliance with NZECP 34:2001 or vice versa.</u></p> <p><u>GA-ANZ The Electricity (Hazards from Trees) Regulations 2003 includes regulations to protect the security of the supply of electricity, and the safety of the public, by prescribing distances from conductors within which trees must not encroach and setting rules about the responsibilities for cutting or trimming trees that encroach on conductors. Compliance with these Regulations is mandatory."</u></p> <p>Also amend advice notes in relevant chapters to reference these matters.</p>	Sections 5.4.3-4	N/A	The substantive issue of energy and infrastructure, including the need for advice notes, will be dealt with in the Energy and Infrastructure chapter report.	N/A
295.4	Hort NZ	General approach	Retain the General Approach Chapter.	Sections 5.4.3-4	Accept	No changes are recommended based on the content of this submission point	No
195.2 <sup>13</sup>	Transpower New Zealand Limited	Cross boundary matters	Retain the Cross Boundary Matters Chapter as notified.	Sections 5.4.3-4	Accept	No changes are recommended based on the content of this submission point	No

<sup>12</sup> Support - Federated Farmers of NZ - North Canterbury Province [FS 83]

<sup>13</sup> Support - Chorus NZ Ltd, Spark NZ Trading Ltd, Vodafone NZ Ltd [FS 95]

254.1	Christchurch International Airport Limited	Cross boundary matters	Amend Cross Boundary Matters Chapter: "... Cross boundary issues may arise where: ... 3. Resource consent matters that are primarily the concern of the Regional Council may impinge on the territorial authority. <u>Christchurch International Airport is located in Christchurch District but also serves the Waimakariri District, Canterbury region and the wider South Island. Aircraft noise from aircraft approaching and departing Christchurch International Airport is felt in Waimakariri District (and Airport operations require protection from reverse sensitivity effects arising from this situation), and bird strike risk to aircraft using Christchurch International Airport also requires management in Waimakariri District.</u> ..."	Sections 5.4.3-4	N/A	The substantive issue of airport noise is proposed to be dealt with in a Noise chapter report, and the issue of bird strike risk is discussed in the Rural chapter.	N/A
295.5	Hort NZ	Cross boundary matters	Retain Cross Boundary Matters Chapter as notified.	Sections 5.4.3-4	Accept	No changes are recommended based on the content of this submission point	No
254.2	Christchurch International Airport Limited	Relationships between spatial layers	Retain the 50 dBA $L_{dn}$ Air Noise Contour and 55 dBA $L_{dn}$ Air Noise Contour as overlays in the plan and on the planning maps. Amend the overlay name and descriptions to identify the Air Noise Contours on the planning maps. The technically correct labelling is: <u>Christchurch International Airport 50 dBA <math>L_{dn}</math> Air Noise Contour.</u> <u>Christchurch International Airport 55 dBA <math>L_{dn}</math> Air Noise Contour.</u> Amend the table: <b>Overlays</b> <u>Christchurch International Airport 50 dBA <math>L_{dn}</math> Air Noise Contour</u> An overlay spatially identifies distinctive values, risks or other factors which require management in a different manner from underlying zone provisions. <u>The 50 dBA <math>L_{dn}</math> Air Noise Contour defines an area around Christchurch International Airport which represents the outer control boundary in which the future daily aircraft noise exposure from aircraft operations is sufficiently high as to require avoidance of noise sensitive activities to avoid adverse noise effects and reverse sensitivity effects.</u> District wide matters chapters; and in the relevant zone chapters <u>Christchurch International Airport 55 dBA <math>L_{dn}</math> Air Noise Contour</u> <u>The 55 dBA <math>L_{dn}</math> Air Noise Contour defines an area around Christchurch International Airport in which the future daily aircraft noise exposure from aircraft operations is sufficiently high as to require avoidance of noise sensitive activities to avoid adverse noise effects and reverse sensitivity issues, and noise mitigation for any new building or extension to an existing building.</u> District wide matters chapters; and in the relevant zone chapters	Sections 5.4.3-4	N/A	The substantive issue of airport noise is proposed to be dealt with in the Noise chapter report.	N/A
295.6	Hort NZ	Relationships between spatial layers	Retain Relationships Between Spatial Layers Chapter.	Sections 5.4.3-4	Accept	No changes are recommended based on the content of this submission point	No

Table B 3: Recommended responses to submissions and further submissions: Te whakamāramatanga - Interpretation

Sub. Ref.	Submitter / Further Submitter	Provisions	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
<b>Te whakamāramatanga - Interpretation</b>							
295.63	Hort NZ	Abbreviations	Retain the Abbreviations Chapter.	Sections 5.4.5-6	Accept	No changes are recommended based on the content of this submission point	No
414.23	Federated Farmers of New Zealand	Abbreviations	Bring matters of discretion for each chapter into a table at the bottom of that chapter, and apply this across the entire plan.	Sections 5.4.5-6	Reject	The layout of the plan is already organised in this manner where applicable.	No
295.64	Hort NZ	Glossary	Retain the Glossary Chapter.	Sections 5.4.5-6	Accept	No changes are recommended based on the content of this submission point	No
326.4	Rolleston Industrial Developments Limited	Definitions	Retain definitions as notified.	Sections 5.4.5-6	Accept in part	No changes are recommended based on the content of this submission point	No
419.2	Department of Conservation	Definitions	Retain definitions as notified, except where amendments are sought by the submitter.	Sections 5.4.5-6	Accept in part	No changes are recommended based on the content of this submission point	No

Table B 4: Recommended responses to submissions and further submissions: Ngā taputapu ahunga ā motu - National directions instruments

Sub. Ref.	Submitter / Further Submitter	Provisions	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
<b>Ngā taputapu ahunga ā motu - National directions instruments</b>							
295.65	Hort NZ	National Policy Statements and New Zealand Coastal Policy Statement	Retain the National Policy Statements and New Zealand Coastal Policy Statement Chapter.	Sections 5.4.7-8	Accept	No changes are recommended based on the content of this submission point	No
171.1	Rayonier Matariki Forests	National environmental standards	Other points within this submission identify where there is lack of clear alignment with the NESPF. Rather than refer to Plantation forestry to specifically identify which forestry activity within the NESPF is applicable. Clear identification with each topic if the NESPF applies or does not.	Sections 5.4.7-8	Accept	No changes are recommended based on the content of this submission point. Subsequent and consequential changes may occur as a result of future chapter reports.	No
295.66	Hort NZ	National environmental standards	Retain the National Environmental Standards Chapter as notified.	Sections 5.4.7-8	Accept	No changes are recommended based on the content of this submission point	No
295.67	Hort NZ	Regulations	Retain the Regulations Chapter.	Sections 5.4.7-8	Accept	No changes are recommended based on the content of this submission point	No

414.5	Federated Farmers of New Zealand Inc	Regulations	Clarify if the Regulations List is including the Resource Management (Stock Exclusion) Regulations 2020 and if it does, clarify where responsibility for enforcing them sits.	Sections 5.4.7-8	Accept	The Resource Management (Stock Exclusion) Regulations 2020 are recommended to be added to the list of national regulations.  See Section 5.4	Yes
295.68	Hort NZ	Water conservation orders	Retain Water Conservation Orders Chapter as notified.	Sections 5.4.7-8	Accept	No changes are recommended based on the content of this submission point	No

Table B 5: Recommended responses to submissions and further submissions – General provisions

Sub. Ref.	Submitter / Further Submitter	Provisions	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
<b>General provisions</b>							
16.2	Drucilla Kingi - Patterson	General	Manage the height of trees.	Sections 5.4.9-10	Reject	See Section 5.4	No
16.3	Drucilla Kingi - Patterson	General	Seek a scheme where the Council organises tree cutting and takes a percentage on rates.	Sections 5.4.9-10	Reject	See Section 5.4	No
16.4	Drucilla Kingi - Patterson	General	Seeks a scheme whereby if there is any water issue can ring Council and come to an arrangement.	Sections 5.4.9-10	Reject	See Section 5.4	No
16.12	Drucilla Kingi - Patterson	General	Allow for lights on runway, and seal road from the hospital to Rangiora Airfield.	Sections 5.4.9-10	Reject	See Section 5.4	No
16.13	Drucilla Kingi - Patterson	General	Seeks higher health grade for Rangiora Hospital as population increases.	Sections 5.4.9-10	Reject	See Section 5.4	No
16.15	Drucilla Kingi - Patterson	General	Public can ask on Hemp (cannabis) production locations which need restriction.	Sections 5.4.9-10	Reject	See Section 5.4	No
16.16	Drucilla Kingi - Patterson	General	Public can ask on insect production locations - need restriction, permits and zones.	Sections 5.4.9-10	Reject	See Section 5.4	No
147.23	Kaiapoi-Tuahiwi Community Board	General	Seek that the Pines and Kairaki Beaches communities be treated fairly in any transition from the coastline with sea level rise.	Sections 5.4.9-10	N/A	I recognise the Pines and Kairaki Beach communities may be the most affected communities in the District by climate change. This issue is discussed in the Special Purpose Zone (Pines Beach and Kairaki Regeneration) and Residential chapter reports.	N/A
155.15	Woodend-Sefton Community Board	General	Planning for active transport modes as part of any development.	Sections 5.4.9-10	N/A	Safe active transport is enabled through the Proposed Plan which requires active transport design and facilities across a wide variety of zones and developments as a district-wide matter. The specific provisions for active transport are located in the Transport chapter and will be	N/A



						discussed in the Transport chapter report.	
172.9	Oxford-Ohoka Community Board	General	Consider the size of the vehicles used in the rural areas when determining the size of car parking.	Sections 5.4.9-10	N/A	Car parking across all sites is no longer a mandatory requirement within district plans, except where car-parking is specified as specific requirement, such as for accessibility parking. The Transport chapter report will discuss this.	N/A
172.11	Oxford-Ohoka Community Board	General	Support Oxford A&P showgrounds activities being able to continue on their site.	Sections 5.4.9-10	N/A	The Proposed Plan establishes a permitted activity rule for certain activities at the Oxford showground, which is zoned as General Residential in the Proposed Plan. The specific provisions and any need for change will be discussed in the Residential chapter report.	No
320.1	Stephanie Jane Waterfield	General	It is very important that the Council consider the risk/benefits of expansion of older people services in the District. Appropriate services must be planned for and provided.	Sections 5.4.9-10	Reject	Agree with the submitter's sentiment but recommend rejection of submission as it is outside of the scope of the Proposed Plan.	No
115.1	Lynda Karen Vernel	General	Want to be kept informed about any submissions that may affect their jet boat operation (Alpine Thrills).	Sections 5.4.9-10	N/A	Referred to Activities on Surface of Water chapter report  See Section 5.4	N/A
148.8	Rangiora-Ashley Community Board	General	Not specified.  [Submission summary: <i>Supports the protection special purpose zones offer into the future.</i> ]	Sections 5.4.9-10	Accept	No changes are recommended based on the content of this submission point	No
307.4	Malcolm Hanrahan	General	Council should not put as much reliance on submission feedback to highlight working issues with specific rules, as they may have done so in the past.	Sections 5.4.9-10	Reject	The Proposed Plan submission analysis is carried out in accordance with the requirements of sch 1, RMA.  See Section 5.4	No
309.2	Hellers Limited	General	Retain all Proposed District Plan provisions as notified.	Sections 5.4.9-10	Accept	No changes are recommended based on the content of this submission point	No
311.2	Domett Properties Limited	General	Retain all Proposed District Plan provisions as notified.	Sections 5.4.9-10	Accept	No changes are recommended based on the content of this submission point	No
360.1	Christchurch City Council	General	See subsequent submission points.  (Submission summary: Generally support the Proposed District Plan. Notes the timing of the District Plan Review brings challenges, particularly due to current planning context including the Resource Management Act reform and the Resource Management Enabling Housing Supply Amendment Bill. The Amendment Bill will have implications for the Proposed District Plan.  Other work underway in the sector will have a bearing on the Review, including Greater Christchurch Spatial Plan, Selwyn District Council's District	Sections 5.4.9-10	Accept	No changes are recommended based on the content of this submission point	No

			Plan Review, Regional Land Transport Plan 2021-2031, and National Policy Statement on Urban Development.  Acknowledge Council's commitment to engaging with its strategic partners, including mana whenua, the other Greater Christchurch councils and central government, to ensure an integrated approach that takes account of the strategic context.)				
362.1	North Canterbury Fish and Game Council	General	Not specified.  (Submission summary: <i>Support the development of a District Plan that provides clear direction, reporting, monitoring and enforcement to protect the regions' diverse and sensitive indigenous biodiversity, and the water quality and fisheries impacted by biodiversity management.</i> )	Sections 5.4.9-10	Accept	No changes are recommended based on the content of this submission point	No
364.3	Philip Davison	General	Councils should be amalgamated to cut the present number of 67 and the 3-Water entities being proposed should be instituted.	Sections 5.4.9-10	Reject	See Section 5.4	No
254.14	Christchurch International Airport Limited	General	Place objectives and policies for significant strategic infrastructure (specifically the Airport) and for its protection from incompatible uses and reverse sensitivity in the Strategic Directions Chapter. Place objectives and policies providing for Airport operations and protecting from reverse sensitivity in appropriate plan sections to guide rules. Locate rules restricting land use and addressing reverse sensitivity issues for noise sensitive activities in the 50 dBA Ldn Air Noise Contour, and rules for bird strike risk, in appropriate plan chapters for easy identification. Grant relief in Appendix B or alternatively grant any other similar relief that would deal with concerns in this submission.	Sections 5.4.9-10	N/A	To be discussed in a Noise chapter report	N/A
254.153 <sup>14</sup>	Christchurch International Airport Limited	General	Activities with adverse reverse sensitivity effects, or that are incompatible with airport activities require a clause in relevant rules to notify Christchurch International Airport of any application under those rules.	Sections 5.4.9-10	N/A	To be discussed in a Noise chapter report	N/A
FS 47	Hort NZ		"HortNZ oppose the submissions of CIAL as considers that there will be significant on the horticulture industry. There has been no industry engagement on these matters or s32 analysis to support the proposal". Hort NZ request that submission 254.153 is disallowed, and that CIAL "engage with the hort sector".	Sections 5.4.9-10	N/A	To be discussed in a Noise chapter report	N/A
FS 49	NZ Pork		"The submitters states that a number of activities including commercial pig farming is known to increase the risk of bird strike if they are allowed to take place in the vicinity of the flight paths for aircraft approaching or departing from the Airport. Seeks that those activities are identified and included within a definition of 'bird strike risk activity' with a corresponding suite of provisions controlling these activities within proximity of the Christchurch International Airport runways. <ul style="list-style-type: none"> <li>• No engagement with the pork industry has occurred.</li> <li>• No analysis is provided to support the assertion that commercial pig farming is known to increase the risk of bird strike.</li> <li>• No assessment of whether the objective achieves the purpose of the RMA or whether the method is effective or efficient has been undertaken.</li> <li>• No section 32 assessment. No assessment of costs or benefits has been undertaken.</li> <li>• No assessment of alternatives has been provided (including whether district</li> </ul>	Sections 5.4.9-10	N/A	To be discussed in a Noise chapter report	N/A

<sup>14</sup> Oppose - Horticulture NZ [FS 47], Oppose - NZPork [FS 49]

			plan regulation is required).”  Disallow the submission. <ul style="list-style-type: none"> <li>• No engagement with the pork industry has occurred.</li> </ul> No analysis is provided to support the assertion that commercial pig farming is known to increase the risk of bird strike. <ul style="list-style-type: none"> <li>• No assessment of whether the objective achieves the purpose of the RMA or whether the method is effective or efficient has been undertaken.</li> <li>• No section 32 assessment.</li> <li>• No assessment of costs or benefits has been undertaken.</li> <li>• No assessment of alternatives has been provided (including whether district plan regulation is required)</li> </ul>				
254.154 <sup>15</sup>	Christchurch International Airport Limited	General	Clear, thorough cross-references linking relevant rules and other parts of the Proposed District Plan are essential and not provided in Proposed District Plan.	Sections 5.4.9-10	N/A	To be discussed in a Noise chapter report	N/A
FS 47	Hort NZ		HortNZ oppose the submissions of CIAL as considers that there will be significant on the horticulture industry. There has been no industry engagement on these matters or s32 analysis to support the proposal.  Disallow the submission. Engage with the hort sector	Sections 5.4.9-10	NA	To be discussed in a Noise chapter report	N/A
284.1	Clampett Investments Limited	General	Amend all controlled and restricted discretionary activity rules:  "Applications shall not be limited or publicly notified, on the basis of effects associated specifically with this rule and the associated matters of control or discretion."	Sections 5.4.9-10	N/A	To be considered by subsequent chapter authors	N/A
326.1 <sup>16</sup>	Rolleston Industrial Developments Limited	General	Amend the Proposed District Plan to delete the use of absolutes such as ‘avoid’, ‘maximise’ and ‘minimise’.	Sections 5.4.9-10	N/A	To be considered by subsequent chapter authors	N/A
FS 78	Forest & Bird		Oppose - there may be instances where it is appropriate to notify consents	Sections 5.4.9-10	N/A	To be considered by subsequent chapter authors	N/A
FS 84	Oxford Residents Association		Oppose – “Refer to ORA submission on RCPO31 for further detail. It is inconsistent with the policy direction set out in the National Policy Statement for Highly Productive Land. It is also inconsistent with the objectives of the National Policy Statement on Urban”  “ORA oppose any and every amendment requested to the Proposed District Plan that supports RIDL's hugely unpopular, unwanted and inappropriate satellite town to be developed in Ohoka . We want the Council to disregard all submissions from RIDL, The Carter Group Limited and Chapmann Tripp that are designed to facilitate RCPO31”  Disallow the submission	Sections 5.4.9-10	N/A	To be considered by subsequent chapter authors	N/A
FS 119	Andrea Marsden		Oppose – RIDL suggest limited the use of absolutes i.e. maximum, within the Waimakariri District Plan. The these attributes exist is surely to ensure compliance with the District Plan so should be included as they stand to prevent	Sections 5.4.9-10	N/A	To be considered by subsequent chapter authors	N/A

<sup>15</sup> Oppose - Horticulture NZ [FS 47]

<sup>16</sup> Oppose - Forest & Bird [FS 78], Oppose - Ohoka Residents Association [FS 84], Oppose - Andrea Marsden [FS 119], Oppose - Christopher Marsden [FS 120]

			private developers doing exactly as they please”  Limiting the use of absolutes as suggested by RIDL opens the system up to potential abuse. As RIDL are proposing a Plan Change 31 which directly affects my property, this change to wording must not be allowed.  Disallow				
FS 120	Christopher Marsden		Oppose – RIDL are seeking to limit the use of absolutes, i.e. ‘maximum’, ‘avoid’ in the Waimakariri District Plan – this plan covers Ohoka where I live. However these absolutes exist to ensure compliance with the District Plan so should be included as they stand.  Disallow	Sections 5.4.9-10	N/A	To be considered by subsequent chapter authors	N/A
326.2 <sup>17</sup>	Rolleston Industrial Developments Limited	General	Amend so that all controlled and restricted discretionary activity rules include the following wording, or words to like effect:  "Applications shall not be limited or publicly notified, on the basis of effects associated specifically with this rule and the associated matters of control or discretion."	Sections 5.4.9-10	N/A	To be considered by subsequent chapter authors.	N/A
FS 78	Forest & Bird		Oppose - there may be instances where it is appropriate to notify consents	Sections 5.4.9-10	N/A	To be considered by subsequent chapter authors	N/A
FS 199	Andrea Marsden		Oppose – RIDL are proposing that the wording be altered to include unlimited applications which do not need to be publicly notified. However all applications should be notified and open for consultation to give local communities a voice.  The District Plan covers Ohoka. RIDL have proposed a Plan Change 31 for this area and adopting unlimited applications and non-notifications will open the system up to exploitation so the change of wording must be declined.  Disallow	Sections 5.4.9-10	N/A	To be considered by subsequent chapter authors	N/A
FS 120	Christopher Marsden		Oppose – RIDL are proposing that the wording be altered to include unlimited applications which do not need to be publicly notified. However all applications should be notified and open for consultation to give local communities a voice.  The District Plan covers the area where we live, Ohoka. RIDL have proposed a Plan Change 31 for this area and adopting unlimited applications and non-notifications will open the system up to exploitation.  Disallow	Sections 5.4.9-10	N/A	To be considered by subsequent chapter authors	N/A
326.3 <sup>18</sup>	Rolleston Industrial Developments Limited	General	Amend controlled and restricted discretionary activity rules to provide direction regarding non-notification.	Sections 5.4.9-10	N/A	To be considered by subsequent chapter authors.	N/A
FS 78	Forest and Bird		Oppose - There may be instances where it is appropriate to notify consents	Sections 5.4.9-10	N/A	To be considered by subsequent chapter authors.	N/A

<sup>17</sup> Oppose - Forest & Bird [FS 78], Oppose - Andrea Marsden [FS 119], Oppose - Christopher Marsden [FS 120]

<sup>18</sup> Oppose - Forest & Bird [FS 78]

419.1	Department of Conservation	General	Ensure hyperlinks are correct, including that the hyperlink to 'site' and 'sites' hyperlinks to the correct definition.	Sections 5.4.9-10	N/A	To be considered by subsequent chapter authors in their drafting recommendations.	N/A
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## Appendix C. Report Author's Qualifications and Experience

### Peter Wilson

I hold the following qualifications:

- Master of Planning (MPlan) and Bachelor of Physical Geography (BSc) from the University of Otago.

I am an intermediate member of the New Zealand Planning Institute.

I am a certified hearings commissioner.

I have 17 years' experience in working as a planner for local, central government, private consultancy, and a range of non-government organisations.

My work experience includes:

- Principal advisor (water) for Federated Farmers of New Zealand.
- Extensive affected party, policy planning, Environment Court case management and litigation, central government liaison, and freshwater science experience with regional Fish and Game Councils and the New Zealand Fish and Game Council.
- Private consultancy, primarily on conservation and recreation planning issues to a range of non-government organisation and trust clients.
- Private aquaculture and geospatial businesses.
- Consent planning for the Waitaki District Council.
- Statutory, RMA, and recreation planning for the Department of Conservation.

I have worked on planning matters across all New Zealand.

I have been employed by the Waimakariri District Council since August 2022 as a senior planner.

### Conflict of interest statement

In my role at Federated Farmers of New Zealand, I was the primary author of its submission on the Proposed Plan. I understand that this is a potential conflict of interest that requires declaration. I have no direct interest or benefit or gain from the outcome of the submission, not being from a farming background or having farming interests, and also being a new resident to the district (and region).

Since employment by Council, I have undertaken to:

- a) Not report on the Rural chapter
- b) Ensuring that any of my work that handles the Federated Farmers submission is checked and reviewed.
- c) Not participating in consultation and engagement with Federated Farmers, except with another staff member present.

I notified my employer, the Waimakariri District Council, of this prior to employment.

My previous work at the Department of Conservation and Fish and Game Councils has not involved any Waimakariri district matter.