

Waimakariri District Council Proposed Waimakariri District Plan

Recommendations of the PDP Hearings Panel

Recommendation Report 2

Hearing Stream 1 & 2 Part 2: District-wide matters – SD – Strategic Directions

This report should be read in conjunction with **Report 1** and **Recommendation Report 3**.

Report 1 contains an explanation of how the recommendations in all subsequent reports have been developed and presented, along with a glossary of terms used throughout the reports, a record of all Panel Minutes, a record of the recommendation reports and a summary of overarching recommendations. It does not contain any recommendations per se.

Recommendation Report 3 contains the PDP Panel's recommendations on the PDP's Part 2: District-wide Matters – Strategic directions - UFD Urban Form and Development objectives and policies.

Appendix 1: Schedule of attendances

Appendix 2: Recommended amendments to the Proposed Plan - Tracked from notified version (provisions not consequentially renumbered)

The Hearings Panel for the purposes of **Hearing Stream 1 & 2** comprised Commissioners Gina Sweetman (Chair), Allan Cubitt, Gary Rae, Megen McKay, Neville Atkinson and Niki Mealings.

1. Introduction

Report outline and approach

1. This is Report 2 of 37 Recommendation Reports prepared by the PDP Hearings Panel appointed to hear and make recommendations on submissions to the Proposed Waimakariri District Plan (PDP).
2. The report addresses the objective, policies, rules and other provisions relating to the SD – Strategic Directions Chapter and the submissions received on those provisions. The relevant provisions are:
 - Definition of Strategic Infrastructure
 - SD-O1, Natural Environment
 - SD-O2, Urban Development
 - SD-O3, Energy and Infrastructure
 - SD-O4, Rural Environment
 - SD-O5, Ngāi Tahu mana whenua/Te Ngāi Tūāhuriri Rūnanga
 - SD-O6, Natural hazards and resilience
3. We have structured our discussion on this topic as follows:
 - (a) **Section 2** summarises key contextual matters, including relevant provisions and key issues/themes in submissions;
 - (b) **Sections 3 – 10** contains our evaluation of key issues and recommended amendments to provisions; and
 - (c) **Section 11** contains our conclusions.
4. This Recommendation Report contains the following appendices:
 - (a) **Appendix 1: Schedule of attendances** at the hearing on this topic. We refer to the parties concerned and the evidence they presented throughout this Recommendation Report, where relevant.
 - (b) **Appendix 2: Recommended amendments to the Proposed Plan – Tracked from notified version.** This sets out the final amendments we recommend be made to the PDP provisions relating to this topic. The amendments show the specific wording of the amendments we have recommended and are shown in a ‘tracked change’ format showing changes from the notified version of the PDP for ease of reference. Where whole provisions have been deleted or added, we have not shown any consequential renumbering, as this method maintains the integrity of how the submitters and s42A Report authors have referred to specific provisions, and our analysis of these in the Recommendation Reports. New whole provisions are prefaced with the term ‘new’ and deleted provisions are shown as struck out, with no subsequential renumbering in either case.

5. We record that all submissions on the provisions relating to the SD Chapter have been taken into account in our deliberations. In general, submissions in support of the PDP have not been discussed but are accepted or accepted in part. More detailed descriptions of the submissions and key issues can be found in the relevant s42A Reports, Responses to Preliminary Questions and written Reply Reports, which are available on the Council's website.
6. In accordance with the approach set out in Report 1, this Report focuses only on 'exceptions', where we do not agree fully or in part with the s42A report authors' recommendations and / or reasons, and / or have additional discussion and reasons in respect to a particular submission point, evidence at the hearing, or another matter. Original submissions have been accepted or rejected as recommended by the s42A report author unless otherwise stated in our Recommendation Reports. Further submissions are either accepted or rejected in conformance with our recommendations on the original submission to which the further submission relates.
7. The requirements in clause 10 of the First Schedule of the Act and s32AA are relevant to our considerations of the PDP provisions and the submissions received on those provisions. These are outlined in full in Report 1. In summary, these provisions require among other things:
 - (a) our evaluation to be focussed on changes to the proposed provisions arising since the notification of the PDP and its s32 reports;
 - (b) the provisions to be examined as to whether they are the most appropriate way to achieve the objectives; and
 - (c) as part of that examination, that:
 - i. reasonable alternatives within the scope afforded by submissions on the provisions and corresponding evidence are considered;
 - ii. the efficiency and effectiveness of the provisions is assessed;
 - iii. the reasons for our recommendations are summarised; and
 - iv. our report contains a level of detail commensurate with the scale and significance of the changes recommended.
8. We have not produced a separate evaluation report under s32AA. Where we have adopted the recommendations of Council's s42A report authors, we have adopted their reasoning, unless expressly stated otherwise. This includes the s32AA assessments attached to the relevant s42A Reports and/or Reply Reports. Those reports are part of the public record and are available on the Council website. Where our recommendation differs from the s42A report authors' recommendations, we have incorporated our s32AA evaluation into the body of our report as part of our reasons for recommended amendments, as opposed to including this in a separate table or appendix.
9. A fuller discussion of our approach in this respect is set out in Section 5 of Report 1.

2. Summary of provisions and key issues

Outline of matters addressed in this section

10. In this section, we provide relevant context around which our evaluation of the notified provisions and submissions received on them is based. Our discussion includes:
 - (a) summary of relevant provisions;
 - (b) themes raised in submissions; and
 - (c) identification of key issues for our subsequent evaluation.

Submissions

11. The s42A report records that there were 45 submitters, with 127 original submission points, and 53 further submission points on the Strategic Directions provisions.

Key issues

12. The key issues that the s42A report identified as being in contention on this chapter relate to how the plan complies with higher order documents, the removal of housing constraints, increased emphasis on infrastructure, reverse sensitivity effects, and protection of highly productive land. Adopting our exceptions approach we have reported on the relevant topics below.
13. However, another key issue was whether the Strategic Directions objectives should have primacy over other objectives and policies in the PDP. While we agree with the s42A report author's assessment of those submissions we also provide some explanation on that topic below.

3. Introduction Section - Primacy of Strategic Directions objectives

14. The submissions we consider here are by MainPower¹ and Kainga Ora² who both requested amendments to the Introduction section as follows:

"1. the SD ~~may~~ provides guidance for related objectives and policies in other chapters; and

2. the relevant objectives and policies of the DP, including SD in this chapter, are to be considered together, **with the SD having primacy over other objectives and policies of the District Plan.** ~~and no hierarchy exists between them."~~

15. The 'primacy issue', i.e. whether the Strategic Directions (SD) objectives should have primacy over the rest of the objectives and policies within the PDP, was the subject of considerable evidence, submissions, and discussion at the hearing. We heard planning evidence from Ms Dale, for Kainga Ora, and Melanie Foote for MainPower. In essence,

¹ [249.197]

² [325.1]

the evidence supported enabling the SD objectives to have primacy, as this will better guide decision makers by avoid conflicting policy directions within the PDP.

16. The s42A report author, Mr Buckley, did not support the requested amendments, for reasons summarised in his Reply Report as follows:

The Proposed District Plan was written with the intent that the Strategic Directions chapter objectives do not have primacy over the rest of the plan. The provisions focus solely on those issues that were considered to be of strategic importance to the district and did not include those issues that were not strategic or were to be addressed in subsequent chapters. It was the intent that the plan be read as a whole and that where a specific issue arose that there would be a specific policy that would address it within the appropriate context.

I do not recommend any changes to the Strategic Directions introduction with respect to giving direction that the Strategic Directions and Urban Form and Development provisions take primacy or a higher weighting over other provisions within the District Plan. The National Planning Standards do not state that Strategic Directions chapters have primacy over other objectives within the Proposed District Plan.

Further, I note that if a decision was made to give the Strategic Direction objectives primacy over other objectives, the framework of the other objectives and subservient provisions would need to be reassessed as to the degree that this chapter (and the plan) would give effect to the Council's requirements under s75(A) of the Act.

17. As the hearing streams progressed it occurred to the Panel that Mr Buckley's advice might potentially impact the consideration of objectives and policies in the other PDP Chapters. So, at the conclusion of Hearing Stream 5, the Panel signalled that the s42A report authors would be required in future s42A reports to include their own professional assessment of any potential implications that may arise for the particular chapter's objectives if the Strategic Directions (including Urban Form and Development objectives) had primacy. We received a memorandum from the s42A report authors on 8 September 2023 on this matter. The Panel then asked that all of the s42A report authors address this matter in their respective reports³.
18. Mr Buckley, provided a memorandum to the Panel⁴ which advised that Council had received legal advice on this matter to the effect that:

Buddle Findlay in their analysis of the Port of Otago Supreme Court decision, paragraph [61], note that: "The key takeaways in this context are that plans do not need to resolve all conflicts and there is no need to establish a hierarchy for

³ Minute 11 from Panel 2 October 2023.

⁴ Memorandum from Mr Buckley, 29 September 2023.

strategic objectives (as between themselves). There are established principles for resolving conflicts in these situations.”

19. Mr Buckley further referred to a memorandum from Mr Willis (s42A report author for several hearing streams and the author of the s32 report for SD). Mr Willis’ memorandum provided his interpretation of how primacy is perceived within the National Planning Standards and how it is treated in other district plans, and this leads to the following possible approaches:

- a) SD objectives have no "primacy" and sit on the same level as other objectives in the plan; or*
- b) SD objectives have "primacy" in one of the following different senses (dependent on how the district plan is crafted):*
 - i. SD objectives inform objectives and policies contained in other chapters;*
 - ii. Objectives and policies in other chapters must be expressed and achieved as being consistent with the SD objectives;*
 - iii. SD objectives are used to resolve conflict with objectives and policies in other chapters; and*
 - iv. SD objectives override all other objectives and policies in the plan.*

20. The Panel subsequently received a memorandum which contained the various recommendations on the primacy issue⁵ from each of the s42A report authors, each making direct reference to the above options. We provided an opportunity for the submitters to respond. A response was subsequently received from Kainga Ora⁶, but not from MainPower. Kainga Ora advised:

Counsel submit that the appropriate role of strategic direction objectives is captured by (b)(i) to (iii) above – consistent with the scheme of the RMA and planning instruments, which moves from the general to the specific.

Kāinga Ora supports the use of SD objectives and policies to inform and to guide, for other objectives and policies to be consistent with them, and for those objectives and policies to be used to resolve conflict, but not in a way that would allow them to “override” more specific and/or directive policies elsewhere in the district plan.

In other words, it supports the conclusions reached in paragraph 3 (b)(i)-(iii) of the overarching memorandum from the Council reporting officers dated 8 December 2023, but not paragraph 3 (a) or (b)(iv).

21. The Panel then directed there be an overall co-ordinated response from the s42A report authors, taking account of the submitter’s response. This was subsequently provided as part of the ‘Reply Report on Wrap Up Matters’⁷, as follows.

⁵ Staff memorandum, 8 December 2023

⁶ Memorandum from Kainga Ora, 16 February 2024

⁷ Item 14, Reply Report on Wrap Up Matters, 13 December 2024.

Reporting Officers have reviewed their memo of 8 December 2023, and the memo of Kainga Ora dated 16 February 2024. Reporting Officers note that Kainga Ora agree with the Reporting Officers' position in respect of matters (i) to (iii) but disagree with respect to Strategic Directions (SD) 'overriding' all other objectives and policies (as per SD approach (iv)). Reporting Officers agree with paragraph 7 of the Kainga Ora memo, and with respect to paragraph 8 consider that SDs may be able to provide pathways to resolve conflicts, but that SDs should not and could not anticipate and resolve every conflict that may arise.

Reporting Officers maintain their view that SD and UFD objectives and policies should not have primacy in terms of primacy approaches (iii) and (iv), as set out in their memo dated 8 December 2023. As such, Reporting Officers do not recommend any amendments to the Introduction sections of both the SD and UFD chapters in relation to this matter.

22. Having reviewed the memorandum from Kainga Ora and the final position of the s42A report authors, we understand there now to be a high level of agreement on this matter.
23. We understand the position is that both Kainga Ora and the s42A report authors accept that the Strategic Directions should:
 - (a) not over-ride all other objectives and policies in the PDP (i.e. clause (a) does not apply); and
 - (b) have primacy but only in terms of the SD objectives informing objectives and policies contained in other chapters, with the objectives and policies in other chapters to be expressed and achieved as being consistent with the SD objectives (i.e. clauses (b)(i) and (b)(ii) do apply).
24. The only disagreement we understand was that Kainga Ora considered that SD objectives may be used to resolve conflict with objectives and policies in other chapters (clause (b)(iii)), whereas the s42A report authors consider that primacy should not extend to clause (b)(iii).
25. We agree with Kainga Ora and with the s42A report authors with respect to the Strategic Directions objectives having primacy in terms of informing objectives and policies contained in other chapters, and with the objectives and policies in other chapters to be expressed and achieved as being consistent with the SD objectives. On the one matter where there appears to be some disagreement, we consider that whether or not the Strategic Directions objectives and policies are used to resolve conflicts with other objectives and policies in the plan will become more of a practice matter, to be considered on a case-by-case basis. This does not require any policy direction.
26. Overall, we agree with the s42A report authors that no changes are required to the Introduction section of the SD Chapter, and we note that Kainga Ora's memorandum

referred to above did not request any changes are required to be made. We therefore recommend that the submissions are rejected.

4. Definition of Strategic Infrastructure

27. The Panel has recommended an amendment to the definition of Strategic Infrastructure, and in so doing we do not accept the recommendation of the s42A report author, which was to make no amendments to this definition, as summarised below:

Provisions	Panel recommendations
Definition of Strategic Infrastructure	Amend by deleting clause (d) 'Port of Lyttelton'.

Amendment and Reasons

28. The submission we consider here is by Department of Conservation⁸ who sought that the definition is amended by deleting 'Port of Lyttelton' as it is an asset that is located outside the District.
29. The s42 report author (Mr Buckley) recommended the submission be rejected, as the Port of Lyttelton is listed as a strategic infrastructure asset in the RPS, and the District Plan is required to be consistent with that. In the Reply Report, and in response to a question from the Panel, Mr Buckley also noted that while the Port does not presently have a presence within the District, it could in the future develop an inland port in the District to cater for North Canterbury.
30. The Panel considers that, while Port Lyttelton is undoubtedly a strategic infrastructure asset in the Region, it is not located in Waimakariri District, there is currently no other "Port of Lyttelton" located in the District, and there is therefore no need to include it in the definition in the PDP. We note that in our report for the EI chapter we have recommended excluding references to infrastructure outside the District.
31. We also note that Christchurch International Airport is also included in the definition but lies outside this District. However, there are provisions in the PDP which relate to the operation of the airport, including noise contours which potentially influence the location of residential development and require acoustic insulation in certain circumstances. The Airport can therefore be distinguished from Port of Lyttelton in that respect.
32. Accordingly, we recommend the submission of Department of Conservation is accepted.

⁸ [419.27]

5. SD-O1 – Natural environment

33. The Panel's recommended amendment to SD-O1, over and above the amendment recommended by the s42A report author, is summarised below:

Provisions	Panel recommendations
SD-O1(3)	Amend to include "from inappropriate subdivision, use and development".
SD-O1(6)	Add a new clause to refer to "the health and well-being of freshwater is prioritised".

Amendments and Reasons

34. The submissions we consider here are by:
- (a) Transpower New Zealand Limited⁹, and
 - (b) Forest & Bird¹⁰.
35. Transpower's submission requested that SD-O1(3) is amended to add the qualifier that the recognition and protection of outstanding natural features and landscapes are identified, and their values should be protected "from inappropriate subdivision, use and development". This is to align the policy intent with s6(b) of the RMA.
36. The s42A report author had originally recommended that the submission be rejected as the NFL and SUB chapters include reference to what is inappropriate and therefore addresses s6(b). In response to a question from the Panel, Mr Buckley subsequently advised, in the Reply Report, that he had conferred with the s42A report author for the NFL hearing, and that he considered the submission requesting SD-O1(3) be amended to reference the intent of s6(b) should now be accepted.
37. We agree with the evidence on this point, and accordingly the submission by Transpower is accepted. However, we note that the recommended amendments to SD-O1(3) were not carried over into the final recommended provisions, and so we have made those changes.
38. Forest & Bird's submission requested that recognition is given to the mauri of ecosystems, and indigenous biodiversity is safeguarded, and freshwater is managed in a way that gives effect to Te Mana o te Wai. We accept the s42A report author's response to this, as stated in the Reply Report, however we note that the Wrap Up Reply Report records there was subsequent discussion between the s42A report authors for the SD chapter and the ECO chapter and it was agreed the new clause would be worded to refer specifically to "the health and well-being of freshwater is prioritised".

⁹ [195.20]

¹⁰ [192.29]

39. We accept the staff evidence on this point, and therefore the submission by Forest & Bird is accepted in part. However, the agreed change was not correctly shown in the amended provisions, and we have accordingly corrected that.

6. SD-O2 – Urban development

40. The Panel’s recommended amendments to SD-O2, over and above the amendment recommended by the s42A report author, are summarised below:

Provisions	Panel recommendations
SD-O2(1)	Amend to delete the reference to “well functioning” and replace “urban centres” with “urban areas”.
SD-O2(4)	Amend by adding the words “focusing new residential areas within <u>and around</u> existing townships”. Amend by adding “in order to <u>as a minimum</u> achieve the housing bottom lines in UFD-O1...”
SD-O2(5)(a)	Amend clause 5(a) to include a reference to educational facilities.

Amendments and Reasons

41. The submissions we consider here are by:
- (a) Kainga Ora¹¹
 - (b) Ken Fletcher¹²
 - (c) Richard and Geoff Spark¹³; and
 - (d) Ministry of Education¹⁴.
42. Kainga Ora requested that clause 1 of SD-O2 is amended to align with Objective 1 of the NPS-UD. The wording requested was:
- "Urban development and infrastructure that:
- 1. is consolidated and integrated with ~~the~~ well-functioning urban environments;
43. The s42A report author recommended accepting this submission, and he made a further change to replace “urban environment” with “urban centres”, and he assigned this as a consequential change to submissions heard in the UFD hearing.
44. The Panel accepts that the change requested by Kainga Ora would be consistent with the NPS-UD. However, the issue of what constitutes an “urban environment” was a matter of contention addressed in considerably more evidence at the UFD hearing. Our recommendation report for UFD traverses this matter further and makes amendments to the objectives and policies in that Chapter. We consider that is the appropriate place to pick up on the more nuanced aspects of the urban environment,

¹¹ Kainga Ora [325.3]

¹² Ken Fletcher [99.2]

¹³ Richard & Geoff Spark [183.1]

¹⁴ Ministry of Education [277.1].

rather than in the SD Chapter. We also note the s42A report author's recommended change to replace "urban environment" with "urban centres" will be inconsistent with the changes we have recommended to objectives in the UFD chapter, and so we recommend that these terms are replaced with the more generic term "urban areas", as a consequential amendment to our recommendations on submissions in that chapter.¹⁵

45. Ken Fletcher sought to include a reference in SD-O2(4) to focusing new residential activity within "and around" existing townships. We do not agree with the s42A report author's concerns that the amendment would undermine the other provisions within SD-O2. We note that SD-O2(1) is for urban development which is consolidated and integrated with the urban environment, and SD-O5(c) requires that the urban centres are the focus around which new residential development can occur, and neither of these underlined terms require that development is located within towns. We also do not share his view that this will conflict with Objective 5.2.1 and Policy 5.3.1 of the RPS which require development to be located in and around existing urban areas and promotes a co-ordinated pattern of development. Ken Fletcher's submission is therefore recommended to be accepted in part.
46. Richard & Geoff Spark's submission requested SD-O4(4) be amended by adding "*in order to as a minimum achieve the housing bottom lines in UFD-O1...*" Mr Ivan Thomson presented planning evidence at the hearing for these submitters, and similar submissions were lodged by others seeking the same relief¹⁶. The s42A report author recommended rejecting these submissions. He said the wording of the objective gives effect to policy 2 of the NPS-UD and is linked to the outcomes sought to be achieved in UFD-O1, where Council sets out the housing bottom lines required to provide "sufficient feasible development capacity for residential activity" in line with the intent of NPS-UD.
47. The evidence we heard from Mr Thomson, and also the evidence at the UFD hearing including from Ms Dale, was that the overall direction of the NPS-UD is that providing 'sufficient' capacity is a minimum, not an ultimate target. We note in our UFD report that all of the planners involved in the Hearing Stream 12D joint witness conference on NPS-UD matters agreed that "*the term 'at least' indicates a preference for enabling rather than constraining development capacity*".¹⁷ We note here that not all of our Strategic Directions Panel members heard that evidence, however the evidence from that hearing stream including the JWS was made available to all Panel members by being posted on line. Overall, we consider that the requested amendments to include "as a minimum" in SD-O2(4) are more in line with the direction of the NPS-UD and also with the amendments we have made to the UFD provisions (UFD-O1 and O2). We therefore recommend that this submission is accepted.

¹⁵ A. Carr [158.5]; Ravenswood Developments Ltd [347.4]; Environment Canterbury [316.8 and 316.13] and Christchurch City Council [360.9, 360.10 and 360.11]

¹⁶ [223.2], [236.2], [242.2] & [246.3]

¹⁷ See JWS – Planning, Hearing Stream 12D, dated 30 August 2024

48. The Ministry of Education requested that schools be provided for as a new clause in SD-O2 and also through an amendment to SD-O4(1) by removing the word “directly”. The s42A report author did not support this, noting that the approach in the s32 report was to control inappropriate unconstrained development within the rural area in accordance with Objective 5.2.1(e) and (i), Policy 5.3.2(c) and Policy 5.3.12 of the RPS. It is intended to avoid the foreclosure of land for primary production and reverse sensitivity. His evidence was that the words “...and limit other activities;” provides the scope for activities such as schools and this is reflected in the objectives and policies of the Rural Zones.
49. We consider the s42A report author’s evidence summarised above was focused on the question of whether schools are appropriately provided for in the rural areas, rather than the issue of whether at a strategic level educational facilities should be supported in an urban area. We agree with the submitter on this point, and consider it is appropriate to refer to educational facilities in SD-O2 Urban Development as an important part of the urban centres in the District. But rather than including a separate new clause specifically for schools we consider it more appropriate to add “educational facilities” to clause 5(a) so that it will collectively refer to “the primary centres for community and educational facilities”. Accordingly, we recommend that MoE’s submission point [277.1] be accepted in part.
50. The Ministry of Education’s request to make better provision for schools in the rural areas is addressed later in this report under SD-O4. However, in any event, the s42A report author in responding to other submissions on SD-O4 recommended that the word “directly” is deleted (as was requested by the Ministry of Education) and we support that.

7. SD-O3 – Energy and infrastructure

51. The Panel’s recommended amendments to SD-O3, over and above the amendment recommended by the s42A report author, are summarised below:

Provisions	Panel recommendations
SD-O3(3)	Insert a new clause 3 specific to infrastructure being supported through the local supply of aggregate supply.

Amendments and Reasons

52. The submission we consider here is that from Fulton Hogan¹⁸, seeking recognition is made for the need for a ready, local supply of the physical construction materials required for infrastructure.

¹⁸ Fulton Hogan [41.14]

53. The s42A report author did not support Fulton Hogan's request, as he considered this is not a matter that needs to be addressed within strategic directions. He also had concerns that this would be inconsistent with Policy 8 of the NPS-HPL which directs that aggregate extraction is only allowed on highly productive land where it "...provides a significant national or regional public benefit that could not be achieved using resources within New Zealand". He further noted that this would be incongruous with SD-04(1) which seeks to manage rural land for rural production activities and provides limits on other activities.
54. The Panel heard evidence from Mr Tim Ensor, planner for Fulton Hogan, who in our view presented a convincing case as to the critical importance that quarrying plays in providing materials such as aggregate from a local source to the development of important infrastructure in the District. We agree with that evidence and consider this is a matter that appropriately sits at the strategic direction level.
55. Including it in SD-O3 will not create conflict with other SD objectives, or with the Rural Zone objectives and policies, noting also that our recommendation is to retain the PDP's approach whereby SD objectives do not have primacy over other objectives in other chapters. We acknowledge that SD-O4 provides limits for other activities that are not rural production activities. However, RURZ-O2 and RURZ-P2 provide for activities with a functional need to be located in the Rural Zones, which would include quarrying activities. The amendment to SD-O3 will not in our consideration mean that quarrying will be enabled throughout the Rural Zone, or other zones, as considerations of highly productive land and other locational constraints will still be important and required.
56. However, we note that our recommended amendments to the PDP Chapters for development in the urban areas are to avoid quarrying in those areas, and we therefore consider the submitter's requested wording for the policy needs to be less enabling and more nuanced. Our recommended wording for the new clause is:

"The importance of locally-sourced aggregate supply for infrastructure development is recognised and provided for in appropriate circumstances"

57. We consider this new clause for SD-O3 is written in such a way that it will not enable quarrying or aggregate extraction in the urban areas, or indeed without constraint throughout the rural areas. It will however appropriately recognise at this strategic level the role that supply of physical construction resources has for the development and maintenance of critical infrastructure in the District.
58. Accordingly, this submission is recommended to be accepted in part.

8. SD-O4 – Rural Land

59. The Panel's recommended amendments to SD-O4, over and above the amendment recommended by the s42A report author, are summarised below:

Provisions	Panel recommendations
SD-O4(1)	Amend the wording to retain a reference to “other activities that support primary production activities’.

Amendments and Reasons

60. The submission we consider here is by the Ministry of Education¹⁹, seeking to delete the reference to activities that “directly” support rural production activities.
61. We do not agree with the recommendation to reject a submission by the Ministry of Education relating to whether SD-O4 should provide for schools in the rural areas (for reasons set out in our earlier discussion on SD-O2). The report author’s recommended amendment to SD-O4(1) in response to the Ministry of Education’s submission would have the effect of removing the wider reference to all other activities that support primary production, and we do not agree with that. The Panel considers it is important that other activities supporting primary production in the rural areas are recognised in this way.
62. For these reasons the Panel has recommended some amended wording for SD-O4(1), to retain a reference to those other activities, which may also include schools, as follows:
- 1. providing for ~~rural~~ primary production activities, rural industry and other activities that directly support rural primary production activities*
63. Accordingly, we recommend that the submissions of Fulton Hogan and the Ministry of Education are accepted in part.

9. SD-O6 – Natural hazards and resilience

64. The Panel’s recommended amendment to SD-O6, over and above the amendment recommended by the s42A report author, are summarised below:

Provisions	Panel recommendations
SD-O6(3)	Amend the new clause to refer to “life and property”

Amendments and Reasons

65. The submission we consider here is by MainPower²⁰ who sought a new clause 3 to specifically relate to strategic, critical and regionally significant infrastructure. The s42A report author recommended inclusion of a new clause, which we agree with. However,

¹⁹ [277.11]

²⁰ [249.202]

we have recommended a minor amendment so that the clause refers to “life and property” rather than “people and property” to ensure consistency between this SD and the Natural Hazards Chapter.

10. New SD Objective 7 – Historic heritage

66. The Panel notes here, for the convenience of readers, that the Panel hearing submissions on the Historic Heritage chapter (Hearing Stream 5) has, in response to a submission by Heritage NZ²¹, recommended inclusion of a new Strategic Directions objective for historic heritage SD-O7.

11. Conclusion

67. For the reasons summarised above, we recommend the adoption of a set of changes to the PDP provisions relating to Part 2: District-wide Matters – SD – Strategic Directions. Our recommended amendments are shown in Appendix 2.
68. Overall, we find that these changes will ensure the PDP better achieves the statutory requirements, national and regional direction, and our recommended Strategic Directions, and will improve its useability.

²¹ [178.6]

Appendix 1: Submitter attendance and tabled evidence for Strategic Directions - Hearing Stream 1

Attendee	Speaker	Submitter No.
Council Reporting Officer	<ul style="list-style-type: none"> Mark Buckley 	N/A
Forest & Bird	<ul style="list-style-type: none"> Nicky Snoyink 	192 & FS 78
Kainga Ora	<ul style="list-style-type: none"> Brendon Liggett Philip Osborne Clare Dale Bal Matheson 	325 & FS 88
NZ Pork	<ul style="list-style-type: none"> Penelope Cairns Ian Barugh Andrew Hodgson 	169 FS 49
Ravenswood	<ul style="list-style-type: none"> Sarah Everleigh 	347
Richard & Geoff Spark	<ul style="list-style-type: none"> Ivan Thomson 	183 FS 37
Miranda Hales	<ul style="list-style-type: none"> Ivan Thomson 	246
Transpower	<ul style="list-style-type: none"> Rebecca Eng Ainsley McLeod 	195 FS 92
Momentum Land Limited	<ul style="list-style-type: none"> Chris Fowler 	FS 63
Ara Poama Aotearoa Department of Corrections	<ul style="list-style-type: none"> Maurice Dale Andrea Millar 	52
Ashley Industrial Services	<ul style="list-style-type: none"> Ken Fletcher Aaron Fisher 	48
Ken Fletcher	<ul style="list-style-type: none"> Ken Fletcher 	99
Chorus, Spark, One NZGroup and Forty South, and Connexa Ltd ¹	<ul style="list-style-type: none"> Graeme McCarrison (Spark) Andrew Kantor (Chorus) Colin Clune (One NZGroup and Forty South), Fiona Matthews (Connexa Ltd) 	62 FS 105
Canterbury Regional Council	<ul style="list-style-type: none"> Jo Mitten Lucy de Latour 	316 FS 105
<ul style="list-style-type: none"> Damian and Sarah Elley, JP Bailey Family Trust, Kim Manson and Neihana Kuru, Ross Fraser, Louise Marriot 	<ul style="list-style-type: none"> L N R Delacy (No written evidence) 	FS 28, FS 29, FS 30, FS 31, FS 32, and FS 33
Andy Carr	<ul style="list-style-type: none"> Andy Carr Samanth Kealey 	21 FS 158
Malcolm Hanrahan	<ul style="list-style-type: none"> Malcom Hanrahan 	307
Ohoka Residents Association	<ul style="list-style-type: none"> David Nixon 	25 FS 84
Horticulture New Zealand	<ul style="list-style-type: none"> Sarah Cameron Andrew Hodgson Helen Atkins 	295 FS 47
Federated Farmers	<ul style="list-style-type: none"> Lionel Jume Karl Dean 	414 FS 83
Fulton Hogan	<ul style="list-style-type: none"> Timothy Ensor 	41 FS 118
MainPower	<ul style="list-style-type: none"> Mark Appleman 	249 FS 58

¹ Noting that Connexa Ltd was not part of the original submission

	<ul style="list-style-type: none"> • Melanie Foote • Jo Appleyard 	
Christchurch International Airport Ltd	<ul style="list-style-type: none"> • Darryl Millar • Felicity Hayman • Geoff Page • Natalie Hampson • Jo Appleyard 	254, FS 80
Tabled Evidence		
Forest & Bird	<ul style="list-style-type: none"> • Nicky Snoyink 	192 & FS 78
Kainga Ora	<ul style="list-style-type: none"> • C E Kirman 	325 & FS 88
Transpower	<ul style="list-style-type: none"> • Rebecca Eng • Ainsley McLeod 	195 FS 92
Momentum Land Limited	<ul style="list-style-type: none"> • Chris Fowler 	FS 63
Ara Poutama Aotearoa Department of Corrections	<ul style="list-style-type: none"> • Maurice Dale • Andrea Millar 	52
Ken Fletcher	<ul style="list-style-type: none"> • Ken Fletcher 	99
Canterbury Regional Council	<ul style="list-style-type: none"> • Jo Mitten, • Lucy de Latour 	316 FS 105
Woolworths New Zealand Ltd	<ul style="list-style-type: none"> • Kay Knight 	282
Daiken New Zealand Ltd	<ul style="list-style-type: none"> • Stephanie Styles 	145
Waka Kotahi NZTA	<ul style="list-style-type: none"> • Claudia Kirkbride 	275 FS 110
KiwiRail Holdings Ltd	<ul style="list-style-type: none"> • Sheena McGuire 	373

Appendix 2: Recommended amendments to the Proposed Plan - Tracked from notified version
(provisions not consequentially renumbered)

SD - Rautaki ahunga - Strategic Directions

Introduction

This chapter provides the overarching objectives to provide high level direction for the District Plan. The matters covered in the strategic directions are addressed in more detail by the district wide and area specific objectives and policies included in other chapters of the District Plan.

The Strategic Directions objectives within this chapter are informed by the WDDs, which is a document that addresses a range of matters related to growth and development. They also give effect to higher order documents as required by the RMA. Objectives and policies in relation to Urban Form and Development are addressed in a separate chapter.

Interpretation and application of this chapter

For the purpose of District Plan development, including plan changes, the strategic objectives in this chapter provide direction for the more detailed provisions contained in the District Plan. For the purpose of District Plan implementation, including the determination of resource consent applications:

1. the strategic objectives may provide guidance for related objectives and policies in other chapters; and
2. the relevant objectives and policies of the District Plan, including strategic objectives in this chapter, are to be considered together and no hierarchy exists between them.

Objectives	
SD-O1	<p>Natural environment Across the District:</p> <ol style="list-style-type: none"> 1. there is¹ an overall² net gain in³ the quality and quantity of⁴ indigenous ecosystems and habitat, and indigenous biodiversity <u>is maintained so there is at least no overall loss⁵ and significant indigenous vegetation and habitats are protected⁶</u>; 2. the natural character of the coastal environment, freshwater bodies and wetlands is preserved or enhanced, or restored where degradation has occurred; 3. outstanding natural features and outstanding natural landscapes are identified and their values recognised and protected <u>from inappropriate subdivision, use and development⁷</u>; 4. people have access to a network of natural areas for open space and recreation, conservation and education, including within riparian areas, the coastal environment, the western ranges, and within urban environments; and

¹ Federated Farmers [414.51]

² Royal Forest and Bird Protection Society of New Zealand Inc [192.29]

³ Federated Farmers [414.51]

⁴ Federated Farmers [414.51]

⁵ Federated Farmers [414.51]

⁶ Royal Forest and Bird Protection Society of New Zealand Inc [192.29]

⁷ Transpower [195.20]

	<p>5. land and water resources are managed through an integrated approach which recognises the importance of ki uta ki tai to Ngāi Tahu and the wider community, and the inter-relationships between ecosystems, natural processes and with freshwater⁸; <u>and</u></p> <p>6. <u>the health and well-being of freshwater⁸ is prioritised.</u>⁹</p>
SD-O2	<p>Urban development Urban development and infrastructure that:</p> <ol style="list-style-type: none"> 1. is consolidated and integrated with <u>the urban environment areas</u>¹⁰; 2. that¹¹ recognises existing character, <u>planned urban form and</u>¹² amenity values, and is attractive and functional to residents, businesses and visitors; 3. utilises the District Council's reticulated wastewater system, and potable water supply and stormwater infrastructure where available; 4. provides a range of housing opportunities, focusing new residential activity within <u>and around</u>¹³ existing towns, and identified development areas in Rangiora and Kaiapoi, in order to <u>as a minimum</u>¹⁴ achieve the housing bottom lines in UFD-O1; 5. supports a hierarchy of urban centres, with the District's main centres in Rangiora, Kaiapoi, Oxford and Woodend <u>and Pegasus</u>¹⁵ being: <ol style="list-style-type: none"> a. the primary centres for community <u>and educational</u>¹⁶ facilities; b. the primary focus for retail, office and other commercial activity; and c. the focus around which residential development and intensification can occur. 6. provides opportunities for business activities to establish and prosper within a network of business and industrial areas zoned appropriate to their type and scale of activity and which support district self-sufficiency; 7. provides people with access to a network of spaces within urban environments for open space and recreation; 8. supports the transition of the Special Purpose Zone (Kāinga Nohoanga) to a unique mixture of urban and rural activities reflecting the aspirations of Te Ngāi Tūāhuriri Rūnanga; <u>and</u> 9. provides limited opportunities for Large Lot Residential development in identified areas, subject to adequate infrastructure¹⁷; <u>and</u> 10. recognise and support Ngāi Tūāhuriri cultural values through the protection of sites and areas of significance to Māori identified in SASM SCHED1.¹⁷

⁸ Forest and Bird [192.29]⁹ Forest and Bird [192.29]¹⁰ A. Carr [158.5]; Ravenswood Developments Ltd [347.4]; Environment Canterbury [316.8 and 316.13] and Christchurch City Council [360.9, 360.10 and 360.11]¹¹ Kainga Ora [325.3]¹² Kainga Ora [325.3]¹³ Ken Fletcher [99.2]¹⁴ Richard & Geoff Spark [183.1], and Others [223.2], [236.2], [242.2] & [246.3]¹⁵ Woodend-Sefton Community Board [155.1]¹⁶ Ministry of Education [277.1]¹⁷ Kainga Ora [325.3]

SD-O3	<p>Energy and infrastructure</p> <p>Across the District:</p> <ol style="list-style-type: none"> 1. improved accessibility and multi-modal connectivity is provided through a safe and efficient transport network that is able to respond to technology changes and contributes to the well-being and liveability of people and communities; 2. infrastructure, including strategic infrastructure, critical infrastructure and regionally significant infrastructure: <ol style="list-style-type: none"> a. is able to operate efficiently and effectively; and b. is enabled, while: <ol style="list-style-type: none"> i. managing adverse effects on the surrounding environment, having regard to the social, cultural and economic benefit, functional need and operational need of the infrastructure; and ii. managing the adverse effects of other activities on infrastructure, including managing reverse sensitivity; 3. <u>the importance of locally-sourced aggregate supply for infrastructure development is recognised and provided for in appropriate circumstances</u>¹⁸; 4. the nature, timing and sequencing of new development and new infrastructure is integrated and coordinated; and 5. encourage more environmentally sustainable outcomes as part of subdivision and development, including though the use of energy efficient buildings, green infrastructure and renewable electricity generation.
SD-O4	<p>Rural land environment¹⁹</p> <p>Outside of identified residential development areas and the Special Purpose Zone (Kāinga Nohoanga), rural land is managed to ensure that it remains available for productive rural activities by:</p> <ol style="list-style-type: none"> 1. providing for rural <u>primary</u>²⁰ production activities, <u>rural industry</u>²¹ <u>and other</u> activities that directly²² support <u>rural primary</u> production activities and activities reliant on the natural soil²³ resources of Rural Zones and limit other activities; and 2. ensuring that within rural areas the establishment and operation of rural <u>primary</u>²⁴ production activities are not limited by new incompatible sensitive activities.
SD-O5	<p>Ngāi Tahu mana whenua/Te Ngāi Tūāhuriri Rūnanga</p> <p>Te Ngāi Tūāhuriri Rūnanga's role in the management of natural and physical resources is recognised, so that:</p>

¹⁸ Fulton Hogan [41.14]¹⁹ New Zealand Pork [169.11]²⁰ Fulton Hogan [41.9; 41.15]; Aggregate and Quarry Association [127.2]; NZ Pork [169.8]; Federated Farmers [414.18].²¹ Fulton Hogan [41.15]²² Ministry of Education [277.1 and 277.11]²³ Environment Canterbury[316.3]²⁴ Fulton Hogan [41.9; 41.15]; Aggregate and Quarry Association [127.2]; NZ Pork [169.8]; Federated Farmers [414.18].

	<ol style="list-style-type: none"> 1. Ngāi Tūāhuriri's historic and contemporary connections, and cultural and spiritual values, associated with the land, water and other taonga are recognised and provided for; 2. the values of identified sites and areas of significance to Ngāi Tūāhuriri are protected; 3. Ngāi Tūāhuriri can retain, and enhance access to sites of cultural significance; 4. Māori land is able to be occupied and used by Ngāi Tūāhuriri for its intended purposes and to maintain their relationship with their ancestral land; 5. recognised customary rights are protected; 6. Ngāi Tūāhuriri are able to carry out customary activities in accordance with tikanga; and 7. Te Ngāi Tūāhuriri Rūnanga are able to actively participate in decision-making and exercise kaitiakitanga.
SD-O6	<p>Natural hazards and resilience</p> <p>The District responds to natural hazard risk, including increased risk as a result of climate change, through:</p> <ol style="list-style-type: none"> 1. Avoiding subdivision, use and development where the risk is unacceptable; and 2. mitigating other natural hazard risks; and 3. <u>Ensuring strategic, critical, and regionally significant infrastructure is only located within areas of significant natural hazard risk where there is no reasonable alternative and the infrastructure is designed so as not to exacerbate natural hazard risk to life and property.</u>²⁵
SD-O7	<p>Historic heritage</p> <p><u>Historic heritage and its overall contribution to the identity of the District is recognised, maintained and protected, through:</u></p> <ol style="list-style-type: none"> 1. <u>identification of historic heritage items and settings based on significance;</u> 2. <u>managing the effects of subdivision, use and development on historic heritage items and heritage settings,</u> 3. <u>encouraging adaptive re-use of heritage buildings; and</u> 4. <u>providing a framework for managing the relocation and demolition of significant heritage items in appropriate circumstances.</u>²⁶

²⁵ Mainpower [249.202]

²⁶ Heritage NZ [178.6]

Definitions

STRATEGIC INFRASTRUCTURE	<p>means those necessary facilities, services and installations which are of greater than local importance, and can include infrastructure that is nationally significant, such as:</p> <ul style="list-style-type: none">a. strategic transport networks;b. Christchurch International Airport;c. Rangiora Airfield;d. Port of Lyttelton;²⁷d. bulk fuel supply infrastructure including terminals, wharf lines and pipelines;e. defence facilities;f. strategic telecommunications and radiocommunications facilities;g. electricity transmission and distribution network including the National Grid;h. other strategic network utilities.
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²⁷ Department of Conservation [419.27]