

11 November 2020

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Christchurch City Council submission on the Proposed Selwyn District Plan

Introduction

1. Christchurch City Council (the Council) thanks the Selwyn District Council for the opportunity to submit on the Proposed Selwyn District Plan.
2. The Council appreciates the strong partnership that Christchurch City Council and Selwyn District Council share through the Greater Christchurch Partnership. Christchurch City Council is largely supportive of the Selwyn District Plan. This submission outlines the key matters that Christchurch City Council is supportive of, and raises some District Plan matters that Council would encourage the Selwyn District Council to consider further.

Submission

This submission is separated into general submission points (below, and grouped by topic) and specific submission points with recommended amendments/clarification sought in Appendix A.

General submission points:

3. Key Issues for Christchurch City Council in respect of the proposed Selwyn District Plan:

- a. The integration of landuse and infrastructure and setting minimum residential densities for urban growth is supported. However, the form and density of urban growth should be sufficient to support the viable provision of public transport services and should provide for public transport infrastructure. Council seeks a minimum greenfield density of 15 households per hectare.
- b. The integrated management of the effects of high traffic generating activities through Integrated Transport Assessments is supported. However, increased emphasis should be placed on reducing private motor vehicle use and increasing the use of alternative transport modes.
- c. The requirement for quarry proposals to be assessed through resource consent applications is supported. That assessment should, however, include the effects of dust nuisance and the commitment to implement rehabilitation and the staging of that rehabilitation to minimise the adverse effects on the surrounding area.

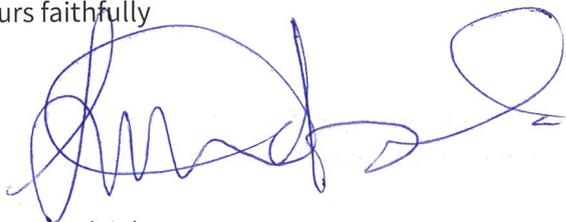
- d. The proposed recognition and protection of the natural, landscape and cultural values of the Port Hills, Banks Peninsula, and Te Waihora/Lake Ellesmere, is supported. In respect of Te Waihora/Lake Ellesmere, those values would be more appropriately protected if the use of motorised watercraft on the lake were limited to existing activities rather than allow such activities to expand to include general recreational use. The Outstanding Natural Landscape (ONL) of Banks Peninsula within Selwyn District should provide for a similar range and size of buildings as those permitted within the Christchurch City, to provide better and more consistent protection of the landscape.
- e. The Greater Christchurch Partnership are working together on developing a Social and Affordable Housing Action Plan. The relevant recommendations from the Action Plan should be incorporated in the District Plan to provide for community needs and accord with the direction in the Strategic Directions and Urban Growth objectives of the proposed Plan and in the National Policy Statement on Urban Development.

Conclusion

4. In summary, thank you for the opportunity to provide this submission. The Council wishes to retain the right be heard in support of this submission.

For any clarification on points within this submission please contact Peter Eman, Principal Advisor Planning, at peter.eman@ccc.govt.nz

Yours faithfully



Lianne Dalziel
Mayor of Christchurch

Appendix A - Specific submission points and recommended

amendments

Provision to which submission relates:	Position on this provision is:	The reasons for the submission are:	The decision we want Christchurch City Council to make:
Sustainable Urban Growth and Development			
SD-UFD-03 Integration of Land Use and Infrastructure UG-O1 UG-P12	Support in part	<p>The integration of land use and infrastructure is supported to achieve a more sustainable urban form.</p> <p>Reducing private motor vehicle dependency is important for improving sustainability by reducing emissions and the significant adverse effects of downstream traffic within Christchurch City. New urban growth areas and development should be of a form which enables viable public transport services. The appropriate urban form, and provision for public transport in new urban growth areas and development, is critical in achieving those outcomes.</p>	<p>Amend SD-UFD-03 as follows; Urban growth and development:</p> <p><u>1. is of a form and density that supports the viable provision of public transport services and provides for well-integrated public transport infrastructure;</u></p> <p>2. is well-integrated with the efficient provision, including the timing and funding, of infrastructure; and</p> <p>3. has the ability to manage or respond to the effects of climate change.</p> <p>Amend UG-O1 as follows;</p> <p>Urban growth is provided for in a strategic manner that:</p> <p>...</p> <p>7. Is coordinated with available infrastructure and utilities, including land transport infrastructure; and</p> <p><u>8. Is of a form and density that supports the viable provision of</u></p>

Provision to which submission relates:	Position on this provision is:	The reasons for the submission are:	The decision we want Christchurch City Council to make:
			<p><u>public transport services and provides for well-integrated public transport infrastructure, and 8.9.</u> Enables people and communities, now and future, to provide for their wellbeing, and their health and safety.</p> <p>Amend UG-P12 as follows;</p> <p>Ensure the zoning of land to extend township boundaries to establish new urban areas demonstrates how it will integrate with existing urban environments, optimise the efficient and cost-effective provision of infrastructure <u>and public transport</u>, and protect natural and physical resources, by:</p> <ol style="list-style-type: none"> 1. Aligning the zoning, subdivision and development with network capacity and availability of existing or new infrastructure <u>and public transport services</u>, including through the staging of development; ...
UG-P13 Residential growth – Greater Christchurch area	Support in part	Support the setting of minimum residential densities for urban growth areas.	Minimum residential densities should be set in line with the recommendations of the Greater Christchurch Partnership technical

Provision to which submission relates:	Position on this provision is:	The reasons for the submission are:	The decision we want Christchurch City Council to make:
		Increased densities would better achieve efficiencies in coordination of land use and infrastructure, support mixed land use, support multi-modal transport systems and protect the productive rural land resource.	<p>report on density, by amending the Plan as follows;</p> <p>UG-P13 Residential growth – Greater Christchurch area Any new residential growth area within the Greater Christchurch area shall only occur where:</p> <p>1. ... 4. The minimum net densities of 12 15hh/ha for residential activities or 1 to 2hh/ha for rural residential activities are met; 5. ...</p>
SD-UFD-01	Support in part	To ensure urban growth areas develop in an efficient manner that supports the provision of infrastructure and services, including public transport, and the achievement of consolidation.	<p>Amend SD-UFD-01 as follows;</p> <p>Urban growth is located only in or around adjoining existing townships and in a compact and sustainable form that aligns with its anticipated role in the Township Network, while responding to the community's needs, natural landforms, cultural values, and physical features.</p>
SD-UFD-01 UG-01 UG-03 UG-P17	Support in part	The Greater Christchurch Partnership are working together on developing a Social and Affordable Housing Action Plan. Provision for such housing should be included in the Plan to provide for community needs and accord with the direction in the Strategic	The relevant recommendations from Social and Affordable Housing Action Plan of the Greater

Provision to which submission relates:	Position on this provision is:	The reasons for the submission are:	The decision we want Christchurch City Council to make:
		Directions and Urban Growth objectives of the proposed Plan and in the National Policy Statement on Urban Development.	Christchurch Partnership should be incorporated in the District Plan.
Transport			
SD-DI-O5 Vibrant and Viable Centres	Support	The approach of consolidating commercial activities and services into a hierarchy of activity centres in this strategic objective is supported because it will help to support public transport and use of active modes, as well as reducing the demand for travel.	Retained
TRAN-O1	Support in part	The objective does not clearly seek to promote transport choice and reduce dependency on private motor vehicles for travel which, amongst other consequences, places pressures on the road network of Christchurch City.	Amend Objective O1 as follows; “People and places are connected through safe, efficient, and convenient land transport corridors and land transport infrastructure <u>for all transport modes, including connections to Christchurch City,</u> which is well integrated with land use activities and subdivision development <u>and reduces dependency on private motor vehicles.</u> ”
TRAN-P1 5. Integrated land use, subdivision and transport planning	Support	Policy P1 5. is supported because it recognises cross-boundary connections with adjoining districts, and thus gives effect to the Canterbury Regional Policy Statement.	Retained
TRAN-P2 1. Integrated land use, subdivision and transport planning	Support in part	Policy P2 1 manages the capacity of land transport corridors. It needs to be highlighted that the land transport corridors include those of Christchurch District.	Amend Policy P2 1. as follows; “...availability of capacity in land transport corridors, <u>including those of Christchurch District.</u> ”
TRAN-P3	Support in part	The general approach in Policy P3 is supported because it allows for the integrated management of the effects of high trip generating	Amend Policy P3 as follows; “Require Integrated Transport

Provision to which submission relates:	Position on this provision is:	The reasons for the submission are:	The decision we want Christchurch City Council to make:
Integrated land use, subdivision and transport planning		<p>activities. Similar thresholds have been included in the Christchurch District Plan.</p> <p>However, Policy P3 should more clearly promote active and public transport in the assessment of high trip generating activities. This would assist in reducing reliance on private motor vehicles.</p> <p>Guidelines for the preparation of an ITA are not included in the plan. This may lead to inadequate assessment of the effects.</p>	<p>Assessments to assess the effects of high trip generating activities on the surrounding land transport network to: ...</p> <p>2. Establish whether the high trip generating activity can be supported by Encourage and provide for active transport modes, including accessibility to safe and convenient walking and cycling connections and access to public transport and public transport facilities.</p> <p>Amend the relevant rules to include reference to appropriate guidelines for the preparation of an ITA.</p>
TRAN-P5 Transport Choice	Support in part	<p>This Policy is supported because it enables transport choice, and sends a clear message for mode shift.</p> <p>However, P5 1. Should be amended to include cycle parking requirements as a means of achieving the policy. This provides more direction to decision makers when considering the effects of cycle parking provision as part of a land use proposal.</p>	<p>Amend Policy P5 as follows; “Promote a range of transport options to reduce the number of trips and distances travelled in private motor vehicles by:</p> <ol style="list-style-type: none"> 1. Encouraging... 2. Managing the design, layout and function... <p><u>3. Ensuring land use activities provide an adequate amount of safe, secure, and convenient cycle parking.”</u></p>

Provision to which submission relates:	Position on this provision is:	The reasons for the submission are:	The decision we want Christchurch City Council to make:
TRAN-P6 Transport Choice	Support	Requirement for walkable residential blocks is supported because it promotes the use of transport modes which have low adverse environmental effects.	Retained
TRAN-P7 Recognising and protecting land transport networks and systems	Support in part	This Policy is supported because it acknowledges the connection between Christchurch City transport infrastructure and that of Selwyn District. However, Policy P7 should be amended to recognise that the land transport network and systems should support the safe and efficient movement of people and goods by a range of transport modes.	Amend Policy P7 as follows; “Recognise and protect the function of the District’s land transport network and systems by managing land use activities and subdivision development to ensure the safe and efficient movement of people and goods, including through public and active transport , by: ...”
TRAN-MAT1 Effects on the wider network	Support	This matter of discretion allows for consideration of the effects on the land transport infrastructure (including that of Christchurch District).	Retain as notified
Ecosystems and Indigenous Biodiversity			
EIB – R1.8 Indigenous Vegetation Clearance and Earthworks – Within the Port Hills Management Overlay	Support	The Council supports Rule EIB – R1.8 as it manages the clearance of indigenous vegetation and listed species within the Port Hills Management Overlay that may meet the criteria for significance. This is similar to the general indigenous vegetation clearance rule in the Christchurch District Plan within the Port Hills Ecological District. The consistency between both plans should avoid any cross boundary issues from arising.	Retain as notified.
EIB – MAT1 - Matters for Control or Discretion	Support	The Council supports Rule EIB-MAT1 as the matters of restricted discretion that relate to Rule EIB – R1.8 are necessary to ensure that	Retain as notified.

		assessments of significance in accordance with the criteria in the Canterbury Regional Policy Statement occur.	
EIB – SCHED1 – Criteria for Determining Significant Indigenous Vegetation and Significant Habitats of Indigenous Fauna	Support	The Council supports the inclusion of the criteria for assessing significance in accordance with the Canterbury Regional Policy Statement.	Retain as notified.
EIB – SCHED3 – Indigenous Species and Area Lists (List A: Port Hills Area)	Support	The Council supports the inclusion of EIB SCHED3 – List A Port Hills Management Area and the listed species and thresholds at which a non-complying resource consent is triggered. In the Christchurch District Plan, a similar Schedule exists in the form of Appendix 9.1.6.6 within the Port Hills with resource consenting requirements for clearance. The consistency of these two schedules should limit the potential for any cross boundary issues to arise.	Retain as notified.
Natural Character			
NATC-SCHED2 – Water bodies adjoining Rural Zones 1 (Te Waihora / Lake Ellesmere)	Support	The Council supports the classification of Te Waihora / Lake Ellesmere as a waterbody with significant natural character values, which complement the provisions in the Christchurch District Plan.	Retain as notified
NATC-SCHED4 – Natural Character Qualities of Surface Water bodies	Support	The Council supports the listed natural character qualities of Te Waihora / Lake Ellesmere, which complement the provisions in the Christchurch District Plan.	Retain as notified.
NATC-MAT1 – Matters for Control or Discretion – Natural Character	Support	NATC-MAT1 complement the matters of discretion provisions in the Christchurch District Plan relating to that part of Te Waihora / Lake Ellesmere managed by the Christchurch City Council for activities located within specified water-body setbacks.	Retain as notified
Coastal Environment			

CE-SCHED1 – Coastal Environment Qualities and Values	Support	CE-SCHED1, appropriately recognises the natural character values of Selwyn’s coastal environment, including those of Te Waihora / Lake Ellesmere. This complements the provisions in the Christchurch District Plan relating to that part of Te Waihora / Lake Ellesmere managed by the Christchurch City Council in the Christchurch District Plan which includes similar values.	Retain as notified
CE-SCHED3 – High and Very High Natural Character Areas – Natural Character, Qualities and Values	Support	CE-SCHED3, appropriately recognises the significance of natural character in the coastal environment of that part of Te Waihora / Lake Ellesmere within Selwyn. This complements the provisions in the Christchurch District Plan relating to that part of Te Waihora / Lake Ellesmere managed by the Christchurch City Council, which also schedules the lake as an area of natural character in the coastal environment.	Retain as notified
<p>Rule: CE-R2.3 Plantation Forestry, Horticultural Planting, Woodlot, Shelterbelt Activity,</p> <p>Rule: CE-R3.2, CE-R3.5, CE-R3.9 - Buildings and Structures</p> <p>Rule CE-R4.2 – Mineral Extraction</p> <p>Rule CE-R5.3.a – Mineral Extraction</p>	Support	<p>The protection of the natural character of Te Waihora / Lake Ellesmere through a natural character overlay with a rule framework that applies within that overlay to protect its natural character is important to ensure those values are protected.</p> <p>Those provisions will complement similar provisions in the Christchurch District Plan that manage similar activities with a natural character overlay to protect those values, particularly through the use of a non-complying activity status.</p>	Retain as notified
Natural Features and Landscapes			
NFL-SCHEM1 (ONL Areas – Values and Attributes (Te Waihora / Lake Ellesmere ONL)),	Support	The identification of Te Waihora / Lake Ellesmere as an outstanding natural landscape appropriately recognises the significance of its landscape values.	Retain as notified.

<p>NFL-R1.3 and R1.4 (Te Waihora / Lake Ellesmere ONL Overlay) – Permitted and Non-Complying Rules (Ancillary Structures), NFL-R2.3 (Te Waihora / Lake Ellesmere ONL Overlay) – Non-Complying Rule (Earthworks), NFL-R4.1 (ONL Overlay) – Non-Complying Rule (Mineral Extraction / Quarrying), NFL-R5 (ONL Overlay) – Non-Complying Rule (Plantation Forestry), and matters for control or discretion NFL – MAT1, NFL – MAT2 and NFL – MAT3.</p>		<p>The status of activities proposed reflects the significance of those values.</p> <p>These provisions complement the provisions in the Christchurch District Plan relating to that part of Te Waihora / Lake Ellesmere managed by the Christchurch City Council.</p>	
<p>NFL-SCHEM1 – Outstanding Natural Landscape Areas – Values and Attributes</p>	<p>Support</p>	<p>The Council supports the inclusion of Banks Peninsula as an Outstanding Natural Landscape Area. The Council notes that Banks Peninsula is also classified as an ONL in the Christchurch District Plan which should assist in preventing cross boundary issues from arising.</p>	<p>Retain as notified</p>
<p>NFL-SCHEM2 – Visual Amenity Landscape Areas – Values and Attributes</p>	<p>Support</p>	<p>The Council supports the inclusion of Banks Peninsula as a Visual Amenity Landscape. The Council notes that Banks Peninsula is also classified as Rural Amenity Landscape in the Christchurch District</p>	<p>Retain as notified</p>

		Plan which should assist in preventing cross boundary issues from arising.	
Rule: NFL-R1.1 and R2.2	Support in part	<p>The protection of Banks Peninsula as an ONL is important to recognise the local significance of the peninsula in the Selwyn and Christchurch Districts.</p> <p>The proposed Plan provisions generally complement the provisions in the Christchurch District Plan relating to the classification of Banks Peninsula as an ONL.</p> <p>However, the range of buildings proposed to be allowed as a permitted activity and the size of buildings is greater than that permitted in the Christchurch District Plan. The Christchurch District Plan limits permitted buildings to those for public/recreation/park management use only, or farm buildings other than residential units. They are subject to a footprint size of 100m². The proposed Plan permits any buildings up to 100m² in ground floor area or, if in a cluster around the principal residential unit, up to 300m² in ground floor area each, including the principle residential unit. On this basis, the provisions in the proposed Plan could enable the establishment of much more and bigger buildings in the Banks Peninsula ONL, detracting from its ONL values, including those values of the parts of Banks Peninsula within Christchurch City.</p>	Amend the rules for the Banks Peninsula ONL to provide for a similar range and size of buildings as permitted activities as that contained in the Christchurch District Plan.
NFL-R4.1 – Mineral Extraction	Support	NFL-R4.1 complements the provisions in the Christchurch District Plan as it also requires non-complying resource consent to be obtained for earthworks in its overlay for the Banks Peninsula ONL.	Retain as notified
NFL-R5.1 – Plantation Forest	Support	NFL-R5.1 complements the provisions in the Christchurch District Plan as it also requires non-complying resource consent to be obtained for plantation in its overlay for the Banks Peninsula ONL.	Retain as notified

Motorised watercraft on Te Waihora/Lake Ellesmere			
<p>ASW-P1 Policy; and ASW-R1.1 Use of motorised watercraft</p>	<p>Oppose in part</p>	<p>Te Waihora/Lake Ellesmere has significant ecological and mahinga kai values, and is a prized customary fishery. The proposed Plan acknowledges this in its CE - Coastal Environment section, stating that: "Te Waihora/Lake Ellesmere is of great importance to Ngāi Tahu as discussed in the <u>Tangata whenua/mana whenua</u> section of this Plan, and is also one of New Zealand's most important wetland systems and its outstanding values are recognised in a National Water Conservation Order as: "habitat for wildlife, indigenous wetland vegetation and fish, and as being of significance in accordance with tikanga Māori in respect of Ngāi Tahu history, mahinga kai and customary fisheries.""</p> <p>The lake is currently used for a limited range of motorised watercraft activities associated with customary harvesting, commercial and recreational fishing, game bird shooting and lake management or conservation activities. Allowing wider use of motorised watercraft, as provided for in the proposed District Plan, for general recreational use of motorised craft, such as jet skis or recreational motor boats, may have significant impacts on its natural and cultural values. For that reason, the Christchurch District Plan restricts motorised watercraft to existing activities on that part of the lake managed by the Christchurch City Council.</p> <p>The proposed District Plan should be amended to be consistent with the Christchurch District Plan in this respect. The following specific aspects should be amended.</p> <p>Policy ASW-P1 seeks to enable the use of motorised watercraft on the surface of waterbodies generally, but limits their use on high country lakes. This policy should also limit their use on Te Waihora/Lake Ellesmere.</p>	<ol style="list-style-type: none"> 1. Amend Policy ASW-P1 by adding Te Waihora/Lake Ellesmere to high country lakes where the use of motorised watercraft is controlled. 2. Amend Rule ASW-R1.1 by adding 'or ASW-R1.4' to the exception to the rule as follows: "Activity status: PER <ol style="list-style-type: none"> 1. Use of motorised watercraft on the surface of water bodies except where ASW-R1.3 or ASW-R1.4 applies; or" 3. Add a new Rule ASW R1.4 specific to Te Waihora/Lake Ellesmere which restricts the use of motorised watercraft on Te Waihora/Lake Ellesmere to activities associated with customary harvesting, commercial and recreational fishing, game bird shooting and lake management or conservation activities.

		<p>Rule ASW-R1.1 permits the use of motorised watercraft on the surface of (all) waterbodies, except for the High Country Lakes specified in ASW R1.3 where the use is restricted. An exception also needs to be included for Te Waihora/Lake Ellesmere.</p> <p>There should be a separate new rule, ASW R1.4, specific to Te Waihora/Lake Ellesmere which restricts the use of motorised watercraft on Te Waihora/Lake Ellesmere to activities involving mahinga kai, commercial and recreational fishing, game bird shooting and lake management or conservation activities.</p>	
Quarrying			
GRUZ-R21 - Mineral Extraction – 1(a) & 1(b) Restricted Activity application if complying with minimum setback distances	Support in part	<p>Supportive of a resource consent application being required for quarrying in the General Rural Zone, subject to minimum setback distances from sensitive activities.</p> <p>However, the matters of discretion able to be considered under the restricted discretionary application specifically exclude consideration of the effects of dust on amenity. The management of the nuisance effects of dust is an appropriate function of the District Plan, as distinct from the management of the contaminant effects of dust managed by the Regional Council.</p> <p>Dust from such activities has the potential to adversely affect the amenity of residents, including those who live close to the Selwyn/Christchurch boundary.</p> <p>The effects on amenities during rehabilitation should also be included as a consideration.</p>	<p>Amend GRUZ-R21 - Mineral Extraction, Matters for discretion sub-clause a. as follows;</p> <p>“Effects on amenity values, including dust nuisance, during the establishment, rehabilitation, and operation of the site from the scale and intensity of the mineral extraction, including any cumulative effect, the location of buildings and plant, but excluding those caused by dust.”</p>
GRUZ-R21 - Mineral Extraction – Matter of discretion 2(b) and Policy GRUZ-P9	Support in part	Supportive of SDC seeking that quarry operators need to provide quarry site rehabilitation plans. However the application should also include a commitment to implement the rehabilitation plan, to	Amend GRUZ-R21 Matters for discretion 2(b) as follows;

		<p>accord with Policy GRUZ-P9 which seeks to “ensure” sites are rehabilitated.</p> <p>The rule indicates that the rehabilitation matters listed “may” be covered in the rehabilitation plan. Those matters should be required to ensure those matters are provided for.</p> <p>It is not clear what effects the matters listed are seeking to address or the environmental outcomes sought. The current matters could be satisfied by simply stating, for example, we will eventually rehabilitate the site for rural use, it will take X years and we will use clean-fill (and subject to a clean-fill management plan).</p> <p>Rehabilitation should be done progressively and within a reasonable timeframe to prevent unnecessarily prolonged effects on residents (e.g. dust from exposed areas). There also should be clearer direction on what environmental outcomes should be achieved by rehabilitation plans to minimise ongoing effects on residents, including Christchurch residents who live close to the Selwyn district boundary.</p> <p>Rehabilitation plans should also include measures to mitigate potential instability of land / susceptibility to subsidence and erosion, particularly for neighbouring properties.</p>	<p>“The preparation <u>and commitment to implement</u> of a site rehabilitation plan. This may <u>shall</u> include but is not limited to: ...”</p> <p>Amend GRUZ-R21 2(b) matters for discretion to provide clarity about the environmental outcomes rehabilitation is to achieve, in accord with the amenity outcomes sought by Policy GRUZ-P9, in terms of how amenity values will be maintained or enhanced through rehabilitation. This should specifically include the following amendments;</p> <p>“i. the end use of the site <u>that maintains or enhances the amenity values of the surrounding area</u> and method used to achieve this;</p> <p>ii. duration <u>and staging</u> of rehabilitation <u>to minimise the period of any adverse amenity affects, such as dust nuisance;</u> and”</p> <p>Amend Policy GRUZ-P9 and the GRUZ-R21 matters of discretion to require that rehabilitation plans include measures to mitigate potential instability of land /</p>
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