

**Before the PPC19 Commissioner Appointed by the
Christchurch City Council**

In the Matter of

the Resource Management Act
1991 (**Act**)

And

In the Matter of

Proposed Private Plan Change 19 to
the Christchurch District Plan:
Marshs Road Industrial

Joint Witness Statement (Planning)

Dated: 15 October 2026

INTRODUCTION

1. In accordance with Minute 2 of the Independent Hearings Commissioner dated 9 October 2026, expert witness conferencing on planning matters took place in Christchurch on 12 October 2026.
2. The following expert witnesses attended the conferencing sessions (together the **Experts**) and have jointly prepared this JWS:
 - (a) Mr Kim McCracken on behalf of Calder Stewart Limited (**Applicant**);
 - (b) Mr Kirk Lightbody for Christchurch City Council (**CCC**); and
 - (c) Mr Ryan Brosnahan for Christchurch International Airport Limited (**CIAL**).
3. This Joint Witness Statement (**JWS**) responds to paragraph 3 of Minute 2, which directed conferencing between the Experts on matters relating to bird strike.
4. The Experts confirm that the session has been conducted in accordance with the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023.

ISSUES DISCUSSED

5. Issues discussed are listed in Appendix A to this Joint Witness Statement.

THE ISSUES

Summary of Matters Agreed

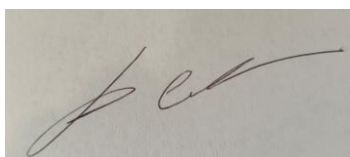
6. KL and RB agree that based on evidence provided by Ms Civil and Dr Bull that a potential secondary bird strike pathway risk is present and that's most appropriately mitigated via restrictions on activities that limit development with activities that provide accessible food or other bird-attracting resources. They agree that targeted controls on those activities are appropriate.

Summary of Matters Disagreed

7. KL notes that the evidence is unclear if stormwater/bodies of water contribute to secondary bird strike pathways and does not support stormwater/bodies of water restrictions.
8. RB supports retention of the stormwater and water body provisions. Ms Civil identifies stormwater management as a component of future site design that should avoid creating features that encourage bird use (paragraph 81), and notes that standing water may increase the attractiveness of stormwater features to birds

(paragraph 73). Dr Bull agrees with Ms Civil's approach and concludes that CIAL's proposed provisions can reduce the identified bird strike risk. RB therefore considers the stormwater and water body standards to be an appropriate and proportionate site-specific response.

9. KM does not support the addition of any bird strike provisions to this private plan change area.



Kim McCracken



Kirk Lightbody



Ryan Brosnahan

Appendix A – Matters Discussed and Planners statement

Matter	Planners Statement
The potential adverse effects arising from Bird Strike is a matter requiring District Plan provisions to mitigate	KL – Yes RB – Yes KM - Yes
Does potential adverse effects from 'Direct Bird Strike Risk' require mitigation via planning provisions in PPC19	KL – No, the evidence by Ms Civil acknowledges that the proposed rezoning is unlikely to increase 'direct bird strike risk'. RB – Agree that the proposed rezoning is unlikely to increase 'direct bird strike risk'. KM - Agree that the proposed rezoning is unlikely to increase 'bird strike risk'.
Does potential adverse effects from Secondary Bird Strike Risk require mitigation via planning provisions in PPC19	KL – Yes, the evidence Ms Civil outlines “There is therefore potential for a secondary bird strike pathway if future development provides suitable food sources or facilitates persistent feeding, roosting or congregation of flocking species, resulting in repeated movements between feeding and roosting areas.” Based on the evidence provided by Ms Civil a potential adverse effects exists and in my view that is best mitigated via restrictions on activities that limit development with food sources. The provisions proposed by RB in his evidence in chief are effective and efficient in mitigating those effects raised in evidence by Ms Civil. The evidence is unclear if stormwater/bodies of water contribute to secondary bird strike pathways. RB –Yes. Ms Civil identifies a potential secondary bird strike pathway associated with future activities, building design and site operations. Dr Bull agrees with that assessment and concludes that some activities enabled by the proposed IGZ and IHZ zoning have the potential to increase bird strike risk and that planning provisions can reduce that risk. I therefore consider targeted planning provisions are warranted. KM - Having regard to the matters set out below, I would disagree. 1. That the bird strike concern is, as I understand it, related to secondary bird strike risk, as per Ms Civils evidence (para 84)

	2. Secondary bird strike risk is where future activities create persistent food resources or roosting opportunities leading to bird aggregations and whether associated bird movements could interact with aircraft operating areas or to quote; (Ms Civil para 84) 3. If secondary bird strike risk is not identified as a serious risk city wide (ie no current provisions in the City Plan for control there of), then why is it such an issue in this location, particularly given the almost identical zoning surrounding the site. This position is I believe best summed up in the evidence of Ms Civil at paras 93 – 96. 4. That there is a rule in the City Plan for managing bird strike. This was evidenced during the CCC District Plan Reviews as noted in the Section 42A report. If CIAL does not consider the rule to be effective then it should do a City wide plan change to amend the provisions related to bird strike risk, particularly secondary bird strike risk within the wider City Plan. It is not appropriate nor good planning practice to incrementally influence every separate private plan change that is promulgated.
What activities require controls to mitigate 'Secondary Bird Strike Risk'	KL – Agree that the activities listed in RB's proposed provisions cover secondary bird strike pathway activities that are described in Ms Civil's evidence as "food, or the storage and handling of materials that may provide food resources". The evidence provided is unclear if stormwater/bodies of water contribute to secondary bird strike pathways so do not support those provisions at this time. RB –I agree with KL in respect of the listed activities involving accessible food, animal feed, animal by-products and waste. I also support controls on new stormwater basins and water bodies. Ms Civil identifies stormwater management as a component of future site design that should avoid creating bird-attracting features (paragraph 81) and notes that standing water may increase attractiveness to birds (paragraph 73). The proposed stormwater and water body standards adopt the existing District

	Plan approach and, in my opinion, are a proportionate site-specific response KM - Activities do not require further controls as the current city plan bird strike management controls suffice.
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Yellow Highlight = Provisions supported by KL

Chapter 16 Industrial

16.2 Objectives and Policies

No amendment to existing objectives and policies appears necessary. Policy 16.2.1.4(b) addresses activities that could constrain strategic infrastructure, and Objective 6.7.2.1 and Policy 6.7.2.1.2 address aircraft safety and bird strike. The consent pathway remains consistent with Policy 16.2.1.3.

Appendix 16.8.8 South West Hornby Industrial Area

Amend the main ODP and Appendix 16.8.8(ii) to show the land subject to the below provisions with a distinct boundary and legend entry labelled “Marshs Road Bird Strike Management Area”. The area should cover land rezoned industrial by PPC19, excluding any frontage land retained as Rural Urban Fringe. The map identifies where the Chapter 16 rules apply; their activity controls need not be repeated on the ODP.

16.5.4.1 Area-specific activities - Industrial Heavy Zone (South West Hornby)

16.5.4.1.1 Area-specific permitted activities

Activity	Activity specific standards
P4 Within the Marshs Road Bird Strike Management Area identified on the outline development plan in Appendix 16.8.8(ii), any of the following activities: a) waste management facilities and composting facilities; b) blood or offal treating; bone boiling or crushing; dag crushing; fellmongering; fish cleaning or curing; gut scraping and treating; or tallow melting; c) storage or disposal of sewage, septic tank sludge or refuse; d) slaughtering of animals, abattoirs or freezing works; e) fish or commercial food processing; f) poultry hatcheries; and g) manufacture, processing, bulk storage or distribution of animal feed.	 a. All receipt, unloading, storage, processing, loading and disposal of food, animal feed, animal by-products and waste associated with the activity takes place within enclosed buildings. b. There is no disposal of effluent onto land associated with the plant or works.
P5 Within the Marshs Road Bird Strike Management Area identified on the outline development plan in Appendix 16.8.8(ii), any of the following activities: a) Creation of a new: i. stormwater basin; or	 a. The combined area of all stormwater basins and/or water bodies, that are wholly or partly within 0.5km of the proposed water body or stormwater basin's edge, shall not exceed 1000m ² .

	ii. water body (including wastewater oxidation pond) which exceeds 500m² in area.	b. Any stormwater basin has been designed by a suitably qualified person, with experience in stormwater management systems, to the following standards: i. Stormwater infiltration basins shall be designed to fully drain within 48 hours of the cessation of a 2% AEP storm event; ii. Sufficient rapid soakage overflow capacity shall be provided to minimise any ponding of stormwater outside the infiltration area(s); and iii. Plant species used shall be limited to those listed in Appendix 6.11.9. c. Any water body has been designed by a suitably qualified person, with experience in stormwater management systems, to the following standards: i. Side slopes shall be at least as steep as 1H:4V except for: A. any side slope treated with rock armouring; or B. any area required for vehicle access, provided that such access has a gradient of at least 8H:1V: ii. No permanent island features shall be included, that could provide perching sites for birds; and iii. Plant species used shall be limited to those listed in Appendix 6.11.9.
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16.5.4.1.3 Area-specific restricted discretionary activities

Activity		The Council's discretion shall be limited to the following matters:
RD7	Any activity listed in Rule 16.5.4.1.1 P4 or P5 that does not meet one or more of the activity specific standards.	a. Scale and significance of bird strike risk likely to be created at the location proposed. b. Mitigation of bird strike risk including by design measures, operation or management procedures, direct intervention practices and monitoring

OR IF THE INDUSTRIAL GENERAL ZONING IS THE PREFERRED

16.4.9 Area-specific rules - Industrial General Zone (South West Hornby)

16.4.9.1.1 Area-specific permitted activities

Activity		Activity specific standards
P3	Within the Marshs Road Bird Strike Management Area identified on the outline development plan in Appendix 16.8.8(ii), any of the following activities: a) manufacture, processing, bulk storage or distribution of animal feed; and b) fish or commercial food processing;	a. All receipt, unloading, storage, processing, loading and disposal of food, animal feed, animal by-products and waste associated with the activity takes place within enclosed buildings. b. There is no disposal of effluent onto land associated with the plant or works.
P4	Within the Marshs Road Bird Strike Management Area identified on the outline development plan in Appendix 16.8.8(ii), any of the following activities: a) Creation of a new: i. stormwater basin; or ii. water body (including wastewater oxidation pond) which exceeds 500m² in area.	a. The combined area of all stormwater basins and/or water bodies, that are wholly or partly within 0.5km of the proposed water body or stormwater basin's edge, shall not exceed 1000m². b. Any stormwater basin has been designed by a suitably qualified person, with experience in stormwater management systems, to the following standards:

		i. Stormwater infiltration basins shall be designed to fully drain within 48 hours of the cessation of a 2% AEP storm event; ii. Sufficient rapid soakage overflow capacity shall be provided to minimise any ponding of stormwater outside the infiltration area(s); and iii. Plant species used shall be limited to those listed in Appendix 6.11.9. c. Any water body has been designed by a suitably qualified person, with experience in stormwater management systems, to the following standards: i. Side slopes shall be at least as steep as 1H:4V except for: C. any side slope treated with rock armouring; or D. any area required for vehicle access, provided that such access has a gradient of at least 8H:1V: ii. No permanent island features shall be included, that could provide perching sites for birds; and iii. Plant species used shall be limited to those listed in Appendix 6.11.9.
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16.4.9.1.3 Area-specific restricted discretionary activities

Activity		The Council's discretion shall be limited to the following matters:
RD2	Any activity listed in Rule 16.4.9.1.1 P3 or P4 that does not meet one or more of the activity specific standards.	a. Scale and significance of bird strike risk likely to be created at the location proposed.

		b. Mitigation of bird strike risk including by design measures, operation or management procedures, direct intervention practices and monitoring
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