CERTIFICATE OF APPROVAL

The Council resolved on the 28th of May 2008 to approve those parts of the Selwyn Proposed District Plan not affected by submissions or appeals or unresolved designation issues, and deemed that the Selwyn Proposed District Plan would become operative on the 10th day of June 2008.

The Council resolved on the 24th of February 2010 to approve those parts of the Selwyn District Plan relating to Plan Change 4 (Broadfield Estates Ltd – Lincoln) and Financial Contributions (Variation 30) would be made operative on the 8th of March 2010. Provisions which are not yet operative are detailed on the following page.

This resolution was made in accordance with Clauses 17 (2) and 20 of Schedule 1 of the Resource Management Act 1991.

Sealed with the Common Seal of the Selwyn District Council

in the presence of:

Mayor
K Coe

THE SELWYN DISTRICT COUNCIL
THE Common Seal OF

Chief Executive
P Davey

Dated at Rolleston this 25th day of February 2010

Variation	Proposed Plan Provisions Not Operative (24th February 2010)
Requiring Authority	**Unresolved Designations** ***Refer to Appendix 2***
Selwyn District Council	Township and Rural Volumes All SDC designations are not operative with the exception of : D 411 Rolleston Waste Water Treatment and Disposal D 412 Rolleston Resource Recovery Park D413 Rolleston South Reserve D414 Rolleston Dog Park D415 Local Purpose (Community and Recreation Facilities) Reserve - Lincoln
Telecom	Township and Rural Volumes All Telecom designations are not operative

SCHEDULE OF AMENDMENTS

The amendments to the Selwyn District Plan are due to the following changes:

Name	Description
Variation 30	Development Contributions Operative
Private Plan Change 4	Rezoning Outer Plains Land in Lincoln to Living 1 Deferred
Minor Amendments	Various minor amendments included

Please amend your District Plan by updating the following pages:

Township Volume

Amendments from 27.10.2009 to 08 March 2010	
Insert Pages	
Front of Township Volume - Supersedes existing Certificate of Approval	Signed Certificate of Approval as of 08.03.2010

Replace pages - *Please recycle all pages removed*	
Contents *Appendices 34, 35 & 36 added*	
Part A1 District Plan – Variation 30 *Explanation pg 4, Local Government Act 2002 (the LGA) pg5*	A1-003 – A1-010
Part B1 Natural Resources – Variation 30 *Water Quality pg 15*	B1-015 – B1-016
Part B2 Physical Resources – Variation 30 *B2.2 Need for Utilities pg21-22, B2.2.3 Policy- The District Plan Does pg 26, B2.3 Providing community Facilities Issue 1 Pg 33, B2.3.1 Community Facilities pg 35, B2.3.8Reserves LTCCP pg 39,*	B2-001 – B2-002 B2-021 – B2-040
Part B3 Peoples Health and Safety and Values – Variation 30 *Policy B3.1.9 pg 10, B3.2.8 pg20, B3.3.10 pg31, B3.4.27 pg 49, B3.4.33, pg52, B3.4.34 pg53*	B3-007 – B3-056
Part B4 Growth – Townships – Variation 30 *B4.1 pg1, B4.1.11 pg8, B4.1.11 pg9, B4.2 subdivision – utilities pg12, B4.2.8 pg17-18, B4.4 Development contributions –Issues pgs 77-79*	B4-001 – B4-080
Part C Introduction to the Rules – Variation 30 *Introduction to the rules Pg4*	C-003 – C-020

Part C1 Living Zone Rules – Variation 30 *C1.1 pg 1*	C1-001 – C1-002
Part C2 Living Zone Earthworks – Variation 30 *C2.1 Notes pg 2*	C2-001 – C2-002
Part C4 Living Zone – Buildings – Plan Change 4 *C4.4.2; C4.4.3 Pg2*	C4-001 – C4-018
Part C6 Living Zone Utilities – Variation 30 *C6 Notes pg1*	C6-001 – C6-002
Part C12 Living Zone Subdivision – Variation 30 and Plan Change 4 *(Var30) C 12 Notes pg 1, (PC4)C12.1.3.21, to C12.1.3.25 (Var30) 12.1.4.12 inclusive pgs 12-14*	C12-001 – C12-026
Part C13 Business Zone Status Activities – Variation 30 *C13 Notes pg1, C13.1.8.2(g) pg3*	C13-001 – C13-004
Part C18 Business Zone – Utilities – Variation 30 *C18 Notes 5 pg1*	C18-001 – C18-002
Part C24 – Business Zone Rules – Subdivision – Variation 30 *C24 Notes 10 pg1, C24.1.4.11 pg5,*	C24-001 – C24-002 C24-005 – C24-006
Part D – Definitions – Variation 30 *Development: and Development Contribution: pg3, Network Infrastructure pg7, Community Infrastructure and Development Contribution and Network Infrastructure on pgs 13*	D-003 –D-014
Appendices 34 to 36 Plan Change 4 to be added *E35 Outline development Plan Liffey Springs Lincoln pg1* *E36 pgs 1-6 ODP Liffey Springs Landscape*	E34-001 - E36 - 006

Rural Volume

Amendments from 27.10.2009 – 09.12.2009	
Insert Pages	
Front of Rural Volume - Supersedes existing Certificate of Approval	Signed Certificate of Approval as of 08.03.2010
Replace pages - *Please recycle all pages removed*	
Part A1 – District Plan – Variation 30 *Explanation Pg 4, Local Government Act 2002 (the LGA) pg 5*	A1-003 – A1-006
Part B2 – Physical Resources – Variation 30 *Resident Growth pg3, B2.1.2 pg7, Utilities pg 18, Policy B2.2.1 pg 21, Funds pg28-29,*	B2-003 – B2-008 B2-017 – B2-022 B2-027 – B2-030
Part B3 – Health and Safety and Values – Variation 30 *Policy B3.1.10 pg9, Policy B3.2.6 pg 18, Policy B3.4.20 pg46*	B3-009 – B3-010 B3-017 – B3-018 B3-045 – B3-046
Part B4 – Rural Growth – Variation 30 *B4.1 Subdivision pg2, Objective B4.1.3 pg4, Policy 4.1.7 pg9, Policy 4.1.11 pg11, Policy B4.1.14 pg 12, B4.2 Development Contributions pgs 14-16*	B4-001 – B4-016
Part C3 – Rural Rules – Buildings – Variation 30 *C3 Buildings notes 5 pg1*	C3-001 – C3-002
Part C4 – Rural Rules – Roading – Variation 30 *C4 Roading Notes 2 pg1*	C4-001 – C4-002
Part C5 – Rural Rules – Utilities – Variation 30 *C5 Utilities Notes 5 pg1*	C5-001 – C5-002
Part C8 – Rural – Activities – Variation 30 *C8 Waste Notes 9 pg1*	C8-001 – C8-002
Part C9 – Rural Rules – Activities – Variation 30 *C9 Activities Notes 5 pg1*	C9-001 – C9-002
Part C10 – Rural Rules – Subdivision – Variation 30 *C10 Subdivision Notes 12 pg1, 10.2.2.9 pg5, 10.9.2.4 pg11*	C10-001 – C10-002 C10-005 – C10-006 C10-011 – C10-012
Part D – Definitions – Variation 30 *Community Infrastructure, Developer and Development Contribution pg3, Network Infrastructure pg7, Community Infrastructure & Development contribution pg14, Network Infrastructure pg15*	D-003 – D-016

VOLUME 1 - TOWNSHIPS

CONTENTS

PART A

1 The District Plan

A1.1 WHAT IS THE DISTRICT PLAN? A1-001
A1.2 CONTENT OF THE DISTRICT PLAN A1-001
A1.3 CHANGING AND REVIEWING THE DISTRICT PLAN A1-003
A1.4 RELATIONSHIPS WITH OTHER DOCUMENTS A1-004
A1.5 CROSS-BOUNDARY ISSUES WITH OTHER COUNCILS A1-006
A1.6 MONITORING A1-009

2 The Planning Process

A2.1 NEED TO COMPLY WITH THE DISTRICT PLAN A2-001
A2.2 EXISTING USES A2-001
A2.3 STATUS OF ACTIVITIES A2-001
A2.4 CERTIFICATES OF COMPLIANCE A2-002
A2.5 RESOURCE CONSENTS A2-002
A2.6 DESIGNATIONS AND HERITAGE ORDERS A2-003
A2.7 ENFORCEMENT A2-004
A2.8 SECTION 85 ..... A2-004

3 Preparing the Plan

A3.1 BACKGROUND A3-001
A3.2 SECTION 32 ..... A3-001
A3.3 CONSULTATION A3-001

4 Finding Material in the Plan

A4.1 INTRODUCTION A4-001
A4.2 MĀORI ISSUES AND VALUES A4-001
A4.3 CONSERVATION VALUES A4-006
A4.4 ENERGY A4-008
A4.5 TOWNSHIPS AND ZONES A4-010

PART B

1 Natural Resources

B1.1 LAND AND SOIL B1-001
B1.2 WATER B1-011
B1.3 ECOSYSTEMS B1-025
B1.4 OUTSTANDING NATURAL FEATURES AND LANDSCAPES B1-031

2 Physical Resources

B2.1 TRANSPORT NETWORKS B2-001
B2.2 UTILITIES B2-021
B2.3 COMMUNITY FACILITIES (AND RESERVES) B2-032
B2.4 WASTE DISPOSAL B2-042

3 People's Health, Safety and Values

B3.1 NATURAL HAZARDS B3-001
B3.2 HAZARDOUS SUBSTANCES B3-012
B3.3 CULTURE AND HERITAGE B3-021
B3.4 QUALITY OF THE ENVIRONMENT B3-033

4 Growth of Townships

B4.1 RESIDENTIAL DENSITY B4-001
B4.2 SUBDIVISION OF LAND B4-011
B4.3 RESIDENTIAL AND BUSINESS DEVELOPMENT B4-019
B4.4 DEVELOPMENT CONTRIBUTIONS B4-077

PART C

Introduction to the Rules

TYPES OF RULES C-001
RESOURCE CONSENTS C-001
DISCRETIONARY AND NON-COMPLYING ACTIVITIES C-002
READING THE RULES C-002
INTERPRETATION OF RULES C-003
NOISE MEASUREMENT AND ASSESSMENT C-003
DEVELOPMENT CONTRIBUTIONS C-004

1 Living Zone Rules – Status of Activities C1-001
2 Living Zone Rules — Earthworks C2-001
3 Living Zone Rules — Heritage C3-001
4 Living Zone Rules — Buildings C4-001
5 Living Zone Rules — Roading C5-001
6 Living Zone Rules — Utilities C6-001
7 Living Zone Rules — Outdoor Signs and Noticeboards C7-001
8 Living Zone Rules — Hazardous Substances C8-001
9 Living Zone Rules — Waste C9-001
10 Living Zone Rules — Activities C10-001
11 Living Zone Rules — Landscape Management, Alpine Villages C11-001
12 Living Zone Rules — Subdivision C12-001
13 Business Zone Rules — Status of Activities C13-001
14 Business Zone Rules — Earthworks C14-001
15 Business Zone Rules — Heritage C15-001
16 Business Zone Rules — Buildings C16-001
17 Business Zone Rules — Roading C17-001
18 Business Zone Rules — Utilities C18-001
19 Business Zone Rules — Outdoor Signs and Noticeboards C19-001
20 Business Zone Rules — Hazardous Substances C20-001
21 Business Zone Rules - Waste C21-001
22 Business Zone Rules — Activities C22-001
23 Business Zone Rules — Landscape Management, Alpine Villages C23-001
24 Business Zone Rules - Subdivision C24-001

PART D

Definitions D-001

PART E

Appendix 1

MONITORING SCHEDULE E1-001

Appendix 2

DESIGNATIONS E2-001

Appendix 3

SCHEDULE OF HERITAGE ITEMS E3-001

Appendix 4

SCHEDULE OF HERITAGE TREES E4-001

Appendix 5

SITES OF SIGNIFICANCE TO TANGATA WHENUA E5-001

Appendix 6

PROTOCOLS ON ACCIDENTAL DISCOVERY OF ARCHAEOLOGICAL SITES E6-001

Appendix 7

ROADING HIERACHY E7-001

Appendix 8

PROCESS AND CRITERIA FOR IDENTIFYING SIGNIFICANT SITES E8-001

Appendix 9

HAZARDOUS SUBSTANCES E9-001

Appendix 10

INDUSTRIAL CHEMICALS E10-001

Appendix 11

RECESSION PLANES E11-001

Appendix 12

LIST OF WATERBODIES FOR ESPLANADE RESERVES AND STRIPS E12-001

Appendix 13

TRANSPORT E13-001

Appendix 14

INFORMATION TO BE SUBMITTED WITH A PLAN CHANGE REQUEST E14-001

Appendix 15

ROAD INTERSECTION DRAWING – LIVING 1A ZONE, LINCOLN E15-001

Appendix 16

ROAD INTERSECTION DRAWING – LIVING 1A1 ZONE, LINCOLN E16-001

Appendix 17

ROAD INTERSECTION DRAWING – LIVING 1A2 ZONE, LINCOLN E17-001

Appendix 18

CONCEPT AND OUTLINE DEVELOPMENT PLAN FOR LIVING 1A ZONE, LINCOLN E18-001

Appendix 19

LIVING 1A1, 1A2, 1A3 AND 2A ZONES, PREBBLETON E19-001

Appendix 20

OUTLINE DEVELOPMENT PLAN – WEST MELTON E20-001

Appendix 21

PLANTING REQUIREMENTS FOR BUSINESS 2 ZONE (APPENDIX 22) AT ROLLESTON E21-001

Appendix 22

OUTLINE DEVELOPMENT PLAN — BUSINESS 2 ZONE, ROLLESTON E22-001

Appendix 23

SUBDIVISION DESIGN GUIDELINES FOR ROLLESTON E23-001

Appendix 24

DWELLINGS AT RAKAIA HUTS E24-001

Appendix 25

OUTLINE DEVELOPMENT PLAN — AREAS 1-5, DARFIELD E25-001

Appendix 26

OUTLINE DEVELOPMENT PLAN — AREA 4, DARFIELD E26-001

Appendix 27

REDFERN SUBDIVISION PLAN, DARFIELD E27-001

Appendix 28

BUSINESS 2 LANDSCAPE DEVELOPMENT PLAN, ROLLESTON E28-001

Appendix 29

OUTLINE DEVELOPMENT PLAN — THE BUSINESS 1 ZONE BOUNDED BY ROLLESTON DRIVE, STATE HIGHWAY 1 AND DICK ROBERTS PLACE E29-001

Appendix 30

ROOF PITCH DIAGRAM E30-001

Appendix 31

PREBBLETON PREFERRED GROWTH E31-001

Appendix 32

BUSINESS 2 ZONE (HOSKYNS ROAD) ROLLESTON E32-001

Appendix 33

BUSINESS 2 ZONE (HOSKYNS ROAD) ROLLESTON PROPOSED INTERSECTION E33-001

Appendix 34

ROLLESTON LOWES ROAD STRUCTURE PLAN E34-001

Appendix 35

OUTLINE DEVELOPMENT PLAN LIFFEY SPRINGS LINCOLN E35-001

Appendix 36

LIFFEY SPRINGS LANDSCAPE DESIGN GUIDELINES..... E36-001

A1.3 CHANGING AND REVIEWING THE DISTRICT PLAN

Section 73 of the Act requires the Council to have a District Plan for its District at all times. The Council is obliged to commence a full review of its District Plan not later than 10 years after the plan becomes operative. It is, therefore, envisaged that this document will provide the guidelines for the management of the natural and physical resources of the Selwyn District over the next 10 years. The Council is committed to a plan that is current and relevant, and which address issues and concerns as they arise. Therefore, the provisions of the Plan will be subject to continuous review by the Council, and may be changed (including within the 10 year full review period if necessary), so that on-going and evolving resource management requirements of the community may be acknowledged and provided for.

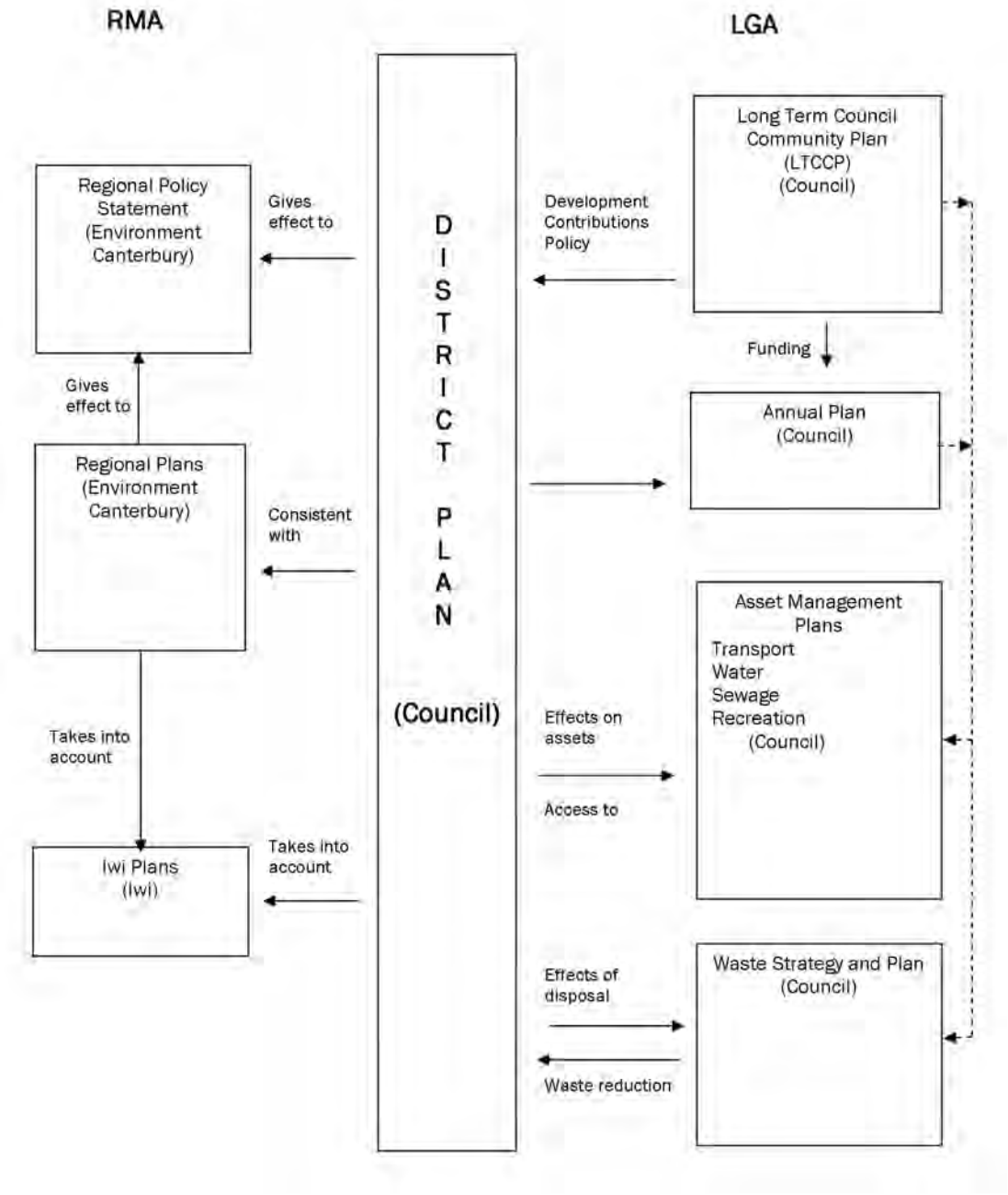
In addition to Council initiated changes, any person may formally request the Council to change the Plan. The procedure is set out in the First Schedule of the Act. Requests must clearly define the proposed change, so that it can be readily understood, and describe the environmental results anticipated from implementation of the change.

Requesters must also provide the following information in support of their Plan Change, to the satisfaction of the Council:

- The extent to which the change is necessary in achieving the purposes of the Act, and any relevant objective or policy in this Plan;
- Alternative means of achieving the purpose of the Act, or any objective or policy of this Plan;
- Reasons for and against the adoption of the plan change and the outcome of taking no action;
- An evaluation of the likely benefits and costs of the principle alternative means and the likely implementation and compliance costs if the plan change is adopted.

A1.4 RELATIONSHIPS WITH OTHER DOCUMENTS

Figure A1.1 – Relationship Between Plans



Explanation

The Council is required to produce plans to help it carry out its functions under both the Act and the Local Government Act 1974 2002 ("the LGA"). Figure A1.1 shows the relationships between the various strategies, policies and plans the Council produces and those produced by Environment Canterbury (the Regional Council) and Iwi.

Resource Management Act 1991 ("the Act")

Under the Act, regional councils must produce a regional policy statement (RPS) (section 60). Regional Councils must also have a regional coastal plan at all times (section 64(1)). They may also produce regional plans to address issues that are mostly under their control (section 65). District councils must produce a district plan (section 73). Regional plans must be consistent with the RPS (section 66(2)(a)); district plans must be consistent with both the RPS and any relevant regional plan (section 74(2)(a)). The Council must also have regard to plans recognised by iwi, in preparing a district plan (section 74(2)).

Local Government Act 2002 ("the LGA")

In New Zealand the powers of local government are set by Parliament and are contained in the LGA, and other specific statutes, such as the Resource Management Act 1991. The LGA reflects a departure from the way in which powers and functions have traditionally been codified in legislation. Instead of prescribing all the functions that local government should undertake, the LGA has instead provided local government with a general form of empowerment. The LGA encourages local authorities to focus on promoting the social, economic, environmental and cultural well-being of their communities, consistent with the principles of sustainable development.

Under the LGA, district councils are required to prepare a Long Term Council Community Plan (LTCCP) and an Annual Plan. The LTCCP covers a period of ten years and outlines the Council's medium to long term priorities. It describes how the Council intends to contribute to the community well-being over the life of the plan. The Annual Plan sets out the budget for each year and includes:

- a funding impact statement;
- forecast financial statements;
- statements setting out service levels and performance measures; and
- details of any changes from the information in the LTCCP.

The LTCCP and Annual Plan allocate funds for all Council's activities, including funds for non-regulatory methods, environmental monitoring in the District Plan and Asset Management Plans

The District Plan sets the policies and rules under which everyone (including the Council) must carry out their activities to protect the environment.

Other Legislation

The Council has functions, powers and duties under other statutes. Some of these functions and powers are used along with, or instead of, rules in the district plan to provide sustainable management of natural and physical resources. The district plan states where other legislation is used. Examples include:

- Building Act 1991: safe and structurally sound buildings.
- Historic Places Act 1993: protection of archaeological sites.
- Hazardous Substances and New Organisms Act 1996: health and safety in use of hazardous substances.

The Resource Management Act 1991 does not apply to:

- Activities necessary for national security (section 4(2)).

– Activities by the Crown on land held under the Conservation Act 1987, or any act listed in the First Schedule of that Act, if the activity is consistent with a conservation management plan or strategy or other management plan prepared under those Acts (section 4(3)).

Section 68(6) of the Act requires the Regional Council (Environment Canterbury) to notify the Council of any regional rules that affect the use of particular areas of land in the District. These regional rules may cover such matters as the carrying out of earthworks, burning and clearance of vegetation, the discharge of contaminants onto land, and gravel extraction. The Selwyn District Council will ensure that any such rules are annexed to, and appropriately annotated in, the copies of the district plan which are held by the Council.

These rules are not to be regarded as rules in the Selwyn District Plan, therefore they will be updated as and when necessary without further formality. Only regional rules of proposed or operative regional plans, and those regional rules contained in various instruments (plans, by-laws and legislation) deemed to be regional plans under the transitional provisions of the Act, are annexed to the Plan.

Strategic Plan (1977) – Mandate under LGA

Section 223(d) of the LGA 1974 allows the Council to set out its broad policies and objectives through an annual plan, providing a clear statement of the goods and services produced by the Council. The District Plan, through its rules, is principally a regulatory method of achieving the sustainable management of the natural and physical resources of the District. Service delivery and regulation are however complementary procedures, and the delivery of goods and services by the Council can also be used to achieve sustainable resource management. To this extent the Council's district and annual plans ought to be consistent with each other, in order to work together to achieve the purposes of the Act.

A1.5 CROSS-BOUNDARY ISSUES WITH OTHER COUNCILS

A district plan must identify issues which cross territorial boundaries and methods to address these issues, under the Act (section 75(2)(f)). Table A1.1 includes a list of cross-boundary issues and methods to address each issue. The cross-boundary issues relate to both townships and the rural area in the Selwyn District, and are repeated in both volumes of the plan.

Table A1.1 Cross-Boundary Issues in the Selwyn District

Issues	Local Authorities	Methods
Effects on the strategic and arterial road network from people commuting between Selwyn and Christchurch.	Christchurch City Council (CCC) and Environment Canterbury (EC)	Identified as an effect of residential growth in the Plan. CCC can submit on proposals to re-zone land for more growth.
Effects on "rural character" of small allotments on the boundary with Christchurch.	CCC and EC	Consistent provisions in plans for residential density in this area.
Effects of stormwater run-off in Christchurch on flood flows and water quality in the Halswell River.	CCC and EC	Submissions on proposals for residential development in Halswell catchment. Lobby EC to model flood flows.
Air pollution across the boundary with Christchurch.	CCC and EC	Submissions on Regional Air Plan.

Issues	Local Authorities	Methods
Effects of land uses on groundwater supplies for Christchurch.	CCC and EC	Require reticulated sewage for West Melton township. Encourage EC research and monitoring.
Noise effects from aircraft utilising Christchurch International Airport.	CCC, EC and Waimakariri District Council (WDC)	Consistent approach between plans.
Disposal of sewage from some townships to Christchurch.	CCC	Disposal agreements between two Councils.
Region-wide approach to disposal of solid waste and hazardous waste.	CCC, WDC, Hurunui District Council (HDC) Ashburton District Council (ADC) and EC	Joint working party. RMA process to determine if a site is appropriate.
Recreational use and natural values of Port Hills	CCC and EC	Summit Road (Canterbury) Protection Act 2001. Consistent provisions between plans. Joint projects, reserve purchase and management.
Management of Te Waihora/Lake Ellesmere	CCC, EC and Ngāi Tahu	Te Waihora/Lake Ellesmere Department of Conservation/Ngāi Tahu Joint Management Plan. Consistent provisions between Statutory Planning Documents.
Recreational use (including activities on the surface of the river) and natural values of the Waimakariri River.	WDC, CCC and EC	Consistent provisions between district plans and with regional plans. Monitor recreational use and effects.
Flooding from Waimakariri River	CCC, WDC and EC	Management through EC.
Water take from Waimakariri River	WDC and EC	Proposed Waimakariri River Regional Plan.
Recreational use and natural values of Rakaia River	ADC and EC	Consistent provisions between District Plans and with regional plans.
Management of Puketeraki Ranges	HDC and WDC	Consistent approaches between district plans.
Management of Southern Alps/ Kā Tiritiri o te Moana	Westland District Council and EC	Other legislation ensure consistent management: National Parks Act 1980, Crown Pastoral Lease Act 1998.
Development on or near the boundary of Selwyn District and Christchurch City Council.	CCC	Notify the Christchurch City Council of Plan Changes, Variations and significant resource consents for residential development near the city boundary and including Rolleston and Lincoln.
Management of the Coastal Environment.	EC	Consistency between the District Plan and the Proposed Regional Coastal Environment Plan.
Proposals affecting the road link between Selwyn and Waimakariri Districts.	WDC	Consistent approach between plans. Submissions on proposals involving new or amended road linkages.

Issues	Local Authorities	Methods
Activities within the landscape corridor shared by Selwyn and Waimakariri Districts affecting qualities of the outstanding landscape identified in the District Plans of both Councils.	WDC	Consistent approach between district plans.
The provision of, and effect of, utilities crossing the territorial boundaries.	WDC and EC	Consultation between Councils and other utility providers.
Hazardous Substance thresholds and controls	CCC, Westland District Council, WDC, ADC, HDC, EC and West Coast Regional Council	Liaison with relevant staff and representatives of other local authorities on hazardous substances issues of local and regional concern, with due consideration to relevant legislation and local and regional environmental issues. Submissions and cross references on variations of hazardous substances provisions in District Plans and the NRRP to aim for consistent approach between plans, with due consideration to relevant legislation and local and regional environmental issues Submissions on changes to hazardous substances legislation and standards of relevance to the District Plan.

Of these issues, the provision of land for residential and rural-residential development is the most complex and the most significant in terms of cross-boundary issues. Policies concerning the need for further residential development and rural subdivision within Christchurch City will directly affect the demand for residential development and rural subdivision in Selwyn District and vice versa. Where proposed residential development is of a scale which has cross boundary significance (through resource consents, variations or plan changes) the Christchurch City Council will be advised.

It is appreciated that in some areas different rules may apply on either side of territorial boundaries. However, while the Council recognises that it is preferable that consistent provisions apply where possible, it also considers that differences will occur due to differing objectives and policies of each Council.

To deal with issues that cross territorial boundaries, the processes to be used shall include:

- Meetings with other Canterbury Councils as agreed under the triennial agreement to discuss common issues.
- Meetings and discussions at staff and Councillor level regarding specific issues.
- Joint project teams/working parties as required from time to time.
- Joint project teams.
- Regular meetings of Environment Canterbury/Territorial Local Authorities Liaison Group.
- Liaison with the Summit Road Protection Committee.

A1.6 MONITORING

The Council has duties to gather information, monitor and maintain records on resource management matters. These duties will allow the Council to consider refinements of the content of the Plan, as well as enable the community to be informed about how the Plan's provisions are performing.

The monitoring process of the Council has three components:

- Compliance with the provisions of the Plan and compliance with conditions of consents. In particular, the Council will monitor compliance with approved resource consents. If provided for in the consent, the consent conditions will be reviewed in accordance with section 128 of the Act;
- The state of the environment;
- The suitability and effectiveness of the provisions of the Plan. If necessary, the provisions of the Plan will be updated or improved by way of Plan Change procedures.

The procedures for monitoring the effectiveness of the district plan are set out in Part E, Appendix 1.

- Rules to take esplanade strips to protect the natural character of waterbodies, and esplanade reserves to allow public access along specifically identified waterbodies.
- Voluntary programmes to enhance vegetation planted along waterbodies and the opportunity to use esplanade reserves, strips and planting to improve amenity and natural character.
- Focusing on water quality, the Plan provisions should also help:
  - To maintain and enhance the ecological habitat values of the waterbodies and riparian margins; and
  - To protect or enhance the values of sites of mahinga kai, waahi tapu and waahi taonga

WATER — OBJECTIVES

Objective B1.2.1

Expansion of townships in Selwyn District maintains or enhances the quality of ground or surface water resources.

Objective B1.2.2

Activities on land and the surface of water in Selwyn District:

- **Do not adversely affect ground or surface water resources;**
- **Do not adversely affect waahi tapu or waahi taonga;**
- **Maintain or enhance the ecological and habitat values of waterbodies and their margins;**
- **Maintain or enhance the water quality and ecological values of sites of mahinga kai (food gathering); and**
- **Promote public access along rivers and streams, where appropriate.**

Explanation and Reasons

Most activities that directly affect water quality and water quantity are controlled by Regional Councils under section 30 of the Act. Objectives B1.2.1 and B1.2.2 can only relate to activities which District Councils manage under the Act:

- The location of new residential and business areas and, thus, where the demand for – associated water takes and discharges is likely to occur.
- Managing activities on water that do not involve intentional discharges to or near water, but could have accidental effects on water quality;
- Managing activities that impact upon the natural character, ecological, cultural, recreational or aesthetic values of waterbodies.

WATER — POLICIES AND METHODS

GENERAL

Policy B1.2.1

Ensure all activities in townships have appropriate systems for water supply, and effluent and stormwater treatment and disposal to avoid adverse effects on the quality of ground water or surface waterbodies .

Explanation and Reasons

Buildings in townships should have methods to supply water and dispose of effluent and stormwater that minimise adverse effects on the quality of ground or surface water or surface waterbodies. The methods required to comply with this policy may vary between townships depending on: their size; the depth to groundwater; and subsurface conditions.

In order to be habitable under the Building Act 2004, a building is required to have sanitary effluent treatment and disposal. That Act does not specify the standard of treatment and disposal needed to protect groundwater from adverse effects. The Transitional Regional Plan (General Authorisation) sets standards for effluent treatment and disposal, to protect groundwater. The District Plan identifies townships where reticulated effluent treatment and disposal is needed to avoid adverse effects on groundwater (Policy B1.2.5). Policy B1.2.6 identifies townships in Selwyn District where on–site effluent treatment and disposal may require a specialist designed on–site system to comply with the Transitional Regional Plan requirements.

Method

District Plan Rules

- Subdivision – General (all zones)
- Building – Water Supply (all zones)
- Sewage Treatment and Disposal

Policy B1.2.2

Ensure land rezoned to a Living or Business zone can be serviced with a water supply and effluent and stormwater disposal without adversely affecting groundwater or surface waterbodies.

Explanation and Reasons

When land is rezoned, separate resource consents are sometimes required for water supply, and effluent and stormwater disposal, depending on how it is done. These consents are usually not applied for until after the plan change is granted. Therefore, plan change applications must include sufficient information that the District Council and any submitters can be satisfied that the new residential or business area can be supplied with water and with effluent and stormwater disposal, without adversely affecting waterbodies or ground water.

The Council does not think it promotes sustainable management of natural or physical resources to rezone land to expand townships, if that land cannot be serviced with water supplies, and

PART B

2 PHYSICAL RESOURCES

B2.1 TRANSPORT NETWORKS — ISSUES

ROAD, RAIL AND AIRFIELDS

- **Adverse effects of activities on the safe and efficient use of the District's transport networks.**
- **Adverse effects of the operation of the District's road and rail networks and the noise from aircraft utilising Christchurch International Airport, on surrounding land uses.**
- **Effects on the operation of transport networks from adjoining land uses.**
- **Effects of transport on energy use and the environment.**

Introduction

Transport systems move people, goods and services throughout Selwyn District and between the District and other areas. The main transport networks in the District are roads and the Midland and South Island Main Trunk railway lines. Transit New Zealand manages all State Highways. State Highways 1, 73, 75 and 77 pass through Selwyn District. The Selwyn District Council manages all other public roads in the District. Many landowners have private roads or rights of way for access to or over their property.

Many rural properties have private airstrips or helipads. Recreational gliding occurs at the Hororata Domain. West Melton Airfield is located in Selwyn District and noise from aircraft flying to Christchurch International Airport affect land in Selwyn District. Issues associated with taking off or landing of aircraft in rural areas are addressed in the Rural Volume of the Plan.

Issue 1

Safe and Efficient Use of Transport Network

Activities occurring both alongside and within the space occupied by transport networks can affect how safely and efficiently these networks operate. Roads carry a variety of motor vehicles, cyclists, pedestrians and stock which often move at different speeds and in different directions. These different uses within the road network create the potential for accidents and slow down the efficiency of the road in providing for any one of these several functions. This problem is not so apparent for railway lines and airfields, which primarily deal with one mode of transport. Pedestrians, motorists and stock moving across railway lines can also create potential safety hazards.

As the number of households or businesses in Selwyn District increase, so does the number of motor vehicles using the road network. A study undertaken for the Council (Barber, 1999, Energy Use and Settlement) estimates that between 4,000 and 5,000 people commute daily between Selwyn District and Christchurch City. These transport patterns have three effects on the District's road network:

- Increased congestion and reduced efficiency of traffic flows on the Arterial Roads in the District.

- Adverse effects on the safety and amenity values of residents in townships, which are bisected by these Arterial Roads.
- Flow-on effects of congestion and reduced efficiency of traffic flows on the road links to Christchurch City.

Of particular concern to staff of Christchurch City Council is traffic volumes entering and leaving the City from Ellesmere/Sabys Road and travelling through the residential areas of Halswell and Hoon Hay.

Activities occurring on land adjoining transport networks can adversely affect their safety and efficiency in several ways:

- Activities which generate lots of people or vehicles on opposite sides of a road or railway line can increase the number of people and vehicles crossing these networks, e.g. when a school and sportsgrounds are located on opposite sides of a main road or railway line.
- Cars parked on roadsides and incorrectly-positioned signs or structures can reduce the visibility of intersections, vehicle crossings or railway crossings.
- Cars parked on roadsides reduce the carriageway width available to motorists and cyclists travelling along the road.
- Vehicle crossings sited too close to intersections or on bends or 'blind spots' can obscure the visibility of oncoming traffic.
- Roadways, which are not designed or formed to the standard necessary to carry the volume or type of traffic using them, can create safety problems and congestion.
- Signs along roadsides can distract drivers' attention for too long, particularly if the sign is hard to read or contains too much information.
- Inappropriately-sited signs, or inappropriately-designed vehicle crossings, entranceways or intersections can cause motorists to make sudden manoeuvres (stops or turns).
- Other utilities are often located in (or under) road reserves. The installation, maintenance or replacement of utilities can disrupt traffic flows.
- Areas in the approach paths to airfields or airports need to be clear of very high structures, to enable the airfield or airport to operate within Civil Aviation Authority regulations.

The Council anticipates recovering the majority of its funds for road upgrades from rates income or LTNZ subsidies. However, the LTCCP Development Contribution Policy provides for development contributions to be taken in specific situations where the roading improvements provide a direct benefit to the development being considered or the development itself requires the upgrade of the roading network adjacent to the development.

Issue 2

Effects of Transport Networks on Surrounding Land Uses

The operation of transport networks can also adversely affect the activities around them. Effects include:

- Noise and vibration from heavy vehicles on road and rail.
- Dust and dirt from heavy vehicles, particularly stock trucks and coal trains.
- Reduced safety and amenity values from either increased traffic or from heavy vehicles passing through residential areas.
- Noise from aircraft flying overhead, as they approach and take off from, airports.

B2.2 UTILITIES — ISSUES

- **The need for utilities and adverse effects of activities on utilities.**
- **Efficient use of utilities.**
- **Adverse effects of utilities on the environment.**

What Are Utilities?

Utilities are physical resources – the infrastructure which provides services such as: transport; water supplies; drainage; effluent and waste disposal; energy; meteorological functions and telecommunications. This section addresses issues associated with utilities, generally. Part B, Section 2.1 addresses transport networks. Part B, Section 2.3 addresses issues associated with community facilities; and Part B, Section 2.4 with waste disposal.

Utilities have the following characteristics which differentiate them from other activities:

- They are essential, ancillary requirements for most activities to mitigate adverse effects of these activities on the environment: e.g. reticulated water supplies; and sewage treatment and disposal systems.
- People expect to have access to utilities, – to a certain standard and at an affordable price, to enable them to carry out their activities.
- Some utility providers have a statutory duty to provide utilities to a certain standard and within a certain price.
- Many utilities operate in networks. They are installed and operate over a variety of geographical areas, and may have different effects in different places.

People expect utilities to be available and affordable. They also expect themselves and their environment to be protected from any adverse effects from the installation or operation of utilities.

Issues With Utilities

Need for Utilities

Utilities are essential for people to carry out economic and social activities. Utilities need to keep pace with residential and business growth. Under the RMA, any person may request a plan change to rezone land for new residential or business development at, almost, any time. Therefore the size and location of new residential or business areas is controlled less by the Council than in the past. Previously the Council rezoned land for the next 10 years of growth, at which the planning schemes were reviewed. Co-ordination is needed between plan change requests to rezone land for new residential or business development and providing utilities.

When work is required on utilities, an issue can emerge over who pays for it, particularly with utilities funded out of rates or taxes specific to the area. If existing residents or users have already paid for a utility service which is adequate to meet their needs, they may object to paying for further works on the utility to enable it to meet the additional needs of new residents.

The LTCCP Development Contribution Policy requires the provision of development contributions toward the cost of utilities based on service catchments. All new developments in the service catchments will be subject to a development contribution. Development contributions are generally taken at the subdivision consent stage, though they may apply at the building consent

stage or at the service connection stage on residential or rural development where additional units of demand are created in the absence of subdivision.

Effects of Activities on Utilities

Activities can adversely affect utilities:

- Demand to use utilities can exceed their design capacity, requiring additions or upgrades.
- Activities located next to a utility can affect how it operates: e.g. trees growing under power lines.
- Activities located next to utilities may be sensitive to effects from the utility and seek to restrict its operation: e.g. residential activities next to a sewage disposal area or a generator that "hums". These are known as 'reverse sensitivity' effects.

Specific issues relating to efficient use of utilities in townships in Selwyn District include:

- Demand for residential development, which results in upgrades to or new utilities in some townships, while other townships have under-utilised utilities.
- Some townships need utilities to mitigate adverse effects of activities on the environment, but do not have the population (or likely population growth) to make these utilities affordable; or are not in areas where further residential development should be encouraged, due to other adverse environmental effects.
- The general settlement pattern in Selwyn, with small communities scattered over a large area, is more expensive to supply with utilities than metropolitan areas with large numbers of people concentrated in a small area.

Efficient use of utilities can also be hampered by unnecessary or unequal restrictions on their installation and use. Any planning controls should relate to the effects of the utility, not the type of utility or who is providing it.

Effects of Utilities on the Environment

Utilities are often used to mitigate adverse effects of activities on the environment. They can also cause adverse effects. People want the convenience of utilities, but often do not want the live near the infrastructure that provides the services.

A predominant effect of utility buildings and structures is their visual effect. Visual effects can depend on the type of utility and how long it has been around. For example, many people do not consider the visual effects of roads and power lines as adverse, even though they use more collective space than a satellite dish or cellphone tower. People are used to roads and power lines – they have become part of the "natural" environment.

Some utilities have adverse effects such as: noise, odour or glare from operating; shading from buildings. These effects are managed in the District Plan in the same way as similar effects on the environment from other activities.

Some utilities emit electromagnetic radiation. However the provision of these utilities will be permitted subject to compliance with NZ Standard 2772.1:1999.

Earthworks required for the construction of utilities can damage or destroy items of cultural and/or histories significance, which should be taken into account when such works are under taken.

Provision of Utilities

Traditionally, utilities were provided by central or local government. This was usually done by designations. Increasingly, private organisations are providing utilities, as well. Some private organisations are requiring authorities (they can designate land). However, the District Plan needs to make provision for utilities using other methods than designations, because:

- It is consistent with Part II and section 32 of the Act to allow activities which have only minor effects as permitted activities.
- It is necessary to provide for the installation, maintenance and upgrade of utilities on sites which are not designated; or by utility operators that are not requiring authorities.

UTILITIES — STRATEGY

The Township Volume of the District Plan uses the following basic strategy to address issues associated with utilities:

Demand & Effects on Utilities

Information on effects of new residential or business growth on utilities must be included in any plan change request to rezone land.

Efficient Use

- Residential or business growth is not promoted or restricted based on the capacity of existing utilities.
- Utility services needed for each area are set out in the Plan and provision made to recover the costs of providing Council owned utilities.
- Any controls on utilities relate to effects, not the type of utility or who provides it.

Effects of Utilities

- Effects of utilities on the environment are managed
- Potential 'reverse sensitivity' effects of activities on utilities are also managed, similar to any other activity.

UTILITIES — OBJECTIVES

Objective B2.2.1

Access to utilities to enable people and communities to carry out their activities.

Objective B2.2.2

Efficient use of utilities is promoted.

Objective B2.2.3

The provision of utilities where any adverse effects on the receiving environment and on people's health, safety and wellbeing is managed having regard to the scale, appearance, location and operational requirements of the facilities.

Explanation and Reasons

Utilities are necessary to enable many activities to take place and to mitigate adverse effects of activities on the environment. Co-ordination is needed between new activities, such as residential or business developments, and utilities to ensure that:

- Any potential activity can be supplied with the utilities it needs.

Efficient use of utilities helps to reduce the cost of providing them. Efficient use is fostered by:

- Ensuring any controls on utilities relate to effects, not the type of utility or who supplies it; and
- Encouraging the costs of supplying a utility in an area is factored into the decisions people make about where they choose to live or do business.

Utilities may have adverse effects on the environment. Objective B2.2.3 addresses these potential effects. Utilities usually have less effect, or no more effects, than other activities, and their impacts are primarily visual. These effects are managed with regard to the sensitivity of the host environment, with Living areas and Outstanding Landscapes being the most sensitive. This protection also takes into account the operational requirements of utilities. Potential health effects are addressed through reference to appropriate New Zealand Standards.

UTILITIES — POLICIES AND METHODS

Policy B2.2.1

Require that the need to supply utilities and the feasibility of undertaking, is identified at the time a plan change request is made to rezone land for residential or business development.

Explanation and Reasons

Utilities need to be co-ordinated with zones for new residential or business development, to enable people to carry out these activities. Therefore, the Council needs to know, when it decides to rezone land for residential or business development, that:

- The land can be physically supplied with utilities; and
- Any adverse effects of the utilities can be appropriately addressed.

Some utilities will require resource consents from the Regional or District Councils, separately from the plan change. Selwyn District Council does not expect those consent applications to be made at the same time as the plan change request. However, the plan change request will need to include sufficient information to satisfy the Council that the necessary utilities can be provided to the site; and any associated adverse effects on the environment avoided, remedied or mitigated. Part E, Appendix 14 outlines the information the Council suggests be included with plan change requests.

Method

District Plan Policies

- Information to assess requests for plan changes

Policy B2.2.2

Ensure activities have access to the utilities they require at the boundary prior to any new allotment being sold; or prior to any new activity taking place on an existing allotment.

Explanation and Reasons

This standard may vary between townships. For example, in some townships reticulated sewage treatment and disposal is needed to avoid adverse effects on groundwater. In a few townships, on-site effluent treatment and disposal is adequate.

Policy B2.2.2 requires utility services to be available at the boundary of any allotment either: before it can be sold as a separate allotment, for new subdivisions; or before the activity takes place, for existing allotments. The reason is to avoid people purchasing allotments to undertake an activity only to find it cannot be supplied with the utilities they need.

Part B, Section 1.2 - Water and Part B, Section 2.4 – Waste Disposal, have policies that identify standards of water supply and waste disposal needed in various townships in Selwyn District. The method of water supply or sewage treatment and disposal may vary between townships, due to their size, ground conditions and depth to groundwater. The policies to protect water and land resources from pollution apply to all townships.

Method

District Plan Rules

- Subdivision
- Buildings
- Water Supply
- Sewage Disposal

Policy B2.2.3

Encourage the "market" to determine the efficient use of utilities.

Explanation and Reasons

The Council thinks the users and providers of utilities are the best people to determine the efficient use of them. For 'the market' to work efficiently, all the costs associated with installing and maintaining utilities need to be able to be charged to the "users". They should not be distorted by planning provisions. Planning provisions should focus on addressing adverse environmental effects. Therefore the District Plan does not:

- Actively promote or restrict residential or business growth in any township based on the current capacity of its infrastructure; or
- Differentiate between rules for establishing utilities in different locations unless the effects differ.

The District Plan does:

- Set the standard of utility services needed for activities in each township to address effects, whether the utility services currently exist or not; and
- Costs for utility services are generally met through the LTCCP Development Contribution Policy process.

The Plan notes, in Part B, Section 4.3 – Residential and Business Development, where new or upgraded utilities, which Council supplies, are needed before a township can have additional residential or business development. It does not have policies to promote or restrict future residential growth in townships relative to the current capacity of utilities. The reason is:

- Most utilities can increase their capacity. Therefore any adverse effects of new residential or business development on the utility are able to be mitigated.

Methods

LTCCP

- Development Contribution Policy

District Plan Policies

- Policies to assess plan change requests to rezone land for the expansion of townships, do not relate to the capacity of existing utilities

District Plan Rules

- Subdivision
- Building
- Utilities
- Utility Rules:
  - Ensure all activities have the standard of utility services they need to address environmental effects
  - Do not differentiate between types of utilities or who provides them, only effects
  - Only require utility services that are needed to address environmental effects

Policy B2.2.4

Ensure provision is made for the ongoing maintenance and repair of utilities which do not vest in the Council, and that the users of these utilities are informed of any responsibility they have for ongoing maintenance or repair.

Explanation and Reasons

In the past most utilities were provided by local or central government agencies. Increasingly, private organisations are involved in arranging utilities, such as water supplies, sewage treatment and disposal, and stormwater disposal, as part of new residential or business development. In most cases these utilities are vested in the Council who takes over responsibility for ongoing maintenance and repair. These utilities may not be vested in the Council in all cases. For example:

- A community system may be too small to be vested in the Council; or

– The Council may not be prepared to accept responsibility for a utility if they think the site or design is inappropriate or too costly to maintain.

The Council prefers community water supplies, and community stormwater and sewage disposal systems, to comply with its Engineering Design Standards (2000) and be able to connect into the public system when it is available. This means residents are not faced with individual responsibilities for the maintenance and repair of essential utilities. If responsibility for community water supplies, sewage and stormwater systems or other utilities remains with residents, there needs to be:

– A method to make purchasers of allotments aware of their responsibilities; and

– A management system put in place to organise any maintenance or repair work.

This needs to be outlined at the stage land is rezoned for new residential or business development and appropriate conditions imposed on subdivision consents.

Methods

District Plan Policies

– To assess requests for plan changes to rezone land

District Plan Rules

– Subdivision

Policy B2.2.5

Avoid potential 'reverse sensitivity' effects of activities on the efficient development, use and maintenance of utilities.

Explanation and Reasons

'Reverse sensitivity' effects occur when activities, which are sensitive to the effects of utilities, establish close to the utility and then complain about its operation. The complainants can force expensive relocation of or restrictions on the operation of the utility.

'Reverse sensitivity' effects can occur with many activities. The topic is addressed, in general terms, under Part B, Section 3.4 of the Plan.

Method

District Plan Zones

– Provide through policies and rules zones which are appropriate areas for utilities to locate likely to have adverse effects on the environment

– Restrict "sensitive" activities from establishing in these zones unless potential 'reverse sensitivity' effects will be minor

Policy B2.2.6

Ensure the effects of utilities are compatible with the amenity values and environmental characteristics of the zone in which they locate, also having regard to operational, functional and economic constraints.

Explanation and Reasons

Utilities encompass a diverse range of activities, structures and associated effects. Policy B2.2.6 ensures that utilities likely to have nuisance effects such as glare, odour and noise are located away from activities likely to be sensitive to these effects, where this is practical having regard to operational and functional efficiency, and economic factors. If the utility is part of a network and must be located in a Living or Business 1 Zone, other rules are also used to mitigate potential adverse effects of utilities. These include rules for visual effects: size of structures; shading; and landscaping; and reference to compliance with the appropriate New Zealand Standards to address potential health effects.

Method

District Plan Rules

- Utilities
- Non-complying activities
- Discretionary activities

Policy B2.2.7

Ensure any adverse effects of utilities on or near waterbodies, or on any ecological, heritage, cultural, recreational, aesthetic or amenity values of the waterbody, are avoided, remedied or mitigated.

Explanation and Reasons

Utilities are often near waterbodies, either:

- As network utilities which must traverse the area; or
- Utilities associated with waterbodies such as water supplies or flood protection works.

Waterbodies are recognised in sections 5(2)(b), 6 and 7 of the Act as having many special values, including (but not limited to):

- Water quality and quantity;
- Aquatic life and habitats, including the habitat of trout and salmon;
- Sites of waahi tapu and mahinga kai for local rūnanga;
- The natural character and ecological values of the edges of waterbodies (riparian margins);
- Landscape, recreational, aesthetic and amenity values; and
- Public access along natural waterbodies;
- Heritage values

Any adverse effects of utilities on these values should be avoided, remedied or mitigated. Part B, Section 1.2 addresses, generally, effects of activities on water and Part B, Section 1.3, effects of activities on ecosystems.

Method

District Plan Rules

- Utilities
- Waterbodies
- Sites of Waahi Tapu and Waahi Tonga

Policy B2.2.8

Require utilities located in areas identified in the District Plan as areas likely to be subject to natural hazards, to be designed and sited considering possible effects of the potential natural hazard.

Explanation and Reasons

Part B, Section 3.1 – Natural Hazards, Part B, Section 4.3 – Residential and Business Development, and the Planning Maps identify areas in and around townships which are known to have been subject to natural hazards in the past (for example, inundation, erosion and land instability). These are not the only areas in Selwyn District likely to experience natural hazards in the future. They are the areas where there is some information that indicates that they have been natural hazard areas in the past.

Policy B2.2.8 does not prevent utilities being located in these areas. The policy requires particular attention be given to the function, design and siting of these facilities, to minimise the environmental effects likely to result if the site is flooded, slips, erodes, shakes or ruptures. Some utilities which may have significant adverse effects if damaged may be better located away from these areas, for example: a large-scale sewage treatment plant, waste disposal facility or dam. Most of these activities will require resource consents under the Plan. In deciding on any consent application, regard must be had to all relevant objectives and policies in the District Plan, including Policy B2.2.8.

Method

District Plan Rules

- Non-complying Activities
- Discretionary Activities

Policy B2.2.9

Encourage utilities located in road reserves to be installed, maintained and replaced with minimal adverse effects on traffic safety or flow.

Explanation and Reasons

Many utilities are located in road reserves. Some network utility operators are empowered by specific statutes to enter road reserves to install, maintain and replace these utilities. Policy B2.2.9 is to encourage these network utility operators and the roading authorities to work together to reduced any adverse effects of these activities on traffic safety and efficiency. This policy should be read in conjunction with Policy B2.1.12. The safety of people working on utilities located inroad reserves is addressed under separate legislation.

Method

Advocacy

- Encourage network utility operators and road managers to discuss or develop protocols over activities within road reserves.

Policy B2.2.10

Encourage the co-siting of utilities, where appropriate.

Explanation and Reasons

As the number of network utility operators increases through competition in the private sector, the number of utility structures in an area may also increase.

Policy B2.2.10 encourages the co-siting of utilities to reduce the visual effects of utility structures. It may also reduce potential 'reverse sensitivity' effects by lessening the number of places where utilities may be sited next to activities which are 'sensitive' to their effects. The policy recognises that it is not always appropriate to co-site utilities: for example, where utilities affect one another; or have different siting requirements.

Competing network utility operators may resist policies to be co-sited with their competitors. Trade competition is a matter consent authorities are to disregard under section 104 of the Act. Therefore, co-siting of utilities will be encouraged where it mitigates potential adverse effects on the environment. Network utility operators are not expected to share facilities rather to occupy the same or adjoining sites, where practical.

Method

District Plan Rules

- Utilities
- Subdivision

Advocacy

Policy B2.2.11

Underground cables are required to be laid in Living and Business zones unless the network utility operator advises that it is technically not feasible to lay cables underground, or it only involves a minor extension of existing overhead lines.

Explanation and Reasons

Selwyn District Council encourages network utility operators to lay cables underground in townships. This reduces adverse visual effects of poles and safety effects from poles or broken wires. Some smaller townships in the District are unlikely to have existing overhead cables laid underground before a set of poles will need replacing. Policy B2.2.11 provides for overhead cables in these cases or where it may be technically difficult to lay cables underground. The consent authority may consult with the network utility operator about the feasibility or timing of laying cables underground in townships.

Method

District Plan Rules

- Subdivision
- Utilities
- Alpine Villages

UTILITIES — ANTICIPATED ENVIRONMENTAL RESULTS

The following environmental outcomes are expected from implementing Section B2.2:

- Allotments have connections to utilities when they are created.
- Activities have the standards of utilities they need to mitigate their effects on the environment, prior to the activity being established.
- The cost people pay for using utilities reflects the costs of providing the utility to that site.
- Utilities are less visually prominent in the future, particularly in Living zones and along waterbodies and other areas with high aesthetic or amenity values.
- The number of sites where utility sites reduces as a result of co-location.
- Establishment or operation of utilities will not have any adverse effects on any archaeological or heritage site.

UTILITIES — MONITORING

See Part E, Appendix 1.

B2.3 COMMUNITY FACILITIES (AND RESERVES) — ISSUES

- **Providing community facilities which keep pace with changes in community size and needs.**
- **Effects of community facilities on the environment.**

What Are Community Facilities?

Community facilities include land, buildings, equipment and services available to local communities for a range of activities, with or without charge. They include: meeting halls, places of worship, education, recreation areas and reserves, medical facilities, and emergency services. They differ from businesses in the following ways:

- People expect certain community facilities to be available to them, in most townships.
- Sometimes, there is a statutory duty or mandate to provide a community service or facility to a certain standard.
- Provides a public good.
- Management is usually by a government body or community organisation.
- Charges tend to be to recover costs, not make profit.

Community Facilities in the Selwyn District

Community facilities which are available in most townships in Selwyn District include:

- Reserves and recreation facilities
- Places of worship
- A hall or meeting facility
- Emergency Services
- Primary school
- Cemetery

Larger townships may also have a library, pre-school and secondary school, Police Station and medical services, which serve surrounding smaller townships and the rural area too. Small townships in close proximity to one another may share community facilities.

Issue 1

Providing Community Facilities

Access to community facilities is important:

- To foster a sense of community or association in an area; and
- To meet people's expectations to have access to community facilities.

Often, community facilities are designed to meet the needs of a community of a certain size or composition. If communities grow or demographic factors change, such as age, sex or ethnicity, the demand for community facilities may also change. For example, an increase in young families moving from Christchurch into townships such as Lincoln and Prebbleton may increase the

waiting list for pre-school facilities, the size of classes at primary school, and the need for 'safe' cycleways and walkways to school.

Under the Act, any person may request a plan change to rezone land for new residential development at almost anytime. This means the pattern and extent of potential residential growth in a community may be less predictable than in the past, when local authorities did all the planning for town growth. Co-ordination is needed between proposals for new residential development in townships and identifying and addressing potential demand for and effects on, community facilities.

The LTCCP Development Contribution Policy requires the provision of contributions from growth-related development to generate the necessary funds for reserves and facilities for open space and recreation. Contributions will also be taken for the construction of the Castle Hill Community Centre.

Issue 2

Effects of Community Facilities

Community facilities bring benefits to residents. It is desirable to have them located in or close to residential areas, so that not only are they easily accessible to residents in the townships, but they are sited close to the communities they serve including in living areas, in locations providing easy access to the public. Some community facilities can have adverse effects on the environment, particularly the amenity values of residential areas. For example:

- Noise and lighting from functions at night can disturb sleeping residents.
- Inadequate access and car parking can cause traffic congestion and loss of privacy for neighbours.
- If community facilities are located across main roads or railway lines from the township, they can create traffic hazards for both residents trying to get to them and motorists or trains using the road or railway line.
- If buildings or grounds are not adequately maintained, they can have adverse visual effects on the neighbourhood.

On the other hand, residents in townships need to recognise that existing community facilities in living areas are part of the environment in which they live and in the case of emergency services, represent important physical resources which assist communities to provide for their health and safety.

COMMUNITY FACILITIES (AND RESERVES) — STRATEGY

The Township Volume of the District Plan uses the following basic strategy to address issues with community facilities:

Co-ordinating Community Facilities and Residential Growth:

- Any plan change request to rezone land for residential or business development should include an assessment of the impacts of the growth on community facilities and ways in which those impacts can be addressed.

Adverse Effects

– The Plan has policies and rules to manage effects of community facilities, in the same way as other activities.

The Council's Asset Management Plans identify when community facilities vested in the Council may require additions or upgrades; and what the work is that is required. Other organisations that provide community facilities may have similar plans or policies.

COMMUNITY FACILITIES (AND RESERVES) — OBJECTIVES

Objective B2.3.1

Residents have access to adequate community facilities.

Objective B2.3.2

Community facilities do not adversely affect residential amenity values or other parts of the environment.

Explanation and Reasons

Community facilities are essential to meet people's needs and expectations. Objective B2.3.1 aims to ensure people have access to community facilities: ensuring the facilities are provided; they are adequate to meet demand; and they are easy to get to, especially for children and less mobile residents.

Like all activities, community facilities should not have adverse effects on the environment, including people and other activities. The Plan allows community facilities in Living zones (subject to effects based rules) because they enhance local neighbourhoods and to make them easily accessible for and to residents. The effects based rules for activities in Living zones, generally ensure community facilities will not disturb residents in Living zones.

COMMUNITY FACILITIES (AND RESERVES) — POLICIES AND METHODS

Policy B2.3.1

Encourage co-ordination between the provision of community facilities, and new residential and business development.

Explanation and Reasons

New residential and some new business development in townships create additional demand for community facilities. In some townships, this demand can be met by existing, under-utilised facilities. In other townships, additional facilities will be needed.

Any person can request a plan change to rezone land for new residential or business development at, almost, any time. Therefore, parties providing community facilities must be consulted about effects of extra residents on community facilities; and how any new or upgraded

facilities can be provided, in ways that are consistent with the other objectives and policies of the District Plan. The Council requires this information to be submitted with plan change requests to rezone land. Council does not require the applicant to provide the additional community facilities. Development contributions towards community facilities are taken under the LTCCP Development Contribution Policy.

Methods

District Plan Policy

- To assess plan change requests to rezone land for new residential or business areas, to ensure adequate facilities are available

LTCCP

- Development Contribution Policy

Policy B2.3.2

Encourage community facilities to be located in areas where they are easily accessible to residents, including in Living zones, provided any adverse effects on the environment can be avoided, remedied or mitigated.

Explanation and Reasons

Community facilities should be located on sites which are easily accessible to residents, including children and people with impaired mobility. Therefore they need to be safe and easy for pedestrians and cyclists to access; and have car parking close by. Community facilities are encouraged to locate in Living zones, provided any effects are compatible with residential amenity values.

Method

District Plan Rules

- Community facilities that comply with effects-based rules can locate in a zone as a permitted activity.

Policy B2.3.3

Encourage community facilities to be designed and formed:

- **To be easily accessible for people with impaired mobility and children;**
- **With regard to personal safety; and**
- **To be cost effective (where local government funding is involved); and**
- **To utilise buildings with heritage values where possible and appropriate.**

Explanation and Reasons

Community facilities need to be accessible and 'safe' for residents to use and enjoy them. They also need to be cost effective for the Council (and thus ratepayers) to maintain. Cost effective does not mean 'cheapest'. It means 'the best value for ratepayers money'.

The location, shape and landscaping features of grounds; night lighting; and surrounding land uses are all factors that influence how accessible and safe community facilities are and how much they cost to maintain.

Utilising heritage buildings for community purposes aids the long term conservation and retention of heritage sites in the District where this is possible and appropriate.

Methods

District Plan Rule

- Subdivision: Council retains discretion over the location, design and layout of reserves to vest in the Council.

Asset Management Plan

- Design, layout and management of community facilities vested in the Council.

Advocacy

- Encourage other organisations which provide community facilities to think about personal safety and accessibility in their design and location.

Policy B2.3.4

Avoid locating community facilities on the opposite side of Strategic Roads or railway lines, from the main residential area(s) in a township, unless a safe access route is provided between areas, for motorists, pedestrians and cyclists.

Explanation and Reasons

When community facilities are located on the opposite side of a main road or a railway line from the main residential area in a township, the following adverse effects can occur:

Access can be difficult or dangerous, especially for pedestrians or cyclists.

Congestion from vehicles parking and manoeuvring can reduced traffic safety and impede traffic flow along the road.

Strategic Roads are listed in Part E, Appendix 7.

In some townships community facilities are already located on the opposite side of a Strategic Road or railway line from the main residential area. Policy seeks to avoid exacerbating existing problems and creating additional ones. In some cases, potential adverse effects may be avoided or mitigated by creating safer access over Strategic Roads to community facilities such as a controlled intersection.

Methods

District Plan Policies

- To assess plan change requests to rezone land for new residential or business areas

District Plan Rules

- Access onto a Strategic Road
- Car parking

Asset Management Plans

- Location of new reserves and other community facilities vested in the Council

Advocacy

- With other authorities

Policy B2.3.5

Recognise existing community facilities as part of the environment when assessing effects of any proposed changes to the facility.

Explanation and Reasons

Most townships in Selwyn District have a mix of residential and business activities, and community facilities. The activities are not separated into different zones or areas. In many cases there is no need to separate the activities, because they do not adversely affect each other. The District Plan contains several policies that recognise this land use pattern and require it to be taken into account when the consent authority considers resource consent applications for changes to business activities and community facilities in Living zones (see Part B, Section 3.4, Policy B3.4.8).

Lawfully established community facilities are part of the existing environment. Only the environmental effects of changes to a community facility should be considered, not environmental effects as if the whole community facility is a new activity.

Method

District Plan Policy

- To assess resource consent applications for activities that do not comply with the rules for permitted activities or with section 10 of the Act – Existing Uses.

Policy B2.3.6

Encourage co-locating community facilities where appropriate.

Explanation and Reasons

Co-locating community facilities may have the following benefits:

- Reducing potential effects on residential amenity values by reducing the area where residential activities and community facilities share boundaries.
- Shared car parking facilities, access and roading design to reduce traffic effects.
- Facilitating multiple use of community facilities and “one stop” services for people using more than one facility.

Co-locating community facilities may be inappropriate if:

- The facilities adversely affect one another.
- The site is inappropriate for community facilities in the first instance and the consent authority does not want to encourage more people, traffic or buildings in the area.
- The facilities should be spread throughout the township to benefit residents, e.g. neighbourhood reserves.

– The facilities create greater benefits if spread throughout the township.

Methods

Advocacy

– Promote co-location of community facilities as opportunities arise

District Plan Rule

– Allow community facilities to share car parking requirements when the facilities are unlikely to be available or used during overlapping times. See Part E, Appendix 13.

Policy B2.3.7

Facilitate multiple use of individual community facilities, where appropriate.

Explanation and Reasons

Compared with metropolitan centres, townships in Selwyn District are small. Many townships have under-utilised community facilities. In other cases, the same land area or buildings may be able to be used for more than one purpose. Multiple use includes: using one facility for a variety of uses; or sharing facilities between townships or communities.

The multiple use of community facilities, including reserve areas, can have the following benefits:

– Reduced costs for the communities and developers in providing separate land areas or money for duplicate facilities.

– Reduced costs to communities for ongoing maintenance and renewal of duplicate facilities.

– More efficient use of land or buildings, especially existing, under-utilised facilities.

The "efficient use and development of natural and physical resources" is a matter the Council must have particular regard to, under the Act (section 7(b)).

Multiple use of community facilities may be inappropriate in some cases. For example:

– If the uses are not readily compatible.

– The facility is too far away to be easily accessible for a community.

The organisation owning the community facility makes the final decision as to whether the land or building may be used for more than one purpose. Policy B2.3.7 recognises that multiple use has benefits. Therefore, the District Plan does not prevent it from happening, except where necessary to address an adverse effect.

Methods

Advocacy

– Promote multiple use of community facilities as opportunities arise.

Asset Management Plans

– Identify opportunities for multiple use of community facilities and reserves vested in the Council.

Policy B2.3.8

Ensure residents in Selwyn District have access to sufficient reserve areas to meet their needs for space for active and passive recreation.

Explanation and Reasons

Providing reserves when land is subdivided or used for new residential or business development serves two purposes:

- Providing areas for recreation; and
- Reducing the visual effects of new buildings by maintaining some green 'open space' areas.

Policy B2.3.8 addresses the first issue. Part B, Section 4.1 – Residential Density, Policy B4.1.10, addresses the second issue. Part B, Section 2.1, Transport Networks, Policy B2.1.20 provides for walkways and cycleways in townships, as part of the transport network.

Most townships in Selwyn District have substantial reserve areas. These may include local neighbourhood reserves serving parts of a township and larger domains and sports facilities serving both the township and its surrounding rural area.

Method

LTCCP

- Development Contribution Policy

Policy B2.3.9

Facilitate public access along rivers and streams in and adjoining townships, where:

- **Such access is likely to provide a beneficial community facility; and**
- **It will not adversely affect the natural character, or ecological or cultural values of the waterbody; and**
- **There is no risk to public health or safety.**

Explanation and Reasons

Section 230 of the Act provides for councils to take land to create esplanade reserves for public access along waterbodies, when land adjoining the waterbody is subdivided. Creating esplanade reserves must be allowed for by a rule in the Plan. If the allotments created are larger than 4 hectares, compensation must be paid.

There are rivers and streams within or adjoining existing townships in Selwyn District where esplanade reserves may be required when land is subdivided. The townships which adjoin rivers and streams are Arthur's Pass, Hororata, Lincoln, Tai Tapu and Whitecliffs. In the past, esplanade reserves have not always been required as part of subdivisions adjoining rivers and streams in these townships. This is for the following reasons:

- Public access along the Bealey River is already provided through Arthur's Pass National Park

- In previous subdivisions the Minister of Conservation has rejected the need for esplanade reserve along the Hororata River/Cordy's Stream at Hororata.
- There is an unformed legal road along the Halswell River which may serve the purpose of an esplanade reserve in some instances.
- An esplanade reserve in the area of the Waikirikiri/Selwyn River is unlikely to provide practical public access along the river.

If these townships expand in the future, or if other townships expand to adjoin waterbodies, it may be appropriate to take, as part of the plan change, land for esplanade reserve, in accordance with Policy B2.3.9 – for example, any expansion of Coalgate or Glentunnel south to adjoin Waikirikiri/Selwyn River. Alternatively the provisions for esplanade strips may be used to provide some public access.

When creating an esplanade reserve or an esplanade strip with public access, the Council shall consider:

- Demand – is there likely to be demand to use this facility, which justifies the cost to ratepayers of providing and maintaining it?
- Practicality and Safety – is there public access to the esplanade reserve or strip and will the reserve or strip be located on terrain that can be traversed? For example, an esplanade reserve on a river terrace several metres above the waterbody may not give real public access to it.
- Conservation Values – will public access to the area disturb significant areas with ecological values?
- Cultural Values – will public access to the area disturb sites of cultural importance to tāngata whenua or provide access by tāngata whenua to waahi tapu, waahi taonga and Mahinga kai sites of significance?

At Lincoln, the Council will encourage the taking of reserves on the L1 Creek between the existing township boundary and Boundary Road if this area is ever developed for residential purposes. In this area the L1 Creek is too narrow to take esplanade reserves under the RMA Financial Contribution process so reserve provision would be considered under the LTCCP Development Contribution Policy process.

Methods

District Plan Policies

- To assess the need for rules for esplanade reserves in plan change requests to rezone land

District Plan Rules

- Esplanade Reserves and Esplanade Strips

LTCCP

- Development Contribution Policy

Whitecliffs

- Erosion of Selwyn River/ Waikirikiri Terrace
- Landslip from Malvern Hills

Parts of the Rural Zone (including the Port Hills; skifields (avalanche) and high country areas) are also affected by unstable land: These 'issues' are addressed in the Rural Volume of the Plan.

Drought, Snow and Wind Storms

Weather extremes of drought, snow and wind storms are the most frequently occurring hazard events in Selwyn District. Historically, significant droughts affect the District once in every 6 or 7 years; and heavy snowfalls once in every 4 years. Strong winds, particularly from the north-west, often do minor property damage and, occasionally, more significant damage, e.g. 1975.

Fire

Large-scale fires in the District usually result from a combination of weather conditions (hot and dry) and human activities. These fires tend to affect rural areas. Provisions in the District Plan (water for firefighting); requirements in the New Zealand Building Code; and emergency services, help reduce the risk of and damage from fires in townships.

Coastal Erosion

Selwyn District has a small area of eroding coastline between Te Waihora (Lake Ellesmere) and the Rakaia River. This erosion is most likely to affect utilities such as sea outfalls. It also limits future residential development in the coastal area.

Natural Hazards and the Act

Part of "promoting sustainable management of natural and physical resources" is:

- "Enabling people and communities to provide for their economic, social and cultural well-being and their health and safety;" and
- "avoiding, remedying or mitigating effects of activities on the environment"

"Environment" is defined as including: "natural and physical resources" and "people" (section 2 of the Act).

Therefore the effects of natural hazards on people, their property and other parts of the environment, are an issue under the Act.

Both District and Regional Councils have responsibilities for managing natural hazards under the Act. Chapter 16 of the RPS sets out the natural hazards for which Environment Canterbury and territorial local authorities have responsibility to manage in Canterbury.

MANAGING NATURAL HAZARDS

There are three 'types' of methods to mitigate natural hazards.

Engineering Solutions

- Building Codes and keeping the 'hazard' away from the people (e.g. through construction of stop banks).

Avoidance Solutions

- keeping people and buildings away from potential 'natural hazard' areas.

Planning and Preparedness

- methods to minimise the 'costs' when the natural hazard occurs, e.g. insurance, the provision of emergency services and Civil Defence.

NATURAL HAZARDS — STRATEGY

The Township Volume of the District Plan uses the following basic strategy to address Natural Hazard issues:

District-wide Natural Hazards

- Minimise loss of life and property damage through Civil Defence[3].

Localised Natural Hazards

Avoidance and Mitigation

- Identify areas in the District known to be affected in the past by flooding; unstable land; or seismic activity.
- Manage land use activities in these areas, to avoid or mitigate the potential adverse effects of natural hazards.

Response

- Civil Defence to minimise loss of life and damage to property if a natural hazard occurs.

Engineering Solutions

- Some areas have structures or works to reduce the effects of natural hazards, e.g. stopbanks or retaining walls.
- The District Plan has provisions to:
  - Allow the operation and maintenance of these activities; and
  - Mitigate adverse effects on the environment from establishing these structures or works.
- If the Council chooses to use works or structures to mitigate natural hazards in the future, these will be set out in the Council's Asset Management Plans.
- Building Code Requirements.

[3] In accordance with the provisions of the Civil Defence Emergency Management Bill (before the house of parliament at the time of writing the Proposed District Plan).

NATURAL HAZARDS — OBJECTIVES

Objective B3.1.1

Ensure activities do not lead to or intensify the effects of natural hazards.

Objective B3.1.2

Ensure potential loss of life or damage to property from natural hazards is mitigated.

Objective B3.1.3

Ensure methods to mitigate natural hazards do not create or exacerbate adverse effects on other people or the environment.

Explanation and Reasons

Objective B3.1.1 aims to avoid natural hazards in the first instance by not allowing people or property in areas known to experience flooding, landslips or earthquakes, unless the risk of damage can be mitigated to an acceptable level.

District-wide hazard events with catastrophic effects are infrequent. The Council believes the most efficient method to address such events is to inform people how to respond should one occur. For high magnitude events – even of low frequency - it is not possible. For some minor events, the applicant may choose to accept the cost of property damage instead of the cost of mitigation measures.

Objective B3.1.3 seeks to avoid any adverse effects that mitigation measures may have on other people or the environment. For example stopbanks can exacerbate flooding by restricting the natural spread of floodwaters. Similarly the construction of stopbanks can adversely affect the natural character and ecological values of the margins of waterbodies.

NATURAL HAZARDS — POLICIES AND METHODS

DISTRICT-WIDE NATURAL HAZARDS

Policy B3.1.1

Promote awareness among residents in Selwyn District of the potential for a District-wide natural hazard, and how to respond to minimise loss of life and damage to property.

Explanation and Reasons

District-wide natural hazards with catastrophic effects are infrequent events. The Council believes the most efficient method to address effects from District-wide natural hazards is to inform people about how to respond should one occur. This is most efficiently achieved through the Council's Civil Defence Programme.

Method

Civil Defence Planning through:

- Public lectures
- Field trips
- Brochures

LOCALISED NATURAL HAZARDS

Policy B3.1.2

Avoid allowing new residential or business development in areas known to be vulnerable to a natural hazard, unless any potential risk of loss of life or damage to property is adequately mitigated.

Explanation and Reasons

Places in and around several townships in Selwyn District have historical records of flooding, seismic activity or unstable land. Topography, location or climate indicate that they may be vulnerable to these potentially damaging events, and therefore would be unsuitable for new residential or business development, or would require specific measures to be undertaken to mitigate the risk of damage.

For these reasons, natural hazards is an issue that needs to be assessed when a request is made for a residential or business rezoning. In addition, the Council has an obligation under section 106 of the Act to decline consent to a subdivision in areas where natural hazards cannot be adequately mitigated.

Section 71 of the Building Act deals with building on hazard prone land. Under this section, the Council may be obliged to refuse a building consent application on land subject to such hazard events as erosion, falling debris, subsidence, inundation or slippage.

The building code contains standards to ensure that any structure is designed to remain standing in a certain magnitude earthquake.

In addition the Council advises any person requesting Land Information Memoranda (LIM) of any known natural hazard affecting land subject to the LIM. Accordingly in Whitecliffs, Hororata and Tai Tapu, where there is known to be hazards from stormwater run off, landslip, erosion or inundation, information on these natural hazards is recorded on any LIM requested for land in these townships affected by a hazard.

Methods

District Plan Policies

- To assess plan changes to rezone new residential or business development

District Plan Rules

- Earthworks
- Natural Hazards
- Subdivision

Building Act 2004

- New Zealand Building Code requirements for all buildings

Information

- Notice of LIMs (Land Information Memoranda) for properties hazard areas.

Policy B3.1.3

Avoid locating dwellings and other principal buildings in the following areas:

- **Between any waterbodies and any stopbank designed or used to contain floodwater from that waterbody; or**
- **Within the bed of any lake or river.**

Explanation and Reasons

The areas listed in Policy B3.1.3 and any building therein are vulnerable to damage, not only from flooding but also shifting sediment or land erosion, caused by the movement of water. The policy and rule apply to buildings likely to contain people and valuable assets which cannot be readily moved, not accessory or utility buildings such as hay barns and garages.

Methods

District Plan Policies

- To assess plan changes to rezone land for new residential or business development

District Plan Rules

- Natural Hazards
- Subdivision

Information

- Notice on LIMs (Land Information Memoranda) for properties in identified areas

Policy B3.1.4

Ensure any new dwelling or principal building located in the Living 1A or Living 2A zone at Tai Tapu is designed or sited to avoid flooding in a 2% Annual Event Probability (AEP) flood event.

Explanation and Reasons

Parts of the residential area at Tai Tapu are flooded through the ponding of stormwater in heavy or prolonged rainfall. The township is lower than the surrounding land, which also makes it vulnerable to flooding should the Halswell River breach its banks. No research has been done on likely breakout points or flood channels from the Halswell River, to enable the Council to assess the likely risk and effects of flooding from this source.

A 2% AEP flood event is commonly referred to as a 1 in 50 year flood. This policy corresponds to the requirements of the New Zealand Building Code. The minimum floor height needed to comply with Policy B3.1.4 will vary between allotments in the zones. Section B4.1 – Residential and Business Development addresses expansion of Tai Tapu township through the rezoning and

subdivision of surrounding land. Policy B3.14 applies to erecting buildings because there are vacant allotments in the existing Living zones at Tai Tapu.

Minimum floor levels have been set to apply to new buildings or principal buildings in Tai Tapu. These floor levels will ensure that the potential for flood damage to occur to buildings and the associated intangible damages are minimised. In addition to minimum floor levels, the District plan contains rules on the location of new buildings in the Living 2A zone and earthworks throughout Tai Tapu. The minimum floor and building location controls are in response to the level of flood risk at Tai Tapu. The rest of Tai Tapu is vulnerable to ponding as the principal flood hazard.

It should be noted that compliance with Policy B3.1.4 will not prevent an entry on a Certificate of Title under section 74 of the Building Act 2004.

Methods

District Plan Rules

- Natural Hazards

Information

- Notice on LIMs (Land Information Memoranda) for properties in identified areas

Policy B3.1.5

Ensure any earthworks undertaken in the Living 1A or Living 2A Zones at Tai Tapu do not divert or displace floodwater on to other people's property with adverse effects that are more than minor.

Explanation and Reasons

Land in the Living 1A and 2A Zones at Tai Tapu is lower than the surrounding land and is prone to flooding. Earthworks to raise the level of allotments in these zones or to create building mounds for houses, can divert floodwater on to surrounding properties. This activity can increase the level of flooding on surrounding properties.

Policy B3.1.5 is to avoid this effect. It applies to activities in the Living 1A or 2A Zones that divert floodwater on to any other property whether it is in the Living 1A or 2A Zone or in the surrounding Rural Zone.

Methods

District Plan Rule

- Earthworks

Local Government Act

Policy B3.1.6

Ensure any measures proposed to mitigate a potential natural hazard:

- **Do not lead to or intensify a potential natural hazard elsewhere; and**
- **That any other adverse effects on the environment are avoided, remedied or mitigated.**

Explanation and Reasons

Measures proposed to mitigate natural hazards should not lead to or intensify potential damage elsewhere, for example: by diverting or displacing floodwater on to someone else's property. Works to mitigate natural hazards can have adverse effects on other parts of the environment. For example, stopbanks can affect the natural character and habitat values of riparian margins or access along waterbodies. Retaining walls or rock nets (gabions) can affect the landscape values of hill slopes. These adverse effects need to be addressed. The extent to which they are addressed will depend on: the severity of the effect; the feasibility and cost of mitigation measures; and the potential 'costs' and effects of alternative methods to mitigate the natural hazard, including the cost of "doing nothing".

Method

District Plan Rules

- Activities near waterbodies
- Earthworks
- Buildings
- Natural Hazards

Policy B3.1.7

Ensure any new residential or business development does not adversely affect the efficiency of the District's land drainage system or the risk of flooding from waterbodies.

Explanation and Reasons

The eastern part of the Selwyn District has a high water table.

Much of the land is drained by a comprehensive land drainage scheme using and extending streams running into Te Waihora/Lake Ellesmere. Stormwater disposal is reticulated to these waterbodies. When land is changed from rural uses to new residential or business areas, the rate at which stormwater runs off the land and into waterbodies increases because there is less land area for it to pond on. This means waterbodies may get higher flood levels sooner, which can increase the likelihood of them overflowing and flooding land "downstream". Policy B3.1.7 seeks to avoid this effect. New residential and business developments may need to include stormwater systems that store water and release it more slowly into the waterbodies. Waterbodies where this policy may apply include: Halswell River; LI and LII waterbodies; Lower Selwyn River/Waikirikiri; Doyleston Main Drain and Boggy Creek.

Methods

District Plan Policies

- To assess plan change requests to rezone land for new residential or business development

District Plan Rules

- Subdivision

Policy B3.1.8

Continue to develop the information base on the location and characteristics of natural hazards in Selwyn District.

Explanation and Reasons

A major difficulty in trying to manage natural hazards is the lack of information on the type, location and frequency of hazard events in the District. Some of the main reasons for this lack of information are:

- The low frequency with which events occur;
- The short period of written measurements and records of historical hazard events in the District to know how often events of various magnitudes occur;
- The cost of research, particularly when only a small number of people are affected.

Research and modelling of hazard events is occurring all the time. By keeping abreast of and supporting this work, and recording information on hazard events as they occur, the information base is increasing.

Methods

Advocacy

- Encouraging and supporting relevant research work

Information

- Recording relevant information as opportunities arise.

NATURAL HAZARDS – ANTICIPATED ENVIRONMENTAL RESULTS

The environmental outcomes expected from implementing this section of the District Plan are:

- Increased awareness in the community of the risk and nature of natural hazards and how to respond.
- No new natural hazards created as a result of new residential or business activities or from mitigating existing natural hazards.
- The number of houses subject to flooding in a 2% AEP rainfall event at Tai Tapu does not increase.
- New residential and business development does not increase risk of flooding from the District's waterbodies.
- The District's database on natural hazards improves.
- Reduced natural hazard risk to the community.

NATURAL HAZARDS – MONITORING

See Part E, Appendix 1.

B3.2 HAZARDOUS SUBSTANCES — ISSUES

- **Adverse effects on the human and natural environments from the manufacture, storage, transport on waterbodies or disposal of hazardous substances.**
- **Adverse effects on land and soils, waterbodies or other parts of the environment from accidental or deliberate spillage, leakage, or discharge of hazardous substances in the course of their manufacture, storage or disposal.**
- **Adverse effects on the amenity values of townships from activities involving the manufacture, storage or disposal of hazardous substances.**

What is a Hazardous Substance?

Hazardous substance is defined in section 2 of the Resource Management Act 1991 to include, but is not limited to, any substance defined in section 6 of the Hazardous Substances and New Organisms Act 1996 (HSNO) as a hazardous substance.

HSNO section 6 states:

> "Hazardous substance means, unless expressly provided otherwise by regulations, any substance
>
> (a) with one or more of the following characteristics:
>
> (i) explosiveness,
>
> (ii) flammability,
>
> (iii) a capacity to oxidise,
>
> (iv) corrosiveness,
>
> (v) toxicity (acute or chronic),
>
> (vi) ecotoxicity with or without bioaccumulation;
>
> or
>
> (b) which on contact with air or water (other than air or water where the temperature or pressure has been artificially increased or decreased) generates a substance with any one or more of the properties specified above."

What are the Issues?

Hazardous substances of various kinds are in widespread use in the Selwyn District and are an essential part of everyday life. Common examples of hazardous substances are agrichemicals and animal remedies in the rural sector of the community, timber preservatives and strong acids and alkalis in the industrial and commercial sector, and garden sprays in the domestic sector. Other substances such as LPG, petroleum hydrocarbon fuels and lubricants, solvents, paints, pool chemicals and household cleaning agents are in widespread use across all sectors. Wastes generated by all sectors also contain hazardous substance residues, such as industrial processing wastes, packaging and containers, dead batteries and waste oil, paints and solvents, surplus agrichemicals and garden sprays.

While the presence of hazardous substances in the community is generally accepted, there is potential for significant adverse effects to the natural, rural and urban environments if hazardous,

substances and their locations, storage, transport, use and disposal are not managed or controlled appropriately. The potential adverse effects if hazardous substances are spilled, leak or escape from their containment or are discharged into the environment in an uncontrolled manner by accident or during their application or use include:

- effects on human health through skin contact, ingestion or inhalation
- effects on the health of farm stock and domestic animals
- damage to plant crops, windbreaks, plantations, landscape planting and other vegetation
- damage to natural flora and fauna
- contamination of the food chain, including chemical residues in farm stock and crops
- damage to the life-sustaining or aesthetic qualities of water and soil resources and ecosystems
- effects on ancestral lands, sites and other taonga of value to Tangata Whenua
- aesthetic and health effects arising from the development, improvement or occupation of land contaminated by hazardous substances
- devaluation of rural, residential, conservation and recreation amenity values of land that has been contaminated by hazardous substances
- potential and actual risks and public concerns associated with the location of facilities and activities involving hazardous substances, with respect to residences, schools, conservation areas, recreational areas, waterbodies and other sensitive land use areas and sensitive environments
- reverse sensitivity effects on rural land use involving hazardous substances, from residential and other more sensitive activities establishing in rural areas

Regulatory Controls

The Hazardous Substances and New Organisms Act 1996 (HSNO) and Hazardous Substances regulations are the principal legislation controlling the introduction, manufacture, use, storage and disposal of hazardous substances. Substances are classified numerically according to their hazardous characteristics, and the regulations and associated codes of practice and other instruments set specific baseline standards for storage, handling and emergency response for each class of substance and the facilities and activities involving them. HSNO has revoked earlier legislation, including the Dangerous Goods Regulations which the Council previously administered.

The Council has limited powers and responsibilities under HSNO, which is administered mainly by other agencies particularly in terms of the use and application of hazardous substances in working situations. It should be noted that HSNO protects health and safety within the immediate environment of the facility or activity, whereas community issues and concerns must be addressed through the provisions of the Resource Management Act via the Regional Policy Statement, the Regional Plan and District Plans.

Regional and District Councils have functions for managing the effects of the use, storage, transport and disposal of hazardous substances, under the Resource Management Act 1991. Chapter 17 (p. 261) of the Regional Policy Statement sets out in more detail how those functions are shared between Environment Canterbury and territorial local authorities in Canterbury.

In summary, Environment Canterbury has a co-ordinating role in the management of hazardous substances in the Region, with specific responsibilities to manage:

- Any discharge of hazardous substances;
- Hazardous substances in the Coastal Marine Area;

– The use, storage, transportation and disposal of specified substances (including petrochemicals, agrichemicals, organic solvents, timber treatment chemicals, and toxic metals) where they may affect water quality.

The Proposed Natural Resources Regional Plan (Air Quality and Water Quality chapters) control storage and use of the specified substances. Of particular significance to Selwyn District is the restriction of new development involving hazardous substances storage on land in the Christchurch Groundwater Recharge Zone which covers part of the District's north-east.

District and City Councils in the Canterbury region are responsible for developing objectives, policies and rules relating to the control of the use of land for the prevention or mitigation of any adverse effects of the storage, use, disposal or transportation of any hazardous substances except where they are controlled by Environment Canterbury. In setting those objectives, policies and rules, the Council must ensure those provisions are consistent with the RMA and HSNO, and also be mindful of other legislation associated with the control of hazardous substances.

Other Legislation

The Transport Act 1962 controls the transport of hazardous substances, through the Ministry of Transport's Land Transport Dangerous Goods Rule which is enforced by the NZ Police. Incompatible substances must be segregated, loads must be secured and commercial loads must be placarded appropriately. The Council has no involvement with the Rule, but can consider controlling routes for the transport of hazardous substances through its District Plan and resource consents for environmental effects reasons.

The Radiation Protection Act 1965 and the 1982 Regulations control radioactive materials. They are administered by the National Radiation Laboratory, a business unit of the Ministry of Health. The Council may control the location of activities where radioactive materials are present, to address local concerns.

The Building Act 2004 contains requirements relating to the storage and containment of Hazardous Substances. The Council applies these provisions through the building consent process, at which stage the requirements of the Building Code can be coordinated with District Plan considerations.

The Health and Safety in Employment Act 1992 addresses workplace safety and is administered by the Department of Labour's Occupational Safety and Health Division (OSH). Workplaces are required to have health and safety plans in place, which must be consistent with HSNO with respect to hazardous substances management and emergency response.

Hazardous Waste Management

Hazardous wastes may contain residues of hazardous substances in quantities or concentrations that have the same potential effects as those substances. The unauthorized disposal of hazardous wastes is often the cause of soil and water contamination. A number of hazardous waste collection, treatment and disposal operators are based in Christchurch or handle their business through there, and their services are available to the District's waste generators.

The Council has recently adopted the Canterbury Hazardous Waste Management Strategy, which promotes the regionally coordinated management of hazardous waste. Under that strategy, the Council has established a Resource Recovery Centre which is a major component in the District's goal of achieving Zero Waste to Landfill by 2015. The Centre provides environmentally sound facilities for the temporary storage of domestic hazardous wastes that are dropped off by the public, and for hazardous waste materials that are recovered from the landfill waste stream. The wastes are stored temporarily before they are transported to hazardous waste treatment and disposal contractors.

HAZARDOUS SUBSTANCES – STRATEGY

The Township Volume of the District Plan uses the following basic strategy to address issues with Hazardous Substances:

- The Council accepts that HSNO controls immediate effects on people's health and safety from the manufacture, use and storage of hazardous substances, and that specific legislation administered by other agencies primarily controls use in workplace situations, transport, building development, and radioactive substances.
- The District Plan focuses on matters that are not covered by other, more specific legislation or the functions of the Regional Council.
- Policies and rules are implemented to avoid hazardous substances being stored or disposed of in places where, if they spill or leak, serious environmental effects will occur.
- Controls are imposed over the manufacture, storage and disposal of hazardous substances to protect the amenity values of areas and people's sense of well-being.
- Ensuring that activities in the District that use or produce hazardous substances have appropriate disposal plans.
- Managing the use of land which is contaminated by hazardous substances is addressed in Part B, Section 1.1 – Land and Soil.

HAZARDOUS SUBSTANCES – OBJECTIVES

Objective B3.2.1

To ensure that adequate measures are taken to avoid, remedy or mitigate any adverse effects to human health, to the amenity of townships, the rural environment and to the natural environment arising from the manufacture, storage, transport on water bodies and disposal of hazardous substances.

Objective B3.2.2

To ensure that adequate measures are taken during the manufacture, storage and disposal of hazardous substances to avoid, remedy or mitigate any adverse effects to the health of livestock and other farm animals, of domestic animals, and of flora and fauna, and to the life-sustaining capacity and amenity values of waterbodies, land and soil resources.

Explanation and Reasons

Hazardous substances of various kinds are in widespread use in the Selwyn District and are an essential part of everyday life. By their nature, hazardous substances carry an inherent risk of adverse effects, should an accident occur. The accidental or deliberate spillage, leak or disposal or inappropriate use of hazardous substances could adversely affect the District's natural resources and primary production resources, and the health of humans, farm and domestic animals and flora and fauna. The presence of large quantities of hazardous substances may also adversely affect the amenity values of townships and rural areas, by their actual or potential adverse effects.

Objectives B3.2.1 and to B3.2.2 propose to minimise that risk. This is achieved through the District Plan provisions to manage the locations where significant quantities of hazardous substances are manufactured and stored, including separation from 'sensitive' areas e.g. near waterbodies and residential areas, and to require the safe and secure containment of hazardous

substances at those locations. In making those provisions, the Council recognises that the use, transport, discharge and disposal of hazardous substances are controlled by other statutory authorities through legislation and associated controls including the HSNO Act 1996; and through Environment Canterbury's Natural Resources Regional Plan.

HAZARDOUS SUBSTANCES — POLICIES AND METHODS

MANUFACTURE AND STORAGE

Policy B3.2.1

Ensure any potential risk of adverse effects on the environment from spills, leaks or other mismanagement of hazardous substances is avoided or mitigated.

Explanation and Reasons

Hazardous substances should be manufactured, stored and disposed of in ways that avoid significant adverse environmental effects should a leak, spill or other mismanagement occur. Policy B3.2.1 requires any potential adverse effects to be avoided or mitigated and is implemented using rules relating to the quantities and conditions for manufacturing, storing and disposing of hazardous substances at any site. Resource consents are required where specified threshold quantity limits for hazard substances are exceeded, and/or specific site controls or other performance criteria are not complied with. Activities that comply with the performance criteria and do not exceed the specified quantity limit thresholds have permitted status in terms of the hazardous substances rules of the Plan.

The threshold quantity limits in Part E, Appendix 9 are a convenient measure to use to distinguish between small-scale activities where effects are likely to be minor, and larger scale activities that require resource consent. The classification system used in the Appendix is based on the provisions of the HSNO legislation. The quantity limits have been established with regard to local conditions and requirements, and with due consideration to the HSNO controls, to national guidelines and procedures published and advocated by the Ministry of the Environment and the Environmental Risk Management Authority, to the Natural Resources Regional Plan, and to District Plans published by other territorial local authorities.

Some HSNO classes are not listed in Part E, Appendix 9 because they are not considered to have a significant hazard rating in the land-use planning context. In this case, no restrictions apply under the District Plan. However, many hazardous substances have more than one HSNO class or category. Where this is the case, the most restrictive class or category will be applied, as this recognises the possible extent of the health and safety risks associated with the substance.

When assessing compliance with the provisions of the hazardous substances rules and when considering applications for resource consents involving storage, use, disposal or transportation of hazardous substances, the Council will consider the types and quantities of hazardous substances and the adequacy of controls and conditions on the hazardous substances at the application site, the location of the substances relative to sensitive environments and natural resources, and the degree of risk of flooding or earthquake in the area of the site. The Council will also have due consideration of any controls imposed by other legislation. This will include but will not be limited to the provisions of the Hazardous Substances and New Organisms Act 1996 and Regulations (including test certification, approved handler certificates, controlled substances licences and codes of practice issued by or recognised by ERMA), the Natural Resources Regional Plan and resource consents issued by the Canterbury Regional Council, and the Health and Safety in Employment Act 1992.

The Council recognises that the use, transport, discharge and disposal of hazardous substances are also controlled by other statutory authorities through legislation and associated controls including the HSNO Act 1996; and through Environment Canterbury's Natural Resources Regional Plan.

Methods

District Plan Rules

- Hazardous Substances

Other Legislation

- To enable consideration of best management practices, relevant Codes of Practice, NZ Standards, and requirements of other regulations.
- To address specialist areas of health and safety

Regional Council Rules

- To control the discharge of hazardous substances

Policy B3.2.2

Avoid the manufacture, use or storage of large quantities of hazardous substances in Living or Business 1 Zones, unless potential adverse effects on people's well-being and the amenity values of these zones will be minor.

Explanation and Reasons

Living zones are areas with amenity values most compatible with residential activities.

Business 1 Zones are busier areas with larger-scale business activities than Living zones. They are also areas for high density residential activities, and areas which many people occupy for business and social activities.

Policy B3.2.2 does not prevent large quantities of hazardous substances being manufactured or stored in these areas, provided that those activities cause no more than minor adverse effects on amenity values.

Part E, Appendix 9 details higher quantity limits for Business 1 Zones than in Living zones. This is to reflect that larger volumes may be required as part of business activities carried out in these zones and can be accommodated without compromising the amenity values of such zones.

Method

District Plan Rules

- Hazardous Substances

Policy B3.2.3

Mitigate any adverse effects on the environment from the manufacture, use or storage of hazardous substances in Business 2 zones or the Business 3 zone.

Explanation and Reasons

Business 2 Zones and the Business 3 Zone are areas where manufacturing, use or storage of hazardous substances may be an integral part of some activities. These zones provide areas for these activities which may not be able to be located in Living or Business 1 Zones because of their effects. Other effects that may need managing include (but are not limited to) potential contamination of land; incompatibility of activities on adjoining sites; or offensive odours, discharges or dust nuisances.

Some Business 2 and 3 zones are located close to Business 1 or Living zones, therefore some management of hazardous substances is needed to accommodate the requirements of business activities whilst ensuring that adverse effects on people and activities at other sites and on the rest of the environment are avoided, remedied or mitigated. The threshold quantities in Part E, Appendix 9 for hazardous substances are therefore higher for Business 2 and 3 zones, but are not unlimited, and site storage and location criteria also apply.

Method

District Plan Rules

- Hazardous Substances

TRANSPORT

Policy B3.2.4

Avoid transport of hazardous substances on the surface of waterbodies in watercraft, if there is an alternative vehicular access to the site by land.

Explanation and Reasons

A hazardous substance spilled into a waterbody can cause both immediate and delayed adverse effects to aquatic life and ecological, cultural, recreational and amenity values. Such a spill is also much harder to contain and clean up than when it is spilled on to land, and the effects may become widespread as contaminants are carried downstream or disperse on water surfaces. Policy B3.2.4 recognises that there is no need to risk transporting hazardous substances on the surface of a waterbody when there is alternative access to a site, over land. The corresponding rule does not apply to spare fuel for motorised water craft or hazardous substances found in the motor of such craft.

Method

District Plan Rule

- Transport of Hazardous Substances

Disposal

Policy B3.2.5

Avoid disposing of hazardous substances into sewage systems or on to land in townships.

Explanation and Reasons

Hazardous substances can contaminate land and leach into groundwater if they are not appropriately disposed of. Disposing of hazardous substances into sewage systems can affect the system by killing the bacteria used to break down and treat sewage. Land in townships is in close proximity to people and to activities which put people in direct contact with land – such as residential activities and outdoor recreation.

Note Disposal of hazardous substances does not include applying it in accordance with manufacturer's instructions.

Method

District Plan Policy

– To assess plan change requests to rezone land for new residential or business areas, to ensure adequate facilities are available.

Policy B3.2.6

Ensure parties who manufacture or store commercial quantities or concentrations of hazardous substances have the means to dispose of hazardous substances and their containers without adversely affecting the environment.

Policy B3.2.7

Work toward obtaining access to appropriate hazardous waste treatment and disposal facilities for residents and ratepayers of the District.

Explanation and Reasons

Under Policies B3.2.6 and B3.2.7, the Council will work with Environment Canterbury and other District Councils, to develop solutions for disposing of hazardous substances and hazardous waste, including empty hazardous substance containers. The Council will also encourage manufacturers and users of hazardous substances and generators of hazardous wastes to participate in identifying and developing waste disposal options.

Environment Canterbury, in conjunction with other local authorities including Selwyn District Council, has developed the Canterbury Regional Hazardous Waste Management Strategy for dealing with hazardous waste. It provides that basis for a co-ordinated region wide approach to the minimisation and management of hazardous waste. Under that strategy, facilities are being developed to receive and store domestic hazardous wastes from residents throughout Selwyn District.

Where potentially large quantities or concentrations of hazardous waste are being generated, the Plan rules require that party to submit a disposal plan for approval by the consent authority before establishing in the District.

Methods

District Plan Rule

- Hazardous Substances

Trade Waste Bylaws

Advocacy

- Continue to advocate for a co-ordinated approach to hazardous waste disposal in Canterbury as a signatory to the Canterbury Regional Hazardous Waste Management Strategy

HAZARDOUS SUBSTANCES — ANTICIPATED ENVIRONMENTAL RESULTS

The following environmental results should occur from implementing Section B3.2 of the District Plan:

- Adverse effects of hazardous substances on the environment are minimised.
- Reduced instances of land becoming contaminated where hazardous substances have been stored.
- Reduced risk of waterbodies becoming contaminated from hazardous substances.
- Access to facilities for the treatment and disposal of hazardous substances.
- Users of large quantities of hazardous substances follow plans to minimise the amount of hazardous waste they produce and to dispose of that waste in ways that have minimal effects on the environment.

HAZARDOUS SUBSTANCES — MONITORING

Please refer to Part E, Appendix 1.

B3.3 CULTURE AND HERITAGE – ISSUE

- **Damage to, destruction of or inappropriate alteration of sites, places, plants, buildings or other structures which have cultural or heritage values.**

What Are Heritage Values?

The term “heritage values” is not defined in the Act. Sites, areas or buildings may have heritage values if they are places or objects which people associate with their identity, history, events, customs or practices. Usually these values are shared by more than one person. Most often, people associate heritage values with old buildings, ruins or trees. Many other things have heritage values. For example, plants used in customary practices, landforms, modern buildings that are part of a community’s identity, routes and trails, and traditional activities.

Heritage and Cultural Values in Selwyn District

Selwyn District is an area which has been affected by several waves of colonisation by Māori and Europeans. As a result there are sites, places and buildings which have cultural or heritage values to individuals, families, iwi, runanga and communities in the District.

Some of these sites, places and buildings have been identified and protected in past planning schemes.

Sites of Waahi Taonga and Tapu

Areas in Selwyn District have been traversed, occupied or settled by Māori, in particular by the iwi of Waitaha, Ngāti Mamoe and Ngāi Tahu. Part A, Section 4.1 explains the tāngata whenua of Selwyn District and the role of Māori in resource management under the Act.

Waahi Taonga and Waahi Tapu are sacred places, which are held in reverence according to tribal custom. They provide a link to tribal custom. Protecting them helps protect and remember the mana of ancestors and the protection for future generations.

Waahi tapu and waahi taonga include but are not limited to:

- tauranga waka (canoe landing sites)
- waiwhakaheketupapaku or urupa (burial sites)
- tuhituhi o nehera (rock drawing sites)
- tuahu (altars)
- pa/kainga (habitations)
- mahinga kai (food/material gathering sites)
- ruakoiwi (burial site)

These areas may have a temporary tapu placed on them or contain resources that are slightly depleted.

Sites of waahi taonga and waahi tapu may be damaged or destroyed by earthworks or building, associated with a variety of activities. Waahi taonga and waahi tapu sites may also be disturbed by people or animals. Any sort of disturbance may be inappropriate, whether physical damage is done to the site or not.

In addition to waahi taonga and waahi tapu sites, there are sites of mahinga kai (food gathering) which are important to local runanga.

Indigenous trees and plants can also have cultural values to Māori. For example, tikouka, the cabbage tree (Cordyline Australis) was a food source for Ngāi Tahu and used to mark Mahinga kai trails.

All natural resources including land, air and water are taonga (treasured) to Māori. Effects of activities on these values are addressed in Part B, Sections 1.1 to 1.4 of the Plan.

European Heritage Sites and Buildings

Selwyn District has been colonised and farmed by European settlers since the 1850's. Coal, lime and clay was mined in the Malvern foothills. Rural towns developed in association with farming and mining activities and the railway to the West Coast that began in the 1870's.

Many of the existing townships in Selwyn were settled very early in European colonisation. These towns typically had accommodation houses, trading stores, simple dwellings, community buildings and services such as drainage systems.

There are many sites and buildings with heritage values, including:

- Various styles of houses.
- Community buildings such as schools, churches and halls are often the last remains of a once thriving town.
- Early farming or transport infrastructure such as water races, bridges, roads and shelter belts, much of which is still used.
- A variety of exotic plants grown for shelter, amenity or to commemorate events.
- Industrial sites.

Heritage sites or buildings do not have to be 'old' to have heritage values. Modern examples with heritage values may include: plantings or structures created by communities to celebrate the new millennium; or sites of more recent yet important events for a community.

Damage To Sites With Heritage Or Cultural Values

Sites and buildings with heritage or cultural values may be lost or damaged by natural forces such as fire, earthquake, weather or diseases in plants. Human and animal activities can also affect sites and buildings. Examples include: earthworks, additions, alterations or modification to buildings or parts of buildings which are not 'in keeping' with the original style, removing buildings, ruins or trees or disturbing waahi taonga and waahi tapu sites.

Part of promoting sustainable management of natural and physical resources is:

- Recognising and protecting the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and waahi taonga (section 6(e)).
- Having particular regard to recognising and protecting the heritage values of sites, buildings, places or areas (section 7(e)).

As well as the specific duties under section 6 and 7 of the Act, maintaining sites and buildings with heritage values in Selwyn District can:

- Help teach people about their past;
- Foster people's sense of identity and community; and
- Provide economic opportunities in heritage, tourism, recreation, restoration and marketing.

Many of the sites and buildings with heritage or cultural values are privately owned. Some waahi taonga and waahi tapu sites are on land not owned by tāngata whenua for whom they have value. These sites and buildings often have other uses and values. Any measures in the District Plan to protect the heritage and cultural values of sites must:

- Recognise the costs to landowners if they cannot reasonably use buildings or sites.
- Be practical, easy and inexpensive for landowners to comply with, to be successful.

Part of promoting sustainable management of natural and physical resources is enabling:

> "people and communities to provide for their economic, cultural and social well-being and for their health and safety…".

In addition, section 32 (4)(a) of the Act requires a council to assess the costs and benefits of any rule in a district plan.

Archaeological Sites

An archaeological site is defined in section 2 of the Historic Places Act 1993 as:

> "Archaeological site" means any place in New Zealand that –
>
> (a) Either–
>
> (i) Was associated with human activity that occurred before 1900; or
>
> (ii) Is the site of the wreck of any vessel where that wreck occurred before 1900; and
>
> (b) Is or may be able through investigation by archaeological methods to provide evidence relating to the history of New Zealand"

Archaeological sites may be Maori or European in origin and may also be recognised as having spiritual or cultural values, such as waahi tapu sites. There are various types of archaeological sites some of which include midden and pa sites, terraces, garden areas, kumara pits, battle grounds, areas of early settlement by Maori and Europeans, early industrial areas, rock art sites and shipwrecks.

Section 10 of the Historic Places Act 1993 directs that an authority is required from the New Zealand Historic Places Trust Pouhere Taonga if there is "reasonable cause" to suspect an archaeological site (recorded or unrecorded) may be modified, damaged or destroyed in the course of an activity. Under the RMA 1991, a District Council shall recognise and provide for the protection of historic heritage from inappropriate subdivision, use, and development (section 6(f)). This requirement in the Act requires a council to identify known sites through the Plan and protect them from subdivision use and development through various methods. For this purpose, Appendices 3 and 5 include some archaeological sites recorded in the NZAA site – recording scheme.

Role of District Councils

Managing effects of activities on sites or buildings with heritage or cultural values is largely a function of District Councils under section 31 of the Act. District Councils are also Heritage Protection Authorities under section 187 of the Act. This power enables the District Council to use Heritage Orders to halt the alteration or demolition of a site or building with heritage values, whether it is protected in the District Plan or not. If a Heritage Order is used, the Heritage Protection Authority has 12 months to buy the building or site, or to negotiate an appropriate outcome with the owner.

Heritage Orders

The Council has decided to identify sites and buildings with heritage or cultural values in the District Plan, rather than relying on Heritage Orders. The reasons are:

- Certainty for landowners that a site or building is protected under the Plan, rather than having a "surprise" at the time they come to make alterations.
- Certainty for the community that a site or building is protected.
- Preservation of the heritage values of sites and buildings can be successfully undertaken while allowing the landowner to continue or modify their use of the site or building.

Historic Places Act 1993

The New Zealand Historic Places Trust Pouhere Taonga is required to be notified of any proposed works affecting a listed heritage item that requires a building consent. In addition the Trust is an affected party for resource consents involving places of heritage values.

CULTURE AND HERITAGE — STRATEGY

The Township Volume of the District Plan uses the following basic strategy to protect sites with cultural and heritage values:

General

- Foster a partnership for protecting sites and buildings with cultural or heritage values between owners; local communities; local runanga and the Council.

Māori Sites

- Systems to record any historical information about sites and buildings on property files to keep a public record.
- Assist local runanga to record information on their property files about sites of cultural significance, should local runanga require this.
- Encourage landowners and local runanga to develop voluntary protocols or agreements for the appropriate management of areas containing sites of cultural significance.
- Include provisions in the Plan for managing areas containing sites of cultural significance should local runanga wish to use this method. (A plan change would be needed to include each area into the District Plan. Consultation with both the affected landowner and local runanga is part of the plan change process.)
- Provisions to manage the modification or destruction of buildings or the modification of sites with the most significant heritage and cultural values in the District.

European Sites

- A system to record any historical information about sites and buildings on property files to keep a public record.
- Provisions to manage the modification or destruction of buildings or the modification of sites with the most significant heritage and cultural values in the District.
- The plan recognises ongoing use of sites and buildings as essential to their long-term preservation; and allows for modifications.
- The plan discourages demolition, but also recognises it may be the only practical option in some cases.

Costs

- The consent authority will consider waiving the fee to process the resource consent, if the activity would not otherwise need a resource consent.
- The consent authority has established a discretionary fund to help applicants meet the processing costs for resource consent applications related to the maintenance or restoration of cultural or historic sites or buildings, and for projects involving the maintenance or restoration of cultural or historic sites or buildings.

CULTURE AND HERITAGE — OBJECTIVES

Objective B3.3.1

A partnership for heritage protection is fostered between landowners, tāngata whenua, community groups and the Council.

Objective B3.3.2

Sites of waahi tapu and other importance to tāngata whenua are protected.

Objective B3.3.3

Sites and buildings with heritage values are recognised and, if appropriate, their values protected.

Explanation and Reasons

Part of promoting sustainable management of natural and physical resources under the Act involves protecting the cultural or heritage values of sites, areas, places and buildings. Part of promoting sustainable management also involves enabling people and communities to provide for their economic, social and cultural well-being.

Objective B3.3.1 develops a partnership approach to heritage protection as many sites and buildings that have cultural or heritage values in Selwyn District are privately owned and are still in use. The co-operation of owners is essential to the successful protection of the cultural or heritage values of these sites and buildings. In the past, the majority of heritage protection has been voluntary by landowners. These efforts should be acknowledged and encouraged.

The role of the Council, local runanga and community interest groups is to recognise, encourage and assist the work of landowners, not to take control out of their hands.

Objective B3.3.2 reflects the duty under section 6(e) of the Act to recognise and protect sites of waahi tapu and other cultural importance to Māori. It is achieved through policies and methods which encourage local runanga and landowners to develop protocols for activities in areas with such sites. This is the preferred approach indicated by local runanga. The District Plan also contains rules to manage earthworks, buildings and other activities in waahi taonga sites and management areas and in silent file areas.

Objective B3.3.3 reflects the duty under section 7(e) of the Act to have particular regard to the protection of the heritage values of sites, areas and buildings. The objective recognises that not all sites or buildings with heritage values in the District will warrant formal protection under the Act. The objective is achieved by policies and methods to: record the heritage values of any site or building and to protect those with significant heritage values. The places identified to have significant heritage values are listed in Appendix 3.

CULTURE AND HERITAGE — POLICIES AND METHODS

MĀORI SITES

Policy B3.3.1

Encourage local runanga to record information about sites of cultural importance to them, where appropriate.

Explanation and Reasons

Recording information about the location and importance of sites with cultural significance to local runanga assists the Council carry out its duties under the RMA and the Historic Places Act 1993, to help protect these sites. Traditionally, local runanga have protected sites, particularly very significant sites by keeping information about their location and importance secret. Legislation such as the RMA and the Historic Places Act 1993 provide other mechanisms to protect these sites, which are legally binding. However, to be effective they require the disclosure of a certain amount of information about these sites.

In some cases, local runanga may prefer not to use statutory provisions to help protect sites of cultural importance to them. Where local runanga do decide to use statutory methods to protect sites, the Council will assist with recording the information on property files and land information memoranda, provisions in District Plans and other appropriate mechanisms.

Methods

Records

District Plan policies and rules

Property files, land information memoranda, GIS.

Policy B3.3.2

Recognise and protect sites of cultural importance to local runanga through fostering a partnership between landholders and local runanga.

Explanation and Reasons

Many sites of cultural importance to local runanga are located on land which is owned or managed by other parties. The understanding and cooperation of these parties is vital; to ensure the sites are managed to protect their values for local runanga. It is also vital that the management of these sites is practical and inexpensive for landholders, and allows them to carry out their day-to-day activities unimpeded. Policy B3.3.2 promotes a dual approach to achieve this. Firstly, the Council will promote discussions between landholders and local runanga about how these sites may be managed, and will encourage the parties to develop a joint protocol or agreement for the management of each site. This method is particularly important for Waahi Taonga Management Areas, because of the size of these sites and the possibility that landholders may uncover other material beyond the area identified in the District Plan. Secondly, the District Plan contains rules to protect sites which have been identified in the Plan, from disturbance or destruction (see Policy B3.3.3 and B3.3.4).

Methods

Advocacy

- Joint protocols with landholders and land managers for waahi taonga Management Areas and other sites, if appropriate

District Plan Rules

- see Policy B3.3.3 and B3.3.4

Policy B3.3.3

Protect sites within areas recognised in the Plan as Silent File areas, from inappropriate disturbance.

Policy B3.3.4

Protect areas identified in the Plan as waahi taonga sites, waahi taonga management areas and mahinga kai sites, from damage or destruction, whenever practical.

Explanation and Reasons

Policies B3.3.3 and B3.3.4 recognise and provide for the protection of four types of sites in the Plan.

Policy B3.3.3 relates to silent file areas. Silent file areas may contain sites of immense cultural importance to local runanga. The silent file areas are listed in Appendix 5 and shown on the Planning Maps. The exact location and the type of site within the silent file area are not disclosed by local runanga, to try and reduce the likelihood of intentional damage to the site and in respect of the traditions of keeping this information among tribal elders.

Any disturbance of the sites within silent file areas is usually inappropriate. However, much land within the silent file areas has been disturbed in the past as part of farming or building activities. Therefore, the District Plan rules allow any activity, which disturbs soil over an area or to a depth where it has already been disturbed, as a permitted activity (no resource consent needed). Any activity which disturbs soil in areas or to depths where it has not previously been disturbed, requires resource consent. In deciding whether any disturbance of land in a silent file area is appropriate, the Council shall refer to local runanga for advice about whether the proposed activity will disturb a culturally important site within the silent file area. The Council will also consider whether there are alternative sites or methods to undertake the activity, and the costs to the landholder of these alternative options; and of not being able to undertake the activity at all.

Policy B3.3.4 relates to waahi taonga sites, waahi taonga management areas and mahinga kai sites. These sites are listed in Appendix 5 and shown on the Planning Maps. Waahi taonga sites are sites of traditional occupation or use by local runanga. Most have been uncovered by archaeologists and contain objects or remnants of their past use. The information about the location and content of these sites is publicly recorded and the aim of Policy B3.3.4 is to protect the artefacts and remnants contained in these sites from damage or destruction. The waahi taonga sites are based on the grid reference of the original site and are extended for a 20m radius, in case there is other material around the site which has not been uncovered. The rules in the Plan do not prevent the soil in this 20m radius from being disturbed. If an object is uncovered in that area, it cannot be further damaged, removed or destroyed without obtaining a resource consent.

Waahi Taonga Management Areas are large areas which contain many waahi taonga sites. There are four areas in the District at Rakaia Island, Taumutu, along the coast from the Rakaia River to Fisherman's Point, and along the bed of the Waikirikiri/Selwyn River. The Council wishes to foster a partnership between local runanga, landholders and Environment Canterbury (coast and Waikirikiri/ Selwyn Riverbed) for the appropriate management of these areas.

Mahinga kai sites are sites which were traditionally used to gather food or materials for medicine, crafts and other traditional activities. Many wetlands and waterbodies are sites of mahinga kai. In addition, there are two sites of identified land, where vegetation is traditionally gathered. The District Plan rules require a resource consent to damage or remove indigenous vegetation on these sites, other than for mahinga kai purposes.

In deciding whether protecting any waahi taonga site, waahi taonga management area or mahinga kai site is practical, the Council shall refer to local runanga for advice about the effects

of the proposed activity on the site and the cultural significance of the site. The Council will also consider whether there are alternative sites or methods to undertake the activity, and the costs to the landholder of these alternative options; and of not being able to undertake the activity at all.

Where a landholder requires a resource consent to undertake an activity in a silent file area, a waahi taonga site or management area or a mahinga kai site, the Council has a policy to consider reducing or waiving fees for processing the resource consent application (see Policy B3.3.9). This policy applies to heritage sites and in areas of outstanding landscapes, as well.

Method

District Plan Rules

– Sites of Significance to Tangata Whenua

OTHER SITES AND BUILDINGS

Policy B3.3.5

Record information on the heritage values of sites and buildings in Selwyn District.

Explanation and Reasons

Many sites and buildings in Selwyn District have heritage values, but formal protection of them is inappropriate for a variety of reasons: For example, the building is gone; is too dilapidated or too modified; the heritage value relates to information rather than a physical feature that needs protecting; or the heritage resource is protected by other mechanisms.

Policy B3.3.5 ensures records of the District's heritage are kept and can be accessed by people, whether a site has any legal protection for its heritage values or not.

Method

Information

- Provide an archive of information on the heritage values of sites and buildings, to accompany property files and record information on the location of archaeological sites on GIS, property files and LIMs.

Policy B3.3.6

Ensure with any subdivision of a site listed in Appendix 3 the allotment is of an appropriate size and shape to:

- **Contain all the heritage features of the site; and**
- **Maintain access to and maintenance of the site.**

Explanation and Reasons

Heritage sites and buildings may be subdivided off on smaller allotments than those allowed for other buildings. The reasons are:

- To act as an incentive for landowners to maintain and possibly sell a heritage site or building, rather than demolish it.
- To reduce the cost of purchasing and protecting heritage sites or buildings, by minimising the area of land that needs to be sold with them.

The small number of sites and buildings to which these rules apply means there is unlikely to be a cumulative effect on residential density.

Policy B3.3.6 requires any allotment subdivided to be of sufficient size and shape to maintain the site or building in its heritage context, and ensure appropriate access to and maintenance of the site. These matters are considered by the consent authority when using its discretion regarding the subdivision.

Policy B3.3.7

Encourage the retention and on-going use and maintenance of sites and buildings listed in Appendix 3.

Policy B3.3.8

Allow modifications, alterations and additions to the sites and buildings listed in Appendix 3, to facilitate their continued use, provided that any alterations, modifications or additions do not adversely affect their heritage values, wherever practical, considering the heritage values of the site or building and the desirability, feasibility and costs of the proposed activity and alternatives.

Explanation and Reasons

The sites and buildings listed in Appendix 3, are those the Council considers worthy of protection for their heritage values. The values of these sites and buildings have been assessed using a process and set of criteria outlined in a report entitled: "A Review of Heritage Assessment Methods, January 2000".

The Council is satisfied that one of the most efficient and effective ways to maintain the heritage values of sites and buildings is to ensure their ongoing use. This encourages interest in and funds maintenance of the site or building.

The Council can assist in the conservation of the community's heritage buildings by considering utilising heritage buildings when planning for new community facilities.

Policy B3.3.7 recognises the importance of the continued use of heritage buildings and sites for the on-going conservation and retention of these sites.

Policy B3.3.8 recognises that the modification of heritage buildings and sites may be necessary to ensure the continued use of the places but that these changes should not adversely affect the heritage values of a place. The policy accepts that this may not always be practical. The consent authority should consider the cost and technical feasibility of the proposed alterations, the heritage values of the site or building and any alternatives.

Methods

District Plan Rules

- Heritage Sites, Structures and Trees
- Subdivision

Funding

- Discretionary fund to help people with the additional costs of resource consents for a heritage or cultural site or building.

Policy B3.3.9

Discourage the demolition or destruction of heritage sites or buildings listed in Appendix 3, except where necessary to:

- **avoid danger to people or property; or**
- **allow reasonable use of the site;**

and there are no appropriate options to retain the site or building.

Explanation and Reasons

The Plan discourages the demolition of sites and buildings listed in Appendix 3. Policy B3.3.9 recognises that, in some cases, demolition may be the only option. The policy requires the consent authority to consider the appropriateness of other options. This should be done having regard to the feasibility and cost of these options, and the heritage values of the building or site.

Method

District Plan Rules

- Heritage Sites

General Provisions

Policy B3.3.10

Assist landowners where funds are available with costs associated with the maintenance or restoration of heritage resources; and the additional resource consent costs imposed by the provisions to protect heritage or cultural sites or buildings in the District Plan.

Explanation and Reasons

The provisions in the District Plan for protecting sites of waahi tapu or other cultural values or heritage values in the District Plan impose some costs on the owners of those sites for the benefit of the wider community.

Policy B3.3.10 enables the consent authority to reduce or remit these costs. This will be done through waiving fees to process resource consents.

In addition, the Council has a contestable fund of money for projects which enable it to assist with the maintenance or restoration of sites with cultural and heritage values.

Methods

Funding

- The Council has a contestable fund of money for projects involving the maintenance or restoration of sites with cultural and heritage values

Fees

- The consent authority may choose to remit all or part of the fees for processing resource consent applications

District Plan Rules

- Subdivision

LTCCP

- Development Contribution Policy

Policy B3.3.11

Periodically review the values of sites listed as having special cultural or heritage values in the District Plan and assess additional places that may be worthy of inclusion.

Explanation and Reasons

The cultural or heritage values of sites or buildings may change over time. A site or building may lose its values if it is modified or damaged. A site or building may increase in value if it is restored, or if other, better examples are lost or damaged. The Act requires the Council to recognise and protect buildings, sites and areas with heritage values, and from time to time it will assess additional places not already listed.

Method

Monitoring Strategy

- Periodic review of lists of protected sites in District Plan.

CULTURE AND HERITAGE — ANTICIPATED ENVIRONMENTAL RESULTS

The following outcomes should result from implementing Section B3.3:

- A growing database of the history of the Selwyn District.
- Development of agreements between landowners and local runanga for conducting activities in 'silent file' areas.
- Waahi tapu and waahi taonga sites are protected.
- Sites and buildings with significant heritage values are used and maintained.

CULTURE AND HERITAGE — MONITORING

Please refer to Part E, Appendix 1.

B3.4 QUALITY OF THE ENVIRONMENT— ISSUES

- **Effects of activities which make townships or areas within townships less pleasant places to live or work in.**
- **"Reverse Sensitivity" from activities with incompatible effects locating too close to one another.**

What are the Issues?

Townships in Selwyn District generally have very pleasant conditions for living or working in. The District Plan seeks to maintain these conditions.

"Environmental Quality" is the character and conditions of people's surroundings, which influence what people think or feel about a 'place'.

"Amenity Values" are part of the character of a place. They are defined in the Act (section 2) as:

> 'Those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence and cultural and recreational attributes'.

Whether areas are perceived by people as being attractive or pleasant places to live or work in, or not, affects how people feel about being in those areas. It influences people's social and cultural well-being and their perceptions about their health or safety. Conditions, which influence 'environmental quality', include (but are not limited to):

- Levels of dust, litter, odour or discharges that give perceptions of how 'clean' a place is.
- Levels of noise, traffic, outdoor signs, lighting and people affect how 'busy' a place seems.
- The size of buildings, ratio of buildings to land area, number of 'green' areas, access to sunlight, and outlooks affect how 'built up' an area seems.
- The 'type' of activities or buildings can also affect people's perceptions of whether an area is a 'living' or 'working' area or a mix of both. In particular if an area includes activities that are perceived to affect people's health, safety, outlook or property values, it may be perceived as inappropriate as a "living" area.

This section of the Plan addresses effects of activities on the quality of the environment and amenity values in townships, generally. The effects of residential density, subdivision and town growth on amenity values is addressed specifically in Part B, Section 4.1.

'Reverse Sensitivity' is jargon to describe the situation where a new activity locates close to an existing activity and the new activity is sensitive to effects from the existing activity. As a result, the new activity tries to restrict or stop the existing activity, to reduce the effects. The most common examples in Selwyn District arise from houses (residential activities) built next to industrial activities; in the rural area; or near busy roads or railway lines. Examples in other places in New Zealand and overseas include houses being built under approaches to airports and around landfills.

The distinction between 'reverse sensitivity' effects and other effects or activities on the environment, is that the effects of the less 'sensitive' activity exist, as part of the environment, before the sensitive activity locates there.

Quality of the Environment, Amenity Values and The Act

Effects of activities on the pleasantness of an area, its environment and amenity values is a matter to be addressed as part of promoting sustainable management.

Promoting 'sustainable management' of natural and physical resources includes:

- "Enabling people and communities to provide for their economic, social and cultural well-being and their health and safety", (section 5(2));
- "Avoiding, remedying or mitigating any adverse effects of activities on the environment" (section 5(2)(c)); and
- Having 'particular regard' to:
  - "The maintenance and enhancement of amenity values" (section 7(c)); and
  - "Maintenance and enhancement of the quality of the environment" (section 7(f)).

"Reverse sensitivity" is also a matter to be addressed as part of promoting sustainable management of natural and physical resources. "People" and "natural and physical resources" are part of the definition of "environment" in section 2 of the Act. Potential adverse effects of new activities on existing activities must be "avoided, remedied or mitigated" under section 5(2)(c) of the Act. Potential "reverse sensitivity" effects have been recognised by the Environment Court as an issue under the Act, in many cases.

QUALITY OF THE ENVIRONMENT — STRATEGY

The Township Volume of the District Plan uses the following basic strategy to address issues affecting environmental quality, amenity values and 'reverse sensitivity'.

Quality of the Environment and Amenity Values

- The Plan uses zones to identify areas within townships which have a similar character and amenity values.
- The Plan policies and rules manage effects of activities in each zone, to maintain the character and amenity values of that zone.

Reverse Sensitivity

- The Plan identifies zones where activities which have nuisance or visual effects can be located.
- The policies and rules manage those zones to avoid activities which will be sensitive to the effects in that zone, from setting up in the zone and creating "reverse sensitivity" effects.

Zones

- Living zones have a character and amenity values most pleasant for living in (residential activities). The difference between Living 1 and 2 Zones is the residential density (section sizes).
- Business 1 zones are noisier and busier than Living zones. They are still pleasant areas for people to gather, live or work in, with good aesthetic values and few nuisance effects.

- Business 2 zones have lower standards for aesthetics and nuisance effects, but people's health and safety are protected. Activities in Business 2 zones are protected from 'reverse sensitivity' effects.
- The Business 3 Zone accommodates effects from research and education activities at Lincoln. These activities have some effects that are characteristic of Business 1 and 2 Zones. They have activities that will create adverse effects, but may also be sensitive to effects of other activities characteristics of Business 2 zones.

Please refer to Part A, Section 4.5 (Townships and Zones) for more information on zones in the District Plan.

QUALITY OF THE ENVIRONMENT — OBJECTIVES

Objective B3.4.1

The District's townships are pleasant places to live and work in.

Objective B3.4.2

A variety of activities are provided for in townships, while maintaining the character and amenity values of each zone.

Objective B3.4.3

"Reverse sensitivity" effects between activities are avoided.

Explanation and Reasons

Townships in the Selwyn District are pleasant places to live and work in with, generally, low levels of pollution or nuisance effects and high aesthetic and amenity values, compared with metropolitan areas. Objective B3.4.1 is to maintain this quality of the environment.

Many townships in the District often have a variety of activities intermixed, rather than separated into residential and business areas. The small scale of many activities means this mixing can occur without creating adverse effects. Objective B3.4.2 recognises and provides for this land use pattern, provided potential, adverse effects are managed.

Some townships in Selwyn District have 'reverse sensitivity' issues. These are usually caused between 'industrial type' and 'residential type' activities, but may also arise when residential development or other noise sensitive activities establish within the 50 dBA Ldn noise contour of Christchurch International Airport. They arise when either:

- The industry or Christchurch International Airport alters its operation and its effects increase; or
- The township grows and residents live closer to the industry or within the 50 dBA Ldn noise contour of the Christchurch International Airport; or
- New residents arrive who object to the industry or operations of the Christchurch International Airport.

Objective B3.4.3 recognises and addresses this effect.

The objectives are achieved using policies and rules. A regulatory approach is used for three reasons:

- These effects are often not factored in to people's decisions about where to locate activities.
- The effects are adverse enough that they need to be addressed under the Act.
- Regulations to protect the quality of the environment and amenity values in townships, have been successful to date.

QUALITY OF THE ENVIRONMENT — POLICIES AND METHODS

ZONES

Policy B3.4.1

To provide zones in townships based on the existing quality of the environment, character and amenity values.

Policy B3.4.2

To provide for any activity to locate in a zone provided it has effects which are compatible with the character, quality of the environment and amenity values of that zone.

Explanation and Reasons

Policies B3.4.1 and B3.4.2 provide for the use of zones to manage the quality of the environment and amenity values in townships. Policy B3.4.2 recognises that any activity may locate in a zone, provided that its effects do not detract from the quality of the environment or the amenity values in that zone. For example, small businesses and community facilities such as schools, halls and recreation grounds are part of the environment in Living zones.

Changing the zoning of land to provide new areas for Living or Business zones is addressed in Part B, Section 4.3 – Residential and Business Development.

Methods

District Plan Maps

- Identify zones

District Plan Provisions

- Zone policies
- Policies for quality of environment and amenity values in different zones
- Rules for effects in each zone

Policy B3.4.3

To provide Living zones which:

- **are pleasant places to live in and provide for the health and safety of people and their communities**
- **are less busy and more spacious than residential areas in metropolitan centres; and**
- **have safe and easy access for residents to associated services and facilities**

Explanation and Reasons

Living zones are the zones which have the character and quality of the environment most compatible with residential activities. Other activities can be located in Living zones, provided their effects do not detract from the amenity values of the zone. All townships in Selwyn District have a Living zone. In most townships, that zone has a variety of residential, business and community activities.

Method

District Plan Rules

- Living zones

Policy B3.4.4

To provide Business 1 Zones which enable a range of business activities to operate while maintaining environmental quality and aesthetic and amenity values which make the zone(s) attractive to people.

Explanation and Reasons

Business 1 Zones are areas which accommodate activities that have noise, traffic, signage, visitors, large scale buildings and similar effects that would detract from the environment in the relatively "quieter" Living zones. They are areas where people gather for work, social occasions or higher density living environments. Therefore, low levels of nuisance effects and good aesthetic standards are required. The larger townships in Selwyn District have Business 1 Zones.

Method

District Plan Rules

- Business 1 Zones

Policy B3.4.5

To provide Business 2 Zones with few requirements for aesthetic or amenity values, but which have sufficient provisions: to safeguard people's health and well-being and to avoid pollution of natural resources or potential 'reverse sensitivity' effects.

Explanation and Reasons

Business 2 Zones are areas where activities may be able to locate that have effects which are incompatible with the character or amenity values of Living, Business 1 or Rural Zones. Activities which may be sensitive to these effects, such as residential activities, are managed in Business 2 Zones to avoid potential 'reverse sensitivity' issues. Business 2 Zones tend to adjoin or be close to townships, so effects of some activities still need to be managed or may be inappropriate in Business 2 Zones. The Rural (Outer Plains) Zone may be an alternative location for "rural-based" industrial activities.

Business 2 Zones currently exist at: Leeston, Rolleston, Darfield and Coalgate.

Method

District Plan Rules

- Business 2 Zone

Policy B3.4.6

To provide a Business 3 Zone to accommodate specialist agricultural research, education and associated business activities in surroundings that maintain the environmental quality needed to undertake these activities; and avoids potential 'reverse sensitivity' effects with other activities.

Explanation and Reasons

The effects of some of the research and business activities in Lincoln are unique in the Selwyn District. The activities often have effects that residential or other business activities may be sensitive too. On the other hand, these same activities may also be sensitive to effects from other activities, such as those typical of Business 2 Zones. Therefore, the Plan has created a specialist zone providing the character, quality of the environment and amenity values demanded by these activities.

Some of the rules for the Business 3 Zone list types of activities rather than effects. The reasons are:

- The specialist nature of this zone means that it is more efficient to describe activities than effects.
- Many of the effects being managed are difficult to write as rules.
- Pursuant to section 94 of the Crown Research Institutes Act 1993, all CRI activities in this zone are permitted activities.

Method

District Plan Rules

- Business zone

Policy B3.4.7

To recognise parts of the Rural zone around a township as an alternative area to locate certain activities which cannot locate in Living zones due to adverse effects, and there is no appropriate Business zone.

Explanation and Reasons

At present many townships in the Selwyn District do not have Business zones because they do not have areas with this character. This does not preclude future businesses from locating in these townships. As discussed in the 'explanation' to Policy B3.4.3, many small scale businesses can locate in Living zones. Where a business will have effects that are incompatible with the character of a Living zone, that activity may be able to locate in the Rural Zone around the township. The Rural Volume of the Plan, recognises the Rural Zone as a low population density area, providing for activities that need space to operate or to mitigate their effects. There are parts of the Rural Zone that have special landscape, ecological or amenity values, and areas where natural hazards or 'reverse sensitivity' effects may occur. Any particular site within the Rural Zone would need to be appropriate for the proposed activity.

This policy does not apply to "rural-based" industrial activities of a size and scale beyond that permitted by the District Plan within the Rural (Inner Plains) Zone around existing townships, given that the effects of these types of activities may be incompatible with the higher population density and smaller allotment sizes in this area, compared to that of the Rural (Outer Plains) Zone. Similarly, this policy does not apply to that of the Rural (Outer Plains) Zone. Similarly, this policy does not apply to "other" types of industrial activities (being those not directly associated with the rural area). The effects associated with "other" types of industrial activities (being those that are not directly associated with the rural area) may detract from the amenity values of all parts of the Rural Zone and are therefore encouraged to locate within Business 2 Zones only.

This policy does not apply to the establishment of utilities in Rural Zones. For the establishment of such activities, the objectives and policies located in Physical Resources, Section B2.2 – Utilities shall apply.

A similar policy is contained in the Rural Volume of the Plan as Policy B3.4.1.

Method

District Plan Policies and Rules

- Rural Volume

Policy B3.4.8

Where an existing activity, which is not a permitted activity in a zone, applies for a resource consent to alter or expand, consider the effects of the change in the activity on the character, quality of the environment and amenity values of the zone.

Explanation and Reasons

Many townships in the Selwyn District have a mix of business and residential activities and community facilities. Policy B3.4.8 recognises that where this mix occurs the effects of established activities are part of the environment. The consent authority should consider this when assessing the effects of any proposed changes to that activity, rather than assessing the effects as if the existing activity was a new activity applying to establish in the zone.

Method

District Plan Policy

- To assess resource consent applications

NOISE

Policy B3.4.9

Ensure noise in all zones does not adversely affect the health or well-being of people.

Policy B3.4.10

Maintain background sound levels which are appropriate to the quality of the environment and amenity values of each zone.

Explanation and Reasons

Policies B3.4.9 and B3.4.10 describe the effects from noise which should and should not occur to promote sustainable management. The District Plan rules set noise limits for an activity to be a permitted activity in any zone. In addition some activities are listed as discretionary or non-complying activities in some zones, because of potential adverse effects from noise. Any activity that cannot comply with the noise limits may still be able to occur in the zone, if the noise will not adversely affect people's health or well-being and is appropriate to the character of the zone or is required for the delivery of emergency services. It is acknowledged that there are some exemptions to the noise standards.

Method

District Plan Rules

- Noise (all zones)
- Listed discretionary or non-complying activities (all zones)

GLARE

Policy B3.4.11

Avoid night lighting and, where practical, glare from reflections shining directly into adjoining sites, in all zones.

Explanation and Reasons

Lighting is an essential part of most activities which operate at night. It is also very valuable for security and the protection of property. Policy B3.4.11 provides maximum flexibility to use night lighting provided any effects of glare on surrounding sites are addressed. Policy B3.4.11 also applies to glare from reflections where it is practical to avoid these effects. This requires potential glare on adjoining properties to be considered when designing and positioning large structures made of glass, metal or other reflective material or painted white or a light colour.

Method

District Plan Rules

- Maximum light spill (all zones)

– Size of structures (Living zones)

Policy B3.4.12

Reduce the potential nightglow from outdoor lighting in the area around the West Melton Observatory.

Explanation and Reasons

The West Melton Observatory has been located in Bell's Road since 1968. That site was chosen so that the nightglow from lights in Christchurch City would not reduce the visibility of stars. As subdivision and residential density has increased in the West Melton area, nightglow from house lights and car lights is starting to affect the observatory. Preventing subdivision and residential development in the area or shifting the observatory are both costly solutions to the problem. Much of the potential nightglow can be reduced by:

– Designing subdivisions so that vehicular accessways are not directly opposite the observatory, to reduce the glow from car lights; and

– Using a specific design for outside lights.

Methods

Lighting Subdivision and Vehicular Accessways

District Plan

– Section 4.3 Policies

Information

– Appropriate types of night lighting

DUST

Policy B3.4.13

Avoid nuisance effects caused by dust from stockpiled material or construction work in Living or Business zones.

Explanation and Reasons

Many townships in the Selwyn District are located on the Canterbury Plains where they are exposed to wind, particularly north-westerly winds. Sites in townships will be exposed to dust from natural sources such as riverbeds or land. However, dust nuisance can be exacerbated by material blown from stockpiled material or extensive earthworks associated with subdivision or construction works. Policy B3.4.13 addresses dust nuisance. It is implemented by rules to avoid dust nuisance by covering, consolidating or keeping damp these dust sources.

Method

District Plan Rules

– Earthworks (Living and Business 1 zones)

– Outdoor Storage (Living and Business 1 zones)

VIBRATION

Policy B3.4.14

Avoid, remedy or mitigate adverse effects caused by excessive or prolonged vibration associated with people's activities.

Explanation and Reasons

Vibration can disturb people and damage property. Policy B3.4.14 requires adverse effects from vibration to be addressed. The policy is implemented by a rule requiring a resource consent for vibration effects that exceed the levels specified in the relevant New Zealand Standards.

Method

District Plan Rules

– Vibration and Blasting (all zones)

SCALE AND NATURE OF ACTIVITIES

Policy B3.4.15

Ensure the operating hours for non-residential activities in Living zones do not disturb surrounding residential activities, particularly at night.

Explanation and Reasons

Policy B3.4.15 provides that non-residential activities which are located in Living zones do not adversely affect residential properties, particularly at night. The policy is implemented by a rule which applies to non-residential activities in a Living zone. The rule specifies hours of operation for activities. Any activity which cannot comply with the rule may still be able to locate in or adjoining a Living zone if the activities outside the 'hours of operation' are unlikely to disturb surrounding allotments. There are no restrictions on the hours of operation for activities in Business zones. There are however increased building setback standards for sites in Business 2 and 3 Zones adjoining a Living zone and more stringent noise, light spill and recession plane standards for all Business zones adjoining a Living zone.

Method

District Plan Rules

– Hours of Operation (Living zones)

– Scale of Activities (Living zones)

Policy B3.4.16

Acknowledge that peoples' concern about health and safety is best addressed through rigorous examination of current scientific understanding and best practice technological

responses, while accepting that full certainty as to effects is neither possible nor required under the Resource Management Act 1991.

Explanation and Reasons

The Resource Management Act 1991 is an effects based statute that permits resource users to avoid, remedy or mitigate the effects if their activities. It is not possible to provide full information in respect of outcomes from any proposed activity. It is possible however, to assess the risk of an activity and to make informed decisions on the basis of that risk assessment. If the risk of a proposed activity is unacceptable the resource consent application will be declined. If the risk of the activity is acceptable, then subject to the Act's other requirements, the activity will be sanctioned by the resource consent authority and proceed.

Method

District Plan Rules

- Discretionary and non-complying activities (Living zones)
- Utilities (all Zones)

TRAFFIC

Policy B3.4.17

Ensure non-residential activities in Living zones generate vehicle and pedestrian movements on a scale compatible with the quality of the environment in Living zones.

Policy B3.4.18

Ensure all activities have appropriate car-parking facilities to avoid, remedy or mitigate any adverse effects of car-parking on:

- **The amenity values of streets;**
- **The privacy of residents; and**
- **Safe and convenient access to sites.**

Explanation and Reasons

Policy B3.4.17 provides that non-residential activities in Living zones should not generate substantially more numbers of vehicles or people than residential activities. Extra people or vehicles on an infrequent basis, may not adversely affect the quality of the environment in residential areas.

Policy B3.4.18 recognises that car-parking on roadsides can affect the outlook and privacy of residents and the ability to provide parking for their own visitors outside their homes, if cars are parked along the street on a regular or continual basis. Therefore, activities should have adequate car-parking either on-site or in an area off the road, in close proximity to the site. Potential effects of on-street parking on the safety and efficiency of the road network is addressed under Part B, Section 2.1 – Transport Networks.

Method

District Plan Rules

- Scale of Activities (Living zones)
- Car parking (all Zones)

OUTDOOR STORAGE

Policy B3.4.19

Avoid adverse effects on the amenity or aesthetic values of Living and Business 1 Zones from the outdoor storage of goods on sites.

Explanation and Reasons

The storage of goods outdoors on sites can detract from the aesthetic or amenity values of Living and Business 1 Zones. The effect depends on the location of the storage area, the type of goods stored and the surroundings. For example, storing goods in front yards tends to have a greater visual impact than siting them in rear yards. Parking boats, caravans or trailers on residential properties is usually more acceptable than storing rubbish or goods for recycling.

Policy B3.4.19 is implemented by a rule requiring areas used to store goods outside to be screened under certain conditions. There are exemptions for vehicles in all zones and outdoor displays areas in Business 1 Zones.

Method

- District Plan Rules
- Outdoor Storage of Goods (Living and Business zones)

OUTDOOR SIGNS AND NOTICEBOARDS

Policy B3.4.20

Ensure signs in all zones are designed and positioned to avoid:

- **Adverse effects on the visibility or safety of pedestrians, cyclists or motorists;**
- **Impeding access to or past sites;**
- **Nuisance effects from sound or motion features on signs or from glare or reflectivity;**
- **Adverse effects on the amenity values of the zone; or**
- **Dominance of the 'skyline' or view, caused by large signs protruding above the roofs of buildings.**

Explanation and Reasons

Outdoor signs and noticeboards are important vehicles for information, which enables people and communities to provide for their health, safety and social, economic and cultural well-being.

Inappropriately-positioned or designed signs can adversely affect people's health or safety or create nuisance effects. For example:

- A sign that looks like a traffic signal may be misinterpreted;
- A sign with sound effects can disturb neighbours;
- Too many freestanding signs outside a block of shops can make it difficult to pass along the footpath;
- A low overhanging sign may impede visibility or knock a passer-by; and
- A very tall sign may dominate the outlook or 'skyline' of an area.

Part B, Section 2.1 Transport Networks addresses effects of signs alongside roads on traffic safety.

Method

District Plan Rules

- Outdoor Signs (all Zones)
- Outdoor Noticeboards (all Zones)

Policy B3.4.21

Ensure signs in Living zones are of a size, design and number which maintain the quality of the environment and amenity values of the zone, but recognise the need for retail activities located in Living zones to have extra signs on the site.

Explanation and Reasons

The zone objective for Living zones seeks to maintain an environment which is less busy and more spacious than a metropolitan area. Large areas of signs or advertising hoardings may add to an impression of a 'busier', more metropolitan area. At the same time, some signage is desirable to give people and communities the information they need for their health, safety and daily activities. Policy B3.4.21 and associated rules provide for outdoor advertising in Living zones at a level that maintains the quality of the environment in residential areas.

Signs in Living zones should reflect the products, services or information relative to the site on which they are located. These differ from other temporary signs used to advertise upcoming events of interest to the community. Space or structures in Living zones should not be used as general advertising space or hoardings for any product or service, whether related to the site or community, or not.

Most townships in the Selwyn District have shops and service stations located in Living zones. Policy B3.4.21 recognises that retail premises, by their very nature, will have additional signs advertising products they sell. The policy and rules allow for additional on-site signs for retail premises. Any adverse effects of these additional signs on the quality of the environment are mitigated by the small number of these premises in Living zones.

There are no equivalent policies or rules to restrict the number, design or size of signs in Business zones (other than at Castle Hill) because signage is an integral part of the amenity values of business areas.

Method

District Plan Rules

- Outdoor Signs (Living zones)
- Outdoor Noticeboards (Living zones)

BUILDING DESIGN

Policy B3.4.22

Allow people freedom in their choice of the design of buildings or structures except where building design needs to be managed to:

- **Avoid adverse effects on adjoining sites; or**
- **Maintain the character of areas with outstanding natural features or landscapes values or special heritage or amenity values.**

Explanation and Reasons

For most places, the District Plan does not have provisions that tell people what colour, shape or materials to use when building structures. The Council thinks this is a matter of personal choice. The Plan does, however have rules for the height, bulk of buildings and recession planes, to avoid adverse effects of shading and loss of privacy or outlook, on adjoining sites.

The exception to Policy B3.4.22 is in areas that have been identified in the Plan as having either: outstanding natural features or landscapes values or special heritage or amenity values. In these areas, the Plan has design criteria for erecting a building or structure, including signs, as a permitted activity (no resource consent needed). Buildings or structures that cannot comply with the rules, may be able to be erected through the granting of a resource consent, if the proposed design is appropriate to the area.

The areas subject to building design controls due to the proximity of outstanding natural features or landscapes are identified in Part B, Section 1.4 of the Plan. Such controls affect the expansion of the townships of: Arthur's Pass, Castle Hill and Lake Coleridge, and the expansion of other townships in certain directions. It will also affect parts of the Rural Zone. This matter is addressed in the Rural Volume of the Plan.

The townships of Arthur's Pass and Castle Hill also have building design controls in their existing villages. These controls are to maintain the special building styles and associated character that exist in those villages, at present. This matter is addressed in policies 28 and 29 of this Section.

Building Act 2004

A building consent is still required for the erection, alteration or demolition of any building under the Building Act 2004, whether that building requires a resource consent or not. All buildings must comply with any relevant structural criteria in the New Zealand Building Code.

Method

District Plan Rules

- Height of Buildings (All Zones)

- Size of Buildings (Living zones)
- Recession Planes (All Zones)

Policy B3.4.23

Support the use of building or landscaping concept plans or ideas developed for townships in Selwyn District where such plans or ideas:

- **Are appropriate to the proposed activity;**
- **Do not contravene any District Plan policies or rules; and**
- **The builder/developer is interested in using them.**

Explanation and Reasons

Some townships in Selwyn District, such as Rolleston, Lincoln, Prebbleton and Tai Tapu have town concept plans. These plans include ideas for building, design and landscaping to enhance the quality of the environment and amenity values in the township. Other townships have particular themes which are provided by business or community groups, such as verandas on shops. The Council shall encourage people to consider these ideas provided that they are appropriate, that people are interested, and that they do not conflict with any of the policies or rules in the District Plan. The Council shall not require people to adhere to these concept plans or ideas. They are not statutory documents prepared under any legislation, and are not necessary to address adverse environmental effects.

Method

Information

- Make people aware of any township concept plans where appropriate

Policy B3.4.24

In all zones in townships, ensure buildings:

- **Do not shade adjoining properties; and**
- **Maintain a predominantly low rise skyline.**

Explanation and Reasons

Policy B3.4.24 describes effects which all buildings should have, in any zone in a township. Access to sunlight is important to most sites, to make them attractive. Even if activities are predominately indoors, sunlight is a potential source of light or heating.

Townships in Selwyn District have predominately low rise buildings, except for Lincoln University. In consultation (township surveys and landscape workshops) many residents considered multi-storey apartment blocks or other high rise buildings will adversely affect the amenity values of townships in Selwyn District because they are characteristic of more 'metropolitan' areas, and because they reduce the outlook on to the rural area.

Method

District Plan Rules

- Recession Planes (all zones)

- Building Height (all zones)
- Building Setbacks (all zones)

Policy B3.4.25

Ensure buildings are setback an appropriate distance from road boundaries to maintain privacy and outlook for residents and to maintain the character of the area in which they are located.

Explanation and Reasons

Policy B3.4.25 manages the effects from the location of buildings relative to property boundaries. In residential areas, buildings located too close to road boundaries can affect both the outlook and privacy of neighbouring residents. They can also affect the character of the residential area, particularly if other buildings are setback from road boundaries. In business zones a setback from the road boundary may not be necessary or appropriate. This policy is implemented by rules for the setback of buildings. It should be read in conjunction with Part B, Section 2.1, Transport, Policy B2.1.5(b).

Method

District Plan Rules

- Building Setbacks (all zones)

Policy B3.4.26

Ensure buildings and structures in Living zones which are used for non-residential activities, are of a size and bulk and in a setting compatible with the quality of the environment and amenity values of a residential area.

Explanation and Reasons

Policy B3.4.26 and associated rules ensure non-residential activities in Living zones do not detract from the quality of the environment in Living zones. This quality includes the following things:

- Large buildings are set back from the property boundary to protect people's privacy and outlook.
- Buildings do not cover the whole of the section or site and the surrounding area is kept in lawns, gardens, paving or similar features.
- Buildings are of a similar size and height to dwellings.

There is often a market incentive for residential properties to avoid these effects, because they may reduce the value of the property. There is less direct market incentive for non-residential activities to do so. Therefore, the District Plan has a policy and rules to address these effects.

Method

District Plan Rules

- Building Setbacks (Living zones and sites adjoining Living zones)
- Site Coverage (Living zones)

- Landscaping (Living zones)
- Building Height (Living zones)
- Building Size (Living zones)

CASTLE HILL VILLAGE

Policy B3.4.27

Ensure that development within Castle Hill Village maintains an 'alpine chalet' theme and an 'alpine village' character `and proceeds in a way that does not affect unduly views from within the village of the surrounding landscape.

Explanation and Reasons

Castle Hill Village was developed with an 'alpine' village theme or character. Since its creation, building design has been controlled to promote a particular style of building design. That style is an 'alpine chalet' style, with the following characteristics:

- wooden or stone buildings
- dark hues and natural finishes
- steep pitched roofs
- absence of fences and formal gardens
- controls on the height of and the provision of space around buildings

Policy B3.4.27 is implemented by a set of rules for erecting buildings as permitted activities (no resource consent needed). The rules are quite specific, but are a change from past planning schemes when all buildings needed a resource consent. Alternatively, a person may apply for a resource consent to erect a building that does not comply with the rules. Any resource consent application will be assessed on whether the proposed building design is in keeping with the 'alpine chalet' design and theme.

Method

District Plan Rules

- Alpine Villages

ARTHUR'S PASS VILLAGE

Policy B3.4.28

Ensure structures and buildings maintain the mix of 'small, historic workers cottages' and the 'alpine chalet' style of buildings at Arthur's Pass Village.

Explanation and Reasons

The character of Arthur's Pass Village has evolved over time. Some buildings in the village were construction houses erected in association with work on the Otira Tunnel and Midland Railway Line. More modern buildings have been built for businesses relying on the tourism and recreation opportunities in the area, and more modern houses for staff involved with transport networks or Arthur's Pass National Park. As a result, Arthur's Pass has a unique mix of building styles:

- the early workers cottages
- the 'alpine chalet' theme adopted by some of the larger, modern buildings

Characteristics of the early, workers cottages, include:

-Wooden or corrugated iron materials

- Small size (one or two rooms) sometimes with a 'lean to'
- Low pitched roof; and
- Outside stone chimney

Characteristics of the 'alpine chalet' style buildings include;

- Wooden or stone materials
- Dark hues or natural finishes; and
- Steep pitched roof

Policy B3.4.28 recognises the unique character of these building designs at Arthur's Pass and seeks to maintain both of them. The policy is implemented by a set of rules for erecting buildings as permitted activities (no resource consent needed). The rules are quite specific but are a change from past planning schemes when all buildings needed a resource consent. Alternatively, a person may apply for a resource consent to erect a building that does not comply with the rules. Any resource consent application will be assessed on whether the proposed building design is 'in keeping' with one of these two design themes in Arthur's Pass Village.

Method

District Plan Rules

- Alpine Villages

RELOCATED BUILDINGS

Policy B3.4.29

Ensure any relocated building is reinstated to an appropriate state of repair, within a reasonable timeframe.

Explanation and Reasons

Buildings are often relocated as a whole or in parts, on to a new site, from either within or outside the District. Buildings are relocated for many reasons. They can be a cheaper alternative to new buildings; a specific building design may be required; or the building may be relocated to a new site to preserve it.

Some people object to relocated buildings being moved into their neighbourhood because they think it will reduce property values in the area, particularly if the relocated building is old and the other houses, new. Other people are more concerned if the relocated building sits on blocks on the new site for a long time, or is damaged during transit and not repaired.

Policy B3.4.29 and the accompanying rules do not prevent people from relocating buildings into any zone. The provisions enable the Council to require the building be set on to a building pad or foundations and repaired to a certain standard, within a specified time. The Council plan does not prevent people relocating buildings for the following reasons:

- The Plan does not control the design or age of any other building.
- Relocated buildings can be an efficient use of physical resources, which is a matter to be considered in promoting sustainable management under section 7(e) of the Act.
- If a particular developer wishes, he/she can use mechanisms outside the District Plan to prevent relocated buildings within a particular subdivision.

The Plan rules do not apply in the Business 2 and 3 Zones. Incomplete relocated buildings are less likely to affect the aesthetic and amenity values in Business 2 and 3 Zones, than in Business 1 and 3 and Living zones.

Relocated building is defined in Part D of the Plan. It does not include new buildings or parts of new buildings designed specifically for the site, but built off-site and transported to it.

Method

District Plan Rules

- Relocated Buildings (Living, Business 1 and Business 3 Zones)

LANDSCAPING AND AMENITY PLANTINGS

Policy B3.4.30

Encourage sites in Living and Business 1 Zones to maintain a landscaped area along the road frontage of the site.

Policy B3.4.31

Encourage sites in Business 2 Zones and the Business 3 Zones which adjoin a road to have the road frontage of the site landscaped or screened.

Explanation and Reasons

Living and Business 1 Zones are areas where people live and work. Tidy sites with gardens, lawns or sealed grounds help to maintain the aesthetic values of these zones and make them attractive places to live.

In Business 2 Zones and the Business 3 Zone the Plan places less emphasis on aesthetic values as Living and Business 1 Zones. When sites in these zones are located adjacent to roads, untidy yards can affect the amenity values of the township and peoples appreciation of the place as a 'nice' area to live.

Policies B3.4.30 and B3.4.31 are implemented using two methods. A rule for some landscaping or screening applies to new activities. The rule only relates to the area between the buildings and road frontage of any site. The Council also encourages local business groups and township committees to develop voluntary programmes to 'spruce up' business areas.

When implementing amenity planting adjoining roads, consideration should be given to selecting plants that do not obscure visibility for vehicles entering or leaving the site.

Methods

District Plan Rule

- Landscaping or Screening (Business zones)

Advocacy

- Encourage township committees and business groups to develop plans or programmes to 'spruce up' business areas.

Policy B3.4.32

Encourage people who are developing or redeveloping sites in townships to retain trees, bush or other natural features on the site, as part of the new development.

Explanation and Reasons

Policy B3.4.32 recognises that trees, bush and other natural features can add to the amenity values of a township, even when on private land and only able to be admired from across the fence. Policy B3.4.32 encourages landowners to keep such features when developing their sites. The features addressed in Policy B3.4.32 do not include trees, bush or sites which are formally protected for their heritage, cultural or ecological values in the District Plan. These features are provided for in Part B, Sections 1.3 and Part B, Section 3.3 of the Plan. The LTCCP Development Contribution Policy allows for consideration of retained trees and vegetation as a credit towards development contributions for reserves.

Methods

Advocacy

- Suggest to people undertaking activities that they retain existing trees and bush on the site

LTCCP

- Development Contribution Policy

LAKE COLERIDGE VILLAGE

Policy B3.4.33

Encourage the maintenance or enhancement of green areas, plantings and walkways which add to the amenity values of Lake Coleridge Village.

Explanation and Reasons

Lake Coleridge Village includes extensive grass areas, walkways and a mix of exotic and indigenous trees and bush. These features give the village particularly attractive surroundings, as well as providing shelter from north-westerly winds. New activities in the village are encouraged to both utilise, and help maintain and enhance these features.

Methods

Advocacy

- Encourage people to continue to use and develop the walkways, green areas and plantings.

LTCCP

- Development Contribution Policy

District Plan Rules

- Subdivision – encourage walkways and green spaces in subdivision layouts, provided they are 'cost effective' to maintain.

REVERSE SENSITIVITY EFFECTS

Policy B3.4.34

Encourage Business 1 Zones to be consolidated into one area in each township, or into two areas in townships which may grow large enough to support two separate business areas.

Policy B3.4.35

Encourage Business 2 Zones to be consolidated in one area, in each township.

Explanation and Reasons

If each Business zone in a township is consolidated in one area it:

- Reduces the number of boundaries between residential and business areas and associated potential for 'reverse sensitivity' effects.
- Enables a zone to be created where the quality of the environment and amenity values reflect the requirements of business activities.

Business zones are provided for activities which have effects that will detract from the amenity values of Living zones. If several, small Business 1 or 2 Zones are 'scattered' throughout a township, then there is much greater potential for adverse effects and 'reverse sensitivity' issues than if the activities are clustered into one area.

Policy B3.4.36 has an exception for larger townships which, may grow large enough to support two, separate Business 1 Zones within the next 20 years.

Method

District Plan Zones

- Area identified as Business zones in District Plan
- To assess plan change requests to rezone land for new Business zones

Policy B3.4.36

Avoid establishing activities in Business 2 Zones or the Business 3 Zone at Lincoln, which are likely to be sensitive to the effects of other activities in the zone, unless any potential for 'reverse sensitivity' effects will be minor.

Explanation and Reasons

The activities which are accommodated in Business 2 Zones and the Business 3 Zone at Lincoln may have effects which are incompatible with other activities. For example, in Business 2 Zones the visual effects of sites; vibration from heavy vehicles; dust from the stockpiling of materials; or noise from machinery, may be incompatible with residential activities, other forms of accommodation, schools or restaurants. In the Business 3 Zone, odour from livestock or fertilisers, chemical sprays, noise and heavy vehicles are some of the effects which may be incompatible with residential activities, other forms of accommodation or restaurants.

The Business 2 and 3 Zones are created specifically to accommodate activities which have these effects away from the activities which they can potentially affect.

Method

District Plan Rules

- Business 2 Zone
- Business 3 Zone

Policy B3.4.37

Where Living zones and Business 2 Zones adjoin, ensure any new activity occurring along the boundary in either zone, includes measures to mitigate any potential 'reverse sensitivity' effects on existing activities.

Explanation and Reasons

Business 2 Zones are encouraged to be separated from Living zones where possible. Existing land use patterns mean many Business 2 Zones adjoin Living zones along at least one boundary, and some adjoin Living zones on two or three boundaries. Policy B3.4.38 requires new activities which locate on sites along these boundaries, whether they be in the Living zone or the Business 2 Zone, to include measures to reduce potential effects on existing activities on sites along the boundary. This includes potential 'reverse sensitivity' effects from new residential activities in the Living zone existing activities on adjoining sites in the Business 2 Zone.

Examples of such measures include, but are not limited to, landscaping and screening of sites to reduce visual effects, greater setback distances for buildings from property boundaries or building line restrictions, the use of larger sections, roads or walkways along the zone boundary to act as 'buffer zones', or bunding landscaping.

Methods

District Plan Policy

- To assess plan changes to rezone land for new Living or Business zones

District Plan Rules

- Subdivision
- Setbacks from boundaries (Business 2 Zones)
- Setbacks from boundaries (Living zones)

Policy B3.4.38

Avoid rezoning land for new residential development adjoining or near to existing activities which are likely to be incompatible with residential activities, unless any potential 'reverse sensitivity' effects will be avoided, remedied or mitigated.

Explanation and Reasons

Rezoning land for new residential development around townships should not create 'reverse sensitivity' issues with existing activities in any zone. Policy B3.4.39 does not preclude rezoning of land for residential development adjoining Business 2 Zones or sites in the Rural Zone which have activities with incompatible effects provided appropriate methods are used to address potential 'reverse sensitivity' issues. Appendix 14 suggests information on activities in the surrounding area be included with any plan change request to rezone land.

Method

District Plan Policy

- To assess plan changes to rezone land for new residential development

Policy B3.4.39

To recognise the special characteristics of the Rakaia Huts settlement based on the existing quality of the environment, character and amenity values.

Explanation and Reasons

The majority of the Rakaia Huts have developed in an ad-hoc fashion over a number of years. The area is a historic fishing settlement that has evolved into residential areas with some permanent, semi-permanent and holiday accommodation. The land on which the huts are located is susceptible to flooding from the Rakaia River. The tenure of the land has been an issue in the past, and has been addressed to an extent by the Council and occupants. Rationalisation of land tenure and restrictions on future development options due to flooding has been provided for in this plan.

Method

District Plan Rule

- Natural Hazards Area (Living zone)
- Subdivision

QUALITY OF THE ENVIRONMENT — ANTICIPATED ENVIRONMENTAL RESULTS

The following environmental results should occur from implementing Section B3.4:

- Townships develop with zones of distinctive character.
- Living zones maintain a quality of the environment and amenity values compatible with residential areas.
- Most new residential activities occur in Living zones, with some higher density living areas in Business 1 Zones.
- Any new residential activities in Business 2 Zones or the Business 3 Zone are ancillary to other activities in the zone.
- Increases in the variety of small scale businesses and other non-residential activities in Living zones.
- Business 1 Zones have more variety in activities and associated infrastructure.
- Business 1 Zones are attractive places for people to visit, work in or reside in.
- Lower standards of aesthetic and amenity values are maintained in Business 2 Zones.
- The Business 3 Zone remains dominated by specialist research, education and associated activities.
- No increase in 'reverse sensitivity' issues in townships.

QUALITY OF THE ENVIRONMENT — MONITORING

Please refer to Part E, Appendix 1.

4 GROWTH OF TOWNSHIPS

B4.1 RESIDENTIAL DENSITY — ISSUES

– **The need for a range of section sizes and living environments in Selwyn District, while maintaining the spacious character and amenity values of townships.**

What are the Issues?

In a survey of township residents carried out by the Council (November 1998 and April 1999) respondents consistently identified that larger section sizes than those found in Christchurch City and the corresponding impression of "spaciousness", as important. Many respondents also suggested the existing District Plan did not make sufficient provision in townships for either:

– Flats and small sections; or

– A range of section sizes.

As lifestyles change and the population ages, not all people want or can manage a large section. At the same time, the amenity values associated with larger sections and spaciousness have been identified by people in several forms as an important part of the character of the small rural towns in Selwyn.

Part of promoting sustainable management of natural and physical resources involves both:

– Enabling people and communities to have the living environments and section sizes which suit their needs; and

– Maintaining the spacious character and amenity values of townships.

How a new residential area is designed, the layout and size of sections, and access to open space and outlooks affect how pleasant the place is to live in. For example, if a residential area does not include enough open space or reserve areas and has small section sizes, it will create more of an impression of being a 'built up' or 'metropolitan' area, than one that has more open space and larger section sizes.

If a township has a local stream or river, public access along that waterbody may enhance the amenity values of the new residential area. Trees, bush, and pasture often add to the amenity values of a township, even when they are on private land. The loss of pasture land is inevitable if the area is used for residential development, but it may be possible to retain trees or bush areas as part of the new residential development. The LTCCP Development Contribution Policy allows for consideration of retained trees and vegetation as a credit towards development contributions for reserves.

This section addresses issues relating to residential density: section sizes; site coverage; and open space; as part of residential growth in townships. Part B, Section 4.2 deals with subdivision of land and Part B, Section 4.3 deals with areas for new residential or business development in the District. Part B, Section 4.4 addresses financial contributions.

RESIDENTIAL DENSITY — STRATEGY

The Township Volume of the District Plan uses the following basic strategy to address issues of residential density:

- Zones used to provide for living environments with differing residential density.
- Existing residential areas have a similar density in the new plan, to the existing density. The residential density in new Living zones or undeveloped Living zones (Living X) is determined by the subdivider, but is not more dense than the density in the Living 1 Zone for the township.
- The Plan provisions provide for a range of section sizes in Living zones by having an average lot size, not a minimum.
- Spaciousness is managed through site coverage (small section/small house; large house/large section).
- Increased site coverage for smaller sections and flats is allowed in Living 1 Zones for a percentage of sections. The percentage is managed through a resource consent, to keep overall spaciousness.
- Density in Living 2 Zones is kept low thus reflecting the rural character by maintaining a sense of open space, panoramic views and rural outlook.
- There is no limit on building density and site coverage in Business 1 Zones, with the exception of the Business 1 Zone bounded by State Highway 1, Rolleston Drive and Dick Roberts Place and the Business 1A Castle Hill Zone.
- Open space areas are provided to mitigate effects of building density.

RESIDENTIAL DENSITY — OBJECTIVES

Objective B4.1.1

A range of living environments is provided for in townships, while maintaining the overall 'spacious' character of Living zones.

Objective B4.1.2

New residential areas are pleasant places to live and add to the character and amenity values of townships.

Explanation and Reasons

To enable people and communities to provide for their well-being, the District Plan provides for a range and variety of section and house sizes in existing townships. Overall, larger section sizes than those found in Christchurch need to dominate townships, to maintain spaciousness thus reflecting something of the rural character by a sense of open space, panoramic views and rural outlook that attract residents to these townships. The market is the best determinant of the range and variety of section and house sizes that should be provided – what people choose to meet their needs. This includes alternative housing forms such as comprehensive residential development provided the spacious character and amenity values associated with adjoining and surrounding low density living environments are maintained. The role of the District Plan is twofold:

- To set 'bottom lines' or base requirements to maintain the overall spacious character.
- To ensure there are not any unnecessary rules or regulations that stop people from choosing the appropriate section or house sizes they want.

The plan sets these 'bottom lines; through policies and rules for average allotment sizes and for site coverage.

For some locations in and around townships, a low density Living 2 environment which result in a compact town form and is consistent with preferred growth direction for townships, may be appropriate. Such a low density residential area will add to the range of living environments within the District.

Any new living zones shall be consistent with the General Policies, Town Form policies and any relevant Specific Township policies by which all plan change requests are judged.

At some locations around townships, a low density Living 2 environment may be appropriate on the edge of towns. Within such low density living environments particular regard should be had to reducing the potential for reverse sensitivity by increasing the size of allotments at the rural interface, reducing the number of people exposed to potential reverse sensitivity effects and in turn providing an appropriate buffer between the rural area proper and the more concentrated township areas.

New residential areas should be attractively laid out, with allotments of an appropriate shape to build a house, and with access to sunlight. As well as functional utilities, new residential areas need some open space, plantings and landscaping to make them aesthetically pleasing. Objective B4.1.2 is to ensure future residential areas maintain the current attractive layout of Selwyn's townships. For low density Living 2 Zones, the careful consideration and application of design treatment to such matters as road formation, kerbs, letterboxes, power supply, entry treatment, fencing, landscaping, lighting and the like will ensure the retention of open, spacious rural character. The market can be relied on to achieve this to a certain extent – many people won't buy sections in an unattractive area. However, not all people have the money to choose allotments in more attractive subdivisions. The District Plan provisions set some "bottom lines" to ensure all new residential areas achieve a standard of aesthetic appeal.

RESIDENTIAL DENSITY — POLICIES AND METHODS

Policy B4.1.1

Provide for a variety of allotment sizes for erecting dwellings in Living 1 Zones, while maintaining average section size similar to that for existing residential areas in townships.

Explanation and Reasons

Policy B4.1.1 and associated rules allow for a variety of section sizes when land is subdivided to erect dwellings in Living 1 Zones, provided small sections are balanced with larger ones. This keeps residential density more spacious than in Christchurch City. Subdivision rules include an average section size for each Living zone. The rules allow for a smaller average section size for flats or townhouses. The number of these allotments in each zone is controlled through the resource consent process. There is no average section size in Business zones.

Method

District Plan Rules

- Subdivision (Living zones)

Policy B4.1.2

Maintain Living 2 Zones as areas with residential density which is considerably lower than that in Living 1 Zones.

Explanation and Reasons

Living 2 Zones replaced rural-residential zones in the Transitional District Plan, where these zones adjoin townships. Average section sizes in these zones vary from 0.5 to 1 hectare. Roads and other utilities have been designed for a population of that density to reflect the sense of open space and 'spaciousness' anticipated by persons wishing to live in a low density residential environment.

Policy B4.1.2 retains Living 2 Zones areas with lower residential density than Living 1 Zones. The policy refers to 'considerably lower' which acknowledges that low density living zones be spacious and reflect something of the rural characteristics in which they are located. Currently they are from 6 to 12 times lower. The Council suggests average section sizes would need to remain between 3 and 6 times lower than that of Living 1 Zones, to have a visually discernible difference in residential density. If more intensive residential density than this is desired in Living 2 Zones, the area should be rezoned to another Living zone.

In recent years the Council has received applications from landowners in Living 2 zones to subdivide their sections. The information supplied in those applications and in response to the Council's township surveys (November 1998 and April 1999) suggest that 1 hectare or even 0.5 hectare allotments are larger than necessary to meet at least some of the demand for larger residential sections. However some proposals for further subdivision of allotments in Living 2 Zones have been opposed by surrounding residents, who have purchased properties in that area because the residential density is one house per hectare or 0.5 of a hectare.

Subdivision of land into smaller allotments in Living 2 Zones may be desirable if it:

- Makes more efficient use of the land;
- Enables people to provide for their economic well-being by selling surplus land; or
- Improves the amenity values of the area because allotments are easier to maintain.

When considering adverse effects on amenity values the consent authority should consider that a change in residential density per se, is not necessarily an adverse effect. For example, if people are having difficulty maintaining larger allotments, drains or water races or vehicular accessways, increasing residential density may improve the amenity of the area.

Method

District Plan Rules

- Subdivision (Living 2 Zones)

Policy B4.1.3

To allow, where appropriate, the development of low density living environments in locations in and around the edge of townships where they will achieve the following:

- **A compact township shape;**
- **Consistent with preferred growth options for townships;**
- **Maintains the distinction between rural areas and townships;**
- **Maintains a separation between townships and Christchurch City boundary;**
- **Avoid the coalescence of townships with each other;**

- **Reduce the exposure to reverse sensitivity effects;**

- **Maintain the sustainability of the land, soil and water resource;**

- **Efficient and cost-effective operation and provision of infrastructure.**

Explanation and Reasons

Low density living zones reflect a desire by some to live on a small holding while undertaking only limited "farming" if desired. It is essentially a life-style rather than occupation and has both urban and rural characteristics. While this form of low density living need not necessarily adjoin an existing township, it must be consistent with the objectives and policies of the District Plan including developing a compact and consolidated township shape, and be consistent with preferred growth options for townships.

It is possible to accommodate this type of residential activity selectively in the District, while minimising the use of versatile soils thereby sustaining the productivity of the District. However, the location and extent of the low density living environment must take account a number of factors including: effluent treatment and disposal (water quality), water supply, accessibility and walkability to community services and facilities, natural hazards, and compatibility with surrounding rural activities.

Low density living environments need to be provided with adequate and safe road access in order to reduce any impacts on the functioning of the roading network, both locally and further a field. Similarly servicing by an acceptable means will be required to adequately dispose of sewage and stormwater to protect the quality of surface and underground waters. An adequate and reliable water supply must also be provided.

In some areas a low density living environment may detract from rural character and amenity associated with a rural area. People who live in rural areas value their sense of open space, panoramic views and rural outlook and low density living development should reflect something of the rural character they are associated with. It is also desirable to avoid coalescence of townships and of townships with Christchurch City. It is appropriate that low density living environments do not result in a blurring of the distinction between the rural, township, and Christchurch City.

Proposals for low density living environments must have regard to compatibility with existing rural and rural related uses, such as intensive livestock production, boarding and keeping of animals, recreational uses, machinery depots and effects from day to day rural activities including noise and smell. Existing rural and rural related activities, while having adverse effects in themselves, may also have their operations duly impinged upon by inappropriately located low density living environments. Effort should be made to reduce the potential for reverse sensitivity effects by increasing lot sizes and reducing the number of people exposed to effects.

Policy B4.1.4

Allow choice in residential density in Living X Zones, provided that it is not more dense than that for the Living 1 Zone(s) in that township.

Explanation and Reasons

Living X Zones are areas zoned for residential development but have not been subdivided yet. Rather than 'second guessing' what future demand for residential density shall be, the District Plan provides for the landowner or subdivider to nominate section sizes and other conditions for residential density at the time the land is subdivided. Similarly, if land is rezoned for residential

development. Policy B4.1.4 requires residential density to be no greater than the Living 1 Zone for the township to maintain the 'spacious' character identified in Objective B4.1.1. Higher density residential areas can be provided for in Business 1 Zones.

Methods

District Plan Rules

- Subdivision (Living zones)

District Plan Policies

- To assess plan changes to rezone land to create new Living zones

Policy B4.1.5

Provide for residential activities in Business 1 Zones at densities which are greater than those in Living 1 Zones.

Explanation and Reasons

The policies and rules for Living 1 Zones allow for some smaller sections and flats or townhouse developments. The numbers are controlled, to avoid cumulative effects on residential density in Living 1 Zones. There are no controls on section sizes, site coverage or numbers of households per site, in Business 1 Zones. These zones have an environment which is more 'built up' and 'busier' with more people and traffic than Living zones. This environment is compatible with dense residential developments such as apartment blocks.

Methods

District Plan Rules

- Business 1 Zone

District Plan Policies

- To assess plan change requests to rezone land for new residential development

Policy B4.1.6

In Living 1 and X Zones allow site coverage to exceed that for permitted activities, provided any adverse effects on the overall residential density of the area are avoided, remedied or mitigated.

Policy B4.1.7

Maintain the area of sites covered with buildings in Living 2 Zones, at the lesser of 20% or 500m^2, unless any adverse effects on the spacious character of the area will be minor.

Explanation and Reasons

Site coverage is the ratio of building area to land area on a site. It is site coverage, not section sizes, that affects how 'built up' an area looks. For example, a small house on a small section may look more 'spacious' than a large house on a large section.

The site coverage rules for Living 1 and X Zones maintain the "status quo" for residential areas. Policy B4.1.6 allows site coverage to be exceeded on allotments in these zones, to make provision for flats and large houses on small sections. The number of sections on which site coverage is exceeded and the extent is managed through the resource consent process, to avoid cumulative adverse effects on the overall residential density of the area.

Adverse effects on residential density may be addressed in several ways: For example: the small number of sites on which site coverage is exceeded; high site coverage is offset by low site coverage on surrounding lots; or the area already has high residential density and has lost its 'spacious' character. Whether exceeding site coverage will have adverse effects may vary between townships and between areas within townships.

Policy B4.1.7 maintains low site coverage in Living 2 Zones. The very rationale for Living 2 Zones is to provide a low density, residential area. The policy does include some flexibility to accommodate small increases in site coverage. Any effects on the 'spacious' look of the area should be minor. There are no limits on site coverage in Business zones.

A greater level of site coverage has been allowed for in the Living 1 and 2 Zones for emergency services recognising their importance to the community and provides scope for development or redevelopment of such sites. Their limited number will ensure that the character of surrounding areas is maintained.

Method

District Plan Rules

- Site Coverage (Living zones)

Policy B4.1.8

Manage the number of sites with more than one dwelling in Living 1 or X Zones, to maintain the overall residential density of the zone.

Policy B4.1.9

Avoid erecting more than one dwelling per site in low density living (Living 2) Zones.

Explanation and Reasons

A dwelling is defined in Part D of the Plan.

Policy B4.1.8 restricts the number of sites on which multiple dwellings can be erected in Living 1 or X Zones. This enables some provision to be made for flats/townhouses or a lifestyle village (as a restricted discretionary activity) but manages the number to avoid cumulative effects on residential density.

Provision is made for comprehensive residential development (discretionary activity) on land zoned Living 1A5 in Prebbleton, recognising the unusual characteristics of this area namely; the area is currently occupied by a non-residential activity, surrounded by existing low density residential development, and is located in close proximity to the township centre. The focus is on site and building design in an integrated and comprehensive manner to achieve a high quality urban environment while maintaining low density character and amenity.

Policy B4.1.9 is to avoid multiple dwellings in low density living (Living 2) Zones. The rationale for these zones is to provide a low density, residential area. There is no restriction on the number of dwellings per site in Business 1 Zones.

Method

District Plan Rules

- Number of Buildings per Site (Living zones)

Policy B4.1.10

Ensure there is adequate open space in townships to mitigate adverse effects of buildings on the aesthetic and amenity values and "spacious" character.

Explanation and Reasons

The provision of land or money for reserve areas has been a long standing requirement upon the subdivision and development of land for residential or business activities. Reserve areas have a dual function of:

- Providing for the needs of residents for outdoor places for recreation, and
- Mitigating against the visual and psychological effects of the loss of 'open space' as land is built on.

Therefore reserve requirements vary depending on how dense the new residential area is and whether people have sufficient sized sections that neighbourhood reserves are not needed for recreation. The provision of reserves and esplanade reserves for recreational needs is addressed in Part B, Section 2.3 – Community Facilities (and Reserves).

The provisions to take land or cash for reserve or open space contributions are included in the LTCCP Development Contribution Policy.

Method

LTCCP

- Development Contribution Policy

Policy B4.1.11

Encourage new residential areas to be designed to maintain or enhance the aesthetic values of the township, including (but not limited to):

- **Retaining existing trees, bush, or other natural features on sites; and**
- **Landscaping public places.**

Explanation and Reasons

Trees, bush and other natural features can add to the amenity values of an area, even if they are on private land. Similarly, simple landscaping of public spaces can improve the aesthetics of an area. At the same time, any features or areas to vest in the Council need to be cost-effective to maintain.

Policy B4.1.11 is primarily implemented by advocacy. The LTCCP Development Contributions Policy provides a process for taking development contributions for the provision of network and community infrastructure and reserves.

Method

Advocacy

- Encourage initiatives by property developers to promote high standards of urban design

Policy B4.1.12

Discourage high fences or screening of sites in Living zones that have frontage but no access on to Strategic Roads or Arterial Roads.

Explanation and Reasons

In some cases, sections in Living zones will have frontage on to a road, but are not allowed access on to that road for traffic safety reasons (see Part B, Section 2.1 – Transport Networks). New roads or vehicular accessways are built, as part of the residential development. People often fence or screen the property frontage along the road they cannot have access to. This effect can reduce the aesthetic values of the area, as viewed from that road, and the "feeling" of personal safety for pedestrians and cyclists.

Policy B4.1.12 is to discourage this practice in favour of lower fences and landscaping. The policy is implemented through conditions on consents for subdividing land.

Method

District Plan Rules

- Subdivision

RESIDENTIAL DENSITY — ANTICIPATED ENVIRONMENTAL RESULTS

The following results should occur from implementing Section B4.1:

- A range of living environments is provided for in townships.
- The spacious character of townships in Selwyn District is maintained.
- Residential density in Living 1 Zones is more spacious than in residential areas in Christchurch, but there are some sections with flats, townhouses or large houses on small sites.
- Living 2 Zones are low density residential areas.
- Section sizes in some Living 2 Zones may decrease.
- Higher density living areas may develop in the Business 1 Zones of larger towns such as Lincoln and Rolleston.
- Comprehensive residential development achieving high quality urban design that will not adversely impact on surrounding living environments of low density character and amenity.
- Low density living environments are only created in appropriate locations in and around townships to achieve a compact township shape and maintain the surrounding rural character of the locality.

RESIDENTIAL DENSITY — MONITORING

Please refer to Part E, Appendix 1.

B4.2 SUBDIVISION OF LAND – ISSUES

- **Expectations associated with subdivision.**
- **Effects of subdivision on residential growth and changes in land uses.**

What is Subdivision?

Subdivision is a confusing term, because it has two meanings:

Legally

It is the process whereby areas of land are divided into separate allotments with separate Certificates of Title, which can be sold. Section 218 of the Act defines 'subdivision'. It includes:

- creating new allotments
- leasing of parts of allotments for more than 35 years; and
- company leases, cross leases and unit titles

Common Language

In common language people refer to a 'subdivision' as an area of new residential development, including: the survey of land into allotments; and erecting of new houses and associated infrastructure.

In many townships in the District and in metropolitan centres such as Christchurch City, most new residential development involves subdivision of either:

- rural land on the edge of the town ('Greenfields' subdivision); or
- further subdivision of existing residential sections ('in-fill' subdivision).

In this plan, subdivision has the meaning set out in Section 218 of the Act, i.e. the legal process of dividing land into separately saleable allotments. New residential development is addressed in Section B4.1 and B4.3.

What are the Issues?

Subdivision, as a legal process, has no physical effects on land or other resources. It simply redefines the legal boundaries of allotments for separate sale. However, land is often subdivided as a primary step for new residential or business development, in townships. It has associated or consequent activities and effects.

Expectations from Subdivision

Town planning in New Zealand has traditionally managed residential development by controlling the subdivision of land. This has two results:

- The popular expectation that if one buys an allotment, one can build a house on it.
- Subdivision rules in district plans focus on subdividing land to build houses and are inflexible for subdivision for other purposes.

Under the Act, District Plan provisions should focus on managing effects of activities on the environment. Some parties argue that District Plans should not control subdivision because it does not have any effects. Effects of residential development should be managed at the land use stage (when houses are built). Subdivision may not have any direct physical effects on land, but it is an integral part of much residential or business development. Therefore, the policies and rules relating to subdivision in the Plan, affect residential development in the District.

Subdivision — Utilities and Reserves

Most houses and buildings erected in townships need utilities and facilities such as: roads or vehicular accessways, water supply and effluent disposal. These utilities and facilities are shared, - they are not exclusive to each household. Therefore, it is easier and more cost-effective to provide for utilities and facilities for a whole area, before the new allotments are sold.

Installing utilities and preparing land for subdivision can also have adverse effects on the environment, such as: dust from earthworks, noise and vibration, and disturbance of sites of special ecological, heritage or cultural value. These effects are often managed as part of the subdivision process.

Subdivision is the process under which the consent authority can take land for esplanade reserves and esplanade strips, in accordance with rules in the Plan.

The LTCCP Development Contribution Policy provides a process for taking development contributions for the provision of network and community infrastructure and reserves.

Residential Growth without Subdivision

There are townships in the Selwyn District where residential growth may occur without subdivision. These townships have either:

- Vacant allotments which can be bought and built on; or
- Underlying survey plans which can have Certificates of Title issued for the allotments without any subdivision of the land (section 226 of the Act).

The effects of residential development on these sites and the provision of utilities and facilities need to be managed, even though subdivision is not part of the process.

Subdivision and the RMA

District Councils may control subdivision under the Act (section 31(2)). Land may not be subdivided, unless it is allowed by a rule in a plan or a resource consent (section 11).

Section 106 of the Act restricts the subdivision of land subject where 'natural hazards' may result, even if it complies with rules in the Plan.

SUBDIVISION OF LAND — STRATEGY

The Township Volume of the District Plan uses the following basic strategy to address issues associated with the subdivision of land:

- Subdivision continues to be managed through the resource consent process.
- The Plan has different rules for subdivision, depending on the intended use of the allotment and thus matters that need to be addressed as part of the subdivision.

- The Plan has separate rules for installing utilities and erecting houses which apply whether the land is subdivided or not.
- When land is subdivided for residential growth, the subdivision rules link into the land use rules, to ensure people do not buy allotments unaware that they may not be suitable for building houses.

Subdivision is a restricted discretionary activity. Applications will mostly be non-notified and will not require the written approval of affected parties. This approach allows the Plan to be flexible on matters such as allotment size and supplying utilities, to recognise different purposes for subdividing land. In exchange for this flexibility, the consent authority needs to retain its discretion to decline an inappropriate subdivision application. The rules include clear criteria for approving and declining applications (matters over which discretion is restricted).

SUBDIVISION OF LAND — OBJECTIVES

Objective B4.2.1

Subdivision of land for various purposes is recognised and provided for.

Objective B4.2.2

New allotments created have appropriate characteristics and facilities for their intended or likely uses.

Explanation and Reasons

Most subdivision of land in townships in the Selwyn District is to create new allotments to be sold for residential or business development. Subdivision of land for other purposes can occur. For example: to create separate allotments for utilities and reserves; adjusting the boundaries between existing allotments; or cross-leasing of all or part of a building. The Plan provisions for subdivision need to be flexible enough to deal with subdivision for a variety of purposes, efficiently.

Objective B4.2.2 recognises that where land is subdivided for new residential or business development, it is usually more efficient and effective to provide allotments with the utilities and facilities which activities will need at the time the land is subdivided, not when the building is erected. This is particularly so for: reticulated services; access; or subdivision of land in areas where services or utilities may be difficult or unusually costly to provide. Alternatively, some notation must be placed on the Certificate of Title for the new allotment(s) alerting any prospective purchaser to the work that is needed before the allotment may be built on.

SUBDIVISION OF LAND — POLICIES AND METHODS

Policy B4.2.1

Provide for the subdivision of land for uses other than new residential development, in townships.

Explanation and Reasons

New residential development is the most common purpose for subdivision in townships. Sometimes land is subdivided for other purposes, such as: where a house and business are separately funded, or an allotment is to be used for a reserve, utility or vehicular accessway. These activities do not have the same associated effects as subdivision to create allotments for new house sites. They should be assessed under rules which are relevant to their effects.

Method

District Plan Rules

- Subdivision: Boundary Adjustments
- Access, Reserve and Utility Allotments

Policy B4.2.2

Ensure any allotment created by subdivision (including any balance allotment) has the services, facilities and characteristics appropriate to the proposed likely use of the land.

Explanation and Reasons

The subdivision of land and the proposed use of the resulting allotment are two separate activities. However, it does not promote sustainable management of natural and physical resources to subdivide land into allotments which are of an inappropriate size, shape or condition for the intended use or which cannot be supplied with the utilities or facilities required for any future use. Where land is being subdivided without a specific, intended use of the resulting allotment, the Plan assumes that the allotment may be used to erect a house or building, in townships. The utilities and facilities required in townships are addressed in Part B, Sections 1.2 – Water; 2.1 – Transport Networks; 2.2 – Utilities; 2.3 – Community Facilities (and Reserves); 2.4 – Waste Disposal; and 4.1 – Residential Density.

Method

District Plan Rules

- Subdivision
- Boundary Adjustments
- Access, Reserve and Utility Allotments
- General
- Heritage Structures and Sites

Policy B4.2.3

Ensure any new allotment on which a building may be erected has all of the following features:

- **Access to sunlight;**
- **Adequate size and appropriate shape for a building platform;**
- **Adequate size and shape for outdoor living space in Living zones or car parking and storage space in Business zones; and**

– **Easy and safe access for motorists, pedestrians and cyclists.**

Explanation and Reasons

How allotments are designed, their shape, orientation to the sun and proximity to roads, reserves and walkways, affects the final shape and form of a residential neighbourhood or a business area. Building density is specifically addressed in Part B, Section 4.1.

Method

District Plan Rules

– Subdivision: General

Policy B4.2.4

Encourage allotment boundaries to follow natural or physical features, where practical.

Explanation and Reasons

Allotment boundaries that follow rather than traverse natural or physical features such as roads and waterbodies are easier to define and manage on the ground. In townships, it is also important to ensure the allotment has adequate space to erect houses and provide outdoor living space. Policy B4.2.4 only applies where there are natural or physical features present that can be used to form an appropriate allotment boundary. Consideration of the protection of heritage sites and buildings and of archaeological sites is also a factor in determining allotment boundaries.

Methods

District Plan Rules

– Subdivision: General

LIMs

– Archaeological Sites

Policy B4.2.5

Ensure any temporary, adverse effects from the preparation of land for subdivision or installing utilities, are avoided, remedied or mitigated.

Explanation and Reasons

Preparing land for subdivision and installing utilities can create adverse effects such as: dust from earthworks noise and vibration. The policies and methods for transport networks and utilities in Part B, Section 2.2 address this issue, specifically.

Method

District Plan Rules

- Subdivision
- Earthworks
- Quality of the Environment: Blasting
- Utilities
- Utilities – Transport

Policy B4.2.6

Require some form of notification to alert potential buyers if an allotment is created which will not comply with the District Plan rules for erecting a house, as a permitted activity.

Explanation and Reasons

The District Plan rules do not specify minimum allotment sizes for subdivision. This is to enable land to be subdivided for a variety of purposes and to encourage variety in section sizes in Living zones. However, the Plan has rules for site coverage, setbacks and utilities required, to erect buildings. If an allotment is created which is unable or unlikely to have a building erected on it in compliance with the rules in the District Plan for permitted activities, this information should be available to any person wanting to buy the allotment.

Methods

Resource Consent

- A condition of the subdivision consent may require a Consent Notice to be registered on the Certificate of Title.

LIM

- Any Land Information Memorandum (LIM) for the allotment may note that erecting a house on the allotment is not a permitted activity.

Policy B4.2.7

Provide for the consideration of the form of land to be taken under the LTCCP Development Contribution Policy, when land is subdivided.

Explanation and Reasons

The consent authority may take development contributions under the LTCCP for the cost of providing growth-related network and community infrastructure, and reserves for open space and recreation. The provisions allow development contributions to be taken at either the subdivision consent stage, building consent stage, or at the time of service connection, depending on when the consent authority thinks it is the most appropriate time for them to be paid. While the area/value of land to be provided as a development contribution for reserves is determined under the LTCCP Development Contribution Policy process, it is necessary to consider the form of the land to be provided as reserves, including consideration of the location, size, layout, topography, etc, of that land at the time of subdivision consent. This is achieved through reference to the

"Criteria for Taking Land Instead of Cash" policy in the Development Contribution Policy in the 2006 – 2016 LTCCP.

Methods

LTCCP

- Development Contribution Policy

District Plan Rules

- Subdivision (all zones)

Policy B4.2.8

In limited circumstances and at the Council's discretion, to apply the concept of "environmental compensation" where:

- **land of high landscape or natural value is protected or made available for public use; or**
- **significant public benefit will be gained from hazard mitigation measures which would substantially enhance amenity values.**

Explanation and Reasons

There is a strong link between subdivision of land and the subsequent impacts of land use development. Subdivision activity can, in some cases, provide an opportunity to enhance the environment through the protection of significant features or through the provision of additional areas of open space. The Plan provides for the consideration of environmental compensation at the time of subdivision or development proposals. In some circumstances development may be proposed on land, where there are significant open space or natural values, examples being portions of the Port Hills, Malvern Hills and the High Country. The ability to acquire or protect such land in exchange for development opportunities is an option the Council will explore in appropriate circumstances. However, it is important to bear in mind that environmental compensation does not form part of a proposals development contribution under the LGA.

The acquisition or protection of land having high landscape or natural values is often impractical on account of land purchase costs. The use of the concept of "environmental compensation" (public ownership or covenants) for development rights has to be approached with some caution, but does offer a cost effective means to the community of achieving environmental benefits. This may result in development in locations which may not meet all other policy criteria, but any such arrangement must still require permitted development to be sustainable and environmentally acceptable.

The acquisition of land by the Council as environmental compensation for development opportunities in terms of Policy B4.2.8 would generally be in addition to, and not instead of, any requirement to provide land or cash for reserves under the Council's Development Contribution Policy. The Development Contribution Policy requires provision for public reserves for open space and recreation at the time of any residential and/or business development and/or subdivision. However, the provision of environmental compensation may be a situation where it is appropriate for the Council to exercise its discretion to reduce the amount of development contribution payable under the remission provisions of its Development Contribution Policy.

Environmental compensation may also be appropriate in circumstances where a public benefit is obtained from hazard mitigation, but only where as a result of such measures, there is a significant enhancement of amenity values (eg plantings, or wetlands for flood retention). It would not apply to normal sound management practices which landowners can be expected to

undertake. Environmental compensation would arise in circumstances requiring significant development proposals, which would arise through plan changes, variations or resource consents, the outcome of which would still be subject to rights of submission and appeal under the Act.

Methods

District Plan Rules

- Subdivision (all zones)

POLICY B4.2.9

To ensure development in the Rolleston Lowes Road Structure Plan area is in accordance with the Structure Plan (Appendix 34) so that development proceeds in a logical and coherent manner that provides for internal and through connections and a high standard of public amenity by:

a) Providing for pedestrian, cycle and vehicle movement within and through the area in accordance with the structure plan map (Appendix 34), with such land to be vested in Council at the time of subdivision.
b) Providing reserves and public amenity within the zone as identified in Appendix 34.
c) Ensuring coherent, safe and attractive public areas by implementing an appropriate development pattern and density of development.
d) Protecting the special character of Waterbridge Way and Fairhurst Place by ensuring: the retention of a lower density of development; the avoidance of obtrusively positioned buildings; the preservation of existing special features.

Explanation and Reasons

The Structure Plan will promote integrated development by providing a logical road and walkway/cycleway network and providing direct street access for a larger proportion of allotments. Land required for structure plan connections will be obtained at the time of subdivision. New buildings should not be positioned in a way that would frustrate the ability of Council to obtain connections in future.

The road and walkway/cycleway connections in the structure plan have been designed to provide for permeability and for through movement. They serve the wider needs of Rolleston as well as those of the residents of the zone. Without them the area is likely to be a barrier to movement for surrounding residents.

The Structure Plan aims to provide for reserves within the area on a logical basis, taking advantage of significant features such as trees and water-races. Council will buy the land required using reserves contributions from development in the area.

Two parts of the area have been identified as having a special character:

- Waterbridge Way, due to its low density of development and unique streetscene (landscaped water-races, narrow bridges and buildings set well back from the street).

- Fairhurst Place, due to the sense of spaciousness on the street, especially for views extending south-east from Lowes Road into the distance, and the established cherry trees and front boundary planting.

A low density area (with increased setbacks) is regarded as the best way to prevent the loss of this character from cramped development. The establishment of more closely spaced (L1B density) houses and accessory buildings in locations where they are noticeable from the street

would undermine this. The special character results in part from the absence of any incongruously positioned dwellings in the street scene.
Subdivision proposals which are likely to lead to such development due to the shape and position of lots should be avoided.

Methods

District Plan Rules
- Subdivision - General
- Buildings and Building Position
- Structure Plan

LTCCP
- Development Contributions Policy

Rural Residential Re-Subdivision Design Guide [PC11]

SUBDIVISION OF LAND — ANTICIPATED ENVIRONMENTAL RESULTS

The following results should occur from implementing Section B4.2:

- Subdivision of land for other purposes than new residential or building development is easier.
- Greater variation in allotment size, shape and layout, while maintaining residential density standards and amenity values in townships.
- Allotments are created with the characteristics and services and facilities appropriate for the intended use of the land.
- On land identified as having significant open space or natural values, the Council has the ability to consider environmental compensation, depending on the circumstances of subdivision and development.

SUBDIVISION OF LAND — MONITORING

Please refer to Part E, Appendix 1.

B4.3 RESIDENTIAL AND BUSINESS DEVELOPMENT

Introduction

This section specifically addresses issues associated with residential or business growth in townships in the District. Part A, Section 4.5 (Townships & Zones), Table A4.4 describes how townships are identified.

Part B, Sections 1.1 to 4.2 contain objectives and policies that apply to all activities generally and to residential or business growth specifically. This section collates these objectives and policies, and applies them to specific townships (policies B4.3.6 – B4.3.95). Town Form includes policies on the shape and pattern of land rezoned for new residential or business development. Appendix 14 contains a guide on information to be included with plan change requests to rezone land.

The Council has included a separate, specific section in the District Plan addressing this issue because it is a complex and significant resource management issue in the District.

RESIDENTIAL AND BUSINESS DEVELOPMENT — ISSUES

- **Effects on the environment from the location, amount and rate of residential or business growth in the District.**
- **How to provide for new residential and business growth in a way that is consistent, equitable between landowners, and makes an efficient use of resources.**

Type of Growth

Residential or business growth in this section refers to the development or redevelopment of land and erecting buildings and associated infrastructure, to accommodate residential or business activities at a density, and with characteristics, found in an urban area.

Selwyn District has one of the fastest resident population growth rates in New Zealand. Between 1986 and 1996 the population residing in the District grew by 4098 people or 16.2%. From 1996 to 2011, the District's population is projected to grow by another 10,700 people or 36%.

(These figures are taken from New Zealand Census Statistics and projections by Statistics New Zealand. The relevant reports are:

- Barber (1998) Residential Growth Estimates for Selwyn District; and
- Barber (2000) Revised Resident Population Projections 2000.

The source of most of this population growth is people moving into the District to live. The main attraction appears to be larger residential sized sections (more than 600m^2) or small rural allotments (up to 4 ha). The highest demand for residential and small rural sections occurs in an area within about 30km of Christchurch City. The areas with the highest (percentage) population projections are the Lincoln, Prebbleton, Rolleston and the West Melton areas.

Between 1986 and 1996, 62% of the District's population lived in the rural area, predominately on small allotments close to Christchurch. From 1996 to 2011, the largest demand for new residential development is projected to be in townships. This change is due to demographic factors such as the ageing of New Zealand's population and the trend towards living in smaller households (Barber 1998).

Increases in residential areas, particularly in townships, may result in new business growth to service those areas. A study carried out for the Council concluded that there is likely to be a demand for additional land for business activities at Rolleston and Lincoln in the next 15 years. [Barber (1998 (2)), Commercial and Industrial Growth Estimates for Selwyn District].

In other townships, additional residential growth may be serviced by existing businesses or new businesses occupying vacant sites. Other factors, such as the price and availability of land, may also attract other businesses to Selwyn District.

Effects on the Environment

Residential or business growth may have adverse effects on the environment if:

- The site is unsuitable for the proposed activity.
- The capacity of existing utilities, services or facilities is inadequate; or
- The rate or amount of growth is greater than residents expect.

If an area is subject to flooding or slips, or has special landscape, ecological or heritage values, it may not be suitable for residential development. If the area surrounding a site is used for activities that are incompatible with residential activities such as a landfill or airport, 'reverse sensitivity' issues may develop. These issues are identified under various topic sections in Part B.

New residential or business development will use utilities such as: roads; water supplies; and effluent treatment and disposal systems; and community facilities such as reserves. The amount of residential or business growth may create the need for additional utilities and facilities or upgrades to existing ones. These issues are identified in Part B, Sections 2.1 to 2.4.

The results of the Council's township surveys (November 1998 and April 1999) indicated that many residents are attracted to townships in Selwyn District because of their small size, compared with Christchurch City. In these surveys, in comments on the District Plan Discussion Papers and in submissions on proposals for new residential developments, some residents have objected to:

- Growth of their townships per se; or
- The rate at which residential growth is occurring.

The reasons given usually relate to; impacts on services and community facilities and loss of the 'village' or 'small town' character.

Providing for Residential or Business Growth

How the Council provides for new residential or business growth is also an issue. In particular:

- Whether the method is consistent between townships, and between sites within townships.
- Whether the method allows for efficient use of resources.
- Whether the method is equitable, providing similar opportunities to people in similar situations.

Under previous legislation Councils had an explicit role to direct and control the growth the townships. Common practice was to predict the amount of land likely to be needed for new residential or business growth for the next 10 to 18 years and to zone land to meet that demand. This approach had both advantages and disadvantages. The main advantage was the certainty it provided for the community and for agencies supplying utilities, facilities and services. The main disadvantages were:

- The areas zoned were not always areas people wanted to live in, which created surpluses and shortages of appropriately zoned land in different places.
- Those landowners who had land zoned were given considerable economic advantage over those landowners who did not. Often there was little difference in the suitability of the sites.

The RMA puts greater emphasis on allowing the market to determine the rate and amount of residential growth in an area. The role of the Council is to ensure that any proposed residential development occurs on sites and under conditions which promote sustainable management of natural and physical resources.

Whether land is zoned for residential development can make a big difference to the value of that land, especially in an area where demand for residential growth is high. It can also make a big difference to the time, cost and effort required to enable residential or business development to occur on that land. Therefore, it is important that the decisions the Council makes about allowing residential development on sites are consistent between landowners and related to environmental effects.

RESIDENTIAL AND BUSINESS DEVELOPMENT — STRATEGY

The Township Volume of the District Plan uses the following basic strategy to address residential and business growth issues:

- The Plan has policies which describe the effects that new residential or business development should not create.
- Areas for new residential or business development are created by rezoning land Living or Business.
- Land is rezoned Living or Business by people who believe they have a suitable site, and want to develop it, making requests to the Council.
- Each plan change request to rezone land is assessed against the policies in the Plan to see if it is consistent with those policies (or alternatively, they are changed).
- The Council has rezoned some land Living or Business in the Plan for one of the following reasons:
    - To rationalise town boundaries where pockets of 'rural' zoned land have become sandwiched.
    - If land was rezoned in the proposed plan 1995 and it is consistent with this plan's policies.
    - To encourage the consolidated expansion of the Business 1 Zone at Lincoln.

The Council adopted this approach, instead of rezoning large areas of land in the Plan, for the following reasons:

- Fairness — the same opportunity and process is available to all landowners.
- Efficiency — land is rezoned where the demand is and where people want to develop it, as the need arises.
- Cost Effectiveness — the party who benefits from developing the land pays the cost of rezoning it.
- Outcomes — the suitability of each site and each proposal can be assessed 'case by case'

RESIDENTIAL AND BUSINESS DEVELOPMENT — POLICY FRAMEWORK

INTRODUCTION

Any plan change request to rezone land for residential or business development should be either: consistent with the objectives and policies of the District Plan; or change the provisions with which it is inconsistent. If a plan change request seeks changes to the Plan's objectives or policies, the request needs to show why the objective(s) or policy(ies) is not appropriate under the RMA. This is necessary so the Council can carry out its duties under section 32(1)(c) of the Act (see Part A, Section 3.2).

There are three sets of policies that apply to the growth of townships:

- **General Policies**
  - The objectives and policies from Part B, Sections 1.1 to 4.2 and Section 4.4. Table B4.3.1 is a cross reference to the general objectives and policies which may be particularly relevant to rezoning land for residential or business development.
- **Town Form Policies**
  - Policies B4.3.1 – B4.3.5 relate to township expansion in terms of the shape and form. They address potential adverse effects on: existing activities; infrastructure; and town 'character'. These policies apply as well as the general policies from Part B, Sections 1.1 to 4.2 and 4.4.
- **Specific Township Policies**
  - Policies B4.3.6 – B4.3.95 relate to the expansion of specific townships. The policies are derived from applying the General Policies in Part B, Sections 1.1 to 4.2 and the Town Form policies B4.3.1 – B4.3.5 to the specific townships. In some townships there are clear, preferred areas for expansion while in others there is not. The specific township policies are based on the circumstances of each township at the time of writing the Plan. If they become inconsistent with the General and Town Form policies the more general policies in those two Sections apply.

RESIDENTIAL AND BUSINESS DEVELOPMENT — OBJECTIVES

Objective B4.3.1

The expansion of townships does not adversely affect:

- **Natural or physical resources;**
- **Other activities;**
- **Amenity values of the township or the rural area; or**
- **Sites with special ecological, cultural, heritage or landscape values.**

Objective B4.3.2

New residential or business development adjoins existing townships at compatible urban densities or at a low density around townships to achieve a compact township shape which is consistent with the preferred growth direction for townships and other provisions in the Plan.

Objective B4.3.3

Land is rezoned for new residential or business development by use of a consistent and equitable process.

Explanation and Reasons

Objective B4.3.1 outlines the types of effects that the expansion of townships should avoid. It includes both tangible effects on natural and physical resources; and intangible effects on the 'character' of both townships and rural areas. The intangible effects are often the most difficult to manage. The plan does this using a zoning system to identify and manage areas based on their character. For example, Living zones provide an environment that is most pleasant for residential activities. Business zones accommodate the effects of business activities as well as residential activities.

Objective B4.3.2 seeks to maintain the distinction between 'town and country' in Selwyn District by promoting most residential and business development in or adjoining existing townships. Residential and business development can occur in the rural areas but at densities and under conditions that maintain rural character. In particular, the maintenance of a ratio of buildings to 'open space' and dominance of vegetation cover rather than hard-standing.

Objective B4.3.2 also encourages the expansion of existing townships in preference to the creation of new settlement areas. Further, new low density living environments need not necessarily be adjoining townships but should be located around the edge of existing townships where they will promote a compact town shape and consolidated form. Selwyn District already has 22 townships. None are sufficiently large to provide employment for most residents. Many do not have sufficient population to sustain basic business services and community facilities, or to fund basic utilities, such as reticulated sewage treatment and disposal.

Objective B4.3.3 recognises that rezoning land for residential or business development can significantly increase the value of a property, especially in an area where there is demand for land for this purpose. Therefore, any method to provide for the expansion of townships needs to be consistently applied to all landowners, and relate to effects on the environment. Objective B4.3.3 may be implemented through consideration of:

- Submissions on this plan;
- Variations to the Proposed Plan;
- Proposed Changes to this plan once it has become operative (arising either by privately initiated request or on the Council's own motion);
- The objectives and policies of this plan as a guide to decision-making.

The relevant policies are outlined in the next three subsections.

RESIDENTIAL AND BUSINESS DEVELOPMENT — GENERAL POLICIES

All objectives and policies in Part B, Sections 1.1 to 4.2 and 4.4 apply to the expansion of townships. Any variation or plan change request to rezone land should be either consistent with those objectives and policies, or seek to change them.

Table B4.3.1 provides cross references to the objectives and policies in Part B, Sections 1.1 to 4.2 and 4.4 which may be particularly relevant to rezoning land for new residential or business development. Table B4.3.1 does not limit the application of Part B of the Plan. It does not purport to be either complete or exclusive, and is included for ease of reference only.

Table B4.3.1 — Policy Framework for Expansion of Townships (Part B Objectives and Policies)

Plan Section	Objective / Policy
Land and Soil	Objectives B1.1.1 and B1.1.2 Policies B1.1.3, B1.1.7, B1.1.8
Water	Objectives B1.2.1 and B1.2.2 Policies B1.2.2 - B1.2.7, B1.2.9
Ecosystems	Objectives B1.3.1 and B1.3.2 Policies B1.3.1 - B1.3.3
Outstanding Natural Features and Landscapes	Objectives B1.4.1, B1.4.2 and B1.4.4 Policies B1.4.6, B1.4.10, B1.4.11, B1.4.13 - B1.4.17
Transport	Objectives B2.1.1 - B2.1.4 Policies B2.1.3, B2.1.4(a) & (b), B2.1.7, B2.1.9 - B2.1.11, B2.1.15, B2.1.17 – B2.1.20, B2.1.22 and B2.1.23
Utilities	Objective B2.2.1 Policies B2.2.1 – B2.2.3, B2.2.5, B2.2.6, B2.2.11
Community Facilities	Objective B2.3.1 Policies B2.3.1, B2.3.2, B2.3.4, B2.3.8 and B2.3.9
Waste Disposal	Objective B2.4.1 Policies B2.4.2, B2.4.4 and B2.4.5
Natural Hazards	Objective B3.1.1 Policies B3.1.2 – B3.1.5, B3.1.7
Hazardous Substances	Objective B3.2.1 Policy B3.2.2
Culture and Heritage	Objective B3.3.1 Policies B3.3.6 and B3.3.7
Quality of the Environment	Objectives B3.4.1 - B3.4.3 Policies B3.4.1, B3.4.3 – B3.4.7, B3.4.23, B3.4.35, B3.4.36, B3.4.38 and B3.4.39
Residential Density	Objectives B4.1.1 and B4.1.2 Policies B4.1.3, B4.1.4, B4.1.10 and B4.1.11
Subdivision	Objective B4.2.2 Policies B4.2.1, B4.2.2 and B4.2.8

Methods

- Variations to the Proposed Plan; or
- Plan Changes once this plan is operative.

NOTE:
See guide in Appendix 14 for information to be included with plan changes.

RESIDENTIAL AND BUSINESS DEVELOPMENT — TOWN FORM POLICIES

Policies B4.3.1 to B4.3.5 of this section apply to rezoning of land for residential or business development in addition to the general policies in Part B, Sections 1.1 to 4.2 and 4.4. Any variation or plan change request should be consistent with each and every relevant policy in these two parts of the Plan or seek to change those policies with which it is not consistent.

Policy B4.3.1

Ensure new residential or business development either:

- **Complies with the Plan policies for the Rural Zone; or**
- **The land is rezoned to an appropriate Living or Business zone.**

Explanation and Reasons

Zoning is an integral part of the approach the District Plan uses to promote sustainable management of natural and physical resources. New residential or business activities need to occur on land which is appropriately zoned, to ensure the most appropriate policies and rules in the Plan apply to the activity.

Policy B4.3.2

Require any land rezoned for new residential or business development to adjoin, along at least one boundary, an existing Living or Business zone in a township, except that low density living environments need not adjoin a boundary provided they are located in a manner that achieves a compact township shape.

Policy B4.3.3

Avoid zoning patterns that leave land zoned Rural surrounded on three or more boundaries with land zoned Living or Business.

Explanation and Reasons

To achieve Objective B4.3.2, any land rezoned for new residential or business development should adjoin an existing township zone along at least one boundary, except in the case of low density residential development located around townships that achieve a compact and consolidated town shape. The new zoning pattern should also avoid leaving a patch of land zoned 'Rural' surrounded by Living or Business zones. Such a land zoning pattern can increase the potential for 'reverse sensitivity' issues between the site and adjoining zones. It also makes the provision of utilities and services more difficult, because it is uncertain whether this land will be

rezoned in the future. In turn there are uncertainties about whether pipes and cables installed past the boundary should include capacity to serve the area, and, if so, who pays for it.

'Adjoining' land includes land separated by a road, water race, drain, easement or other vehicular accessway.

Policy B4.3.4

Encourage new residential or business development to occur on vacant land in existing Living or Business zones, if that land is available and appropriate for the proposed activity.

Explanation and Reasons

Many townships in Selwyn District have sites within existing Living or Business zones that may be able to be used for new residential or business activities. The Council encourages use of sites, in existing zones, in the first instance, to encourage a consolidated township area. Consolidated Living or Business areas may have the following benefits:

- Reduced potential 'reverse sensitivity' issues with activities in the Rural zone by reducing the 'interface' of the zones.
- More efficient utilisation of infrastructure, especially reticulated utilities.
- Fostering of a 'village' atmosphere.

Policy B4.3.4 Also recognises that sites in existing zones may not always be available for new activities. In addition they may not be available at an appropriate price, or be suitable for the proposed activity.

Policy B4.3.5

Encourage townships to expand in a compact shape where practical.

Explanation and Reasons

New residential or business development, Policy B4.3.5 promotes shapes and situations that foster a compact or consolidated town shape. Compact means zones of similar lengths and widths, rather than long, thin strips of land following a particular road, waterbodies or other feature.

A compact shaped township helps mitigate adverse effects in the following ways:

- Reduction of the number of allotments that share a boundary with the Rural Zone, and therefore the area for potential conflicts between incompatible activities.
- Facilitating of cost-effective provision of services such as reticulated water, sewage, roads and footpaths because more connections are provided, or houses served, per kilometre of pipe or road.
- Reduction in the distance of houses to businesses and community facilities, which may encourage people to walk or cycle rather than use motor vehicles for short trips. It may also help to facilitate the 'village' atmosphere of townships, such that the shopping centre and community facilities are close to all houses.
- Reduction in the impacts on the road network, and more opportunity to impose lower speed limits in the township (refer to Part B, Section 2.1).
- Maintenance of the visual distinction between the rural area and townships (refer to Part B, Section 3.4).

Policy B4.3.5 recognises that a compact shaped zone may not always be practical if there is a constraint to a zone expanding in a particular direction(s). Such constraints may include (but are not limited to) geographical features such as mountains, waterbodies, and transport routes.

Method

– Plan changes to rezone land

NOTE:
See guide in Appendix 14 for information to be included with requests for plan changes.

RESIDENTIAL AND BUSINESS DEVELOPMENT — SPECIFIC POLICIES FOR TOWNSHIPS

The policies in this Section apply to the growth of specific townships. The policies apply in addition to any relevant policies in Part B, Sections 1.1 to 4.2 and 4.4 of the Plan; and in addition to the policies B4.3.1 – B4.3.5. The policies in this Section are based on application of the general policies in Sections B1.1 to B4.2 and policies B4.3.1 – B4.3.5 and to the circumstances of specific townships at the time of writing the Plan. Should any policy in this Section conflict with any relevant policy in Sections 1.1 to 4.2 and policies B4.3.1 – B4.3.5, the latter policies shall apply.

The notes and references under each township do not limit the application of the relevant objectives and policies of the Plan.

Preferred Growth Options

In most townships, there may be more than one area that complies with all relevant objectives and policies for growth of the township. There is no preferred choice between these areas.

Some townships have a preferred area or direction for expansion. This direction or area, and the reasons, are identified in the specific policies for the township.

ARTHUR'S PASS

Preferred Growth Option

Arthur's Pass village is surrounded by Arthur's Pass National Park. Options for future expansion of the township are limited to those identified in Policy B4.3.6.

Specific Policies

Policy B4.3.6

Encourage new residential or business development to occur either by:

- **The rezoning of land in the Rural Zone between SH 73 and the Bealey River; or**
- **The redeveloping of sites in the existing Living 1 Zone.**

Explanation and Reasons

Arthur's Pass village is surrounded by Arthur's Pass National Park except for that part of the Rural Zone which adjoins the Living 1 Zone, between SH73 and the Bealey River. This area was designated for railway purposes, but the designation is no longer required. Areas for new residential or business development at Arthur's Pass are limited to either: rezoning and development of this part of the Rural Zone; or redevelopment of sites in the existing Living zone.

Any rezoning and development of land in the Rural Zone should proceed in accordance with policies B4.3.7 and B4.3.8. Further subdivision and development on sites in the Living 1 Zone is restricted by the area of land each activity needs for on-site effluent treatment and disposal. More dense development may be appropriate with reticulated sewage treatment and disposal, depending on effects on natural hazards, SH73, and landscape and amenity values.

Policy B4.3.7

Ensure that any land in the Rural Zone used for residential or business development is not:

- **Unstable or subject to flooding; or**
- **Contaminated.**

Explanation and Reasons

The land zoned Rural between SH 73 and the Bealey River is no longer required for railway purposes. Information about the history of the site is needed before the Council can be certain it is appropriate for residential or business activities. In particular, information is required on past erosion or flooding of the site and any likelihood of contaminated soil, from past uses or storage of goods.

Policy B4.3.8

Require any land rezoned for residential or business development to proceed in accordance with a development plan which provides for all of the following matters:

- **A reticulated sewage treatment and disposal system;**

- **Only one entry/exit point onto SH73;**
- **On-site car parking and bus parking if required;**
- **Any road links within the site;**
- **A pedestrian walkway throughout the site;**
- **Building and sign design and landscaping plans to complement the Alpine surroundings;**
- **Provision for access to the stop-banks along the Bealey River and a building or development set back to allow for their maintenance.**

Explanation and Reasons

Policy B4.3.8 applies largely to the area of land zoned Rural between SH73 and the Bealey River. The matters listed in Policy B4.3.8 need to be addressed to comply with the general policies in Part B, Sections 1.1 to 4.2 and 4.4 of the Plan.

General Policies

General policies that may be particularly relevant to Arthur's Pass, include:

Plan Section		Objectives / Policies	Issue
1.1	Land and Soil	Policies B1.1.3 and B1.1.7	Contaminated and unstable land
1.2	Water	Policy B1.2.6	On-site effluent treatment and disposal system
1.4	Outstanding Natural Features and Landscapes	Objectives B1.4.1, B1.4.2 and B1.4.3. Policies B1.4.1 – B1.4.5	Protecting the landscape values around Arthur's Pass
2.1	Transport	Policies B2.1.17 and B2.1.18	Townships 'straddling' Strategic Roads
2.2	Utilities	Policy B2.2.4	Community reticulated sewage scheme
3.1	Natural Hazards	Policy B3.1.2	Erosion and Flooding
3.4	Quality of the Environment	Policy B3.4.20 – B3.4.27 and B3.4.39	Signage and building design, Arthur's Pass

CASTLE HILL

Preferred Growth Option

There may be more than one site for expansion of 'Castle Hill' Village which complies with all relevant provisions in the Plan.

Specific Policies

Policy B4.3.9

Encourage new residential or business activities to use sites in the existing Living 1A or Business 1A Zones if such sites are available and appropriate for the proposed activity.

Explanation and Reasons

Castle Hill Village has been designed and developed as a 'whole village' concept. Large areas of the existing Living 1A and Business 1A Zones have yet to be developed. Using these sites first, provided they are available and appropriate, is consistent with the Town Form Policy B4.3.4.

Policy B4.3.10

Encourage any land rezoned for new residential or business development to be located on the west side of SH73.

Explanation and Reasons

Castle Hill Village is confined to one side of SH73. This policy is consistent with Policy B2.1.17.

Policy B4.3.11

Ensure any new residential or business development does not adversely affect the Thomas River, or wetlands.

Explanation and Reasons

This policy is consistent with Policy B1.2.2.

Policy B4.3.12

Require any land rezoned for new residential or business development to proceed in accordance with a development plan which provides for all of the following matters:

- **Building and sign design to compliment the alpine environment.**
- **The layout of roading and road and utility links, to the existing Castle Hill Village.**
- **Pedestrian links or walkways throughout the area and to the existing Castle Hill Village.**
- **The staging of any development.**

– **Landscaping or buffering of any zone boundary along SH73, to reduce noise effects for residents and visual effects for road users.**

Explanation and Reasons

The conditions are similar to those for the comprehensive development plan for the existing Living 1A and Business 1A Zones at Castle Hill Village. The conditions address potential adverse effects on the environment and are consistent with the policies in Sections 1.1 to 4.2.

General Policies

General policies that may be particularly relevant to residential or business growth at Castle Hill include:

Plan Section		Objectives / Policies	Issue
1.2	Water	Policy B1.2.6	On-site effluent treatment and disposal system
1.4	Outstanding Natural Features and Landscapes	Objectives B1.4.1 and B1.4.2. Policies B1.4.6 – B1.4.9	Protecting the landscape values around Castle Hill
2.1	Transport	Policies B2.1.17	Castle Hill is confined to one side of a Strategic Road
3.4	Quality of the Environment	Policy B3.4.20 – B3.4.29	Signage and building design, Castle Hill

COALGATE

Preferred Growth Option

There may be more than one area for any future expansion of Coalgate that would comply with all relevant provisions in the Plan.

Specific Policies

Policy B4.3.13

Encourage new residential and business activities to use sites in the existing Living and Business zones if such sites are available and appropriate for the proposed activity.

Explanation and Reasons

There are large areas of land in the existing Living zones at Coalgate. This policy is consistent with the Town Form Policy B4.3.4.

Policy B4.3.14

Encourage any land rezoned for residential or business development to be on the south side of Homebush Road.

Explanation and Reasons

Homebush Road is a Strategic Road and Coalgate is currently confined to the south side of Homebush Road. This policy is consistent with Policy B2.1.17.

Policy B4.3.15

Ensure that any land rezoned for residential or business activities between Coaltrack Road and the Selwyn River/Waikirikiri does not create or exacerbate natural hazards.

Explanation and Reasons

The land south of Coaltrack Road forms terraces for the Waikirikiri/Selwyn River. Before this land is zoned for residential or business development, further information is needed on the history of land erosion or flooding on this land. This policy is consistent with Policy B3.1.2.

Policy B4.3.16

Ensure any land rezoned for residential or business developments does not exacerbate 'reverse sensitivity' issues in respect of activities in the Business 2 zone.

General Policies

General policies that may be particularly relevant to Coalgate include:

Plan Section		Objectives / Policies	Issue
1.2	Water	Policy B1.2.6	On-site effluent treatment and disposal system
1.4	Outstanding Natural Features and Landscapes	Objectives B1.4.13 and B1.4.14.	Protecting the values of Waikirikiri/Selwyn River and Malvern Hills
2.1	Transport	Policies B2.1.17	Coalgate is confined to one side of a Strategic Road
3.4	Quality of the Environment	Policy B3.4.36 – B3.4.39	Reverse sensitivity issues in respect of Business 2 Zones

DARFIELD

Preferred Growth Option

The Plan provides for a pattern of development in and around the township which in general terms, provides for development in a concentric pattern with lower rural–residential densities on the periphery (Living 2A and 2A1) and graduated higher densities towards the centre (Living 2, Living X and Living 1).

As at April 2004 township water supply is a constraint that until overcome, will substantially limit the extent of further development possible around the township. With the exception of the Living 2A1 Zone, which is already intensively subdivided, outline development plans will be required for the coordinated development of land in the large Living 2A Zone, the Living X Zone and part of the Living 2 Zone north of Kowhai Drive.

The development of large areas of land on the periphery of the Township will be deferred pending an upgraded water supply, the incorporation of outline development plans, and measures to address reverse sensitivity effects. The ultimate development of land in the deferred zones may ultimately also be subject to review in respect to effluent treatment required.

Specific Policies

Policy B4.3.17

Encourage new residential and business development on sites in existing Living and Business zones if such sites are available and appropriate for the proposed activity.

Explanation and Reasons

There are large areas of land zoned Living at Darfield that have not been subdivided or developed for residential purposes. There are also vacant sites in the existing Business 1 zones along North and South Terrace. This policy is consistent with the Town Form Policy B4.3.4.

Policy B4.3.18

To encourage the provision of large residential allotments within the Living 2 Zones.

Explanation and Reasons

Residential density and allotment sizes average between 0.5 and 1 hectare in the Living 2 Zones at Darfield. These zoned areas cover large blocks of land up to 2 km from the town centre. The zone is intended to allow large residential lots of an average minimum area of 5000m^2, and some large existing lots are expected to be further subdivided provided this overall density is not exceeded. Further subdivision in the zone is also subject to the availability of the necessary infrastructure, particularly water supply. This policy complements the Policy B4.1.3 and the Town Form Policy B4.3.5.

Policy B4.3.19

Discourage individual property access from new Living or Business zones to State Highway 73 or State Highway 77 (Bangor Road) and manage the number and location of any new subdivisional roads on to these routes.

Explanation and Reasons

Future expansion of Darfield, will straddle two Strategic Roads, State Highway 73 and State Highway 77 (Bangor Road). Subdivision in new Living or Business zones (i.e. zones created after the date of notification of this Plan) will need to be designed so that individual properties do not have direct frontage access to these routes. The number of any new subdivisional roads intersecting with these highways should be minimised (or prevented where necessary), or located such that the efficiency and safety of these highways is not impaired. Policy B4.3.19 complements Policy B2.1.18.

Policy B4.3.20

Encourage any new Business zone to adjoin an existing Business zone of similar character if land for this purpose is available and appropriate.

Explanation and Reasons

Darfield has two Business 1 and 2 Zones. Policy B4.3.20 is to encourage consolidated Business zones in townships rather than in several isolated areas. This policy is consistent with policies B3.4.35 and B3.4.36.

Policy B4.3.21

Ensure any land rezoned for new residential or business development does not create or exacerbate 'reverse sensitivity' issues in respect of activities in the existing Business 2 Zones or the Midland Railway.

Explanation and Reasons

Darfield has a variety of activities located in Business 2 Zones and the Rural Zone around the edge of the township that may not be readily compatible with residential activities. The Council is also aware of complaints about the noise and dust from coal trains using the Midland Railway line.

Policy B4.3.21 is to ensure that the existing activities in the Business 2 Zones and the Midland Railway Line are not affected by residential activities keep established too close to them, which leads to complaints about their nuisance effects. This is consistent with policies B3.4.38 and B3.4.39.

Policy B4.3.22

To provide for mixed densities in the Living X Zone, and rural residential development around the township in the Living 2A (Deferred) Zone to a minimum average area of 1ha, and in the Living 2A1 Zone to a minimum average area of 2ha, subject to the following:

- **That all new allotments are able to be serviced with a reticulated potable water supply:**

- **That outline development plans have been incorporated into the Plan for the coordinated development of five identified areas of land in the Living 2A Zone, the Living X Zone and part of the Living 2 Zone to address roading, reserve, and pedestrian/cycle linkages;**
- **Where applicable, provision has been made to address any reverse sensitivity issues.**

Explanation and Reasons

As of April 2004, the Darfield water supply system was at capacity, and pending the development of a new system, and the obtaining of the necessary resource consents, further subdivision in the Deferred Living X and 2A Zones is unlikely to be possible. The scope for further development, and the likely rate of resubdivision in the Living 2A1 Zone, is such that it is less affected by this constraint.

The Living X Zone provides for a range of allotment sizes as may be nominated by the developer, but not to a lesser area than specified in the Living 1 Zone. Development in the Living X Zone is also subject to deferral pending the incorporation of outline development plans.

The Living 2A1 Zone applies to land already substantially subdivided into lots of between 2 and 4 ha, generally bounded by Clinton, Bangor and Creyke Roads. This degree of fragmentation is such that requiring an outline development plan is unrealistic. However, the zone already has a distinct low density rural residential character and a generally uncoordinated internal roading pattern. Having regard to this, and the expectations of existing residents, the Council does not wish to allow further subdivision below an average area of 2ha without consultation with the resident community. Given the existing subdivision pattern and low density allowed in the zone, deferred status is not considered necessary for the Living 2 A1 Zone.

For the Living 2A Deferred Zone, deferred zoning also applies to enable the incorporation of outline development plans for each of the five areas labelled 1-5 in Appendix 25. The purpose of the outline development plans is to ensure the provision of through roading patterns where necessary; preventing frontage access for properties to state highways and managing the location and number of new access roads; staging of development for provision of services; and cycle/pedestrian links and reserves; and to address reverse sensitivity issues.

In some cases, the presence of business zones, utilities, arterial roads (noise) or plantations adjacent to future residential developments will necessitate provisions of setbacks or other methods to mitigate reverse sensitivity effects, and to avoid operation of existing activities being compromised. With the exception of a large block of land north-east of the Township (bounded by Homebush and Kimberley Roads, (Area 4, Appendix 25), outline development plans will have to be added by variation or plan change. However the Living 2A and 2A1 Zonings signal that subject to constraints being addressed, these areas are suitable in principle for low density residential development.

General Policies

General policies that may be particularly relevant to Darfield include:

Plan Section		Objectives / Policies	Issue
1.2	Water	Policies B1.2.2, B1.2.3 and B1.2.5	Stormwater disposal, reticulated water supply and reticulated sewage treatment and disposal
2.1	Transport	Policies B2.1.15 – B2.1.18	SH1 and Main South trunk line
2.2	Utilities	Policy B2.2.4	Community reticulated sewage scheme
3.4	Quality of the Environment	Policies B3.4.35 and B3.4.36, B3.4.38 and B3.4.39	Consolidating Business zones and reverse sensitivity effects

DOYLESTON

Preferred Growth Option

There may be more than one area for the future expansion of Doyleston that complies with all relevant provisions in the Plan.

Specific Policies

Policy B4.3.23

Encourage new business or residential activities to use sites in the existing Living 1 Zone if such sites are available and appropriate for the proposed activity.

Explanation and Reasons

There are vacant sites in the existing Living zone at Doyleston. Policy B4.3.23 is consistent with the Town Form Policy B4.3.4.

Policy B4.3.24

Encourage any land rezoned for new residential or business development to be located on the north side of Drain Road.

Explanation and Reasons

Doyleston is located around a 5 point intersection of Leeston, Beethams and Drain Roads. It is largely confined, at present, to the north side of Drain Road. Policy B4.3.24 minimises adverse effects of the growth of Doyleston on the safe and efficient operation of the road network. It is consistent with Transport Objective B2.1.1, Policy B2.1.3 and Policy B2.1.9.

Policy B4.3.25

Ensure any land rezoned for new residential or business development does not create, or exacerbate, a natural hazard from flooding of Doyleston Drain or Boggy Creek, or from stormwater ponding on-site.

Explanation and Reasons

Doyleston is located in an area where groundwater is close to the ground surface. Stormwater can pond on sites for several days after heavy rain. Doyleston Drain and Boggy Creek flow either side of the township area. Any new residential or business activities should not occur on sites that have a reasonable risk of being flooded downstream as a result of increasing the rate at which stormwater runs off the land into waterbodies. Policy B4.3.25 is consistent with Policy B3.2.1.

Policy B4.3.26

Ensure any land rezoned for new residential or business development does not create 'reverse sensitivity' issues in respect of the seed cleaning plant west of King Street, or activities in the Business 2 Zone.

Explanation and Reasons

The seed cleaning factory west of King Street and activities in the Business 2 Zone on Leeston Road are existing activities that may be incompatible with new residential activities or some other business activities. Policy B4.3.26 is consistent with policies B3.4.38 and B3.4.39.

Policy B4.3.27

Promote the rezoning of land for new residential activities on sites 'behind' the existing zone fronting Leeston and Drain roads, if such sites are available and appropriate.

Explanation and Reasons

Doyleston Township has developed at the intersection of three roads. In some places, the existing residential development is one section 'deep' along these roads. Policy B4.3.27 promotes further town growth by using the land 'behind' these existing houses (at right angles to the road) to create a compact residential area, rather than extending the township 'one section deep' further along roads. This policy is consistent with the Town Form Policy B4.3.5.

General Policies

General policies which may be particularly relevant to Doyleston include:

Plan Section		Objectives / Policies	Issue
1.2	Water	Policy B1.2.2, B1.2.3 and B1.2.5	Stormwater disposal, reticulated water supply and reticulated sewage treatment and disposal.
2.2	Utilities	Policy B2.2.1 and B2.2.4	Community reticulated sewage scheme
3.1	Natural Hazards	Policy B3.1.2	Flooding of Doyleston Drain or Boggy Creek or surface ponding on sites.
3.4	Quality of the Environment	Policy B3.4.38 and B3.4.39	Reverse sensitivity effects

DUNSANDEL

Preferred Growth Option

There may be more than one area for the future expansion of Dunsandel that complies with all relevant provisions in the District Plan.

Specific Policies

Policy B4.3.28

Encourage new residential or business activities to use sites in the existing Living or Business zones, if such sites are available and appropriate for the proposed activity.

Explanation and Reasons

There are vacant sites within the existing Living and Business zones at Dunsandel. Policy B4.3.28 is consistent with the Town Form Policy B4.3.4.

Policy B4.3.29

Discourage rezoning of land for new residential or business development along SH1, west of the existing Business 1 Zone or east of the Hotel site.

Explanation and Reasons

SH1 is the busiest Strategic Road in Selwyn District and bisects Dunsandel. Policy B4.3.29 is consistent with Policy B2.1.16.

Policy B4.3.30

Require any land rezoned for new residential or business development to be supplied with reticulated sewerage if on-site effluent disposal may result in groundwater contamination.

Explanation and Reasons

Environment Canterbury staff have indicated (in correspondence dated 19 August 1999) that they have concerns that on-site effluent treatment and disposal at Dunsandel may cause groundwater contamination. However, the Regional Council are, at the time of writing, continuing to issue discharge permits for on-site effluent treatment and disposal at Dunsandel. Policy B4.3.30 is consistent with Policy B1.2.2.

Policy B4.3.31

Encourage any new Business zone to adjoin an existing Business zone of similar character if such sites are available and appropriate.

Explanation and Reasons

Dunsandel has Business 1 and 2 Zones. Policy B4.3.31 is to encourage consolidated Business zones in townships, rather than in several isolated zones. This policy is consistent with policies B3.4.35 and B3.4.36.

Policy B4.3.32

Ensure any land rezoned for new residential or business development does not cause or exacerbate 'reverse sensitivity' issues in respect of activities in the existing Business 2 Zone, or the Main South Island Trunk Line.

Explanation and Reasons

Dunsandel is bisected by the Main South Island Trunk Line. A transport depot operates in the Business 2 Zone on Irvines Road. These existing activities should not be adversely affected by new residential or business activities locating next to them, which might lead to complaints about noise, dust or other effects of the existing operations. This policy is consistent with policies B2.1.14, B3.4.38 and B3.4.39.

Policy B4.3.33

Promote rezoning of land for new residential activities on sites 'behind' existing Living zones fronting Railway Road, Highfield Avenue, Leeston/Dunsandel Road or Dunsandel/Hororata Road, if such sites are available and appropriate.

Explanation and Reasons

Much residential development in the existing Living 1 Zones at Dunsandel is 'one section deep' along the frontage of these roads. Policy B4.3.33 promotes further residential development by using the land 'behind' these houses (at right angles to the road) to facilitate a compact shaped residential area, rather than the extension of the township 'one section deep' further along these roads. This policy is consistent with Policy B4.3.5.

General Policies

General policies which may be particularly relevant to Dunsandel include:

Plan Section		Objectives / Policies	Issue
1.2	Water	Policies B1.2.2 and B1.2.5	Stormwater and sewage disposal
2.1	Transport	Policies B2.1.15 – B2.1.18	SH1 and Main South trunk line
2.2	Utilities	Policy B2.2.4	Community reticulated sewage scheme
3.4	Quality of the Environment	Policies B3.4.35 – B3.4.38	Consolidating Business zones and reverse sensitivity effects.

Sewage Treatment and Disposal

At the time of writing the Plan, Environment Canterbury (the Regional Council) was unable to confirm whether reticulated sewage treatment and disposal will be required for future residential or business development at Dunsandel (letter dated 19 August 1999). The discharge of contaminants is a function of Regional Councils under the Act (section 30). Selwyn District Council's policy is that the District Plan will require reticulated sewage treatment and disposal

once Environment Canterbury indicates that it will not issue discharge permits for on-site effluent treatment and disposal – see Policy B4.3.30 above.

GLENTUNNEL

Preferred Growth Options

The preferred area for any expansion of Glentunnel is north towards the Malvern Hills, but not encroaching on to the base of these hills.

Specific Policies

Policy B4.3.34

Encourage new residential or business activities to use sites in the existing Living 1 Zone, if such sites are available and appropriate for the proposed activity.

Explanation and Reasons

There are vacant sites within the existing Living 1 zone at Glentunnel. Policy B4.3.34 is consistent with the Town Form Policy B4.3.4.

Policy B4.3.35

Encourage any land rezoned for new residential or business development to be located north of the existing Living 1 Zone, extending towards, but not on to, the Malvern Hills.

Policy B4.3.36

Discourage any land being rezoned for new residential or business development which is located:

- **East or west of the existing Living 1 Zone along Homebush Road; or**
- **South of Homebush Road.**

Explanation and Reasons

The preferred area for any expansion of Glentunnel Township is north of the existing zone towards, but not onto, slopes of the Malvern Hills. The landscape values of the Malvern Hills are recognised in Policy B1.4.13.

Glentunnel is largely confined to the north side of Homebush Road. The existing Living 1 Zone adjoins the Living 1 Zone at Coalgate. Coalgate is confined to the south side of Homebush Road. Any extension of the Living 1 Zone at Glentunnel on to the south side of Homebush Road, or to the east of the existing Living 1 Zone, is contrary Policy B2.1.17.

The area south of Homebush Road includes the lower terraces and bed of the Waikirikiri/Selwyn River. The area is subject to flooding in heavy rainfall. The plan also seeks to maintain the natural character of the river margins. Extending Glentunnel south of Homebush Road may be inconsistent with Policy B1.4.14 and Policy B3.1.2.

General Policies

General policies that may be particularly relevant to expansion of Glentunnel include:

Plan Section		Objectives / Policies	Issue
1.2	Water	Policy B1.2.6	On-site effluent treatment and disposal system
1.4	Outstanding Natural Features and Landscapes	Objectives B1.4.13 and B1.4.14.	Protecting the values of Waikirikiri/Selwyn River and Malvern Hills
3.1	Natural Hazards	Policy B3.1.2	Flooding of Waikirikiri/Selwyn River

HORORATA

Preferred Growth Option

There may be more than one area for the future expansion of Hororata that complies with all relevant provisions in the Plan.

Specific Policies

Policy B4.3.37

Encourage new residential and business activities to use sites in the existing Living zones where those sites are available and appropriate for the proposed activity.

Explanation and Reasons

There are many sites within the existing Living zones at Hororata that are not currently used for residential or business activities. Policy B4.3.37 is consistent with the Town Form Policy B4.3.4.

Policy B4.3.38

Discourage rezoning of any land for new residential or business development along Hororata Road, north of Duncan's Road.

Explanation and Reasons

Policy B4.3.38 discourages the growth of Hororata township along Hororata Road north of Duncan's Road, in favour of more consolidated town growth in and around the existing Living zones. This policy is consistent with the Town Form Policy B4.3.5.

Policy B4.3.39

Ensure any land rezoned for new residential or business development does not create or exacerbate a natural hazard from flooding of the Hororata River or Cordy's Stream.

Explanation and Reasons

Parts of Hororata township are situated on the edge of Cordy's Stream or the Hororata River. Land rezoned for new residential or business development should not occur on land which is likely to be flooded or eroded by these waterbodies. New residential or business development should not increase the risk of these waterbodies flooding land 'downstream' as a result of an increase in the rate of rainfall runoff from the site. Policy B4.3.39 is consistent with Policy B3.1.2.

General Policies

General policies that may be particularly relevant to Hororata include:

Plan Section		Objectives / Policies	Issue
1.2	Water	Policy B1.2.6	On-site effluent treatment and disposal system
2.1	Transport	Policy B2.1.6	Additional property access on to Hororata Road
3.1	Natural Hazards	Policy B3.1.2	Hororata River and Cordy's Stream

KIRWEE

Preferred Growth Option

The future growth of Kirwee will be met by the development of the extensive zoned areas north of State Highway 73, generally in a compact pattern with higher densities towards the centre of the township.

Specific Policies

Policy B4.3.40

Encourage new residential and business activities to use sites in the existing Living zones if such sites are available and appropriate for the proposed activity.

Explanation and Reasons

There are many sites within the existing Living zones at Kirwee that are not currently used for residential or business activities. Policy B4.3.40 encourages those sites to be used in accordance with the Town Form Policy B4.3.4.

Policy B4.3.41

Discourage rezoning of land for new residential or business development in areas:

- **South of SH73; or**
- **North of the Living 2A Zone along Courtenay Road.**

Explanation and Reasons

Most of Kirwee Township has developed on the north side of SH73 and the Midland Railway Line. Policy B4.3.41 is consistent with Policy B2.1.17. Along Courtenay Road a large area of land has been rezoned Living 2A by private plan change. Policy B4.3.41 discourages further extension of Kirwee township, in favour of consolidated development of the existing Living zones including large areas of undeveloped land in the Living 1 and Living 2A zones. This policy is consistent with policies B4.3.4 and B4.3.5. It is also consistent with Policy B1.1.8 as the area to the north of Kirwee township contains versatile soils.

General Policies

General policies that may be particularly relevant to Kirwee include:

Plan Section		Objectives / Policies	Issue
1.1	Land and Soil	Policy B1.1.8	Versatile soils to north
1.2	Water	Policies B1.2.4 and B1.2.5	Protection zone for community water supply bores
2.1	Transport	Policies B2.1.7, B2.1.14, B2.1.15 and B2.1.17	Additional property access on to SH73. Midland Railway line. Township confined to one side of SH73.

LAKE COLERIDGE VILLAGE

Preferred Growth Option

There may be more than one site/area for the future expansion of Lake Coleridge Village, that complies with all relevant provisions in the Plan.

Specific Policies

Policy B4.3.42

Ensure that rezoning of any land for new residential or business development occurs on sites, and in ways, that maintain the landscape and amenity values of the alpine surrounds, and which include a development plan for the design and siting of buildings and structures.

Explanation and Reasons

Lake Coleridge Village is located in an area with special landscape values and natural features (Lake Coleridge and the Rakaia Gorge). The area has a relatively low level of human modification, especially in terms of structures and facilities, compared with areas around townships on the Plains. Any new residential or business development at Lake Coleridge Village should be sited to minimise the impact of buildings and associated infrastructure on the surroundings. This policy is consistent with policies B1.4.10 – B1.4.12.

Policy B4.3.43

Encourage any land rezoned for new residential or business development at Lake Coleridge Village to include a landscape plan providing for tree planting, walkways and reserve areas similar to those in the existing village.

Explanation and Reasons

Residents at Lake Coleridge Village indicated they value highly the trees, walkways and grass reserves in the Village (Selwyn District Council Residents' Survey 1999). The trees are valued for shelter against the north westerly and south westerly winds, as well as for their aesthetic values. Any expansion of the village should continue this theme, in accordance with Policy B3.4.34.

Policy B4.3.44

Encourage any land rezoned for residential or business development at Lake Coleridge Village to be located in the area between the existing Living zone boundaries at Acheron Avenue and Harper Place, provided land is available and appropriate for the proposed activity.

Explanation and Reasons

Lake Coleridge Village is spread over a reasonably large area relative to the number of households in the Village. Policy B4.3.44 is to encourage the village to develop in a compact form, where practical, in accordance with the Town Form Policy B4.3.5.

General Policies

The following general policies may be particularly relevant to Lake Coleridge Village.

Plan Section		Objectives / Policies	Issue
1.2	Water	Policy B1.2.5	Reticulated sewage
1.4	Outstanding Natural Features and Landscapes	Policies B1.4.10 – B1.4.12	Lake Coleridge Village
3.4	Quality of the Environment	Policies B3.4.20, B3.4.22 and B3.4.34	Signs and amenity planting

LEESTON

Preferred Growth Option

There may be more than one area that complies with all relevant plan provisions for the future expansion of Leeston.

Specific Policies

Policy B4.3.45

Encourage any new Business zone to adjoin an existing Business zone of similar character, if such sites are available and appropriate.

Explanation and Reasons

Leeston has Business 1 and 2 Zones. Policy B4.3.45 is to encourage the consolidation of Business zones in townships rather than the creation of new business areas.

Policy B4.3.46

Encourage future Business 2 zoning to develop in a southerly direction, adjoining the existing Business 2 zone along Station Street, where land is available and appropriate for the proposed activity.

Explanation and Reasons

Expanding in a southerly direction keeps the Business 2 Zone away from the main living zone at Leeston. This may reduce the potential for 'reverse sensitivity' effects, in accordance with Policy B3.4.38.

Policy B4.3.47

Avoid new residential areas south of Station Street, and east of Leeston/Lake Road, unless any potential adverse effects resulting from:

- **Reverse Sensitivity' between activities in the Business 2 Zone and any new residential area;**
- **Heavy traffic using the Station Street bypass; or**
- **The sewage treatment and disposal facilities along Beetham's Road, are avoided or mitigated.**

Explanation and Reasons

The south side of Station Street is a Business 2 Zone. Residential areas should not adjoin a Business 2 Zone unless the residential area is designed to mitigate potential reverse sensitivity effects, in accordance with Part B, Section 3.4. The township has a heavy vehicle bypass, (Station Street) to reduce heavy vehicles travelling through the Business 1 and Living 1 Zones. Policy B4.3.47 is also consistent with Policy B2.1.17.

The Leeston and Doyleston sewage treatment and disposal facilities are located south of Leeston township (Beetham's Road). Avoiding potential 'reverse sensitivity' effects is consistent with Policy B2.2.5.

Policy B4.3.48

Ensure any land rezoned for new residential or business development does not cause, or exacerbate, a natural hazard by increasing the rate of stormwater runoff into the Leeston main drain.

Explanation and Reasons

The Leeston main drain overflows during heavy rainfall events. A project is in place to install a flood swale to relieve the existing flooding. However, any further residential or business development should not exacerbate the problem, in accordance with Policy B3.1.2.

Policy B4.3.49

Ensure that land that is zoned for residential development but is presently subject to surface flooding is not developed for its zoned purpose until provision is made for the amelioration of that constraint.

Explanation and Reasons

Some land to the west of Leeston is presently subject to surface flooding at times of heavy rain. The principal reason for this is the presently limited capacity of the Market Street Culvert. From an engineering point of view there are several ways in which this problem can be ameliorated and some of these depend upon development decisions yet to be made. In order to ensure that residential development of the land affected does not proceed before this problem has been remedied the areas affected have been given a 'deferred' zoning that brings in to play a restriction on subdivision. It is intended that, once a remedy has been decided upon and implemented, the 'deferred' notation and subdivision restriction will be removed by Plan Change.

General Policies

The following general policies may be particularly relevant to Leeston:

Plan Section		Objectives / Policies	Issue
1.2	Water	Policy B1.2.5	Reticulated sewerage
2.1	Transport	Policy B2.1.19	Heavy vehicle bypasses
2.2	Utilities	Policies B2.2.1 and B2.2.4	Interim community reticulated sewerage schemes
3.1	Natural Hazards	Policy B3.1.2	Flooding, Leeston Main Drain
3.4	Quality of the Environment	Policies B3.4.35 – B3.4.39	Consolidating Business zones and reverse sensitivity effects

LINCOLN

Preferred Growth Option

The first preferred direction for any expansion of the residential area at Lincoln township is south of Gerald Street and east of Springs Road.

Specific Policies

Policy B4.3.50

Encourage rezoning of any land for new residential development at Lincoln to be in the area south of Gerald Street and east of Springs Road, if sites are available and appropriate for the proposed activity.

Explanation and Reasons

The area described in Policy B4.3.50 is preferred for residential development for the following reasons:

- Surrounding land uses – this area adjoins existing Living and Business zones on three sides, see the Town Form Policy B4.3.3.
- Access – this area can be accessed by traffic without using Gerald Street, see policies B2.1.8 and B2.1.9.
- Soil type – this area is the only land adjoining Lincoln township which does not contain LUC Class I and II soils, see Policy B1.1.8.
- The land is not in that area identified in the RPS as being land between West Melton and Tai Tapu that should be maintained in recreational or rural uses (Objective 3 and Policy 5 of Chapter 12), see Policy B1.4.17.

Sites in this area must be appropriate for residential activities, in accordance with the objectives and policies of the District Plan.

Policy B4.3.51

Ensure any land rezoned for new residential development has motor vehicle access from an alternative collector or arterial road other than Gerald Street.

Explanation and Reasons

Residents in Lincoln have expressed concerns about the effects, on pedestrian safety, of traffic along Gerald Street. The resulting 'traffic calming' works mean Gerald Street may not be as efficient for carrying vehicles 'through' the township as an alternative road intersecting directly with Springs Road, Ellesmere Road or Birches Road. This policy is consistent with policies B2.1.8 and B2.1.9.

Policy B4.3.52

Ensure stormwater disposal from any land rezoned for new residential or business development will not adversely affect water quality in the LI or LII waterbodies; or exacerbate potential flooding from the LI or LII waterbodies "downstream".

Explanation and Reasons

Stormwater disposal at Lincoln is commonly disposed of by a reticulated system that drains into the LI or LII waterbodies. These waterbodies flow into Te Waihora/Lake Ellesmere. Stormwater runoff can adversely affect these waterbodies by changing the sediments and contaminants contained in the stormwater, or the rate at which stormwater runs off the land. Policy B4.3.52 is to ensure no adverse effects arise from these changes. It is consistent with Policy B1.2.2.

Policy B4.3.53

Encourage integration between the rezoning of land for new residential development at Lincoln and associated provisions for utilities, community facilities and areas for business development.

Explanation and Reasons

A study prepared for the Council (Barber, 1999: Demand for Land for Commercial and Industrial Uses in Selwyn District) indicates that if projected residential growth occurs at Lincoln, there will be a shortage of space for associated business activities in the current Business 1 Zone.

In submissions on private requests for plan changes to rezone land at Lincoln, residents have expressed concerns about the impacts of additional residents on schools and other community facilities. Policy B4.3.53 is consistent with Policy B2.3.1.

Policy B4.3.54

Ensure rezoning any land for new residential or business development does not create or exacerbate potential "reverse sensitivity" issues in respect of activities in the Business 3 Zone or surrounding Rural Zone.

Explanation and Reasons

Activities in the Business 3 Zones and associated activities in the immediately adjoining Rural Zone may have effects that are incompatible with the amenity values of residential areas. An example is that sewage holding ponds south of the Living 1A Zone. To ensure existing activities in these zones continue relatively freely, residential development should be kept to the east of the Business 3 Zones, unless it is developed under conditions that ensure any potential 'reverse sensitivity' effects are minor. Policy B4.3.54 is consistent with policies B3.4.37 and B2.2.5.

Policy B4.3.55

Consider any potential adverse effects of rezoning land for new residential or business development to the north of Lincoln Township on the 'rural-urban' landscape contrast of the area with Christchurch City, as identified in the RPS.

Explanation and Reasons

Objective 3 and Policy 5 of Chapter 12 of the RPS identify an area of land between Christchurch City and a line extending from West Melton to Tai Tapu as having important landscape and amenity values. The RPS seeks to maintain this land in "rural and recreational" areas. Policy B1.4.17 of the District Plan addresses this issue.

The area identified by the definition in Chapter 12, Objective 3 and Policy 5 of the RPS is currently to the north of Lincoln so that the present urban area is not constrained by that policy. If, however, Lincoln grows to the north it is likely that such future growth will need to take account of the RPS policy.

General Policies

General policies which may be particularly relevant to Lincoln include:

Plan Section		Objectives / Policies	Issue
1.1	Land and Soil	Policies B1.1.3 and B1.1.8	Possible contaminated soil in areas used for agricultural research in the past. Lincoln is surrounded by "versatile soils" except to the south-west (LUC Class I or II)
1.2	Water	Policy B1.2.2 and B1.2.5	Stormwater disposal to LI and LII. Reticulated sewerage.
2.1	Transport	Policy B2.1.8 and B2.1.9	Community perceptions of traffic on Gerald Street. Impact of growth of Lincoln and road links into Christchurch City
2.2	Utilities	Policies B2.2.1 and B2.2.4	Impacts of rate of residential growth on Lincoln's sewerage system
2.3	Community Facilities (and Reserves)	Policy B2.3.1	Impact of rate of residential growth at Lincoln on community facilities
3.4	Quality of the Environment	Policy B3.4.37	Reverse sensitivity issues, Business 3 and Rural zones

Reticulated Sewage

Reticulated sewage treatment and disposal is required at Lincoln. Increases in the capacity of the public system is currently limited by:

- An agreement between Christchurch City Council and Selwyn District Council over the volume of effluent that can be piped to the City and when it is sent.
- The capacity of the holding ponds at Lincoln and the reticulation system in Christchurch City.

PREBBLETON

Preferred Growth Option

The first preferred areas for expansion of Prebbleton are east and west of Springs Road, between the north and south limits of the existing Living and Business zones as identified in Appendix 31.

Specific Policies

Policy B4.3.56

Encourage land located to the east and west of the existing Living and Business zones, being those Living and Business zones that adjoin Springs Road, which is located as close as possible to the existing township centre as the first preferred areas to be rezoned for new residential development at Prebbleton, provided sites are available and appropriate for the proposed activity.

Explanation and Reasons

Much land rezoned for residential development at Prebbleton has been to the south of the township, to avoid using land containing 'versatile soils' (LUC Class I or II). As a result, Prebbleton is developing in an elongated north-south pattern along Springs Road. The Council's preferred areas for future residential development are east and west of Springs Road located as close as possible to the existing town centre. This policy is consistent with:

- Creating a compact shaped township; Town Form Policy B4.3.5.
- Minimising effects on Springs Road as a Strategic Road; Policy B2.1.18.
- Minimising the length of "rural-residential" boundaries and potential for "reverse sensitivity" issues; Policy B3.4.39.

Although this area contains LUC Class II soils, there are other resource management effects of continuing residential development on soils that are not "versatile" at Prebbleton.

Policy B4.3.57

Discourage further expansion of Prebbleton township north or south of the existing Living zone boundaries adjoining Springs Road.

Explanation and Reasons

Springs Road is one of the busiest Strategic Roads in Selwyn District. Further elongation of Prebbleton township north-south along Springs Road is inconsistent with Policy B2.1.18 and Town Form Policy B4.3.5.

Policy B4.3.58

Encourage rezoning of any land for new business development to adjoin the existing Business 1 Zone on the east side of Springs Road.

Explanation and Reasons

Confining Business 1 Zones to one side of Springs Road may lessen the number of pedestrian and vehicle movements crossing the road than if Business 1 Zones were to occur on both sides of the road. This policy is consistent with Policy B2.1.3. Consolidating similar Business 1 Zones into one area in a township is consistent with policies B3.4.35 and B3.4.36.

Policy B4.3.59

Consider any potential adverse effects of rezoning land for new residential or business development at Prebbleton on the 'rural-urban' landscape contrast of the area with Christchurch City, as identified in the RPS.

Explanation and Reasons

Objective 3 and Policy 5 of Chapter 12 of the RPS identify an area of land between Christchurch City and a line extending from West Melton to Tai Tapu as having important landscape and amenity values. The RPS seeks to maintain this land in "rural and recreational" uses. Policy B1.4.17 of the District Plan addresses this issue.

General Policies

General policies that may be particularly relevant to Prebbleton include:

Plan Section		Objectives / Policies	Issue
1.1	Land and Soil	Policy B1.1.8	Many areas around Prebbleton contain "versatile soils" (LUC Class I or II)
1.2	Water	Policy B1.2.5	Reticulated sewage (see note below)
2.1	Transport	Policies B2.1.3, B2.1.9, B2.1.10 and B2.1.18	Effects of additional traffic on Springs Road. Growth of a township "straddling" a Strategic Road.
2.2	Utilities	Policy 2.2.1	Impact of rate of town growth on utilities
2.3	Community Facilities (and Reserves)	Policy 2.3.1	Impact of rate of town growth on community facilities
3.4	Quality of the Environment	Policy B3.4.38	Reverse sensitivity issues, Rural zone

Reticulated Sewage and Deferred Zoning

Reticulated sewage treatment and disposal is required at Prebbleton. The capacity of the existing public reticulated sewage treatment and disposal system is currently limited by:

- An agreement between Christchurch City Council and Selwyn District Council over the volume of effluent piped to the City.
- The capacity in the sewerage reticulation system of Christchurch City.

However, in recognition of the appropriateness of land at Prebbleton meeting the specific policies above, the Council has rezoned limited areas of land that adjoin existing Living 1, Living X or Business 1 zoned land as either Living X (Deferred), Living 1A (Deferred), Living 2A (Deferred), Living 1A5 (Deferred) or Business 1 (Deferred).

RAKAIA HUTS

Preferred Growth Option

There may be more than one site that complies with all relevant provisions in the District Plan for the future expansion of Rakaia Huts.

Specific Policies

Policy B4.3.60

Avoid rezoning any land for new residential or business development on the south-west side of Pacific Drive and restrict further building development on existing Lots 58-108 as shown in Appendix 24.

Explanation and Reasons

Land on the south-west side of Pacific Drive is subject to flooding from the Rakaia River. For this reason the Council intends to discourage further zoning of land for living or business purposes in this area and restrict development on the lower terrace within the existing Living zone.

Policy B4.3.61

Ensure any land rezoned for new residential or business development at Rakaia Huts does not cause damage or disturbance to archaeological sites or sites that are culturally important to tāngata whenua.

Explanation and Reasons

The area around the Rakaia River mouth is a traditional area of occupation and food gathering for local Māori. Remains of a moa hunting ground exist in the area. The Council encourages any person wanting to rezone land for new residential or business development at Rakaia Huts to consult with tāngata whenua and the New Zealand Historic Places Trust Pouhere Taonga about their interests in this area. This policy is consistent with Policy B3.3.2.

NOTE:
If an archaeological site is accidentally uncovered, it has interim protection from further disturbance under the Historic Places Act 1993 – see Part B, Section 3.3.

General Policies

General policies that may be particularly relevant to Rakaia Huts include:

Plan Section		Objectives / Policies	Issue
1.2	Water	Policy B1.2.6	On-site effluent treatment and disposal system
3.1	Natural Hazards	Policies B3.1.2 and B3.1.3	Flooding and coastal erosion
3.3	Culture and Heritage	Policy B3.3.2	Sites of cultural importance to Tāngata Whenua

ROLLESTON

Preferred Growth Option

There may be more than one area that complies with all relevant plan provisions for the future expansion of Rolleston.

Specific Policies

Policy B4.3.62

Avoid rezoning land for new residential or business development (other than Business 2 Zoning), west of SH1 and the South Island Main Trunk Line (SIMTL).

Explanation and Reasons

Rolleston Township is currently confined to one side of SH1 and the SIMTL except for the Business 2 Zone. Policy B4.3.62 is consistent with Policy B2.1.17.

Policy B4.3.63

Avoid rezoning land for new residential development in areas shown under the Airport Flightpath Noise Contours for 50 dBA Ldn or greater, on Planning Map 013.

Explanation and Reasons

Land within Rolleston township is under an approach path for aircraft to Christchurch International Airport. Policy B4.3.63 is consistent with Policy B2.1.22.

The existing Living 2A Zone, partially in this area, is an historic zoning and cannot be used as a precedent for extending the zone. Denser residential development is discouraged in that zone – see Policy B2.1.23.

Policy B4.3.64

Encourage land rezoned for new business development to adjoin an existing Business zone of similar character, where sites are available and appropriate for the proposed activity.

Policy B4.3.65

Encourage additional Business 2 Zones to locate west of SH1, preferably adjoining the existing Business 2 Zone.

Explanation and Reasons

Rolleston contains two Business 1 Zones. That part of the Business 1 Zone bounded by Rolleston Drive, State Highway 1, and Dick Roberts Place has site specific rules and it is intended to provide for the Selwyn District Council's district headquarters and for civic and community activities undertaken by the Council. It is not intended that commerce and retailing will locate in this part of the Business 1 Zone.

Policy B4.3.64 encourages any additional business development to adjoin these zones and create consolidated Business zones in the township, rather than the creation of several isolated zones. This policy is consistent with policies B3.4.35 and B3.4.36.

Keeping the Business 2 Zone west of SH1 provides a "buffer" area between these activities and the township, which may help reduce potential "reverse sensitivity" issues. Policy B4.3.65 is consistent with Policy B3.4.38.

Policy B4.3.66

Encourage integration between rezoning land for new residential development at Rolleston and associated provisions for utilities, community facilities and areas for business development.

Explanation and Reasons

A study prepared for the Council (Barber, 1999: Demand for Land for Commercial and Industrial Uses in Selwyn District) indicates that if projected residential growth occurs at Rolleston, there will be a shortage of space for associated business activities in the land currently zoned Business 1.

Future residential growth at Rolleston will also result in the need for additional or upgraded utilities and community facilities. Any application to rezone land for a new residential area needs to address these effects in the same way as the Council is required to, should it rezone land for additional residential areas. This policy is consistent with policies B2.2.1 and B2.3.1.

Policy B4.3.67

Encourage new residential development by further subdivision in existing Living 2 Zones, other than the Living 2A Zone, where it complies with the objectives and policies of the Plan.

Explanation and Reasons

Residential density and allotment sizes in the Living 2 Zones at Rolleston average either 0.5 ha to 1 ha. These zones cover large areas. Policy B4.3.67 allows Rolleston township to grow through closer residential development in the Living 2 zones, provided: there are no adverse effects on infrastructure; and closer density is supported by the residents in the areas affected. This policy is consistent with Policy B4.1.3 and Town Form Policy B4.3.5.

Policy B4.3.67 does not apply to the Living 2A zone, which is located under the SOABA Airport Flightpath Noise Contour – see Policy B2.1.23.

General Policies

General policies that may be particularly relevant to Rolleston include:

Plan Section		Objectives / Policies	Issue
1.1	Land and Soil	Policy B1.1.8	'Versatile soils' are located north of the township (LUC Class I or II)
1.2	Water	Policy B1.2.5	Reticulated sewage is required
2.1	Transport	Policies B2.1.17, B2.1.22 and B2.1.23	Confining Rolleston to one side of SH1/SIMTL. Christchurch International Airport
2.2	Utilities	Policy 2.2.1	Impact of rate of town growth on utilities
2.3	Community Facilities (and Reserves)	Policy 2.3.1	Impact of rate of town growth on community facilities
3.4	Quality of the Environment	Policies B3.4.35, B3.4.36 and B3.4.38	Consolidating Business zones and reverse sensitivity effects
4.1	Residential Density	Policies B4.1.2 and B4.1.3	Further subdivision, Living 2 zones

SHEFFIELD/WADDINGTON

Preferred Growth Option

There may be more than one area that complies with all the relevant plan provisions for the future expansion of Sheffield/Waddington.

Policy B4.3.68

Encourage new residential or business activities to use sites in the existing Living 1 Zone, if sites are available and appropriate for the proposed activity.

Explanation and Reasons

There is land not used for residential activities in the existing Living 1 zone at Sheffield and Waddington. Using this land is consistent with Town Form Policy B4.3.4.

Policy B4.3.69

Encourage any land rezoned for new residential or business development to occur north of the existing Living 1 Zone boundaries at Sheffield; north of the existing Living 1 Zone at Waddington; and south of the existing Living 1 Zone at Sheffield, but not on to the base of the Malvern Hills.

Policy B4.3.70

Discourage rezoning land for new residential or business development (other than Business 2) that is located:

- **North east or west of the Living 1 Zone at Sheffield; or**
- **East of the Living 1 Zone at Waddington**

Explanation and Reasons

Sheffield Township straddles SH73 and the Midland Railway Line. Waddington Township is confined to one side of SH73 and the Midland Railway Line. Policy B4.3.69 and B4.3.70 are consistent with policies B2.1.17 and B2.1.18. It is also consistent with Policy B1.4.13 which protects the landscape values of the Malvern Hills.

Policy B4.3.71

Encourage any land zoned for business development to be located on one side of SH73 only.

Explanation and Reasons

Activities which locate in Business 1 Zones tend to have relatively high numbers of vehicle or pedestrian movements compared with activities in Living zones. Policy B4.3.71 is to discourage these activities from locating on both sides of SH73 and the Midland Railway Line, so as to avoid a potential increase in the number of people and motor vehicles moving across transport routes.

This is consistent with Policy B2.1.17. It is also consistent with policies B3.4.35 and B3.4.36 which encourage Business zones to consolidate in one area of a township.

Policy B4.3.72

Ensure any land rezoned for residential or business development south of Vogel Street does not create or exacerbate a natural hazard.

Explanation and Reasons

The area to the south of the Living zones beyond Vogel Street is terraced. An assessment of the natural hazards and stability affecting the upper terrace (Living 1A) has been undertaken and the area is generally suitable for residential development. However particular sites, including those close to the edge of the upper terrace, may require further investigation at the time that applications for subdivision and/or building consents are made. Before any residential or business development takes place on the lower terrace further investigation will be needed relating to land stability and the risk of flooding, including that caused by the flow of stormwater from the upper terrace.

General Policies

General policies that may be particularly relevant to Sheffield/Waddington include:

Plan Section		Objectives / Policies	Issue
1.2	Water	Policy B1.2.6	On-site effluent treatment and disposal system
1.4	Outstanding Natural Features and Landscapes	Policy B1.4.13	Avoid residential or business development on Malvern Hills
2.1	Transport	Policies B2.1.17, B2.1.18	SH73 and Midland Railway Line
3.1	Natural Hazards	Policy B3.1.2	Terraced area south of Vogel Street

SOUTHBRIDGE

Preferred Growth Option

There may be more than one area for the future expansion of Southbridge that complies with all relevant provisions in the Plan.

Specific Policies

Policy B4.3.73

Encourage new residential or business areas to locate on sites in the existing Living and Business zones, if sites are available and appropriate for the proposed activity.

Explanation and Reasons

There is land not currently used for residential or business activities in the existing Living and Business 1 Zones at Southbridge. The use of that land for new residential or business activities is consistent with Town Form Policy B4.3.4.

Policy B4.3.74

Ensure that any land rezoned for new residential or business development in the existing Living 1 Zone along Gordon Street and High Street, does not create or exacerbate a flooding hazard.

Explanation and Reasons

The drain in this area tends to overflow in heavy rainfall, therefore flooding the area. Any new residential or business development should not occur on land which has a reasonable risk of flooding. It should not increase the risk of flooding "downstream" by increasing the rate of rainfall runoff into the drain. This policy is consistent with Policy B3.1.2.

Policy B4.3.75

Encourage any new Business zone to adjoin an existing Business zone of similar character, if sites are available and appropriate.

Explanation and Reasons

Southbridge has Business 1 and 2 Zones. Policy B4.3.75 is to encourage consolidated Business zones in townships, rather than the creation of several isolated zones. This policy is consistent with policies B3.4.35 and B3.4.36.

Policy B4.3.76

Ensure any land rezoned for new residential or business development does not create or exacerbate "reverse sensitivity" issues in respect of activities in the existing Business 2 Zone.

Explanation and Reasons

Southbridge has an existing Business 2 Zone that adjoins the Living zone in all areas except west of High Street. Some activities in the Business 2 Zone may have effects that are incompatible with residential activities. Ensuring there are options for the Business 2 areas to continue or expand without creating "reverse sensitivity" issues will promote sustainable management. This policy is consistent with policies B3.4.38 and B3.4.39.

Policy B4.3.77

Require any community reticulated sewage treatment and disposal system at Southbridge to be designed so it can be connected to the public system when it becomes available.

Explanation and Reasons

Reticulated sewage treatment and disposal is required at Southbridge (see Policy B1.2.5). A public system is currently not available. The Council prefers any community scheme used in the interim to be able to connect into the public system, so residents have the option of transferring their responsibility for the maintenance and repair of their system to the Council. Any community sewerage scheme used at Southbridge shall comply with Policy B2.2.5.

General Policies

General policies which may be particularly relevant to Southbridge include:

Plan Section		Objectives / Policies	Issue
1.1	Land and Soil	Policy B1.1.8	Southbridge is surrounded by "versatile" soils – LUC Class I or II
1.2	Water	Policy B1.2.5	Reticulated sewage treatment and disposal is required at Southbridge (see note below).
2.2	Utilities	Policies B2.2.1, B2.2.3 and B2.2.4	There is no public reticulated sewerage system available at Southbridge at present (see note below)
3.1	Natural Hazards	Policy B3.1.2	Flooding from the drain in Gordon Street / High Street area
3.4	Quality of the Environment	Policies B3.4.35 – B3.4.39	Reverse sensitivity in Business 2 zones

Sewage Treatment and Disposal

Reticulated sewage treatment and disposal is required at Southbridge – see Policy B1.2.5. A public system is being developed but is not currently available. Community reticulated schemes may be used in accordance with the District Plan policies and subject to acquiring relevant land use consents and discharge permits Policy B2.2.4.

SPRINGFIELD

Preferred Growth Option

There may be more than one area for the future expansion of Springfield that complies with all relevant provisions in the Plan.

Specific Policies

Policy B4.3.78

Encourage new residential or business activities to use sites in the existing Living 1 Zone, if sites are available and appropriate for the proposed activity.

Explanation and Reasons

There is land not used for residential or business activities in the existing Living 1 zone at Springfield. Using land in the existing zone is consistent with Town Form Policy B4.3.4.

Policy B4.3.79

Encourage any new Living zone to occur on the north side of SH73 and avoid new Living or Business 1 Zones:

- **East of the existing Living 1 zone;**
- **On the south side of SH73; or**
- **North of the Midland Railway Line.**

Explanation and Reasons

Springfield Township is currently confined to one side of a Strategic Road (SH73) and the Midland Railway Line. Policy B4.3.79 is consistent with Policy B2.1.17, in keeping the township confined to one side of both transport routes.

The Russell Range is identified in the Plan as having special landscape values. Confining new residential or business development to the north side of SH73 is consistent with Policy B1.4.13.

Policy B4.3.80

Ensure that any land rezoned for new residential or business development north of Springfield does not create or exacerbate potential "reverse sensitivity" issues in respect of the Midland Railway Line.

Explanation and Reasons

Springfield Township is "sandwiched" between SH73 and the Midland Railway Line. There is some land zoned "Rural" between the Living 1 Zone and the Railway Line. The land was designated for railway purposes but this designation is not now required. This area may be suitable for the expansion of Springfield. However, potential "reverse sensitivity" effects with noise, dust and vibration from trains using the Midland Railway Line would need to be addressed.

General Policies

General policies that may be particularly relevant to Springfield include:

Plan Section		Objectives / Policies	Issue
1.2	Water	Policy B1.2.6	On-site effluent treatment and disposal system
1.4	Outstanding Natural Features and Landscapes	Policy B1.4.13	Landscape values of Russell Range
2.1	Transport	Policies B2.1.17	Confining growth of Springfield to one side of the Midland Railway Line and SH73.

SPRINGSTON

Preferred Growth Option

There may be more than one area for the future expansion of Springston that complies with all relevant provisions in the Plan.

Specific Policies

Policy B4.3.81

Encourage any land rezoned for new residential or business development at Springston to create compact shaped areas behind the existing Living zones, with frontage on to Leeston, Waterholes or Ellesmere Junction Roads, if sites are available and appropriate.

Explanation and Reasons

Springston Township has developed around the intersections of Ellesmere Junction Road/Waterholes Road and Ellesmere Junction Road/Leeston Road. The Living 1 Zone is often only "one section deep" with houses fronting these roads. The preferred option for future expansion of Springston is by using land behind the existing Living 1 Zone rather than extending it further along these arterial roads. This policy is consistent with Town Form Policy B4.3.5. The use of some of this land for future residential or business development is complicated by its tenure as part of the 'Gammack Estate'.

Policy B4.3.82

Avoid rezoning land for new residential or business development:

- **Further west along Ellesmere Junction Road than the Domain;**
- **Further east along Ellesmere Junction Road than the Living 1A Zone.**

Policy B4.3.83

Avoid rezoning land for new residential or business development along both sides of Waterholes Road or both sides of Leeston Road.

Explanation and Reasons

Springston Township had developed along the intersection of three main roads, Leeston Road, Ellesmere Junction Road and Waterholes Road. In many parts houses are only one row deep along the road frontage. Policy B4.3.83 is to avoid extending the township further along Ellesmere Junction Road. This policy is consistent with Policy B2.1.18.

Policy B4.3.83 is to avoid creating a township that "straddles" both sides of Leeston or Waterholes Road. The policy contemplates extending the zone boundary along these roads, but preferably on one side only. This policy is consistent with Policy B2.1.17.

Policy B4.3.84

Ensure that any land rezoned for new residential or business development does not create or exacerbate a natural hazard from flooding of the Springston drainage network.

Explanation and Reasons

The land to the east and south east of the existing Living 1 Zone along Leeston Road has a high water table. If it is used for a new residential area, the water ponding in this area will need to be collected and disposed of. That activity should not increase the risk of local drains overflowing and flooding land 'downstream'.

General Policies

General policies that may be particularly relevant to Springston include:

Plan Section		Objectives / Policies	Issue
1.1	Land and Soil	Policy B1.1.8	Springston is surrounded by "versatile soils" – LUC Class I or II
1.2	Water	Policies B1.2.1 and B1.2.5	The public reticulated water supply at Springston will need upgrading if it is used to supply any new allotments. Reticulated sewage.
2.1	Transport	Policies B2.1.17, B2.1.18	Further growth of townships along Strategic Roads
2.2	Utilities	Policies B2.2.2 and B2.2.5	Upgrades to water supply and sewerage (see notes below). Alternative to public water supply.

Water and Sewage

A reticulated water supply is required at Springston. Any new Living or Business zoning will require an upgrading or alternative supply to the existing public supply.

Springston sewage is treated and disposed of directly to the Christchurch system. Increasing in the volume to that system is currently limited by:

- An agreement between Christchurch City Council and Selwyn District Council over the volume of effluent piped to the City and when can be sent.
- The capacity of the reticulation system in Christchurch City.

Gammack Estate

Land held by the Gammack Trust surrounds Springston to the west, north-west and north-east. The Trustees do not have power to sell this land (it has to be done through an Act of Parliament). There is also debate whether the land can be used for purposes other than farming, due to the wording of the Will of the late James Gammack.

TAI TAPU

Preferred Growth Options

There may be more than one area for the future expansion of Tai Tapu that complies with all relevant provisions in the Plan.

Specific Policies

Policy B4.3.85

Encourage new residential or business activities to locate on sites that have the least risk of being subject to flooding.

Explanation and Reasons

Tai Tapu is located in a stormwater ponding area for the surrounding catchment. The township is lower lying than the adjoining Halswell River. Parts of the township are flooded by stormwater ponding during quite regular heavy rainfall events (1 in 5 year storms). Policy B4.3.85 is to encourage new residential or business activities to locate on sites that are least subject to flooding. This may mean avoiding some sites in the existing Living 1A or 2A Zones in favour of rezoning a new area. In this case, the Council considers it better promotes sustainable management to utilise sites that are less prone to natural hazards, even if it results in a less consolidated township. Any new zoning must accord with Policy B4.3.86, and all other relevant District Plan policies.

Policy B4.3.86

Ensure any land rezoned for new residential or business development does not increase potential natural hazards from flooding.

Explanation and Reasons

Any new residential or business development should not increase potential natural hazards from flooding at Tai Tapu. This includes:

- Locating buildings in areas subject to flooding.
- Earthworks or buildings that divert floodwater onto other property; or
- Increasing the risk of flooding downstream by increasing the rate of rainfall runoff into the Halswell River or waterbodies in the catchment. This policy is consistent with policies B3.1.2, B3.1.4 and B3.1.5.

Policy B4.3.87

Avoid rezoning land for new residential or business development along both sides of SH75.

Explanation and Reasons

Tai Tapu township straddles a Strategic Road - SH75. Policy B4.3.87 is to avoid extending this pattern by confining future north-south expansion of the township to one side of SH75. This

policy is consistent with Policy B2.1.18. Future development should also occur in a manner that promotes a compact or consolidated town shape consistent with Town Form Policy B4.3.5.

Policy B4.3.88

Consider any potential adverse effects of rezoning land for new residential or business development at Tai Tapu on the "rural-urban" landscape contrast of the area with Christchurch City, as identified in the RPS.

Explanation and Reasons

Objective 3 and Policy 5 of Chapter 12 of the RPS identify an area of land between Christchurch City and a line extending from West Melton to Tai Tapu as having important landscape and amenity values. The RPS seeks to maintain this area in "rural and recreational" uses. Policy B1.4.17 of the District Plan addresses this issue.

General Policies

General policies that may be particularly relevant to expansion of Tai Tapu include:

Plan Section		Objectives / Policies	Issue
1.1	Land and Soil	Policy B1.1.8	Land around Tai Tapu contains "versatile soils" – LUC Class I or II
1.2	Water	Policy B1.2.1 and B1.2.5	Effects of stormwater disposal on water quality in Halswell River and other waterbodies. Reticulated sewage treatment and disposal.
1.4	Outstanding Natural Features and Landscapes	Policy B1.4.17	Landscape contrast with Christchurch City
2.1	Transport	Policy B2.1.18	Further expansion of a township which "straddles" a Strategic Road
4.3	Residential and Business Development	Town Form Policy B4.3.5	Expansion of townships in a compact shape.

WEST MELTON

Preferred Growth Option

Substantial growth is expected to take place in and around West Melton. The focal point of this growth will be either side of Weedons Ross Road north of State Highway 73, but not extending north of Halkett Road. A lesser extent of lower density residential development will occur south of State Highway 73. The township will be serviced with reticulated sewerage as part of the development of the land east of Weedons Ross Road under an outline development plan. The nature and scale of development north west of State Highway 73 and west of Weedons Ross Road is still to be determined and is deferred subject to further investigations (particularly in regard to road access and servicing) and the incorporation of an outline development plan for this area in the District Plan. Any further development will also be expected to be serviced by a reticulated sewerage system.

Specific Policies

Policy B4.3.89

Provide a primary focus for new residential or business development north of State Highway 73 and south of Halkett Road, and to allow only a limited extent of new low density residential development south of State Highway 73.

Explanation and Reasons

West Melton has developed with community facilities on both the northern and southern sides of State Highway 73. Residential development has taken place north of the highway centred on Westview Crescent. The primary focus for future growth of the township is to be provided for north of the State Highway. Limited new residential growth will be enabled south of the highway but will be limited in extent and density to minimise effects on the safety and efficiency of the highway. A pedestrian/cycle link will also be provided under the highway to provide an alternative connection between the two areas. This pattern of growth is consistent with maintaining a consolidated form for the future growth of the township, and with Policy B2.1.18 and Town Form Policy B4.3.5.

Policy B4.3.90

Promote a consolidated pattern of future urban growth in West Melton.

Explanation and Reasons

West Melton's future growth is to adhere to a form of development which maintains a generally compact shape. While allowing a substantial amount of urban growth with higher densities north of State Highway 73, development south of the highway is to be limited in extent and density. This pattern is consistent with Town Form Policy B4.3.5.

Policy B4.3.91

Avoid using Laird Place or Westview Crescent as collector roads to access any significant new residential or business areas, in West Melton.

Explanation and Reasons

Westview Crescent and Laird Place are local roads that provide access to properties in the existing West Melton village. The Council prefers a new collector road off Weedons Ross Road to provide access to any new residential or business area on the west side of Weedons Ross Road, rather than any attempt to upgrade these roads. A small area of additional residential development will be provided for off Laird Place. This policy is consistent with Policy B2.1.8.

Policy B4.3.92

Promote new residential areas in West Melton that maintain the lower residential density of the existing village, where practical.

Explanation and Reasons

West Melton village is an area with larger section sizes than those found in most townships in Selwyn District, particularly those close to Christchurch. Policy B4.3.92 recognises the character of the existing village and the support for larger section sizes in the Township survey results for West Melton (November 1998). A wide variety of lot sizes in response to market demand, have been provided for, but recognising the potential for West Melton to provide a lower density alternative living environment near Christchurch.

Policy B4.3.93

Require any community reticulated sewage treatment and disposal system at West Melton to be designed so it can be connected to the public system when it becomes available.

Explanation and Reasons

Reticulated sewage treatment and disposal is required at West Melton (see Policy B1.2.5). A public system is not available. The Council prefers any community scheme used in the interim to be able to connect into the public system, so residents can transfer their responsibility for the maintenance and repair of their system to the Council. Any community reticulated scheme used at West Melton shall comply with Policy B2.2.4.

General Policies

General policies which may be particularly relevant to West Melton include:

Plan Section		Objectives / Policies	Issue
1.1	Land and Soil	Policy B1.1.8	Versatile soils are located to the south-west of the existing village, (LUC Class I and II)
1.2	Water	Policy B1.2.5	Protection zone for any new water supply
2.1	Transport	Policy B2.1.18	Township largely confined to one side of a Strategic Road
2.2	Utilities	Policy B2.2.1	An upgraded community water supply will be needed for new residential or business development at West Melton
2.4	Waste Disposal	Policies B2.4.2 and B2.4.5	Reticulated sewage treatment and disposal is needed
4.1	Residential Density	Policies B4.1.3 and B4.1.9	Residential density in new residential areas

WHITECLIFFS

Preferred Growth Option

The preferred option for residential or business development at Whitecliffs is to use sites within the existing Living 1A Zone, provided use of those sites complies with the District Plan policies.

Specific Policies

Policy B4.3.94

Encourage new residential or business activities to use sites in the existing Living 1A Zone, provided the use of any such site complies with Policy 3 and the policies of the District Plan.

Explanation and Reasons

There are many sites within the existing Living 1A Zone at Whitecliffs that are not currently used for residential or business activities. The preferred option for expansion of Whitecliffs is to utilise sites in the Living 1A Zone. This policy is consistent with the Town Form Policy B4.3.4. However, some sites within the Living 1A Zone of Whitecliffs may not be suitable for residential or business activities. Some areas are prone to flooding from stormwater runoff from the Malvern Hills. Some sites south of Whitecliffs Road are subject to erosion from the Selwyn River/Waikirikiri. Conventional on-site effluent treatment and disposal systems will not work on some sites due to ground conditions.

Policy B4.3.95

Ensure any land rezoned for new residential or business development does not create or exacerbate:

- **Inundation from stormwater running off the Malvern Hills;**
- **Landslip from the Malvern Hills; or**
- **Erosion of the Selwyn River/Waikirikiri Terrace on the south side of Whitecliffs Road.**

Explanation and Reasons

Sites within and around the Living 1A Zone at Whitecliffs may be subject to: flooding from stormwater ponding; erosion from slumping land on the Malvern Hills; or erosion by the Waikirikiri/Selwyn River. Any new business or residential development should not result in:

- Buildings being erected on land subject to flooding or erosion; or
- Increases in stormwater runoff on to other sites, including sites "downstream" of the Waikirikiri/Selwyn River; or
- Increases in the rate or risk of erosion on other land through protection works on that site.

This policy is consistent with Policy B3.1.2.

General Policies

General policies that may be particularly relevant to expansion of Whitecliffs, include:

Plan Section		Objectives / Policies	Issue
1.2	Water	Policy B1.2.6	On-site effluent treatment and disposal system
1.4	Outstanding Natural Features and Landscapes	Policies B1.4.13 and B1.4.14	Protect landscape values of Malvern Hills and natural character of Waikirikiri/Selwyn River
3.1	Natural Hazards	Policy B3.1.2	Flooding, landslip and erosion

B4.4 DEVELOPMENT CONTRIBUTIONS — ISSUES

The distribution of the costs between private parties and general rates for:

- **Providing reserves and network and community infrastructure; and**
- **Mitigating the fiscal effects of providing growth related infrastructure**

What are Development Contributions?

The term development contributions, defined in Section 197 of the Local Government Act 2002, means a contribution:

a) provided for in a development contribution policy included in the long-term council community plan of a territorial authority; and

b) calculated in accordance with the methodology; and comprising:

i) money;

ii) land, including a reserve or esplanade reserve (other than in relation to a subdivision consent), but excluding Maori land within the meaning of Te Ture Whenua Maori Act 1993, unless that Act provides otherwise; or

iii) both.

Development contributions can be taken to provide for:

- Reserves
- Network infrastructure
- Community infrastructure

In most cases provision for reserves (for open space and recreation), land for esplanade purpose, network infrastructure or community infrastructure is made at the time of subdivision of the land. However, in some instances land use development and activities are undertaken without associated subdivision of land.

Contributions of land and/or cash arising from growth-related development can be required by the Council either under the Resource Management Act by way of the District Plan or under the Local Government Act 2002 by way of a Development Contribution Policy in the Long Term Council Community Plan (LTCCP). The Council has developed a Development Contribution Policy within the requirements of the Local Government Act. Accordingly, the Council's requirements for land and/or cash for the provision of growth-related reserves and for network and community infrastructure are contained within the Development Contribution Policy and such contributions are no longer taken under the District Plan. Requirements for the provision of esplanade reserves/strips and provisions relating to environmental compensation and the form of land contributions are included within the Subdivision provisions of the District Plan, while requirements for the provision of financial contributions to mitigate environmental damage are included as policies in Part B Section 3, Peoples Health, Safety and Values.

Where costs are incurred in relation to maintenance of infrastructure or for improvements in service levels, these costs are met through targeted rates rather than development contributions. Therefore, the purposes for which development contributions are taken and the proportion of costs which are funded through development contributions is an important part of the Council's financial planning.

NOTE:
Esplanade reserves and strips – see Part B, Sections 1.3 and 2.3 and Part C, Sections 12 and 24 respectively.

DEVELOPMENT CONTRIBUTIONS — STRATEGY

The provision to take development contributions under the LTCCP Development Contribution Policy will be complimentary to the subdivision consent process. Esplanade reserves/strips will be taken under the subdivision consent process, while consideration of the form of land to be provided as reserves will also be considered at the time of subdivision.

The LTCCP Development Contribution Policy will ensure that those responsible for development and/or subdivision that places additional demands on the Councils provision of reserves and network or community infrastructure will contribute a fair and reasonable contribution towards the expansion of those services.

DEVELOPMENT CONTRIBUTIONS — OBJECTIVES

Objective 4.4.1

The parties creating the need for the expenditure meet the costs of establishing or upgrading reserves and network and community infrastructure and developing and enhancing the recreational and amenity values of the District.

Objective 4.4.2

The Council uses its discretion to take development contributions under the LTCCP Development Contribution Policy in a transparent and consistent manner.

Explanation and Reasons

Development contributions are taken to help address the fiscal effects which a new development may have on the existing ratepayers of an area. If development contributions are not taken, the costs of addressing these effects must be funded from general rates.

DEVELOPMENT CONTRIBUTIONS — POLICIES AND METHODS

Policy 4.4.1

To ensure that subdividers and/or developers meet the costs of any required provision of works and services as a result of land use development and/or subdivision.

Explanation and Reasons

The Council has decided that all development contributions for new or upgraded reserves or network and community infrastructure as a result of development and/or subdivision will be in accordance with the Development Contribution Policy under the LTCCP and the Local Government Act 2002. This Policy will enable the Council to ensure that those responsible for development and/or subdivision that places additional demands on the Council's provision of reserves and

network or community infrastructure will contribute a fair and reasonable contribution to the provision and expansion of these services.

Methods

LTCCP

- Development Contribution Policy

District Plan

- Subdivision

DEVELOPMENT CONTRIBUTIONS — ENVIRONMENTAL RESULTS

The following environmental results should occur from implementing this section:

New developments and subdivisions which increase demand on the Council's reserves and network and community infrastructure contribute towards the cost of provision and expansion of them.

DEVELOPMENT CONTRIBUTIONS — MONITORING

See Appendix 1.

- A resource consent under the operative district plan while this Plan is proposed; or
- Consents or permits under other statutes; e.g. a building consent under the Building Act 2004.

Reasons

Underneath each rule is a 'Reason'. The reasons may help people to understand the intention of a rule. Further explanations of the Plan provisions are found in Part B, under the various resource management 'topics' or 'issues'.

INTERPRETATION OF RULES

A permitted activity must comply with all the rules for permitted activities and must not be stated as a controlled, restricted discretionary, discretionary, non-complying or prohibited activity under any rule in the Plan.

Users of the Plan should therefore check the applicability of any rules under the headings of controlled, restricted discretionary, discretionary, non-complying or prohibited activity to ascertain whether their proposed activity needs consent in respect to any one or more of these.

The status of an activity will be determined by considering all rules in the Plan which are relevant to that activity. Where the application of the rules gives the activity more than one status under the Plan, the activity will be assessed by the status which imposes the higher or more rigorous threshold on that activity.

This statement is intended to be interpreted in a way where, for example, if an activity is discretionary under one rule and non-complying under another then the whole of that activity will be assessed as non-complying under this Plan.

Any notes in italics which are included in the rules form part of the rules.

NOISE MEASUREMENT AND ASSESSMENT

Except where provided elsewhere in this Plan, sound shall be measured in accordance with the provisions of NZS 6801:1999 Acoustics – Measurement of Environmental Sound and assessed in accordance with the provisions of NZS 6802:1991 Assessment of Environmental Sound.

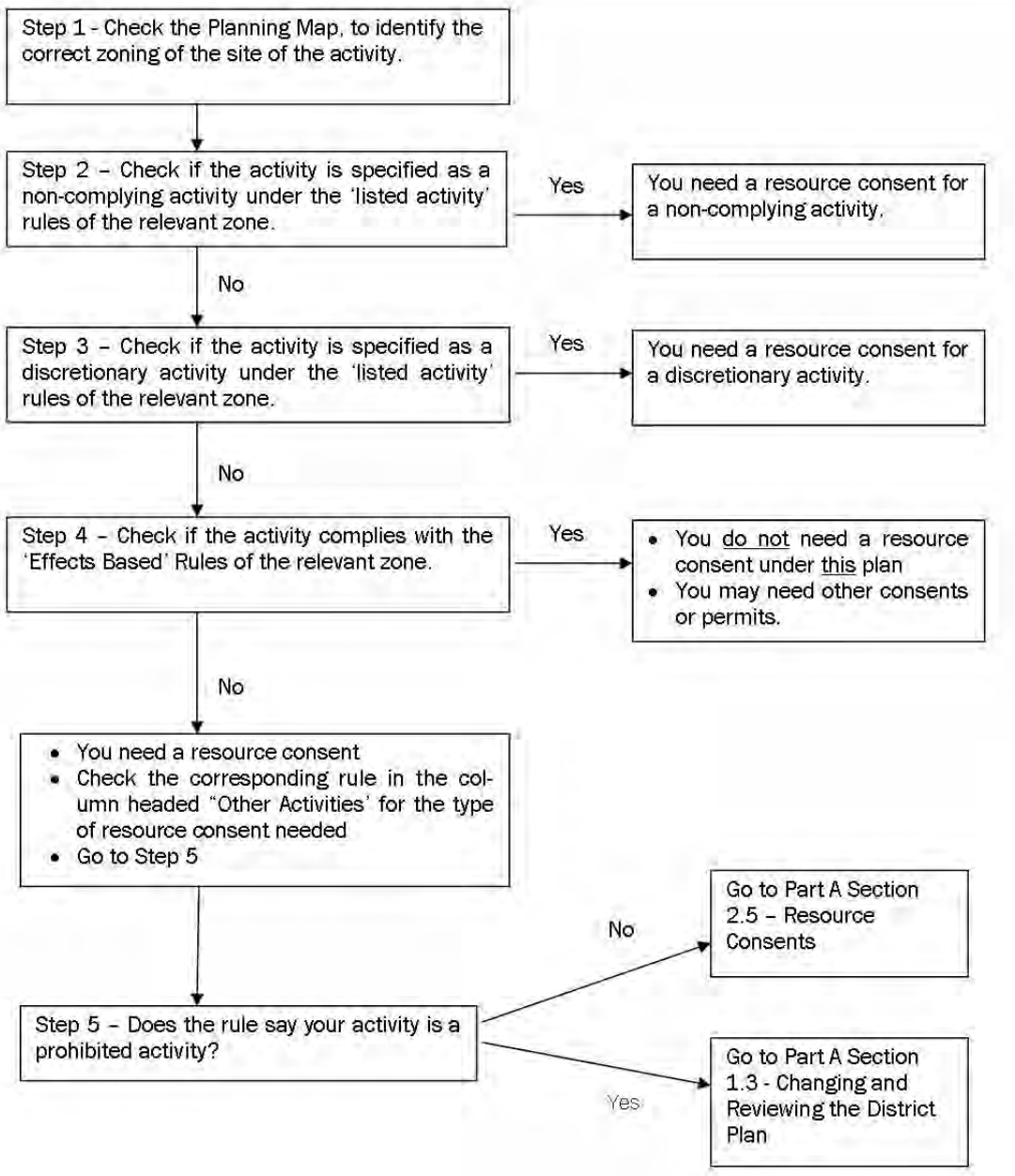
The following additional provisions shall apply to the application of NZS 6802:1991:

- Adjustments for special audible characteristics, if present, as provided for in Clause 4.3 and 4.4 of the Standard shall apply and will have the effect of imposing a numerical noise limit 5dBA more stringent than the L10 numerical limits stated in the rules.
- Measurement time intervals provided for in Clause 5.1 of the Standard shall be limited to 10-15 minutes excluding pause or data exclude times. Where the sound under investigation is cyclic or occurs for durations less than 15 minutes, the measurement time interval may be less than 10-15 minutes excluding pause and data exclude times.

DEVELOPMENT CONTRIBUTIONS

Development contributions under the LTCCP Development Contribution Policy will be taken where network infrastructure, community infrastructure or reserves have to be constructed or expanded as a direct result of growth from development. Refer to Section B4.4 for further information on development contributions.

Figure C1.1 – Reading The Rules (All Living And Business Zones Except The Business 3 Zone)



PART C

1 LIVING ZONE RULES – STATUS OF ACTIVITIES

1.1 STATUS OF ACTIVITIES

Note: Development contributions under the LTCCP Development Contribution Policy will be taken where network infrastructure, community infrastructure or reserves have to be constructed or expanded as a direct result of growth from development. Refer to Section B4.4 for further information on development contributions.

Permitted Activities — Status of Activities

1.1.1 The following activities shall be permitted activities in Living zones:

1.1.1.1 Any activity which complies with all of the provisions of Rules 2 to 11 relating to permitted activities, and which is not listed in Rule 1.1.2 or 1.1.3 as either a discretionary or non-complying activity.

Discretionary Activities — Status of Activities

1.1.2 The following activities shall be discretionary activities in Living zones:

1.1.2.1 Any activity which is specified in Rules 2 to 11 as a discretionary activity.

1.1.2.2 Any of the activities listed in (a) to (h) below, irrespective of whether they comply with the conditions for permitted activities in Rules 2 to 11.

(a) Any facilities for the temporary storage of solid and/or liquid waste delivered or conveyed on to the site. (This rule does not include rubbish bins or similar containers used to store solid waste on the site from which it is generated, until it is collected for refuse disposal.)

(b) Drive through retail outlets (except for those located on a site which has vehicular access onto any road in Prebbleton other than Springs Road – refer to Rule 1.1.3.2).

(c) Hospitals, hospices and other facilities providing 24 hour medical care.

(d) Mineral exploration.

(e) Service stations (except for those located on a site which has vehicular access onto any road in Prebbleton other than Springs Road – refer to Rule 1.1.3.2).

(f) The use of audible bird scaring devices.

(g) The use of audible devices for modifying the effects of frost, hail or other weather conditions.

(h) Veterinary hospitals and other facilities providing 24 hour veterinary care.

1.1.3 The following activities shall be non-complying activities in Living zones:

1.1.3.1 Any activity which is specified in Rules 2 to 11 as being a non-complying activity.

1.1.3.2 Any of the activities listed in (a) to (o) below, irrespective of whether they comply with the conditions for permitted activities in Rules 2 to 11.

(a) Any activity that requires an offensive trade license issued under the Health Act 1956.

(b) Any facilities for the treatment and/or disposal of solid or liquid waste delivered or conveyed on to the site. (This rule does not apply to the underground treatment and disposal of effluent using an on-site effluent treatment or disposal system; or to the burning or composting of green garden waste as part of residential activities.)

(c) Disposal of any hazardous substance.

(d) Plantations.

(e) Generation of energy for distribution.

(f) Industrial Activity

(g) Manufacture of any hazardous substance, as either a product or by-product.

(h) Mining or quarrying.

(i) Correction facility.

(j) Processing, composting or disposal on to land of any organic matter. (This rule does not apply to the activities set out in Rule 9.3)

(k) Quarantine Facilities.

(l) Any noise-sensitive activities (as defined in Part D of this Plan) located within the projected 50 dBA Ldn aircraft noise contour.

(m) Drive through retail outlets located on a site which has vehicular access onto any road in Prebbleton other than Springs Road.

(n) Service stations located on a site which has vehicular access onto any road in Prebbleton other than Springs Road.

(o) Transport depots.

1.2 DEFERRED LIVING ZONES

1.2.1 Until such time that deferred status is uplifted, the rules of the Rural zone shall apply within any deferred Living zone.

1.3 DEFERRED LIVING ZONE – PREBBLETON

1.3.1 Until either the passing of a Council resolution that there is adequate capacity in a local-authority operated reticulated sewage treatment facility to service any particular area of land subject to a deferred Living zone, or all necessary resource consents

2 LIVING ZONE RULES — EARTHWORKS

2.1 EARTHWORKS

Permitted Activities — Earthworks

2.1.1 Any earthworks shall be a permitted activity if the following conditions are met:

2.1.1.1 Any disturbed or stockpiled material is kept moist until it has consolidated, and

2.1.1.2 Any stockpiled material is kept consolidated or covered to avoid sediment run-off from rainfall, and

2.1.1.3 Any site subject to earthworks is either:

(a) built upon,

(b) sealed,

(c) landscaped, or

(d) the land recontoured and replanted,

no more than 12 months after the earthworks commencing, except in the case of landscaping and planting which shall be undertaken during the first planting season following the completion of the earthworks.

2.1.1.4 Earthworks do not occur and material from earthworks is not deposited within:

(a) 20m of any waterbody listed in Appendix 12.

(b) 10m of any other waterbody (excluding aquifers).

2.1.1.5 On land located within the Living 1A or 2A Zones at Tai Tapu, earthworks are limited to the forming of any accessway to a site or the preparation of any site to erect a building, provided that these earthworks do not alter or impede the land drainage pattern.

2.1.1.6 Except where Rule 2.1.1.5 applies, any earthworks has:

(a) a volume of not more than 2,000m^3 per project; and

(b) a vertical cut face where no more than 5% of the total vertical cut is over 2 metres.

2.1.1.7 Any earthworks undertaken on any site to be used to erect a building complies with NZS 4431 Code of Practice for Earth Fill for Residential Development.

2.1.1.8 The earthworks are not part of mining or mineral exploration.

Restricted Discretionary Activities — Earthworks

2.1.2 Any activity which does not comply with Rule 2.1.1.5 shall be a restricted discretionary activity.

2.1.3 Under Rule 2.1.2 the Council shall restrict its discretion to consideration of:

2.1.3.1 The nature of any flooding or land instability and whether this makes the site unsuitable to undertake the proposed earthworks.

2.1.3.2 Any effects of earthworks in displacing or diverting floodwaters and increasing the potential risk of flooding elsewhere.

2.1.3.3 Any mitigation measures proposed.

Discretionary Activities — Earthworks

2.1.4 The following shall be discretionary activities:

2.1.4.1 Mineral exploration.

2.1.4.2 Any activity which does not comply with any of Rules 2.1.1.1 to 2.1.1.4 and 2.1.1.6 to 2.1.1.8.

Non- Complying Activities — Earthworks

2.1.5 Mining shall be a non-complying activity.

Notes

1. Rule 2 does not apply to any of the following activities:
   - Landscaping or maintenance of gardens, lawns or public spaces;
   - Sowing, tending or cultivating crops, grazing or planting trees;
   - Digging post holes, soak holes, building foundations and related activities;
   - Maintaining and clearing rivers, water races or drains;
   - Maintaining or repairing existing flood protection works; or
   - Earthworks required to duct cables.
2. Stockpiling of material disturbed by earthworks may be affected by Rule 10.11 – Activities and the Outdoor Storage of Materials and Goods.
3. Refer to Appendix 6 for Protocols on Accidental Discovery of Archaeological Sites.
4. Earthworks affecting any archaeological site require the consent of the New Zealand Historic Places Trust Pouhere Taonga (refer to Part B, Section 3.3, “Archaeological Sites”.
5. Development contributions under the LTCCP Development Contribution Policy will be taken where network infrastructure, community infrastructure or reserves have to be constructed or expanded as a direct result of growth from development. Refer to Part B, 4.4 for further information on development contributions.

4 LIVING ZONE RULES — BUILDINGS

4.1 BUILDINGS AND NATURAL HAZARDS

Restricted Discretionary Activities — Buildings and Natural Hazards

4.1.1 Erecting any dwelling or other principal building on land located in the Living 1A or 2A zones at Tai Tapu where the minimum floor level is less than 6.93m above mean sea level shall be a restricted discretionary activity.

4.1.2 Under Rule 4.1.1 the Council shall restrict the exercise of its discretion to:

4.1.2.1 The nature of any flooding or land instability and whether this makes the site unsuitable to erect the proposed building or undertake the proposed earthworks.

4.1.2.2 Any effects of buildings or earthworks in displacing or diverting floodwaters and increasing the potential risk of flooding elsewhere.

4.1.2.3 Any mitigation measures proposed.

Non-Complying Activities — Buildings and Natural Hazards

4.1.3 Erecting any new dwelling, or part dwelling thereof, or other principal building, on Lots 58 to 108 shown on the Plan attached as Appendix 24 at Rakaia Huts shall be a non-complying activity.

Prohibited Activities — Buildings and Natural Hazards

4.1.4 Erecting any dwelling or other principal building between any waterbody and any stop bank designed to contain flood water from that waterbody shall be a prohibited activity.

4.2 BUILDINGS AND LANDSCAPING

Permitted Activities — Buildings and Landscaping

4.2.1 Any principal building shall be a permitted activity if the area between the road boundary and the principal building is landscaped with shrubs and:

- Planted in lawn, and/or
- Paved or sealed, and/or
- Dressed with bark chips or similar material.

***Note**: Except that fences on boundaries adjoining reserve areas, cycleways or pedestrian accessways identified in the Outline Development Plan for Lincoln in Appendix 18 shall not exceed 1.2m in height.*

Discretionary Activities — Buildings and Landscaping

4.2.2 Any activity which does not comply with Rule 4.2.1 shall be a discretionary activity.

4.3 BUILDINGS AND CONTAMINATED LAND

Refer to Rule 10.1 – Activities and Contaminated Land.

4.4 BUILDINGS AND WATER SUPPLY

Permitted Activities — Buildings and Water Supply

4.4.1 In all Living zones the erection of any dwelling or principal building connected to a reticulated water supply shall be a permitted activity, provided that it complies with the current New Zealand Drinking Water Standards.

4.4.2 In the Living 1 (Liffey Springs) Zone (Deferred) at Lincoln, as shown in Appendix 35, rainwater storage tanks with a minimum capacity of 3000 litres shall be installed for each dwelling for non-potable uses, such as garden irrigation.

Non-Complying Activities — Buildings and Water Supply

4.4.3 Any activity which does not comply with Rule 4.4.1 shall be a non-complying activity.

Discretionary Activities — Buildings and Water Supply

4.4.3 Any activity which does not comply with Rule 4.4.1 shall be a discretionary activity.

4.5 BUILDINGS AND SEWAGE TREATMENT AND DISPOSAL

Permitted Activities — Buildings and Sewage Treatment and Disposal

4.5.1 In the Living zones at Castle Hill, Doyleston, Lake Coleridge Village, Leeston, Lincoln, Prebbleton, Rolleston, Southbridge, Springston, Tai Tapu, and West Melton, the erection of any dwelling or principal building shall be a permitted activity provided that it is connected to a reticulated sewage treatment and disposal system.

4.5.2 In all other Living zones in the district dwellings shall be permitted activities provided that they are serviced by on-site effluent treatment and disposal systems.

Non-Complying Activities — Buildings and Sewage Treatment and Disposal

4.5.3 Any activity which does not comply with Rules 4.5.1 or 4.5.2 shall be a non-complying activity

Notes

1. A discharge permit is required from Environment Canterbury to dispose of sewage on-site at Kirwee and Darfield.

2. If the Council and the community decide to install a reticulated sewage treatment and disposal system, the Council may require existing dwellings and principal buildings to connect, pursuant to provision in the Local Government Act 1974.

4.6 BUILDINGS AND BUILDING DENSITY

Permitted Activities — Buildings and Building Density

4.6.1 The erection on an allotment (other than a site at Castle Hill) of not more than either:

- One dwelling and one family flat up to 70m² in floor area; or
- One principal building (other than a dwelling) and one dwelling,

shall be a permitted activity.

4.6.2 The erection of not more than one principal building on any site at Castle Hill shall be a permitted activity.

Restricted Discretionary Activities — Buildings and Building Density

4.6.3 Except as provided in Rule 4.6.6 the erection of not more than two dwellings on an allotment in a Living 1 zone shall be a restricted discretionary activity.

4.6.4 Under Rule 4.6.3 the Council shall restrict the exercise of its discretion to:

4.6.4.1 Whether each dwelling has adequate outdoor living space for the exclusive use of that dwelling for residential activities; and

4.6.4.2 Whether each outdoor living space will receive direct sunlight on the shortest day of the year; and

4.6.4.3 Whether there is adequate privacy between the habitable rooms of the two dwellings erected on the same allotment; and

4.6.4.4 The proportion of allotments in the street or subdivision where there is more than one dwelling or principal building; and

4.6.4.5 Any adverse effects, including cumulative effects, on the residential density or sense of spaciousness of the area; and

4.6.4.6 The need for a 'step in plan' to be provided at each 20 metre interval along a continuous building wall in order to mitigate any adverse effects of continuous 'building bulk' being close to the boundary of a neighbouring property. The Step shall be sufficient spacing, depth, and length to provide a well articulated façade that provides visual variety and relief from long monotonous buildings.

Note: Building density and site coverage rules both apply.

Discretionary Activities — Buildings and Building Density

4.6.5 Except as provided in Rule 4.6.6, the erection on any allotment of any building (other than an accessory building) which does not comply with Rule 4.6.1 or Rule 4.6.3 shall be a discretionary activity in Living 1 zones.

Non-Complying Activities — Buildings and Building Density

4.6.6 The erection on an allotment of any building (other than an accessory building) which does not comply with Rule 4.6.1 shall be a non-complying activity in the Living 1A, 1A2, 1A3, 1A4 zones at Prebbleton and all Living 2 and 2A zones.

Note: There is no maximum number of accessory buildings allowed on an allotment, but Rule 4.7 – Site Coverage – applies to all buildings.

4.7 BUILDINGS AND SITE COVERAGE

Permitted Activities — Buildings and Site Coverage

4.7.1 Except as provided in Rule 4.7.2, the erection of any building which complies with the site coverage allowances set out in Table C4.1 below shall be a permitted activity.

Table C4.1 Site Coverage Allowances

Zone		Coverage
Living 1	Including garage	35%
	Excluding garage	35% minus 36m^2
	Emergency Services only	50%
Living 1A	Castle Hill	35%
Living 1A3	Lincoln	40%
Living 1A4	Lincoln	45%
Living 1A2	Prebbleton	35%
Living 1A5	Prebbleton	35% For comprehensive residential development, site coverage shall be applied over the whole Living 1A5 Zone
Living 2 and Living 2A (Blakes Road, Prebbleton)	Including garage	Lesser of 20% or 500m^2
	Excluding garage	Lesser of 20% minus 36m^2 or 500m^2 minus 36m^2
	Emergency Services only	40%
Living 2A	Prebbleton and West Melton	10% and a maximum additional area in hardsurfacing of 10%
	Emergency Services only	40%
Living 2A1	Darfield	10% and a maximum additional area in hardsurfacing of 10%
	Emergency Services only	40%

Note: the Living 2 requirement in Rule 4.7.1 does not apply to Dunsandel Primary School.

Temporary Activities

4.7.2 Maximum site coverage rules do not apply to:

4.7.2.1 Any building, tent, caravan, trailer or marquee erected for a temporary activity, provided the structure is removed within 2 days after the activity ceases; or

4.7.2.2 Any building erected for temporary accommodation associated with a construction project on the site, provided the building is removed within 12 months or when construction ceases, whichever is the shorter time.

Restricted Discretionary Activities — Buildings and Site Coverage

4.7.3 Any activity which does not comply with Rule 4.7.1 shall be a restricted discretionary activity if it complies with all of the following standards and terms:

4.7.3.1 The site is located in a Living 1 or Living 1A zone and the maximum area of the site covered by a building (s) is:

(a) 40% - including a garage; or

(b) 40% minus 36m^2 – excluding a garage; or

4.7.3.2 The site is located in a Living 1A3 or Living 1A4 zone at Lincoln and the maximum area of the site occupied by a building or buildings is:

(a) Living 1A3 Zone 45%; or

(b) Living 1A4 Zone 40%.

4.7.4 Under Rule 4.7.3, any resource consent application shall not be notified and shall not require the written approval of affected parties, and the Council shall restrict the exercise of its discretion to consideration of:

4.7.4.1 The number of sites in the street or subdivision where site coverage already exceeds 35%.

4.7.4.2 Any adverse effects, singularly or cumulatively, on the residential density or 'spaciousness' of the area.

Non-Complying Activities — Buildings and Site Coverage

4.7.5 Any activity which does not comply with Rule 4.7.3 shall be a non-complying activity.

4.8 BUILDINGS AND BUILDING HEIGHT

Permitted Activities — Buildings and Building Height

4.8.1 The erection of any building which has a height of not more than 8 metres shall be a permitted activity.

Discretionary Activities — Buildings and Building Height

4.8.2 Any activity which does not comply with Rule 4.8.1 shall be a discretionary activity.

Note

1. Any structure erected in the Living zones at Arthur's Pass or Castle Hill is also subject to Rule 11.1.

4.9 BUILDINGS AND BUILDING POSITION

Permitted Activities — Buildings and Building Position

The following shall be permitted activities:

Recession Planes

4.9.1 The construction of any building which complies with the Recession Plane A requirements set out in Appendix 11.

Setbacks from Boundaries

4.9.2 Except as provided in Rules 4.9.3 to 4.9.18, any building which complies with the setback distances from internal boundaries and road boundaries, as set out in Table C4.2 below.

Table C4.2 - Minimum Setbacks for Buildings

Building Type	Metres from Boundary	
	Internal	Road
Dwelling or principal building	2 m	4 m
Garage: Wall length 7m or less and vehicle door faces road	1 m	5.5 m
Garage: Wall length 7m or less and vehicle door faces internal boundary	1 m	2 m
Garage: Wall length greater than 7m and Vehicle door faces road	2 m	5.5 m
Garage: Wall length greater than 7m and Vehicle door faces internal boundary	2 m	4 m
Accessory Building with wall length not more than 7m	1 m	2 m
Accessory Building with wall length greater than 7m	2 m	4 m
Utility Structures	0 m	0 m

Note: Where a garage is proposed on a corner site i.e. has two road frontages, only one wall may be located up to 2m from a road boundary, provided that that wall does not contain a vehicle door and is less than 7m in length. All other walls are to be set back at least 4m from the road boundary, with walls containing a vehicle door set back 5.5m from the road boundary.

Common Wall

4.9.3 Buildings may be sited along an internal boundary of the site if the building shares a common wall with another building.

Castle Hill

4.9.4 Buildings or structures shall be setback not less than 6m from the south eastern boundaries of Lots 1 and 2 DP 22544 in the Living 1A Zone at Castle Hill Village.

4.9.5 Buildings or structures shall be setback not less than 1.5 metres from all internal and road boundaries within the Living 1A Zone at Castle Hill, except that:

4.9.5.1 Along the Living 1A Zone boundaries the minimum setback shall be 3 metres; and

4.9.5.2 Where an internal boundary is also the boundary of a reserve (other than a road reserve) exceeding 1 metre in width or of an access lot or right of way there shall be no minimum setback.

Prebbleton

4.9.6 Any building in the Living 1A Zone at Prebbleton shall be setback from the road boundary of Trices Road by not less than 10 metres. The 10 metre area shall be landscaped.

4.9.7 Any building shall be setback not less than 6 metres from the north east or north west zone boundaries of the Living 1A2 Zone at Prebbleton.

4.9.8 Any dwelling shall be setback not less than 3 metres from an internal boundary in the Living 1A2, 1A3 and 1A4 Zones in Prebbleton.

4.9.9 Any dwelling in the Living 2A Zone in Prebbleton shall have:

4.9.9.1 A setback from any internal boundary other than the southern zone boundary of not less than 6 metres.

4.9.9.2 A setback from the southern zone boundary of not less than 20 metres.

4.9.10 Any dwelling shall be set back not less than 15 metres from the north eastern boundary of the Living 2A (Blakes Road) Zone.

4.9.11 Any dwelling shall be set back not less than 48.2m from the north eastern zone boundary of the Living 2A Def Zone in Prebbleton, as identified in Appendix 19.

West Melton

4.9.12 Any dwelling within the area shown in Appendix 20 (Living 1B and Living 2 zones) shall be set back at least 40 metres from State Highway 73.

4.9.13 Any dwelling in the Living 2A Zone at West Melton shall have:

4.9.13.1 A setback from any internal boundary of not less than 6 metres.

4.9.13.2 A setback from any road boundary of not less than 10 metres.

Leeston

4.9.14 Any dwelling in the Living 2A Zone at Leeston shall have a setback from any Business Zone boundary of not less than 20 metres.

Temporary Activities

4.9.15 Rule 4.9.2 does not apply to the siting of any building, tent, caravan or trailer on a site if:

4.9.15.1 The building, tent, caravan or trailer is erected for a temporary activity; and

4.9.15.2 The building, tent, caravan or trailer is removed within 2 days of the activity ceasing.

4.9.16 Rule 4.9.2 does not apply to the siting of any building on a site which is for temporary accommodation associated with a construction project on the site if:

4.9.16.1 The building is removed within 12 months or when construction ceases, whichever is the shorter time.

Setback from Lincoln Sewerage Treatment Plant

4.9.17 Any dwelling in the Living 1A Zone at Lincoln shall be setback not less than 150 metres from the boundary of the area designated for the Lincoln Sewage Treatment Plant, as identified on Planning Map 116.

Rolleston

4.9.18 Any dwelling, family flat, and any rooms within accessory buildings used for sleeping or living purposes shall be located no closer than 40m from the State Highway 1 carriageway. Except that this distance can be reduced where the dwelling, family flat, and any rooms within accessory buildings used for sleeping or living purposes has been acoustically insulated or subject to mounding or other physical barriers so that traffic noise from State Highway 1 is limited to levels set out below, with all external doors and windows closed:

	Day-time (0700-2200 hours)	Night-time (2200-0700 hours)
Within Bedrooms	35 dBA (Leq 1 hour)	30 dBA (Leq 1 hour)
Within Living Area Rooms	40 dBA (Leq 1 hour)	35 dBA (Leq 1 hour)

Living Area rooms means any room in a dwelling other than a room used principally as a bedroom, laundry, bathroom, or toilet.

Permitted Activities – Buildings and Building Position

4.9.19 Within the Lowes Road Structure Plan area, any building shall be positioned at least 5m away from the indicated route of any proposed road; or 2m from any proposed walkway/cycleway; routes as shown in Appendix 33.

Special Character Low Density Areas (Living 1C zoning)

4.9.20 In Living 1C zoned areas, buildings shall have a set back from the road boundary of not less than 6m.

4.9.21 Dwellings and family flats shall be positioned at least 6m from any existing dwelling or family flat (or footprint of a planned dwelling or family flat for which a building consent has been granted within the previous 2 years).

An exception is where family flats are attached to the principle dwelling. PC11

Restricted Discretionary Activities — Buildings and Building Position

4.9.22 Any activity which does not comply with Rule 4.9.1 shall be a restricted discretionary activity.

4.9.23 Under Rule 4.9.22 the Council shall restrict the exercise of its discretion to consideration of:

4.9.23.1 Any adverse effects of shading on any adjoining property owner; or on any road or footpath during winter.

4.9.24 Any activity which does not comply with Rule 4.9.2 and Rules 4.9.4 to 4.9.14 and 4.9.18 shall be a restricted discretionary activity.

4.9.25 Under Rule 4.9.24 the Council shall restrict the exercise of its discretion to consideration of:

4.9.25.1 Internal Boundary

Any adverse effects on the:

(a) privacy

(b) outlook

(c) shading; or

(d) amenity values

of the adjoining property, its occupiers and their activities; and

4.9.25.2 Road Boundary

Any adverse effects on:

(a) the character of the street

(b) safety and visibility of pedestrians, cyclists and motorists, and

(c) shading of the road or footpath in winter;

(d) methods to mitigate any adverse effects of traffic noise on the occupants of a dwelling; and

4.9.25.3 Any reverse sensitivity issues at the southern zone boundary of the Living 2A zone at Prebbleton.

4.9.26 Any activity which does not comply with 4.9.19 shall be a restricted discretionary activity.

4.9.27 Under rule 4.9.26 the Council shall restrict the use of its discretion to consideration of whether the erection of the building would frustrate the ability for the structure plan connections and reserves in Appendix 34 to be obtained at future subdivision. In assessing this, regard shall be given to:

a) The location of the building with regard to whether it would obstruct the implementation of the structure plan.

b) The location of the building and its impact on the amenity of proposed public space

c) The permanence of the building

d) Whether structure plan elements could otherwise be provided through the site:

i) in such a way that a logical pattern of development for the area as a whole will result.

ii) without compromising the ability of adjoining landowners to develop their land whilst providing for the indicated reserves and linkages.

iii) whilst resulting in public space of equal or better quality than the structure plan without excessive additional costs in the construction of roads or paths.

4.9.28 Any activity which does not comply with 4.9.20 or 4.9.21 shall be a restricted discretionary activity

4.9.29 Under rule 4.9.28 the Council shall restrict the use of its discretion to consideration of:

a) the matters listed under rule 4.9.26

b) the unique spacious character of the area and its sensitivity to incongruous or closely spaced buildings [PC11]

Discretionary Activities — Buildings and Building Position

4.9.30 Any activity which does not comply with Rule 4.9.3 shall be a discretionary activity.

Non-Complying Activities — Buildings and Building Position

4.9.31 Any dwelling which does not comply with Rule 4.9.17 shall be a non-complying activity.

4.10 RELOCATED BUILDINGS

Note: Any relocated building in the Living zones at Arthur's Pass or Castle Hill is also subject to Rule 11.1.

Permitted Activities — Relocated Buildings

4.10.1 The erection of any relocated building shall be a permitted activity if one or more of the following conditions are met:

4.10.1.1 The relocated building is a garage or accessory building; or

4.10.1.2 The building is moved from one position to another within the same site; or

4.10.1.3 The building is relocated on to a site for a temporary activity and is removed from the site within 2 days of the activity ceasing; or

4.10.1.4 The building is relocated on to a site to provide temporary accommodation during a construction project on the site, and the building is removed from the site within the lesser of a 12 month period or when the construction work ceases.

4.10.1.5 The building is being relocated within or between schools.

Controlled Activities — Relocated Buildings

4.10.2 Any activity which does not comply with Rule 4.10.1 shall be a controlled activity which shall not be notified and shall not require the written approval of affected parties. The matters the Council has reserved control over are:

4.10.2.1 The time period within which the building is to have its new foundations established and covered; and

4.10.2.2 The time period within which any repair work to the exterior of the building is to be repaired; and

4.10.2.3 The standard to which the exterior of the building is to be finished; and

4.10.2.4 Whether any bond is required to cover the cost of reinstatement works in relation to matters listed under Rules 4.10.2.1 to 4.10.2.3, and the type of bond.

4.11 COMPREHENSIVE RESIDENTIAL DEVELOPMENT IN PREBBLETON

Discretionary Activities — Comprehensive Residential Development in Prebbleton

4.11.1 In the Living 1A5 Zone in Prebbleton, comprehensive residential development shall be a discretionary activity where Council shall take into account, but not be limited to, the following:

4.11.1.1 Effects associated with the width, location, form and layout of accesses and roads on the amenity of the area;

4.11.1.2 Effects of vehicle parking and garaging on the amenity of the area or the enjoyment of neighbouring properties;

4.11.1.3 The ability to provide adequate vehicle parking and manoeuvring on the site;

4.11.1.4 Impacts on the road network in traffic generation and traffic safety;

4.11.1.5 The extent to which levels of traffic generation or pedestrian activity will result that are incompatible with the character of the surrounding living environment;

4.11.1.6 Effects on the sense and spaciousness of the immediate area and wider neighbourhood;

4.11.1.7 The extent to which the scale, form, modulation, design, colours and materials of buildings will be compatible with other buildings in the surrounding area and will not result in visual dominance or incongruency;

4.11.1.8 The extent to which site layout and buildings have been designed to avoid adverse effects on the privacy, outlook, access to sunlight and daylight and other amenity values of neighbouring properties;

4.11.1.9 The amount of variety in design and size of dwellings on the site, in order to provide a choice of living accommodation;

4.11.1.10 Whether the dwellings are clustered in larger or smaller groups and the extent to which the grouping or spacing of dwelling units on the site leads to an attractive and varied development rather than a monotonous one;

4.11.1.11 The need for a 'step in plan' to be provided at 20 metre intervals along a continuous building wall in order to mitigate adverse effects of continuous 'building bulk' being close to the boundary of a neighbouring property;

4.11.1.12 The attractiveness of the street frontages of the site;

4.11.1.13 The extent to which mature vegetation is retained and the character of the site remains dominated by tree and garden plantings;

4.11.1.14 Privacy between habitable rooms of neighbouring dwellings;

4.11.1.15 The quality of landscaping and its effectiveness in mitigating adverse effects;

4.11.1.16 Impacts on the sense of spaciousness of the immediate area and wider neighbourhood;

4.11.1.17 The extent to which outdoor living space remains open and not contained or partitioned by fencing;

4.11.1.18 Whether the amount of outdoor living space is accessible to, and adequate for, the occupants of all dwellings and whether it will receive direct sunlight on the shortest day of the year.

4.12 SETBACKS FROM WATERBODIES

Permitted Activities — Setbacks from Waterbodies

4.12.1 The siting of any dwelling or principal building or any other structure shall be a permitted activity if it is setback not less than either:

4.12.1.1 20m from the edge of any waterbody listed in Appendix 12; or

4.12.1.2 10m from the edge of any other waterbody (excluding aquifers).

Discretionary Activities — Setbacks from Waterbodies

4.12.2 Any activity which does not comply with Rule 4.12.1 shall be a discretionary activity.

Notes

1. Rule 4.12 does not apply to walkway facilities; utility structures attached to existing buildings or structures; or signs which are permitted activities under Rule 7.
2. The edge of any waterbody is measured from the edge of the bed of the river. The bed is defined in section 2 of the Act as "the space of land which the waters of the river cover at its fullest flow, without overtopping its banks".
3. Rule 4.12 shall not apply on any allotment adjoining an esplanade reserve or strip along a waterbody where the reserve or strip has previously been vested in the Council.

4.13 BUILDINGS AND STREETSCENE

Permitted Activities — Buildings and Streetscene

For all residential development located within the Lowes Road Structure Plan Area

4.13.1 The maximum height of any fence between the front building façade and the street or a private Right of Way or shared access over which the allotment has legal access, shall be 1m. For allotments with frontage to more than one road, this rule shall only apply to the façade that includes the front entrance to the allotment, with fencing on the other road frontage to be no higher than 1.8m.

4.13.2 Garages are to occupy no more than 50% of the width of the building façade facing the road, or a private right of way

Restricted Discretionary Activities - Buildings and Streetscene

4.13.3 Any activity which does not comply with 4.9.20 or 4.9.21 shall be a restricted discretionary activity

4.13.4 Under Rule 4.13.1 the Council shall restrict the exercise of its discretion to consideration of:

4.13.3.1 The degree to which an open streetscene is maintained and views between the dwelling and the public space, private Right of Way or shared accesses are retained.

4.13.3.2 The extent to which the visual appearance of the site from the street, or private Right of Way or shared access over which the lot has legal use of any part, is dominated by garden planting and the dwelling, rather than front fencing.

4.13.3.3 The extent to which the proposed fence is constructed out of the same materials as the dwelling and incorporates steps in plan, landscaping, and see-through materials such as railings or trellis.

4.13.4 Under Rule 4.13.2 the Council shall restrict the exercise of its discretion to consideration of:

4.13.4.1 The extent to which the front façade is dominated by habitable rooms and glazing rather than garaging.

4.13.4.2 The extent to which the opportunity for passive surveillance and overlooking of the street, private Right of Way, or shared access from the dwelling is provided.

*Note that this section is also added by Proposed Plan Change 7, which also adds the same rules, but for different zones (Greenfield Living Z). A tidying up exercise (via Clause 16 of the first schedule) is likely to be required to reconcile the numbering of the clauses if both plan changes are approved. PC11

Reasons for Rules

Natural Hazards

Rules 4.1.1 and 4.1.2 identify Tai Tapu as a township where there is a significant known risk of damage to people or property from flooding and ponding. Rule 4.1.1 does not necessarily prevent earthworks and building in the township of Tai Tapu; rather, the rule requires a resource consent application for a restricted discretionary activity for larger scale activities, so the nature and level of any risk of hazard, and any mitigation measures proposed, can be assessed.

Rule 4.1.4 prohibits dwellings and principal buildings from being erected between a waterbody and its stopbank. This is due to the high risk in this area of the flooding or ponding of water occurring. Other townships will be affected by this rule if they contain certain land between a waterbody and an associated stopbank.

Rule 4.1.3 restricts dwellings, parts of dwellings and other principal buildings in an area known to be subject to flooding from the Rakaia River.

It is known by the Council that other townships in Selwyn District are likely to be affected by natural hazards. While information is lacking, these include Whitecliffs and Hororata. The objectives and policies section for Natural Hazards (Part B, Section 3.1) identify that the preferred methods to address this issue in such townships is through reliance on the Building Act and section 106 of the Resource Management Act, and by relevant hazard information held by the Council being provided as part of a request for Land Information Memoranda.

Landscaping

A common feature of residential areas is a tidy area between the house and road frontage. There is a 'market' incentive for home owners to keep this area tidy, as it can add value to the house and property. There is not, however, such a direct market incentive for other activities, such as businesses and community facilities, to retain a tidy 'front yard'. The objective of Rule 4.2 is to ensure non-residential activities locating in Living zones maintain this feature of residential areas.

Water Supply

Every house is required to have a potable water supply and effluent disposal, in order to be 'habitable' under the Building Act 2004. The rules in the District Plan set out additional conditions, such as whether the service must be reticulated, to avoid effects on natural and physical resources such as groundwater and amenity values.

Sewage Treatment and Disposal

The townships listed in Rule 4.5.1 either have a reticulated sewerage treatment and disposal system, or need such a system to avoid adverse effects on groundwater. The Council is currently pursuing options for public reticulated sewage treatment and disposal at Southbridge.

West Melton township does not have reticulated sewage treatment and disposal, however, it is considered that this is necessary given the position of Environment Canterbury in relation to the rezoning of land at West Melton for residential development.

Rule 4.5 should not be interpreted as an indication that reticulated sewerage will not be needed in other townships in the future, such as Darfield or Kirwee. Environment Canterbury (the Regional Council) is responsible for issuing discharge permits to allow on-site effluent treatment and disposal. If, in the future, permits are no longer issued for a particular township, a reticulated sewerage system may be required.

Building Density

The site coverage rules only apply to the proportion of an allotment at ground level, that is covered in building. Site coverage rules therefore are unable to control the effects on amenity values of higher density forms of residential development above ground level. Rule 4.6 is intended to manage the effects of such developments as multi-storey block of flats and apartments.

The District Plan recognises that there may be a demand of higher density forms of residential development in townships of the District, particularly in the form of student accommodation at Lincoln. The Plan provides for this is a permitted activity in Business 1 zones, where higher building density is more compatible with commercial amenity values.

The District Plan is not intended to preclude, in Living 1 zones, the erection of medium density housing developments such as small blocks of flats or townhouses. Rule 4.6 therefore provides for this intensity of development as restricted discretionary or discretionary activities, subject to the relevant assessment matters and objectives and policies of the Plan, and the mitigation of any adverse effects on the environment.

In some Living 1 zones, however, the provision of more than one dwelling on an allotment is a non-complying activity. This is because these zones were created as a result of plan changes to the former District Plan. An outcome of the plan change process in those cases was the decision that residential density should be limited to one dwelling per allotment. The new District Plan carries over these decisions.

Due to the lower density environments of the Living 2 zones, it is generally considered inappropriate for there to be more than one dwelling per allotment.

Site Coverage

Rule 4.7 is designed to maintain 'spaciousness' in the Living zones of Selwyn District. It does this by controlling the ratio of land to building rules. The rule does not affect the size of an allotment (only the extent of the lot that can be covered in buildings), therefore a variety of allotment sizes may be provided for. An exemption has been made for Dunsandel Primary School from the maximum building floor space requirement of the Living 2 Zone to bring it into line with other schools which are subject to a percentage of site covered, rather than a maximum floor area figure.

Rule 4.7.3 provides for some allotments to have higher site coverages, as restricted discretionary activities. This enables the Council to meet the demand for small, easy care sections while managing the number of such allotments, so as to maintain overall spaciousness. The rule only applies in Living 1 and 1A zones because Living 2 zones are distinguished from Living 1 zones by their lower residential density.

Higher levels of site coverage have also been provided for emergency services recognising their importance to the community. Their general one-off locations throughout the district's townships will ensure any impact of increased density on the overall character of an area is minimal.

Significant new development in West Melton will adjoin State Highway 73. The volume of traffic using this road, mainly at "open road" speed limits, requires a degree of physical separation which (in combination with noise bunding) is intended to partly mitigate the effects of traffic noise.

Building Height

Rule 4.8 sets maximum height requirements for buildings and structures, to ensure they are in keeping with the visual character of the Living zones.

Part of the amenity values of townships in Selwyn District is relatively low density of buildings and views across the townships to rural areas, the Southern Alps/Kā Tiritiri o te Moana and the Port Hills. Rule 4.8 helps to maintain those values by limiting the height of buildings and structures.

In consultation on the district plan (township surveys and public workshops), residents and ratepayers identified that 'sky scrapers', 'office towers' and other multi-storey buildings are not part of the landscape and amenity values of the District. However it was identified that some tall structures, such as power poles and grain silos, are. To that end, Rule 4.8 differentiates between the height of buildings and the height of other structures.

Buildings or structures that cannot comply with Rule 4.8 may be able to be erected in Living zones under an application for a discretionary activity if potential adverse effects on visual character and amenity values are able to be adequately mitigated, remedied or avoided.

Building Position

Rule 4.9 is intended to give property owners maximum flexibility over the use of space on their properties, while affording neighbours adequate protection in relation to sunlight, privacy and outlook. Setback distances are not used to maintain 'spaciousness'. This is done by site coverage while recession planes control shading, and setback distances control privacy and outlook.

Setbacks do not apply to utility structures because these structures have small bulk and are not occupied by people. However, they do apply to utility buildings which have a larger floor area, as such buildings have the potential to cause shading and loss of outlook. They are more likely to be occupied by people and, therefore, can affect privacy.

If the conditions for permitted activities are unable to be met, the proposed building may be able to proceed by application for a discretionary or restricted discretionary activity. The assessment matters for restricted discretionary activities are listed. A reverse sensitivity issue may arise if the 20 metre setback in Rule 4.9.9 for the Living 2A zone at Prebbleton is not met, due to the nature of adjoining rural land uses at the southern zone boundary. This rule was adopted in the decision on a plan change under the previous District Plan. Similarly, Rules 4.9.6, to 4.9.8 were adopted as a consequence of plan changes made operative under the previous District Plan, and those provisions have been carried over.

The siting of a dwelling less than 150m from the Lincoln Sewage Treatment Plant is a non-complying activity, and is therefore not generally considered appropriate. This rule was also adopted as a consequence of a plan change made operative under the previous District Plan.

Relocated Buildings

Generally, the district plan does not control the design and standard of buildings, except for in the alpine villages at Arthur's Pass and Castle Hill (refer to Part B, Section 1.4). Buildings which are relocated as a whole, or in parts, on to a site have to be set on a building pad or foundations and often require restoration work to repair minor damage. If relocated buildings are left sitting on blocks or unrepaired for long periods of time, they can detract from the amenity values of Living zones.

Rule 4.10 identifies minor activities involving relocated buildings for which resource consent is not required. Also set out are the matters the Council will consider for relocated buildings of a large scale or of a permanent nature. The matters include the nature of reinstatement works, the time needed to complete them, and the mechanism to give Council the surety they will be completed.

A controlled activity may not be declined by the Council. It may be approved subject to conditions relating to the matters over which the Council has reserved control.

Note: Rule 4.10 does not affect the ability of a subdivider to impose any private covenant on the new Certificate of Titles related to the style and age of buildings able to be established, or the relocation of existing buildings into their subdivision.

Setbacks from Waterbodies

Locating structures close to waterbodies (excluding aquifers) may:

- Cause bank erosion: either on the site; or elsewhere if works have been undertaken on the site to prevent bank erosion;
- Create a potential natural hazard, should the bank be unstable or the waterbody overflow;
- Affect habitat values, and the natural character of the edge of waterbodies; and
- Restrict public access, where public access is provided for.

Rule 4.12 sets the distances for structures from waterbodies (excluding aquifers) as a permitted activity. The distance varies with the type of waterbody, its flood potential and its ecological and recreational values. Structures may be able to locate closer to the waterbody with a resource consent. However, the closer siting (less than 20 metres) of dwellings and principal buildings is generally recognised as inappropriate.

Note: An additional consent may need to be obtained from Environment Canterbury.

6 LIVING ZONE RULES — UTILITIES

Notes

1. The undergrounding or ducting of any utility is permitted subject to compliance with Rule 2 (Earthworks).
2. The rules in this Plan are applicable to activities generally, including utilities. However, the following rules do not apply to utilities:

Land Use Rules for Living Zones:

- Rule 4.12 (Setbacks from Waterbodies)
- Rule 11 (Landscape Management, Alpine Villages)
- Rule 4.2 (Landscaping)
- Rule 4.8 (Building Height)
- Rule 4.9 (Building Position)
- Rule 4.7 (Site Coverage)

Rules in respect to the above matters are contained in the following rules on utilities.

3. Work on utilities which are undertaken by requiring authorities under designations are not subject to the rules in this Plan.
4. Earthworks affecting any archaeological sites require the consent of the New Zealand Historic Places Trust Pouhere Taonga (refer to Part B, Section 3.3, "Archaeological Sites".
5. Development contributions under the LTCCP Development Contribution Policy will be taken where network infrastructure, community infrastructure or reserves have to be constructed or expanded as a direct result of growth from development. Refer to Section B4.4 for further information on development contributions.

6.1 UTILITIES — ACTIVITIES

Permitted Activities — Utilities – Activities

6.1.1 Any utility which meets the following provisions and complies with all other relevant rules shall be a permitted activity:

6.1.1.1 Upgrading, maintenance, operation and replacement of existing utilities shall be permitted and shall not be subject to compliance with any other performance standards, conditions or rules in this Plan provided that the effects of such shall be the same or similar in character and scale to those which existed before such upgrading, maintenance or replacement activities commenced. For the avoidance of doubt, the following activities are permitted:

(a) The replacement of support structure cross arms;

(b) The reconductoring or replacement of lines;

(c) The resagging of conductors or lines;

(d) The addition of longer or more efficient insulators or mountings;

(e) The addition of earth wires which may contain telecommunication lines, earthpeaks and lighting rods;

(f) The clearance and trimming of vegetation under lines or structures necessary to maintain security of electricity supply and telecommunication;

(g) Pole replacement;

(h) Where an existing electricity distribution line requires upgrading to improve the reliability of supply, the addition of one support structure cross arms;

(i) The substitution of low voltage (400 Volts) electricity distribution lines with Aerial Bundled Cable provided that the overall diameter of the bundle shall not exceed 40 mm;

(j) An increase in the voltage of a line, but only where the line was originally installed to operate at a higher voltage, but has been operating at a reduced voltage.

6.1.1.2 Any utility which emits electromagnetic radiation that meets the following conditions:

(a) Exposures comply with NZS2772.1:1999 Radio Frequency Fields Part 1: Maximum exposure levels 3kHz–300 GHz ("the New Zealand Standard").

(b) Prior to commencing any radiofrequency emissions, the following is sent to and received by the Selwyn District Council:

- Written notice of the location of the facility or proposed facility; and
- A report prepared by a radio engineer/technician or physical scientist containing a prediction of whether the New Zealand standard will be complied with (note – this requirement shall not apply to the holder of an amateur radio license).

(c) If the report provided to the Council under condition 6.1.1.2(b) predicts that emissions will exceed 25% of the exposure limit set for the general public in the New Zealand Standard, then within three months of radiofrequency emissions commencing, a report from National Radiation Laboratory (or Selwyn District Council, being an appropriately qualified organisation specifically identified in this rule), certifying compliance with the New Zealand Standard, based on measurements at the site, shall be provided to the Selwyn District Council.

6.1.1.3 Any power frequency electric and magnetic fields created which do not exceed 100 micro tesla and 5kV/m in areas which are accessible to the public.

Note: Electric and magnetic fields are measured and assessed in accordance with the International Commission on Non Ionising Radiation Protection Guidelines.

6.1.1.4 Any transformer, line or wire does not exceed a voltage of 110kV or a capacity of 100 MVA per circuit.

6.1.1.5 Any new cable or line is laid underground; except for the provision of additional service connections to a maximum of three additional poles within, areas where services are already above ground.

PART C

12 LIVING ZONE RULES — SUBDIVISION

Notes:

1. The subdivision of any land is not a permitted activity. (This means that subdivision requires a resource consent).
2. If a subdivision is a controlled or restricted discretionary activity, the Council will restrict its discretion to the matters listed in the relevant rule under the heading "Matters over which the Council has restricted the exercise of its discretion".
3. If subdivision is a discretionary or a non-complying activity, the Council is required to consider all relevant matters under Sections 104, 104B and 104D of the Act.
4. Rule 12 applies to the subdivision of land, within the meaning of Section 218 of the Act.
5. The design of any road, vehicular accessway, right of way or vehicle crossing must comply with Rule 5: Roading.
6. Any earthworks associated with subdivision of land must comply with Rule 2: Earthworks.
7. Erecting any dwelling or other building on any land must comply with Rule 4: Buildings or Rule 6: Utilities.
8. Underlined words are defined in Part D of the Plan.
9. The subdivision of any land adjoining a State Highway which is a Limited Access Road (LAR) firstly requires consent obtainable from Transit New Zealand. This is in addition to the subdivision application that is made with the Selwyn District Council. For any other LAR the consent is required from the Selwyn District Council in addition to the subdivision application.
10. Development contributions under the LTCCP Development Contribution Policy will be taken where network infrastructure, community infrastructure or reserves have to be constructed or expanded as a direct result of growth from development. Refer to Section B4.4 for further information on development contributions.
11. If a subdivision completed under 12.1 creates a land use activity which no longer complies with the district plan provisions for a permitted activity, a separate land use consent may be required for the land use activity.

12.1 SUBDIVISION — GENERAL

Restricted Discretionary Activities — Subdivision – General

12.1.1 A subdivision of land, which is not a subdivision under Rules 12.2 or 12.3, shall be a restricted discretionary activity if it complies with the standards and terms set out in Rule 12.1.3.

12.1.2 Any subdivision subject to Rule 12.1.1, and which complies with 12.1.3, shall not be notified and shall not require the written approval of affected parties. The Council shall restrict the exercise of its discretion to consideration of the matters listed in Rule 12.1.4 following Table C12.1.

12.1.3 Standards and Terms

Access

12.1.3.1 Any allotment created, including a balance allotment, has legal access to a legal, formed road; and

Water

12.1.3.2 Except in Doyleston, any allotment created is supplied with a reticulated water supply which complies with the current New Zealand Drinking Water Standard; and

Effluent Disposal

12.1.3.3 Any allotment created in: Castle Hill, Doyleston, Lake Coleridge Village, Leeston, Lincoln, Prebbleton, Rolleston, Southbridge, Springston, Tai Tapu or West Melton is supplied with reticulated effluent treatment and disposal facilities; and

Solid Waste Disposal

12.1.3.4 Any allotment created is supplied with a facility or service to dispose of solid waste off the site; and

Size and Shape

12.1.3.5 Any allotment created, including a balance allotment, contains a building area of not less than 15m x 15m; and

12.1.3.6 Any allotment created, including any balance allotment, complies with the relevant allotment size requirements set out in Table C12.1; and

Coalgate

12.1.3.7 In the Living zones at Coalgate, no allotment has vehicular access directly on to Homebush Road; and

Darfield

12.1.3.8 No subdivision of land in any of the areas labelled "Areas 1–5" as shown in Appendix 25, shall take place until:

(a) A potable water supply is available which is capable of serving the lots within the subdivision; and

(b) An Outline Development Plan addressing those matters identified in the explanation and reasons to Policy B4.3.22, Darfield Specific Policies has been incorporated into the District Plan for the area as identified in Appendix 25 within which the subdivision is proposed.

12.1.3.9 Where a potable water supply is available which is capable of serving the lots within the subdivision, and there is an Outline Development Plan which has been incorporated into the District Plan for the area identified in Appendix 25 within which the subdivision is proposed, the subdivision complies with the layout and contents of the Outline Development Plan for that area.

12.1.3.10 The subdivision of land shown in Appendix 27 (east of Clintons Road) is in accordance with the plan shown in that Appendix.

Dunsandel

12.1.3.11 In the deferred Living Zone (Area A) at Dunsandel, no subdivision of land shall take place until:

(a) An acceptable effluent disposal system has been identified and/or established; and

(b) An appropriate level of density has been identified and a subsequent living zone incorporated into the Plan; and

(c) A potable water supply is available which is capable of serving the potential lots within the subdivision; and

(d) Investigations are undertaken into any reverse sensitivity issues with the adjoining Business 2 Zone; and

(e) An Outline Development Plan has been incorporated into the District Plan identifying; a buffer strip or some other form of mitigation between the new zone and the Business 2 Zone should any reverse sensitivity issues be identified as a result of (d) above, and indicative road layout and pedestrian access between the Living 2 Zone and the domain.

12.1.3.12 In the deferred Living Zone (Area B) at Dunsandel, no subdivision of land shall take place until:

(a) An acceptable effluent disposal system has been identified and/or established; and

(b) An appropriate level of density has been identified and a subsequent living zone incorporated into the Plan; and

(c) The impact of the subdivision on the intersection of the Browns Road extension with State Highway 1 has been assessed and considered to be acceptable; and

(d) A potable water supply is available which is capable of serving the potential lots within the subdivision; and

(e) Investigations are undertaken into any reverse sensitivity issues with the adjoining Rural zone; and

(f) An Outline Development Plan has been incorporated into the District Plan identifying; a buffer strip or some other form of mitigation between the new zone and the Rural zone should any reverse sensitivity issues be identified as a result of (e) above and an indicative road and pedestrian access layout.

12.1.3.13 Upon uplifting of the deferral of Area A or B any subdivision complies with the layout and contents of the Outline Development Plan for that area.

Kirwee

12.1.3.14 In the Living 2A zone at Kirwee, no more than 3 allotments have vehicular access to Dawn Place; and

Lincoln

12.1.3.15 In relation to the Living 1A Zone at Lincoln:

(a) a road of at least 20 metres in width is provided to the following points:

- The western boundary of the zone, 180 metres from the southern boundary of Lot 13 DP 73009.
- The eastern boundary of the zone, within 50 metres of the southern boundary of the zone; and

(b) The intersection between Kildare Terrace, South Belt and the South Belt road entrance to the zone is in accordance with the drawing attached as Appendix 18; and

12.1.3.16 In the Living 1A Zone at Lincoln, any subdivision plan submitted to the Council is accompanied by a landscape plan detailing plantings to be undertaken and reserve areas to be established generally in accordance with the Concept Plan, C1, C2 and C3, in Appendix 18. The plan is to include a reserve area that extends to the western boundary of the zone below Lot 13 DP 73008. It is to be certified by a Council officer as to its design, layout and location and the extent of reserves, and types of plantings proposed; and

12.1.3.17 The cycleway/walkway linking Springs Road to Douglas Street identified in Appendix 18 shall be constructed prior to any other development taking place.

12.1.3.18 In relation to the Living 1A1 Zone at Lincoln, any new road intersection onto Edward Street is in accordance with the drawing attached as Appendix 16; and

12.1.3.19 In relation to the Living 1A2 Zone at Lincoln, any new road intersection onto North Belt is in accordance with the drawing attached as Appendix 17; and

12.1.3.20 In relation to the Living 1A, 1A1 and 1A2 zones at Lincoln, any subdivision plan submitted to the Council for consent provides for a minimum of 31 lots; and

12.1.3.21 For the Living 1 (Liffey Springs) Zone (Deferred) at Lincoln as shown in Appendix 35; upon the passing of a Council resolution that there is adequate capacity in a local authority operated reticulated sewage treatment facility to service that land for residential development, the Living 1(Liffey Springs) Zone (Deferred) at Lincoln, as shown in Appendix 35 shall cease to be deferred and the rules of the Living 1 Zone will apply to that land, and the rules of the Rural Zone (Outer Plains) will cease to apply, without further formality.

12.1.3.22 The subdivision of land shown in Appendix 35 (Liffey Springs) shall be in accordance with the Outline Development Plan as shown that appendix.

In the Living 1 (Liffey Springs) Zone (Deferred) at Lincoln, as shown in Appendix 35; any subdivision plans submitted to the Council shall be accompanied by a landscape plan and planting plan detailing plantings to be undertaken and reserve areas to be established. Landscaping and planting of reserve areas shall be established generally in accordance with the Landscape Concept Plans in Appendix 36 (Liffey Springs) except for: the provision of a Ha-Ha fence identified on Sheet 3 of the Landscape Concept Plans; and that area of landscaping denoted as '3' on Sheet 3 of the Landscape Concept Plans shall be designed and

establish to retain elements of visual outlook and connectivity to LII River.

12.1.3.23 The subdivision of the Living 1 (Liffey Springs) Zone (deferred) at Lincoln, as shown in Appendix 35 shall demonstrate the ability to achieve a minimum density of 10.5 lots/households per hectare over the whole of the Outline Development Plan area as shown in that appendix. Any subdivision not able to achieve that density shall be a non-complying activity.

Prebbleton

12.1.3.24 In the Living 1A1, 1A2, 1A3, 2A, and any deferred living zone at Prebbleton, any subdivision is in general accordance with the respective concept and/or Outline Development Plans in Appendix 19; and

12.1.3.25 In the Living 1A3, 1A4 and 2A zones or any deferred living zones at Prebbleton, no allotment has vehicular access directly onto Springs Road, except for:

(a) A road or indicative road identified on an Outline Development Plan in Appendix 19; or

(b) Any allotments(s) that are wholly contained within the Banham & Tapp Outline Development Plan in Appendix 19, and containing an existing dwelling that utilitises an existing vehicular access onto Springs Road; and

12.1.3.26 For the Living 1A5 (Deferred) Zone at Prebbleton, until the passing of a Council resolution that there is adequate capacity in a local authority operated reticulated sewage treatment facility to service that land for comprehensive residential development, the rules of the Living 1A2 Zone shall apply to that land and for the avoidance of doubt that land may be developed in accordance with the rules of the Living 1A2 Zone.

12.1.3.27 For the Living 1A5 (Deferred) Zone at Prebbleton, upon the passing of a Council resolution that there is adequate capacity in a local authority operated reticulated sewage treatment facility to service that land for comprehensive residential development, the Living 1A5 (Deferred) Zone shall cease to be deferred and the rules of the Living 1A5 Zone will apply to that land, and the rules of the Living 1A2 Zone will cease to apply, without further formality.

12.1.3.28 In the Living 1A5 Zone at Prebbleton, subdivision for comprehensive residential development shall be a restricted discretionary activity where a land use consent for a comprehensive residential development has been obtained.

12.1.3.29 In the Living 2A Zone at Prebbleton, the maximum number of allotments is 32, and the maximum number of lots on the south side of Trices Road is 8; and

12.1.3.30 In relation to the Living 2A (Blakes Road) Zone at Prebbleton, Lots 56, 57, 59 and 60 shall have no vehicular access directly on to Blakes Road; and

12.1.3.31 In the Living 2A (Blakes Road) Zone at Prebbleton, the roads and walkways are laid out and formed in substantial accordance with the development plan in Appendix 19. No kerb and channel is constructed over the site beyond the entrance to the site and areas identified in the development plan as requiring footpaths. A footpath between the Living 2A (Blakes Road) Zone and connecting into the existing Prebbleton footpath of Blakes Road is laid and formed.

12.1.3.32 For the Living 2A (Deferred) Zone at Prebbleton, prior to the issue of any completion certificate under section 224 of the Act for subdivision of Certificate of Title CB41C/255 (comprising part of the land shown on the Outline Development Plan for the Shaw Block in Appendix 19) a restrictive covenant over the remaining Rural (Inner Plains) zoned land in the form of an appropriate legal instrument acceptable to the Council shall be registered in favour of the Council, the Canterbury Regional Council and the Christchurch City Council to prevent subdivision of the remaining Rural (Inner Plains) zoned land below 4 hectares.

12.1.3.33 Until either the passing of a Council resolution that there is adequate capacity in a local authority operated reticulated sewage treatment facility to service any particular area of land subject to a deferred living or until all necessary resource consents have been obtained for a method of treatment and disposal of sewage/ stormwater from a particular area of land subject to a deferred living the rules of the Rural Zone (Inner Plains) shall apply to that land; and

12.1.3.34 Upon either the passing of a Council resolution that there is adequate capacity in a local authority operated reticulated sewage treatment facility to service any particular area of land subject to a deferred living zone, or until all necessary resource consents have been obtained for a method of treatment and disposal of sewage/stormwater from a particular area of land subject to a deferred living zone, the living zone shall cease to be deferred and the rules of the relevant living zone will apply to that land, and the rules of the Rural Zone (Inner Plains) will cease to apply, without further formality.

12.1.3.35 In the Living 2A (Blakes Road) Zone, any subdivision of land within the area shown in Appendix 19 shall be in substantial accordance with the development plan shown in that Appendix. Prior to the issue of any completion certificate under section 224 of the Act, a restrictive covenant in the form of an appropriate legal instrument in a form acceptable to the Council shall be registered in favour of the Council and the Canterbury Regional Council and the Christchurch City Council to prevent the further subdivision of Lots 1-7 on the development plan in Appendix 19.

Springston

12.1.3.36 In relation to the Living 1A Zone at Springston:

(a) only one access point is provided to Ellesmere Junction Road

(b) when the single access point is created, the following formation aspects are developed on Ellesmere Junction Road:

- Southern side: a 2.5 metre wide deceleration lane consisting of two 50 metre long taper lengths and a 50 metre straight.

– Northern side: a 2.5 metre wide deceleration lane consisting of two 50 metre long taper lengths and a 30 metre straight; and

West Melton

12.1.3.37 Any subdivision of land within the area shown in Appendix 20 (Living 1, Living 1B, Living 2, Living 2A or Rural Zones) at West Melton complies with the layout and contents of the Outline Development Plan shown in Appendix 20; and

12.1.3.38 Any subdivision of land within the area shown in Appendix 20 shall:

(a) provide a bund for mitigation of traffic noise along the frontage of State Highway 73 to a height of not less than 2 m and a width of not less than 8.5 m, which shall be landscaped by retention of existing hedges or new planting of sufficient height to visually screen dwellings from the highway;

(b) provide a pedestrian/cycle underpass beneath State Highway 73 between the Living 1 and Living 2 Zones, prior to titles being issued for more than 30 dwellings in the Living 2 Zone.

12.1.3.39 In the Living 2A Zone at West Melton, the maximum number of allotments is 10.

12.1.3.40 No subdivision of land in the Living 1 (Deferred) or Living 2 (Deferred) Zones at West Melton shall take place until:

(a) A reticulated community potable water supply is available which is capable of serving the entire lots within the subdivision; and

(b) A reticulated community sewage effluent treatment and disposal system is available which is capable of serving the entire lots within the subdivision; and

(c) An Outline Development Plan has been incorporated into the District Plan for the development of all land zoned Living 1 or 2 Deferred west of Weedons Ross Road.

Table C12.1 – Allotment Sizes

Township	Zone	Average Allotment Size Not Less Than
Arthur's Pass	Living 1	The size needed for on-site effluent disposal but not less than 800m^2
Castle Hill	Living 1A	500m^2 , and a minimum allotment size of 350m^2
Coalgate	Living 1	The size needed for on-site effluent disposal but not less than 800m^2
	Living 2	1 ha
Darfield	Living 1	650m^2
	Living 2	5,000m^2

Township	Zone	Average Allotment Size Not Less Than
	Living 2 (Deferred)	Refer to Subdivision – General Rules. 5,000m^2 if criteria met.
	Living 2A (Deferred)	Refer to Subdivision – General Rules. 1 ha if criteria met.
	Living 2A1	2 ha
	Living X (Deferred)	Refer to Subdivision – General Rules. What the subdivider nominates, but not less than the average for the Living 1 Zone in the township (650m^2) if criteria met.
Doyleston	Living 1	650m^2
Dunsandel	Living 1	The size needed for on-site effluent disposal but not less than 800m2
	Living 2	1 ha
	Living (Area A) (Deferred)	Refer to Subdivision – General Rules. Final density still to be determined.
	Living (Area B) (Deferred)	Refer to Subdivision – General Rules. Final density still to be determined.
Glenntunnel	Living 1	The size needed for on-site effluent disposal but not less than 800m^2
Hororata	Living 1	The size needed for on-site effluent disposal but not less than 800m^2
Kirwee	Living 1	800m^2
	Living 2	1 ha
	Living 2A	1 ha 2 ha for lots along the northern and eastern boundaries of the zone that abuts a Rural Zone.
Lake Coleridge Village	Living 1	800m^2
Leeston	Living 1	650m^2
	Living 1 (Deferred)	4 ha until deferral lifted, then 650m^2
	Living 2	5,000m^2
	Living 2 (Deferred)	4 ha until deferment lifted, then 5,000m^2
	Living 2A	5,000m^2
	Living XA	What the subdivider nominates, but not less than the average for the Living 1 Zone in the township (650m^2)

Township	Zone	Average Allotment Size Not Less Than
Lincoln	Living 1	650m^2
	Living 1A	850m^2 Minimum of 31 lots for any subdivision plan
	Living 1A1	650m^2 Minimum of 31 lots for any subdivision plan
	Living 1A2	650m^2 Minimum of 31 lots for any subdivision plan
	Living 1A3	500m^2
	Living 1A4	1,500m^2
	Living 2	3,000m^2
	Living X	2,000m^2
Prebbleton	Living 1	800m^2
	Living 1A	2,000m^2
	Living 1A (Deferred)	4 ha
	Following either the Council passing a resolution that there is adequate capacity in a local authority operated reticulated sewage treatment facility to service a particular area of land subject to deferred living zoning, or following all necessary resource consents having been obtained for a method of treatment and disposal of sewage/stormwater from a particular area of land subject to a deferred living zone, the living zone shall cease to be deferred and the rules of the Living 1A Zone will apply.	
	Living 1A1	800m^2
	Living 1A2	800m^2 and no more than 10 % at less than 700m^2
	Living 1A3	800m^2 and no more than 10 % at less than 700m^2
	Living 1A4	800m^2 and no more than 10 % at less than 700m^2
	Living 1A5	800m^2 and no more than 10 % at less than 700m^2. For comprehensive residential development, the minimum average area shall be 350m^2.
	Living 1A5 (Deferred)	800m^2 and no more than 10 % at less than 700m^2

Township	Zone	Average Allotment Size Not Less Than
	Following the passing of a Council resolution that there is adequate capacity in a local authority operated reticulated sewage treatment facility to service that land for comprehensive residential development, the Living 1A5 (Deferred) Zone shall cease to be deferred and the rules of the Living 1A5 Zone will apply. For the avoidance of doubt that land may be developed in accordance with the rules of the Living 1A2 Zone.	
	Living 2	5,000m^2
	Living 2A	5,000m^2 Maximum number of allotments is 32, and on the south side of Trices Road the maximum number of allotments is 8
	Living 2A (Blakes Road)	5,000m^2 Subdivision shall proceed in substantial accordance with the development plan in Appendix 19
	Living 2A (Deferred)	4 ha
	Following either the Council passing a resolution that there is adequate capacity in a local authority operated reticulated sewage treatment facility to service a particular area of land subject to deferred living zoning, or following all necessary resource consents having been obtained for a method of treatment and disposal of sewage/stormwater from a particular area of land subject to a deferred living zone, the living zone shall cease to be deferred and the minimum allotment size shall be 1.5 ha.	
	Living X	What the subdivider nominates, but not less than the average for the Living 1 Zone in the township (800m^2)
	Living X (Deferred)	4 ha
	Following either the Council passing a resolution that there is adequate capacity in a local authority operated reticulated sewage treatment facility to service a particular area of land subject to deferred living zoning, or following all necessary resource consents having been obtained for a method of treatment and disposal of sewage/stormwater from a particular area of land subject to a deferred living zone, the living zone shall cease to be deferred and the rules of the Living X Zone will apply.	
Rakaia Huts	Living 1	The size needed for on-site effluent disposal but not less than 800m^2
Rolleston	Living 1	750m^2
	Living 1A	Minimum lot area of 300m^2
	Living 1B	1,200m^2 with a minimum lot area 750m^2
	Living 1B Deferred	5,000m^2 until deferral lifted in January 2010, then 1,200m^2 with a minimum lot area of 750m^2
	Living 1C	2,000m^2 with a minimum lot area of 1,000m^2 PC11

Township	Zone	Average Allotment Size Not Less Than
	Living 2	5,000m^2
	Living 2A	1 ha
Sheffield	Living 1	The size needed for on-site effluent disposal but not less than 800m^2
	Living 1A	The size needed for on-site effluent disposal but not less than 800m^2
Southbridge	Living 1	650m^2
Springfield	Living 1	The size needed for on-site effluent disposal but not less than 800m^2
Springston	Living 1	800m^2
	Living 1A	800m^2
Tai Tapu	Living 1A	800m^2
	Living 2A	5,000m^2
Waddington	Living 1	The size needed for on-site effluent disposal but not less than 800m^2
West Melton	Living 1	1,000m^2
	Living 1 Deferred	Refer to Subdivision – General Rules. 800m^2 if criteria met.
	Living 1B	2,800m^2
	Living 2	5,000m^2
	Living 2 Deferred	Refer to Subdivision – General Rules. 5,000m^2 if criteria met.
	Living 2A	Maximum number of allotments is 10, and a minimum allotment size of 1 ha.
Whitecliffs	Living 1	The size needed for on-site effluent disposal but not less than 800m^2
Township	**Zone**	**Average Allotment Size Not Less Than**
All Townships	Heritage Buildings listed in Appendix 3	Listed in Appendix 3. The building, curtilage and any other area needed to: - mitigate adverse effects; or - maintain the heritage values of the site
	Community Reserves, Community Facilities and Point Strips	No minimum area
All Living Zones	Calculating Allotment Sizes	

Township	Zone	Average Allotment Size Not Less Than
	The average allotment size shall be calculated as a mean average (total area of allotments divided by the number of allotments). The total area and number of allotments used to calculate the mean shall exclude areas used exclusively for access, reserves or to house utility structures, or which are subject to a designation. Any allotment which is twice or more the size of the average allotment required in the zone, shall be calculated as being: 2 x average allotment size for that zone – 10 m^2; or as its actual size, if a covenant is placed on the Certificate of Title to prevent any further subdivision of that land.	
All Townships	Allotment sizes for Flats/Townhouses – Living 1 In any Living 1 zone, where two or more dwellings have been erected on an allotment the average allotment size per dwelling shall be 0.5 x the average allotment size listed in this table for the Living 1 zone in that township.	

12.1.4 Matters over which the Council has restricted the exercise of its discretion:

Access

12.1.4.1 If any allotment has access on to a State Highway or Arterial Road listed in Appendix 7:

(a) Any adverse effects, including cumulative effects, on traffic safety and traffic flow on the Strategic Road; and

(b) The design and location of the vehicular accessway and vehicle crossing; and

(c) Whether access to the allotment(s) can be obtained off another road which is not a Strategic Road either directly or by an easement across other land.

Water

12.1.4.2 The provision of water for firefighting; and

12.1.4.3 In relation to any new bore to provide a potable water supply:

(a) Whether the protection zone is located outside of the plume of influence of any sewage treatment and/or disposal system; and

(b) The need for the protection zone to be confined to within the boundaries of an allotment; and

(c) Any measures proposed to mitigate the potential for any adverse effects on the quality of the water supply.

Solid Waste Disposal

12.1.4.4 The appropriateness of the proposed facilities for solid waste collection or disposal, considering:

(a) The number of allotments; and

(b) The type of accommodation (permanent or holiday); and

(c) The distance to a public solid waste collection service or disposal facility.

Utility Cables

12.1.4.5 Whether any utility cables shall be laid underground.

Telephone and Power

12.1.4.6 Whether telecommunication and electricity connections shall be made available to any allotment; and, if not, the mechanism(s) used to alert prospective buyers of an allotment that these connections are not installed to.

Stormwater Disposal

12.1.4.7 The method(s) for disposing of stormwater; and

12.1.4.8 Any adverse effects of stormwater disposal on any land drainage scheme which is administered by Selwyn District Council; and

12.1.4.9 The quantity and rate of stormwater disposed into any land drainage scheme which is administered by Selwyn District Council.

On-Site Effluent Disposal

12.1.4.10 In the Living zones at Arthur's Pass, Coalgate, Darfield, Dunsandel, Glentunnel, Hororata, Kirwee, Rakaia Huts, Sheffield and Waddington, Springfield and Whitecliffs:

(a) Whether any allotment is of an appropriate size and shape, and has appropriate ground conditions, to enable satisfactory on-site effluent treatment and disposal.

***Note**: The consent authority shall use the requirements of the relevant regional plan and the New Zealand Building Code to measure when on-site effluent treatment and disposal is satisfactory.*

Roads, Reserves and Walkways/Cycleways

12.1.4.11 The provision, location, co-ordination, layout and formation of all roads and vehicular accessways and walkways/cycleways; and

12.1.4.12 The provision, location, coordination, layout and formation of any land required for reserves, which is to comply with the 'Criteria for Taking Land Instead of Cash' clause of the 'Reserves Specific Issues regarding Development Contributions Assessment' in the Development Contribution Policy of the 2006-2016 LTCCP; and

12.1.4.13 The provision of footpaths, lighting and street furniture; and

12.1.4.14 Any landscaping and tree planting required in the road reserve, recreational reserves, and the margins of cycleways/walkways; and

***Note**: The consent authority shall consider any relevant provisions in the district plan or the Council's Engineering Standards (2000) where appropriate, in using its discretion under Rules 12.1.4.12 to 12.1.4.15.*

Special Sites

12.1.4.15 For the subdivision of land which contains or adjoins any waterbody (excluding aquifers) any mitigation to protect the hydrological characteristics and any ecological values of the waterbody (excluding aquifers).

12.1.4.16 If the land to be subdivided contains any place or item which is listed in Appendix 3 as a Heritage, Cultural or Ecological site, or in Appendix 2 as a Designation:

(a) Any effects (adverse or beneficial) which subdividing the land may have on the values of the site, which are identified in the District Plan; and

(b) Any proposed mitigation measures to lessen any adverse effects on the site; and

(c) Whether public access to the site is desirable and, if so, how this may be improved as part of the subdivision; and

(d) Whether the size and shape of the allotment area is appropriate to maintain the values and features of the site and enable ready access to and maintenance of the site or features on the site.

Size and Shape

12.1.4.17 The size and shape of allotments in accordance with Rules 12.1.3.5 and 12.1.3.6; and

12.1.4.18 The size and shape of allotments for the subdivision of a heritage building or site listed in Appendix 3; and.

12.1.4.19 The shape and alignment of allotments with respect to the potential that dwellings erected on them will have to gain orientation to the sun; and

12.1.4.20 If any allotment is to be created which is too small to enable a dwelling to be erected on it as a permitted activity under the district plan rules; and

12.1.4.21 The mechanism(s) used to alert any prospective buyer(s) of the allotment.

***Note**: The consent authority shall consider a dwelling as being a minimum of 150m² in gross floor area, when using its discretion under Rules 12.1.4.18 to 12.1.4.22 for compliance with District Plan rules.*

Utilities and Facilities

12.1.4.22 The design, siting, layout and construction of any roads, reserves, or other utilities or facilities which shall either:

(a) Vest in Selwyn District Council as owner or manager; or

(b) Connect to any road, reserve or other utility which is owned, managed by or otherwise vested in Selwyn District Council; and

12.1.4.23 For other utilities and facilities:

(a) The method(s) by which the operation, maintenance, repaired and any upgrades to those systems shall be managed; and

(b) The method(s) by which prospective purchasers of allotments are to be informed of any fiscal or managerial responsibilities they have for those services and facilities.

***Note**: The consent authority shall consider any relevant provisions in the district plan or the Council's Engineering Standards (2000) where appropriate, in using its discretion under Rule 12.1.4.23.*

Construction of any Works

12.1.4.24 Any measures to mitigate potential adverse effects on people or other parts of the environment from all engineering works associated with preparing land, creating allotments, and installing associated utilities.

Fencing

12.1.4.25 Any measures to avoid or mitigate the potential adverse visual effects of 1.8 metre high (or higher) solid fencing being erected along road boundaries where subdivisions "back onto" roads.

Easements

12.1.4.26 Any easements or other mechanism(s) needed to obtain or maintain legal access to land or utilities.

High Voltage Transmission Lines

12.1.4.27 Where any part of any proposed allotment lies within a corridor 20 metres from the centreline of transmission lines indicated in the Planning Maps or within 20 metres of any support structure for those lines, the means by which compliance with the New Zealand Code of Electrical Practice (NZCEP:34) may be achieved by likely activities on any such allotment.

Esplanade Reserves

12.1.4.28 Whether esplanade reserve will be created on any allotment which adjoins a river, lake or stream listed in Appendix 12;

12.1.4.29 Whether any esplanade strip will be created on any allotment to protect the natural character of the margins of any river, lake or stream listed in Appendix 12.

Prebbleton

12.1.4.30 In the Living 1A2, 1A3, 1A4 and 2A zones at Prebbleton, the retention of existing trees that are considered "significant" in terms of the Prebbleton Townscape Plan; and

12.1.4.31 In the Living 1A2 Zone at Prebbleton, the retention of the existing stream; and

12.1.4.32 In the Living 1A2 Zone at Prebbleton, the achievement of a graduated density of allotment sizes such that average lot size generally increases in a southward direction; and

12.1.4.33 In the Living 1A2 Zone at Prebbleton, without compromising Rule 12.1.4.32, the location of larger sized lots along the north west and north boundaries of the zone; and

12.1.4.34 In the Living 1A3 Zone at Prebbleton, the necessity for larger allotments along the boundary of the zone adjoining Meadow Mushrooms, so as to mitigate minor odour and noise effects; and

12.1.4.35 In the Living 1A4 Zone at Prebbleton, the necessity for the Ministry of Education to acquire part of the zone to accommodate the future needs of Prebbleton Primary School.

12.1.4.36 In the Living 2A Zone at Prebbleton, the need for an interim walkway/cycleway linkage to Springs Road via the north west corner of the zone until such time as a linkage on the land between the Living 1A2 and Living 2A zones is able to be achieved.

***Note**: The consent authority shall consider any relevant provisions in the district plan or the Council's Engineering Standards (2000) where appropriate, in using its discretion under Rule 12.1.4.37.*

Rolleston

12.1.4.37 The extent to which failure to provide a pedestrian linkage identified in Appendix 23 will result in increased use of private motor vehicles within Rolleston;

12.1.4.38 The degree to which pedestrian and cycle access throughout Rolleston may be enhanced from an efficiency and amenity perspective through the provision of cycleways and walkways;

12.1.4.39 The need to provide linkages (road, cycle, walkways) to schools, business areas, community facilities and reserves to ensure that the town develops in an integrated manner;

12.1.4.40 The need to provide for pedestrian and cycle movement within the road reserve;

12.1.4.41 The extent to which failure to provide walkways/cycleways may result in a loss of opportunity to enable non-vehicular access by children to and between residential areas, schools and community facilities;

12.1.4.42 The need for local reserves;

12.1.4.43 The extent to which failure to provide walkways/ cycleways may result in a loss of pedestrian safety and amenity;

12.1.4.44 The design guidelines contained in Appendix 23;

12.1.4.45 Except in the Lowes Road Structure Plan Area (Appendix 34) PC11 the extent to which a failure to conform with the roading pattern identified in Appendix 23 will adversely affect:

(a) ease of access within and an efficient road network throughout Rolleston; and

(b) bus routes; and

(c) the ability of nearby landowners also to conform with the indicative roading layout and the degree to which access (actual or potential) to nearby properties may be changed or compromised.

12.1.4.46 The extent to which a failure to provide a linkage will adversely affect the future integration of Rolleston in terms of ease of vehicular and non-vehicular access to and between residential areas, business and community facilities.

12.1.4.47 In the Living 1A and 1B zones every allotment shall be served with underground electric power and telephone services in accordance with the standards specified by the relevant network utility operator.

12.1.4.48 For allotments within or adjacent to the Lowes Road Structure Plan area, that the proposed layout is in general accordance with the structure plan map in Appendix 33.

In assessing whether the layout is in general accordance with the structure plan map the following will be considered:

a) that the ability for Council to obtain the indicated linkages is not compromised.

b) that the ability for Council to obtain the indicated reserves is not compromised.

c) that the layout will result in a logical pattern of development for the area as a whole.

d) that the ability of adjoining landowners to develop their land whilst providing for the indicated reserves and linkages is not unduly compromised.

e) That the proposal will result in public space of equal or better quality than the structure plan

f) That the proposal will not involve excessive additional costs for Council in the construction of roads or paths funded by development contributions. PC11

Rolleston Special Character Low Density Areas (Living 1C zoning)

12.1.4.49 In the Living 1C zoned area adjacent to Waterbridge Way, that the subdivision would not require the piping of a water-race or its relocation away from the path shown in the Lowes Road Structure plan unless:

a) an alternative path of equal prominence is provided;

b) the water-race is landscape to a standard equivalent to surrounding landholdings.

In the assessment of this matter, consideration should be given to the likely size, shape and location of any dwellings to be built on the new lots.

12.1.4.50 In the Living 1C zoned area adjacent to Waterbridge Way, that the subdivision design minimizes the need for additional crossings of the water races by sharing accessways where possible. Where this is not feasible, the water race should be crossed by a bridge of similar design, materials and colour to the existing bridges on Waterbridge Way.

12.1.4.51 In Living 1C zoned areas in Fairhurst Place, that the subdivision would not require the removal of street trees in order to provide access. PC11

Tai Tapu

12.1.4.52 If the land to be subdivided is located in an area which is identified on the planning maps as being in the Living 1A or Living 2A zones at Tai Tapu:

(a) Whether the subdivision of land or subsequent use of the land is likely to cause or exacerbate potential risk to people or damage to property; and

(b) Any measures proposed to mitigate the effects of a potential natural hazard, including:

- Building platforms within each allotment, of sufficient size to accommodate a dwelling and associated curtilage; and
- The filling (with inert hardfill) of any low lying area: and

(c) How adequate and appropriate any such mitigation measures may be, and the mechanisms to secure any such measures.

Restricted Discretionary Activities — Subdivision – West Melton

12.1.5 The following activities shall be restricted discretionary activities:

12.1.5.1 Any subdivision subject to Rule 12.1.1 which does not comply with Rule 12.1.3.34.

12.1.5.2 The exercise of discretion shall be restricted to the matters listed in 12.1.5.3 to 12.1.5.6 below.

12.1.5.3 Whether any amendments to the roading pattern will retain connectivity and avoid piecemeal and uncoordinated subdivision patterns;

12.1.5.4 Whether any amendments to the subdivision would still enable efficient and coordinated provision of services;

12.1.5.5 Whether any amendments to the subdivision layout will provide adequately for reserves, pedestrian or cycle linkages;

12.1.5.6 Whether any amendments to the subdivision will ensure that there are not an excessive number of lots reliant on a single access point to an adjoining road.

Discretionary Activities — Subdivision – General

12.1.6 The following activities shall be discretionary activities:

12.1.6.1 Any subdivision subject to Rule 12.1.1 which does not comply with Rules 12.1.3.9 or 12.1.3.10.

12.1.6.2 Any subdivision subject to Rule 12.1.1 which does not comply with Rule 12.1.3.13.

12.1.6.3 Any subdivision in the Living 2 Zone at Coalgate or Dunsandel with an average allotment size of less than 1 hectare.

12.1.6.4 Any subdivision in a Living 2 zone other than at Kirwee, Coalgate or Dunsandel with an average allotment size of less than 5000m^2.

12.1.6.5 Any subdivision in a Living 1C zone with an average lot size above 1,200m2. PC11

12.1.6.6 Any subdivision in the Living 2 zone at Lincoln with an average allotment size of less than 3,000m^2.

Non-Complying Activities — Subdivision – General

12.1.7 Except as provided for in Rules 12.1.5 and 12.1.6, the following activities shall be non-complying activities:

12.1.7.1 Any subdivision subject to Rule 12.1.1 which does not comply with Rule 12.1.3.

12.1.7.2 Upon deposit of a Plan of subdivision, any further subdivision (other than by way of boundary adjustment) of any allotment within that Plan of subdivision (other than a balance lot) in the Living 1A Zone at Lincoln.

12.1.7.3 In the Living 1A5 Zone at Prebbleton, subdivision for comprehensive residential development shall be a non-complying activity where a land use consent for a comprehensive residential development has not been obtained.

12.1.7.4 Any subdivision in the Lowes Road Structure Plan area that is not in general accordance with the Structure Plan.

12.1.7.5 Any subdivision in a Living 1C zone with an average lot size below 1,200m^2. PC11

12.2 SUBDIVISION — BOUNDARY ADJUSTMENTS

Note: If a boundary adjustment completed under 12.2 creates a land use activity which no longer complies with the district plan provisions for a permitted activity, a separate land use consent may be required for the land use activity.

Restricted Discretionary Activities — Subdivision – Boundary Adjustments

12.2.1 Any subdivision to adjust the boundaries between existing allotments shall be a restricted discretionary activity if it complies with the following standards and terms:

12.2.1.1 All allotments subject to the boundary adjustment are adjoining or separated by a road, railway line, vehicular accessway or waterbody (excluding aquifers); and

12.2.1.2 No additional allotments are created as a result of the boundary adjustment; and

12.2.1.3 The area of any allotment after the boundary adjustment has not decreased the smallest allotment existing after the boundary adjustment by an area greater than 15% of that of the smallest allotment prior to the boundary adjustment (except where any such allotment is for the purpose of corner rounding or access to a road); and

12.2.1.4 Each allotment has legal access to a formed, legal road.

If the subdivision complies with Rules 12.2.1.1 to 12.2.1.4, it shall not be notified and shall not require the written approval of affected parties. The exercise of discretion shall be restricted to consideration of the matters listed in Rule 12.2.2.

12.2.2 Matters over which the Council has restricted the exercise of its discretion:

Access

12.2.2.1 If any allotment has access on to a Strategic Road listed in Appendix 7:

(a) Any adverse effects, including cumulative effects, on traffic safety or traffic flow on the Strategic Road; and

(b) Any alternative roads that may be used for access; and

(c) The design and siting of the vehicular accessway or vehicle crossing.

Water

12.2.2.2 In relation to any new bore to provide a potable water supply:

(a) Whether the protection zone is located outside of the plume of influence of any sewage treatment and/or disposal system; and

(b) The need for the protection zone to be confined to within the boundaries of an allotment; and

(c) Any measures proposed to mitigate the potential for any adverse effects on the quality of the water supply.

Size and Shape

12.2.2.3 The proposed size and shape of the allotments altered by the boundary adjustment considering:

(a) The actual or proposed use of the site; and

(b) The effects of adjoining land uses on the site; and

(c) Whether, as a result of the boundary adjustment, an allotment may be created which is too small to enable a dwelling to be erected on it as a permitted activity in the district plan and, if so, the mechanism used to inform any prospective purchaser of any such allotment.

***Note**: In using its discretion under Rule 12.2.2.3(c), the consent authority shall consider a dwelling of 150m² in gross floor area for compliance with District Plan rules.*

Stormwater Disposal

12.2.2.4 The methods for disposing of stormwater;

12.2.2.5 Any adverse effects of stormwater disposal on any land drainage scheme administered by the Selwyn District Council; and

12.2.2.6 The quantity and rate of stormwater discharged in to any land drainage scheme administered by the Selwyn District Council.

On Site Effluent Disposal

12.2.2.7 In the Living zones at Arthur's Pass, Coalgate, Darfield, Dunsandel, Glentunnel, Hororata, Kirwee, Rakaia Huts, Sheffield and Waddington, Springfield and Whitecliffs: Whether any allotment is of appropriate size and shape, and has appropriate ground conditions, to enable satisfactory on-site effluent treatment and disposal.

Note: The consent authority will have regard to the requirements of the relevant Regional Plan and the provisions of the New Zealand Building Code to assist in determining whether on-site sewage treatment and disposal can satisfactorily be achieved.

Special Sites

12.2.2.8 If any allotment subject to the boundary adjustment contains or adjoins:

(a) Any waterbody excluding aquifers; or

(b) Any site listed in Appendix 3; or

(c) A designation:

– Any effects (adverse or beneficial) which the boundary adjustment may have on these values of the site, as identified in the District Plan; and

– Any proposed mitigation measures to lessen any adverse effects on these values; and

– Whether public access to the site is desirable and, if so, where and how this may be improved as part of the boundary adjustment; and

– Whether the proposed size and shape of the allotments are appropriate to maintain the values and features of the site and enable ready access to and maintenance of the site.

Utilities

12.2.2.9 Any new or upgraded utilities required to any allotment as a result of the boundary adjustment; and

12.2.2.10 Whether any utility cables shall be laid underground; and

12.2.2.11 The location, design, layout and construction of any utilities or facilities which are to vest in Selwyn District Council; or which are to connect into or work in conjunction with, utilities or facilities which are owned or managed by Selwyn District Council; and

12.2.2.12 For services and facilities which are not to vest in Selwyn District Council:

(a) The method(s) by which the operation, maintenance, repair and any upgrades to those systems shall be managed; and

(b) The method(s) by which prospective purchasers of any allotment are to be informed of any fiscal or managerial responsibilities they have for those utilities or facilities; and

12.2.2.13 Measures to avoid, remedy or mitigate any adverse effects of constructing or upgrading utilities or facilities on surrounding residents or other parts of the environment.

Easements

12.2.2.14 Any easements or other mechanisms needed to obtain legal access to land or utilities.

High Voltage Transmission Lines

12.2.2.15 Where any part of the lands in respect of which boundary adjustments are proposed lies within a corridor 20 metres from the centreline of transmission lines indicated in the Planning Maps or within 20 metres of any support structure for those lines, the means by which compliance with the New Zealand Code of Electrical Practice (NZCEP:34) may be achieved by likely activities on any allotment all or part of which will lie within that corridor or distance.

Esplanade Reserves and Strips

12.2.2.16 Whether any esplanade reserve will be created on any allotment which adjoins a river, lake or stream listed in Appendix 12.

Tai Tapu

12.2.2.17 If any allotment subject to the boundary adjustment is located in an area which is identified on the planning maps as being in the Living 1A or 2A zones at Tai Tapu:

(a) Whether the subdivision of land or subsequent use of the land is likely to cause or exacerbate potential risk to people or damage to property; and

(b) Any measures proposed to mitigate the effects of a potential natural hazard, including:

- Minimum floor heights for dwellings and other principal buildings; and
- Building platforms within each allotment, of sufficient size to accommodate a dwelling and associated curtilage; and
- The filling (with inert hardfill) of any low lying area: and

(c) How adequate and appropriate any such mitigation measures may be, and the mechanisms to secure any such measures.

Non-Complying Activities — Subdivision – Boundary Adjustments

12.2.3 The following activities shall be non-complying activities

12.2.3.1 Any subdivision to adjust boundaries which does not comply with Rule 12.2.1

12.3 SUBDIVISION — ACCESS, RESERVE AND UTILITY ALLOTMENTS

Controlled Activities — Subdivision – Access, Reserve and Utility Allotments

12.3.1 Subdivision of land to create allotments used solely for:

- Access (including roads and esplanade reserves); or
- Esplanade strips; or
- Protection of sites with special ecological, cultural or heritage values, archaeological sites, or outstanding landscapes; or
- Utility structures and utility buildings;
- Stopbanks.

Shall be a controlled activity which need not be notified or served on the persons prescribed in regulations (except where any part on an allotment intended to be used for utility structures lies within a corridor 20 metres from the centreline of transmission lines indicated in the Planning Maps or within 20 metres of any support structure for those lines. In that case, and subject to S94(2) of the Act, notice of the application shall be served on the appropriate network utility operator). The exercise of discretion shall be restricted to consideration of the matters listed in Rule 12.3.2.

Subdivision of land to create allotments used solely for utility buildings and utility structures shall be a controlled activity, which shall not be notified and shall not require the written approval of affected parties. The exercise of discretion shall be restricted to consideration of the matters listed in Rule 12.3.2.

12.3.2 Matters over which the Council has reserved control:

Access

12.3.2.1 Whether any allotment(s) created by the subdivision require(s) legal access to a legal, formed road; and

12.3.2.2 If legal access is to be to a Strategic Road listed in Appendix 7:

(a) Any adverse effects, including cumulative effects, on traffic safety and flow; and

(b) Whether access can be obtained of an alternative road; and

(c) The design and siting of any vehicular accessway or vehicle crossing.

Size and Shape

12.3.2.3 The size and shape of any allotment created by the subdivision considering:

(a) The proposed use of the site; and

(b) Any adverse effects of surrounding land uses on the site.

Special Sites

12.3.2.4 For the subdivision of land which contains or adjoins any waterbody (excluding aquifers), the setting aside of esplanade strips or other methods to protect the hydrological characteristics and any ecological values of the waterbody (excluding aquifers).

12.3.2.5 If the land to be subdivided contains any place or item which is listed in Appendix 2 or 3 as a Heritage site or ecological site, or designation:

(a) Any effects (adverse or beneficial) which subdividing the land may have on the values of the site identified in the District Plan; and

(b) Any proposed mitigation measures to lessen any adverse effects on these values; and

(c) Whether public access to the site is desirable and, if so, how this may be improved as part of the subdivision;

(d) Whether the size and shape of the allotment area is appropriate to maintain the values and features of the site and enable ready access to and maintenance of the site;

(e) The results of any consultation with the New Zealand Historic Places Trust Pouhere Taonga.

Utilities

12.3.2.6 Whether any allotment created by the subdivision needs to be supplied with any utilities or services and, if so:

(a) The standard of each utility service provided; and

(b) Whether any utility cables shall be laid underground; and

(c) The location, design, layout and construction of any utilities or facilities which are to vest in Selwyn District Council; or which are to connect into, or work in conjunction with utilities or facilities which are owned or managed by Selwyn District Council, and

(d) For services and facilities which are not to vest in Selwyn District Council:

- The method(s) by which the operation, maintenance, repair and any upgrades to those systems shall be managed; and
- The method(s) by which prospective purchasers of allotments are to be informed of any fiscal or managerial responsibilities they have for those services and facilities.

Easements

12.3.2.7 Any easements or other mechanisms needed to obtain legal access to land or other utilities.

Point Strips

12.3.2.8 The creation of any 200mm wide allotment to deny access onto a particular road for traffic safety purposes.

High Voltage Transmission Lines

12.3.2.9 Where any part of any proposed allotment lies within a corridor 20 metres from the centreline of transmission lines indicated in the Planning Maps or within 20 metres of any support structure for those lines, the means by which compliance with the New Zealand Code of Electrical Practice (NZCEP:34) may be achieved by likely activities on any such allotment.

Esplanade Reserves and Strips

12.3.2.10 Whether any esplanade reserve will be created on any allotment which adjoins a river, lake or stream listed in Appendix 12;

12.3.2.11 Whether any esplanade strip will be created on any allotment to protect the natural character of the margins of any river, lake or stream listed in Appendix 12.

Tai Tapu

12.3.2.12 If the land to be subdivided is located in an area which is identified on the planning maps as being in the Living 1A or Living 2A zones at Tai Tapu:

(a) Whether the subdivision of land or subsequent use of the land is likely to cause or exacerbate potential risk to people or damage to property; and

(b) Any measures proposed to mitigate the effects of a potential natural hazard, including the filling (with inert hardfill) of any low lying area; and

(c) How adequate and appropriate any such mitigation measures may be, and the mechanisms to secure any such measures.

Reasons for Rules

Land is usually subdivided, in townships, to create new allotments to be sold as sites for new residential or business development. Subdivision has been the process used in New Zealand to

ensure new allotments have appropriate facilities and features to house new buildings. The District Plan continues to manage these effects at subdivision stage because:

(a) The 'public' expectation is that if an allotment is purchased, it can be built on – especially in townships.

(b) It is usually more efficient and effective to ensure utilities and facilities are installed when land is subdivided, rather than when each allotment is sold and built on, particularly reticulated services, roads and reserves.

Rule 12.1 identifies the facilities and other conditions necessary to ensure allotments in each township are suitable for building on. The Plan recognises, in Rules 12.2 and 12.3 that some allotments are not subdivided to house new buildings. Rule 12.2 provides separate, less stringent conditions, for the alternation of boundaries between adjoining allotments, where no new allotments are created. The subdivisions provided for in Rules 12.2 and 12.3 are recognised as having less potential effects on the environment than those in Rule 12.1.

Rules 12.1 and 12.2 make subdivision a restricted discretionary activity if the activity complies with all relevant standards and terms. The resource consent application is not notified and does not require the written approval of affected parties. These rules are slightly different from the more common controlled activity for two reasons:

(a) The consent authority has the discretion to decline 'inappropriate' proposals. Given that the subdivision rules offer increased flexibility for developers in the design and servicing of their subdivisions than was previously the case, this is considered necessary and reasonable.

(b) A controlled activity is required, under the Act, to be approved. This sometimes resulted in an 'inappropriate' proposal being approved with conditions imposed that, in effect, meant the consent could not be given effect to in terms of the original application (that is, the consent authority was actually declining the application). A restricted discretionary classification avoids this situation.

Outline Development Plans are required in a number of circumstances where the area to be developed is large, or is in multiple ownership. The purpose of Outline Development Plans is to ensure coordinated development, particularly in terms of roading, pedestrian and cycle links; to improve subdivision design; to assist with staging of subdivision; identifying the location of green space and reserves and access points to the adjoining road network; avoidance of adverse effects; and the retention of any key natural features or physical infrastructure.

Where new residential subdivisions are developed adjacent to strategic highways, noise from traffic can have adverse effects on adjoining dwellings, particularly where there are higher speed limits. In these circumstances noise bunding, building setbacks or other measures will be required.

PART C

13 BUSINESS ZONE RULES — STATUS OF ACTIVITIES

13.1 STATUS OF ACTIVITIES

Note: Development contributions under the LTCCP Development Contribution Policy will be taken where network infrastructure, community infrastructure or reserves have to be constructed or expanded as a direct result of growth from development. Refer to Section B4.4 for further information on development contributions.

Permitted Activities — Status of Activities

13.1.1 The following activities shall be permitted activities in Business 1, 1A and 2 Zones:

13.1.1.1 Any activity which complies with all of the provisions of Rules 14 to 23 inclusive relating to permitted activities, and which is not listed in Rule 13.1.3, 13.1.4 or 13.1.5 as a controlled, discretionary or non-complying activity.

13.1.2 The following activities shall be permitted activities in the Business 3 Zone:

13.1.2.1 Any of the activities listed in (a) to (e) below subject to compliance with the conditions for permitted activities in Rules 14 to 23.

(a) Tertiary education

(b) Research

(c) Support services ancillary to the operation of any education and/or research facility.

(d) Quarantine facilities

(e) Residential facilities limited to those existing at the time of public notification of this plan or limited to the operation of, or associated with any education and/or research facility.

Controlled Activities — Status of Activities

13.1.3 In those parts of the Business 2 Zone at Railway Road, Rolleston, as is depicted on the Outline Development Plans at Appendices 22 and 33, all of the following activities shall be controlled activities, irrespective of whether they comply with the conditions for permitted activities in Rules 14 to 23.

(a) Meat processing

(b) Cement manufacture

(c) Hot mix, asphalt paving manufacture

(d) Glass or fibreglass manufacture

(e) Foundry processes, electroplating works, melting of metal, steel manufacture and galvanising

(f) Natural gas, oil or petroleum distillation or refining

(g) Manufacture of hardboard, chipboard or particle board

(h) Timber treatment

(i) Thermal power generation

(j) Any other industry using the combustion of coal, wood or any other bio-mass for space heating or as a source of energy.

13.1.4 Under Rule 13.1.3 the Council shall restrict the exercise of its discretion to:

13.1.4.1 The conditions for permitted activities in Rules 14 to 23.

13.1.4.2 Any potential nuisance effects arising from dust, odour, smoke and noise.

Discretionary Activities — Status of Activities

13.1.5 The following activities shall be discretionary activities in Business 1 and 1A Zones:

13.1.5.1 Any activity which is specified in Rules 14 to 23 as a discretionary activity.

13.1.5.2 Any of the activities listed in (a) to (c) below, irrespective of whether they comply with the conditions for permitted activities in Rules 14 to 23.

(a) Generation of energy for distribution.

(b) Mineral exploration.

(c) Temporary storage of solid or liquid waste delivered or conveyed onto the site.

13.1.6 The following activities shall be discretionary activities in Business 2 Zones:

13.1.6.1 Any activity which is specified in Rules 14 to 23, as a discretionary activity.

13.1.6.2 Any of the activities listed in (a) to (g) below, irrespective of whether they comply with the conditions for permitted activities in Rules 14 to 23.

(a) Any activity that requires an offensive trade licence issued under the Health Act 1956.

(b) Audible bird-scaring devices

(c) Forestry

(d) Mineral exploration

(e) Processing, composting or disposal on to land of any organic matter

(This rule does not apply to the application of compost or organic fertilizers to fertilise gardens or land).

(f) Visitor accommodation

(g) Hospitality activities

13.1.7 The following activities shall be discretionary activities in the Business 3 Zone:

13.1.7.1 Any activity which is specified in Rules 14 to 23 as a discretionary activity.

13.1.7.2 Any activity which is not listed as either:

(a) A non-complying activity under Rule 13.1.10; or

(b) A permitted activity under Rule 13.1.2.1.

Non-Complying Activities — Status of Activities

13.1.8 The following activities shall be non-complying activities in Business 1 and 1A Zones:

13.1.8.1 Any activity which is specified in Rules 14 to 23 as being a non-complying activity.

13.1.8.2 Any of the activities listed in (a) to (i) below, irrespective of whether they comply with the conditions for permitted activities in Rules 14 to 23.

(a) Any activity that requires an offensive trade licence issued under the Health Act 1956

(b) Plantations

(c) Manufacture and/or disposal of any hazardous substance

(d) Mining or quarrying

(e) Correction facility

(f) Treatment and/or disposal of solid or liquid waste delivered or conveyed onto the site

(g) Industrial activity

(h) Transport depots

(i) Residential activity in the Business 1 Zone at Prebbleton occupying more than 50% of the gross floor area of all buildings on the site (excluding underground car parking).

13.1.9 The following activities shall be non-complying activities in Business 2 Zones:

13.1.9.1 Any activity which is specified in Rules 14 to 23 as being a non-complying activity.

13.1.9.2 Any of the activities listed in (a) to (c) below, irrespective of whether they comply with the conditions for permitted or discretionary activities in Rules 14 to 23.

(a) Mining or quarrying

(b) Correction facility

(c) Treatment or disposal of solid or liquid waste delivered or conveyed onto the site.

13.1.10 The following activities shall be non-complying activities in the Business 3 Zone:

13.1.10.1 Any activity which is specified in Rules 14 to 23 as being a non-complying activity.

13.1.10.2 Any of the activities listed in (a) to (d) below, irrespective of whether they comply with the conditions for permitted activities in Rules 14 to 23.

(a) Any activity that requires an offensive trade licence under the Health Act 1956

(b) Mining or quarrying

(c) Correction facility

(d) Treatment or disposal of solid or liquid waste delivered or conveyed onto the site.

13.2 DEFERRED BUSINESS 1 ZONE — PREBBLETON

13.2.1 Until either the passing of a Council resolution that there is adequate capacity in a local authority operated reticulated sewage treatment facility to service any particular area of land subject to a deferred business zoning, or all necessary resource consents have been obtained for a method of treatment and disposal of sewage/stormwater from a particular area of land subject to a deferred business zoning, the rules of the Rural Zone (Inner Plains) shall apply to that land.

13.2.2 For any particular area of land the subject of a deferred business zoning, upon either:

(a) the Council passing a resolution that there is adequate capacity in a local authority operated reticulated sewage treatment facility to service a particular area of land subject to a deferred business zoning; or

(b) all necessary resource consents having been obtained for a method of treatment and disposal of sewage/stormwater from a particular area of land subject to a deferred business zoning;

the business zoning shall cease to be deferred and the rules of the relevant Business zone will apply to that land, and the rules of the Rural Zone (Inner Plains) will cease to apply without further formality.

18 BUSINESS ZONE RULES — UTILITIES

Notes

1. The undergrounding or ducting of any utility is permitted subject to compliance with Rule 14 (Earthworks).
2. The rules in this Plan are applicable to activities generally, including utilities. However, the following rules do not apply to utilities:

   Land Use Rules for Business Zones:

   - Rule 23 (Landscape Management, Alpine Villages)
   - Rule 16.1 (Buildings and Landscaping)
   - Rule 16.6 (Building Height)
   - Rule 16.7 (Building Position)

   Rules in respect to the above matters are contained in the following rules on utilities.
3. Work on utilities which are undertaken by requiring authorities under designations are not subject to the rules in this Plan.
4. Earthworks affecting any archaeological sites require the consent of the New Zealand Historic Places Trust Pouhere Taonga (refer to Part B, Section 3.3, "Archaeological Sites".
5. Development contributions under the LTCCP Development Contribution Policy will be taken where network infrastructure, community infrastructure or reserves have to be constructed or expanded as a direct result of growth from development. Refer to Section B4.4 for further information on development contributions.

18.1 UTILITIES — ACTIVITIES

Permitted Activities — Utilities Activities

18.1.1 Any utility which meets the following provisions and complies with all other relevant rules shall be a permitted activity:

18.1.1.1 Upgrading, maintenance, operation and replacement of existing utilities shall be permitted and shall not be subject to compliance with any other performance standards, conditions or rules in this Plan provided that the effects of such shall be the same or similar in character and scale to those which existed before such upgrading, maintenance or replacement activities commenced. For the avoidance of doubt, the following activities are permitted:

(a) The replacement of support structure cross arms;

(b) The reconductoring or replacement of lines;

(c) The resagging of conductors or lines;

(d) The addition of longer or more efficient insulators or mountings;

(e) The addition of earth wires which may contain telecommunication lines, earthpeaks and lighting rods;

(f) The clearance and trimming of vegetation under lines or structures necessary to maintain security of electricity supply and telecommunication;

(g) Pole replacement;

(h) Where an existing electricity distribution line requires upgrading to improve the reliability of supply, the addition of one support structure cross arms;

(i) The substitution of low voltage (400 Volts) electricity distribution lines with Aerial Bundled Cable provided that the overall diameter of the bundle shall not exceed 40 mm;

(j) An increase in the voltage of a line, but only where the line was originally installed to operate at a higher voltage, but has been operating at a reduced voltage.

18.1.1.2 Any utility which emits electromagnetic radiation that meets the following conditions:

(a) Exposures comply with NZS2772.1:1999 Radio Frequency Fields Part 1: Maximum exposure levels 3kHz–300 GHz ("the New Zealand Standard").

(b) Prior to commencing any radiofrequency emissions, the following is sent to and received by the Selwyn District Council:

- Written notice of the location of the facility or proposed facility; and
- A report prepared by a radio engineer/technician or physical scientist containing a prediction of whether the New Zealand standard will be complied with.

Note: this requirement shall not apply to the holder of an amateur radio license.

(c) If the report provided to the Council under condition 18.1.1.2(b) predicts that emissions will exceed 25% of the exposure limit set for the general public in the New Zealand Standard, then within three months of radiofrequency emissions commencing, a report from National Radiation Laboratory (or Selwyn District Council, being an appropriately qualified organisation specifically identified in this rule), certifying compliance with the New Zealand Standard, based on measurements at the site, shall be provided to the Selwyn District Council.

18.1.1.3 Any power frequency electric and magnetic fields created do not exceed 100 micro tesla and 5kV/m in areas which are accessible to the public.

Note: Electric and magnetic fields are measured and assessed in accordance with the International Commission on Non Ionising Radiation Protection Guidelines.

18.1.1.4 Any transformer, line or wire does not exceed a voltage of 110kV or a capacity of 100 MVA per circuit.

18.1.1.5 Any new cable or line is laid underground; except for the provision of additional service connections to a maximum of three additional poles within, areas where services are already above ground.

24 BUSINESS ZONE RULES - SUBDIVISION

Notes

1. The subdivision of any land is not a permitted activity. (This means that subdivision requires a resource consent).
2. If a subdivision is a controlled or restricted discretionary activity, the Council will restrict its discretion to the matters listed in the relevant rule under the heading "Matters over which the Council has restricted the exercise of its discretion".
3. If subdivision is a discretionary or a non-complying activity, the Council is required to consider all relevant matters under sections 104, 104B and 104D of the Act.
4. Rule 11 applies to the subdivision of land, within the meaning of section 218 of the Act.
5. The design of any road, vehicular accessway, right of way or vehicle crossing must comply with Rule 17: Roading.
6. Any earthworks associated with subdivision of land must comply with Rule 14: Earthworks.
7. Erecting any dwelling or other building on any land must comply with Rule 16: Buildings, Rule 18: Utilities or Rule 22: Activities.
8. Underlined words are defined in Part D of the Plan.
9. The subdivision of any land adjoining a State Highway which is a Limited Access Road (LAR) firstly requires consent obtainable from Transit New Zealand. This is in addition to the subdivision application that is made with the Selwyn District Council. For any other LAR the consent is required from the Selwyn District Council in addition to the subdivision application.
10. Development contributions under the LTCCP Development Contribution Policy will be taken where network infrastructure, community infrastructure or reserves have to be constructed or expanded as a direct result of growth from development. Refer to Section B.4 for further information on development contributions.
11. If a subdivision completed under 12.1 creates a land use activity which no longer complies with the district plan provisions for a permitted activity, a separate land use consent may be required for the land use activity.

24.1 SUBDIVISION – GENERAL

Restricted Discretionary Activities — Subdivision – General

24.1.1 A subdivision of land, which is not a subdivision under Rules 24.2 or 24.3, shall be a restricted discretionary activity if it complies with the standards and terms set out in Rule 24.1.3.

24.1.2 Any subdivision subject to Rule 24.1.1, and which complies with 24.1.3, shall not be notified and shall not require the written approval of affected parties. The Council shall restrict the exercise of its discretion to consideration of the matters listed in Rule 24.1.4 following Table C24.1.

24.1.3 Standards and Terms

Access

24.1.3.1 Any allotment created, including a balance allotment, has legal access to a legal, formed road; and

Water

24.1.3.2 Any allotment created is supplied with a reticulated water supply which complies with the current New Zealand Drinking Water Standard; and

Effluent Disposal

24.1.3.3 Any allotment created in: Castle Hill, Doyleston, Leeston, Lincoln, Prebbleton, Rolleston or Southbridge is supplied with reticulated effluent treatment and disposal facilities; and

Solid Waste Disposal

24.1.3.4 Any allotment created is supplied with a facility or service to dispose of solid waste off the site; and

Size and Shape

24.1.3.5 Any allotment created, including a balance allotment, contains a building area of not less than 15m x 15m; and

24.1.3.6 Any allotment created, including any balance allotment, complies with the relevant allotment size requirements set out in Table C24.1; and

Prebbleton

24.1.3.7 In the Deferred Business zones at Prebbleton, any subdivision is in general accordance with the respective concept and/or Outline Development Plans in Appendix 19; and

24.1.3.8 Until either the passing of a Council resolution that there is adequate capacity in a local authority operated reticulated sewage treatment facility to service any particular area of land subject to a Deferred Business zone, or until all necessary resource consents have been obtained for a method of treatment and disposal of sewage/stormwater from a particular area of land subject to a Deferred Business zone, the rules of the Rural zone (Inner Plains) shall apply to that land; and

24.1.3.9 Upon either the passing of a Council resolution that there is adequate capacity in a local authority operated reticulated sewage treatment facility to service any particular area of land subject to a Deferred Business zone, or until all necessary resource consents have been obtained for a method of treatment and disposal of sewage/ stormwater from a particular area of land subject to a Deferred Business zone, the Business zone shall cease to be deferred and the rules of the relevant Business zone will apply to that land, and the rules of the Rural zone (Inner Plains) will cease to apply, without further formality.

Table C24.1 - Allotment Sizes

Township	Zone	Allotment Size Not Less Than
All Townships	All Business Zones	No average allotment size except that in the Business 1 (Deferred) Zone at Prebbleton, the minimum allotment size shall be 4 ha. Following either the Council passing a resolution that there is adequate capacity in a local authority operated reticulated sewage treatment facility to service a particular area of land subject to deferred business zoning, or following all necessary resource consents having been obtained for a method of treatment and disposal of sewage/stormwater from a particular area of land subject to a deferred business zoning, no average allotment size will apply.
All Townships	Heritage Buildings listed in Appendix 3	Listed in Appendix 3. The building, curtilage and any other area needed to: - mitigate adverse effects; or - maintain the heritage values of the site
All Townships	Community Reserves, Community Facilities and Point Strips	No minimum area

24.1.4 Matters over which the Council has restricted the exercise of its discretion:

Access

24.1.4.1 If any allotment has access on to a State Highway or Arterial Road listed in Appendix 7:

(a) Any adverse effects, including cumulative effects, on traffic safety and traffic flow on the Strategic Road; and

(b) The design and location of the vehicular accessway and vehicle crossing; and

(c) Whether access to the allotment(s) can be obtained off another road which is not a Strategic Road either directly or by an easement across other land.

Water

24.1.4.2 The provision of water for fire fighting; and

24.1.4.3 In relation to any new bore to provide a potable water supply:

(a) Whether the protection zone is located outside of the plume of influence of any sewage treatment and/or disposal system; and

(b) The need for the protection zone to be confined to within the boundaries of an allotment; and

(c) Any measures proposed to mitigate the potential for any adverse effects on the quality of the water supply.

Solid Waste Disposal

24.1.4.4 The appropriateness of the proposed facilities for solid waste collection or disposal, considering:

(a) The number of allotments; and

(b) The type of accommodation (permanent or holiday); and

(c) The distance to a public solid waste collection service or disposal facility.

Utility Cables

24.1.4.5 Whether any utility cables shall be laid underground.

Telephone and Power

24.1.4.6 Whether telecommunication and electricity connections shall be made available to any allotment; and, if not, the mechanism(s) used to alert prospective buyers of an allotment that these connections are not installed to.

Stormwater Disposal

24.1.4.7 The method(s) for disposing of stormwater; and

24.1.4.8 Any adverse effects of stormwater disposal on any land drainage scheme which is administered by Selwyn District Council; and

24.1.4.9 The quantity and rate of stormwater disposed into any land drainage scheme which is administered by Selwyn District Council.

On-Site Effluent Disposal

24.1.4.10 In the Business Zones at Coalgate, Dunsandel and Darfield:

(a) Whether any allotment is of an appropriate size and shape, and has appropriate ground conditions, to enable satisfactory on-site effluent treatment and disposal.

Note: The consent authority shall use the requirements of the relevant regional plan and the New Zealand Building Code to measure when on-site effluent treatment and disposal is satisfactory.

Roads, Reserves and Walkways/Cycleways

24.1.4.11 The provision, location, co-ordination, layout and formation of all roads and vehicular accessways and walkways/cycleways; and

24.1.4.12 The provision, location, coordination, layout and formation of any land required for reserves, which is to comply with the "Criteria for Taking Land Instead of Cash" clause of the "Reserves Specific Issues regarding Development Contributions Assessment" in the Development Contribution Policy of the 2006-2016 LTCCP; and

24.1.4.13 The provision of footpaths, lighting and street furniture; and

for comprehensive residential development is submitted and approved prior to a subdivision consent being submitted for the same.

D

dBA: means A-frequency-weighted sound pressure level in decibels relative to a reference sound pressure of 20 micropascals. See NZS 6801:1999 Acoustics – Measurement of Environmental Sound.

Decibel (dB): is the term used to identify 10 times the logarithm to base 10 of the ratio of two like quantities proportional to intensity, power or energy. See NZS 6801:1999 Acoustics – Measurement of Environmental Sound.

Detention Centre or Prison: means land or buildings used in whole or in part for the assembly, corrective training, housing or incarceration of persons convicted of offences or on remand and includes (without limitation):

- A prison, corrective training institution or police jail establishment under the Penal Institutions Act 1952
- A "Habitation Centre" as defined in section 2 of the Criminal Justice Act 1985;
- A periodic detention centre established under section 126 (I) of the Criminal Justice Act 1985; or of, any like facility.

Development: for the purpose of determining development contributions, development means any subdivision or other development that generates a demand for reserves, network infrastructure, or community infrastructure but does not include the pipes or lines of a network utility operator.

Development Contribution: has the same meaning as in section 197 of the Local Government Act 2002. *

Disposal: includes any activity associated with the permanent discarding of material which is spent, worthless or in excess. For the purposes of the land use rules for hazardous substances, disposal does not include the application of hazardous substances in accordance with the manufacturer's instructions. For the purposes of the land use rules for waste generation, storage and disposal, disposal does not include: the deposition of inert fill on to land from another site, for the purposes of landscaping, levelling or recontouring land, filling holes or depressions, preparing building sites or other construction work.

Domestic pets: means any domesticated bird or animal bred, reared and/or kept on a site for the purposes of a pet or security; other than any donkey, pig, rooster or peacock.

Dwelling: means any building or buildings or any part of a building or buildings which is used as a self-contained area for accommodation or residence by one or more persons; where that area collectively contains: bathroom facilities, kitchen facilities and a sleeping/living area. The term dwelling includes a family flat up to 70m^2, except where the Plan has separate provisions that apply specifically to family flats.

A dwelling does not include any part of a farm building, business building or accessory building which contains bathroom or kitchen facilities which are used solely for the convenience of staff, or contract workers who reside off-site, or day visitors to the site; unless that building or part of a building is being used for overnight accommodation.

Where any buildings, building or part of a building on a site contains more than one set of bathroom facilities, kitchen facilities and a sleeping/living area such that they can be used as

self-contained residences by different households, then each separate set of facilities shall be deemed to be one dwelling.

E

Earthworks: include any disturbance to, or excavation, removal or deposition of, soil, earth, or any other mineral derived from the ground.

Educational Facility: includes any land, building or structure which is/are used for the provision of regular instruction or training of students by suitably qualified instructors and any ancillary activities, and includes any pre-school.

Elderly Residential Care: means any facility and associated ancillary services providing care for the elderly. For the purposes of Rule 10.14 (Elderly Residential Care – Living 1A Zone at Lincoln) it does not include hospital care, or similar, in a full nursing care licensed rest home.

Emergency Services: means facilities and activities utilised for the protection and safety of people and property in times of an emergency and shall include New Zealand Fire Service, New Zealand Police and St Johns Ambulance.

Equivalent Car Movements Per Day:

1 car to and from the property	= 2 equivalent car movements
1 truck to and from the property	= 6 equivalent car movements
1 truck and trailer to and from the property	= 12 equivalent car movements

Esplanade Strip: means a strip of land created by the registration of an instrument in accordance with section 232 of the Act for a purpose or purposes set out in section 229 of the Act.

F

Family Flat: means any dwelling up to 70m^2 in gross floor area, excluding garaging, which is located on the same site as an existing dwelling and the family flat is occupied by a member of the same immediate family as a person residing in the main dwelling on the site. A family flat may be attached to either the dwelling or an accessory building, or be free-standing.

Freestanding Sign: includes any sign which stands upright without having to be attached to any building, post or other structure and which can be readily moved.

Front Building Façade: applies to a dwelling and refers to the elevation which most directly faces the road or right of way from which the site is accessed. PC11

G

Green Waste: includes any compostable vegetative material, including but not limited to: weeds and garden waste, spoiled crops and tree prunings.

Gross Floor Area: means the sum of the total area of all floors of any building. It shall be measured from the exterior faces of the exterior walls or from the centre line of any wall separating adjoining buildings.

Ground Level: means the level of the ground existing when works associated with any prior subdivision of the land were completed, but before filling or excavation for new building work on the land has commenced.

H

Hazardous Substance: includes, but is not limited to, any substance as defined in section 2 of the Hazardous Substances and New Organisms Act 1996 as a hazardous substance. *

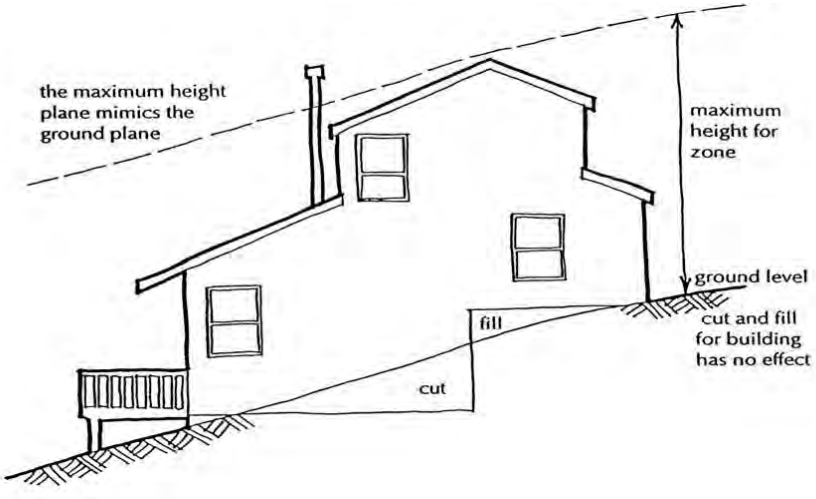
Height: in relation to any building or structure means the vertical distance between the ground level at any point and the highest part of the building or structure immediately above that point.

For the purpose of calculating height in any zone, no account shall be taken of any:

- Radio or television aerial provided that the maximum height normally permitted by the rules for the zone is not exceeded by more than 2.5m.
- Chimney or flue not exceeding 1m in any direction.
- Utility, or part of a utility with a horizontal dimension less than 25mm.
- Lift shaft, plant room, water tank, air conditioning unit, ventilation duct and similar architectural features on any building in the Business zones provided that the maximum height normally permitted by the rules for the zone is not exceeded by more than 2m.

Measurement of Height:

For the purpose of applying rules in relation to height, the following diagram may be used to understand the application of the height rule.



I

Improved Pasture: for the purposes of administering indigenous vegetation clearance rules, improved pasture shall mean an area of pasture where species composition and growth has clearly been modified and enhanced for livestock grazing by cultivation or topdressing and over-sowing, or direct drilling, and where exotic pasture species are obvious.

Indigenous Vegetation: means a plant community in which species indigenous to that part of New Zealand are important in terms of coverage, structure and/or species diversity. For these

purposes, coverage by indigenous species or number of indigenous species shall exceed 30% of the total area or total number of species present, where structural dominance is not attained. Where structural dominance occurs (that is indigenous species are the tallest stratum and are visually conspicuous) coverage by indigenous species shall exceed 20% of the total area.

Industrial Activity: means any activity involving the production, processing, assembly, disassembly, packaging, servicing, testing, repair and/or warehousing of any materials, goods, products, machinery or vehicles, but excludes mining, mineral exploration and quarrying.

Intensive Livestock Production: means the use of land and buildings for the commercial rearing and management of livestock where the viability of that activity is not dependant upon the soil fertility of the land on which that activity is undertaken.

Internal Boundary: refer to Boundary.

K

Kitchen: means a room or indoor area, the principal purpose of which is the preparation and cooking of food. A kitchen will generally include a sink bench, and a means of cooking food such as a stove, gas or electric cooker, or microwave (or have the facilities for the installation of these).

L

L_{10}: means the L_{10} exceedence level, in A-frequency-weighted decibels, which is equalled or exceeded ten percent of the total measurement time.

Lake: has the same meaning as defined in section 2 of the Act.

Ldn: means the night-weighted sound exposure level in dBA also known as the day-night average sound level and is the 24 hour sound exposure level in A-frequency weighted decibels (dBA) for any day with the period 10pm to 7am the following day "weighted" by 10 dB to represent the increased sensitivity of people to night-time noise. See NZS 6801:1999 Acoustics – Measurement of Environmental Sound.

Leq: means the sound level averaged over a stated time period which has the same A-weighted sound energy as the time varying sound during the same period. See NZS 6801:1999 Acoustics – Measurement of Environmental Sound.

L_{max}: means the maximum A-frequency-weighted sound level (dBA L_{max}) during a stated time period. See NZS 6801:1999 Acoustics – Measurement of Environmental Sound.

M

Mineral Exploration: has the same meaning as "exploration" in section 2 of the Crown Minerals Act 1991. *

Mining: has the same meaning as "mining" in section 2 of the Crown Minerals Act 1991. *

Monofill: Includes any landfill which is designed and operated to accept waste associated with one specific activity or form of waste. For the purposes of Rule VII, a monofill does not include any landfill which accepts hazardous waste.

N

Network Infrastructure: has the same meaning as in section 197 of the Local Government Act 2002. *

Noise Limit: means a L10, Leq or Lmax sound level in A-frequency-weighted decibels that is not to be exceeded during a measurement sample time in a specific time-frame. See NZS 6801:1999 Acoustics – Measurement of Environmental Sound.

Noise Sensitive Activities: means any residential activity, educational facility, hospital or other land use activity, where the occupants or persons using such facilities may be likely to be susceptible to adverse environmental effects or annoyance as a result of noise from aircraft flying over its location.

Noticeboard: means a structure or device upon which notices can be placed or attached that are of community interest, which are intended to be read by people stopping at the noticeboard rather than by people passing by.

Notional Boundary: means a line 20m from any side of a rural dwelling or the legal boundary where this is closer to the dwelling.

P

Place of Assembly: means any land and building used for gathering of people. It does not include residential accommodation or places of work.

Plantation: means any group of trees planted on a site, whether intended to be harvested or not, which are not classed as amenity plantings or shelterbelts. A plantation may be comprised of exotic or indigenous species and includes but is not limited to: forests planted for harvesting, conservation, soil erosion control, pest or wilding tree management, and any orchard, vineyard or woodlot which does not comply with the definition of amenity planting.

Point Strip: means a strip of land adjoining the side or end of a road, the purpose of which is to prevent access to that road from land adjoining the point strip. Such a strip is usually (although not necessarily) about 200mm in width.

Principal Building: includes any building or buildings which is/are used as part of the primary activity or activities on the site. Principal buildings include dwellings but do not include accessory buildings.

Project: for the purpose of the land use rules for earthworks, the term 'project' includes all earthworks undertaken as part of, or ancillary to, the completion of one particular activity of the construction of a building or structure, whether that activity is undertaken or the building or structure is erected continuously or in discrete stages, and whether it occurs in one continuous area or is separated by land which is not disturbed by earthworks. For example: the construction of one road or track from destination (a) to (b) is one project, as is the disturbance of soil for geological surveys over an identified area.

Q

Quarrying: means to take, mine or extract, by whatever means any rock, stone, gravel or sand existing in its natural state in land. "To quarry' has a corresponding meaning.

R

Radio Communication Facility: means any transmitting or receiving devices such as aerials, dishes, antenna, cables, lines, wires and associated equipment/apparatus, as well as support structures such as towers, masts and poles, and ancillary buildings.

Recreational Facility or Recreational Activity: includes the use of any land, building or structure for the primary purpose of recreation or entertainment and is available to be used by members of more than one household.

Relocated Building: includes any building that is removed from one site and relocated to another site, in whole or in parts. It does not include any new building which is designed for, or intended to be used on, a site but which is erected off the site, in whole or in parts, and transported to the site.

Research: means the use of land and buildings for the purpose of scientific research, inquiry or investigation, product development and testing, and consultancy and marketing of research information; and includes laboratories, quarantines, pilot plant facilities, workshops and ancillary administrative, commercial, conferencing, accommodation and retail facilities.

Residential Activity: means the use of land and buildings for the purpose of living accommodation and ancillary activities. For the purpose of this definition, residential activity shall include:

a) Accommodation offered to not more than five guests for reward or payment where the registered proprietor resides on-site

b) Emergency and/or refuge accommodation

c) Supervised living accommodation and any associated caregivers where the residents are not detained on the site

Residential Activity does not include:

a) Travelling accommodation activities (other than those specified above)

b) Custodial and/or supervised living accommodation where the residents are detained on site.

River: has the same meaning as defined in section 2 of the Act.

Road: shall have the same meaning as defined in section 315 of the Local Government Act 1974. *

Road Boundary: refer to Boundary.

S

Service Station: means any site where the dominant activity is the retail sale of motor vehicle fuels (including petrol, LPG, CNG and diesel) and may also include any one or more of the following:

- The sale of kerosene, alcohol based fuels, lubricating oils, tyres, batteries, vehicle spare parts and other accessories normally associated with motor vehicles;
- Mechanical repair and servicing of motors (including motor cycles, caravans, motor boats, trailers);
- Warrant of fitness testing;

- The sale of other merchandise where this is an ancillary activity to the sale of the motor fuel and vehicle accessories;
- Truck stops.

Setback: means the minimum prescribed distance between the exterior face of the building and the boundaries of its site. The following intrusions are permitted into any setback area:

a) Eaves being no more than 600mm wide.

b) Any porch, windbreak, chimney, external stairway or landing being no more than 1.8m long and extending no more than 800mm into the setback area.

c) Any utility structure attached to an existing building or structure located in a setback from a waterbody provided that it does not protrude more than 1.5m from that existing building or structure.

Shelterbelt: means any trees planted primarily to provide shelter for stock, crops or buildings from the prevailing wind(s). Shelterbelts are not more than 20 metres in width and are not clearfelled.

Sign: means any device or structure which is visible from any public space and is used to: identify any site or building; provide directions or information; or promote any goods, services, or forthcoming event. A sign does not include any window display, or property identification signs which do not exceed an area of 0.2 m^2 (including rural numbers, dairy company numbers, street/road numbers/property names and property owners' names as long as those property identifiers do not include any advertising).

Site: means an area of land or volume of space:

- Held in a single certificate of title, or
- Comprised of two or more adjoining certificates of title held together in such a way that they cannot be dealt with separately without the prior consent of the Council; or
- For which a separate certificate of title could be issued without further consent of the Council.

Solid Waste: includes any material which is discarded as being spent, useless, worthless or in excess, and includes liquid or gaseous waste which is stored in containers.

Sound Exposure Level: means the A-frequency weighted sound pressure level in decibels which, if maintained consistent for a period of 1 second, would convey the same sound energy to the receiver as is actually received from a given noise event over the same period. See NZS 6801:1999 Acoustics – Measurement of Environmental Sound.

Spiritual Activity: means land and/or buildings used for the public and/or private assembly of people primarily for worship, meditation, spiritual deliberation and ancillary community facilities of a non-commercial nature.

Strategic Road: means any road listed as a Strategic Road in Appendix 7.

Subdivision Consent has the meaning set out in section 87(b) of the Act.

Subdivision of Land and **to subdivide land** have the meanings set out in section 218 of the Act.

T

Telecommunication Facility: means any telecommunication line, telephone exchange, telephone booth, telephone cabinet or pay phone, or any other structure, facility or apparatus intended for the purpose of effecting telecommunication.

Telecommunication Line: means a wire or wires or a conductor of any other kind (including a fibre optic cable) used or intended to be used for the transmission or reception of signs, signals, impulses, writing, images, sounds, or intelligence of any nature by means of any electromagnetic system; and includes any pole, insulator, casing, fixture, tunnel or other equipment or material used or intended to be used for supporting, enclosing, surrounding, or protecting any such wire or conductor and also includes any part of a line.

Temporary Accommodation: includes the use of any building to house any person for residential or business activities on a site, while construction work is being undertaken on the site. Temporary accommodation may be provided for persons occupying the site on which construction work occurs, or for persons involved in the construction work.

Temporary Activity: includes any activity which occurs on any site for a period of not more than 15 consecutive hours in any one time and occurs on no more than 12 times in any 12 month period; or any activity which does not last longer than a total of 7 consecutive days in any one time and occurs on not more than 3 times at any one site in any 12 month period.

Temporary Military Training Activity: means a temporary activity undertaken for Defence Purposes. Defence purposes are those in accordance with the Defence Act 1990.

Temporary Sign: includes any sign erected to advertise an upcoming event of interest to the community, or any sign which advertises the products or services of a business or organisation which is associated with an activity on these sites on which the sign is erected. Any temporary sign shall not be erected on any site for more than 6 consecutive calendar months at any one time, or for a collective period of more than 6 calendar months in any 2 year period, except that for any school or church anniversary event the temporary sign may be displayed for up to 12 months prior to the event.

Tertiary Education: means the use of land and buildings for the purpose of facilitating tertiary education, training, development and instruction and/or related research and laboratories; and includes ancillary and accessory administrative, cultural, commercial, communal, conferencing, accommodation, retail and recreational facilities.

Township: means an urban area within the District that comprise a Living zone(s) and in some situations a Business zone(s).

U

Utility: includes the use of any structure, building or land for any of the following purposes;

(a) The generation, transformation and/or transmission of energy;

(b) Any telecommunication facility or telecommunication line;

(c) Any radio communication facility;

(d) The conveyance, storage, treatment or distribution of water for supply, including (but not limited to) irrigation and stockwater;

(e) The drainage, reticulation or treatment of stormwater, waste water or sewage;

(f) Transport infrastructure, including (but not limited to) roads, accessway, railways, airports and navigational aids;

(g) Work to mitigate potential natural hazards, including (but not limited to) stopbanks, groynes and gabions;

(h) Meteorological facilities for the observation, recording and communication of weather information.

Utility Building: includes any building or part of any building which is a utility or which is used principally to house or support a utility; and that building is $10m^2$ or more in gross floor area, and greater than 2.5m in height.

Utility Structure: includes any device, equipment or other facility which is used principally to house or support a utility including any antenna, mast, pole or pylon; or any structure housing a utility which is less than $10m^2$ in gross floor area, or less than 2.5m in height.

V

Vehicle Crossing: includes any formed vehicle entrance or exit point from any site on to any road, and includes that part of the road boundary across which the vehicle access is obtained and any culvert, bridge or kerbing.

Vehicle Movement: means a single motor vehicle journey to or from a particular site. "Vehicle trip" has the same meaning.

Vehicular Accessway: means that part of any site which is used to provide vehicular access into or through the site, but does not include a road within the meaning of section 315 of the Local Government Act 1974.

Visitor Accommodation: means the use of land and buildings for transient accommodation offered on a daily tariff, which may involve the sale of food and liquor to in-house guests.

W

Waterbody: means fresh water or geothermal water in a river, lake, stream, pond (but excluding any artificial pond), wetland, or aquifer, or any part thereof that is not located within the coastal marine area.

Wetland: has the same meaning as defined in section 2 of the Act. *

LEGISLATION REFERRED TO IN THE DEFINITIONS SECTION

Following are the sections of legislation referred to in the Definitions Section and marked by the asterisks (*). They do not form part of the Plan but have been included to be of assistance to readers.

Allotment: in section 218 of the Act.

"Means—

(a) Any parcel of land under the Land Transfer Act 1952 that is a continuous area and whose boundaries are shown separately on a survey plan, whether or not—

(i) The subdivision shown on the survey plan has been allowed, or subdivision approval has been granted, under another Act; or

(ii) A subdivision consent for the subdivision shown on the survey plan has been granted under this Act; or

(b) Any parcel of land or building or part of a building that is shown or identified separately—

(i) On a survey plan; or

(ii) On a licence within the meaning of Part I of the Companies Amendment Act 1964; or

(c) Any unit on a unit plan; or

(d) Any parcel of land not subject to the Land Transfer Act 1952.

(3) For the purposes of subsection (2), an allotment that is—

(a) Subject to the Land Transfer Act 1952 and is comprised in one certificate of title or for which one certificate of title could be issued under that Act; or

(b) Not subject to that Act and was acquired by its owner under one instrument of conveyance—

shall be deemed to be a continuous area of land notwithstanding that part of it is physically separated from any other part by a road or in any other manner whatsoever, unless the division of the allotment into such parts has been allowed by a subdivision consent granted under this Act or by a subdivisional approval under any former enactment relating to the subdivision of land.

[(4) For the purposes of subsection (2), the balance of any land from which any allotment is being or has been subdivided is deemed to be an allotment.]

Archaeological site: in section 2 of the Historic Places Act 1993.

"Means any place in New Zealand that—

(a) Either—

(i) Was associated with human activity that occurred before 1900; or

(ii) Is the site of the wreck of any vessel where that wreck occurred before 1900; and

(b) Is or may be able through investigation by archaeological methods to provide evidence relating to the history of New Zealand:

Community Infrastructure: in section 197 of the Local Government Act 2002 means:

(a) land, or development assets on land, owned or controlled by the territorial authority to provide public amenities; and

(b) includes land that the territorial authority will acquire for that purpose.

Development Contribution: in section 197 of the Local Government Act 2002 means a contribution:

(a) provided for in a development contribution policy included in the long-term council community plan of a territorial authority; and

(b) calculated in accordance with the methodology; and

(c) comprising—

money; or

land, including a reserve or esplanade reserve (other than in relation to a subdivision consent), but excluding Maori land within the meaning of Te Ture Whenua Maori Act 1993, unless that Act provides otherwise; or

both.

Hazardous Substance: in section 2 of the Hazardous Substances and New Organisms Act 1996.

"Means, unless expressly provided otherwise by regulations, any substance -

a) with one or more of the following intrusive properties:

i) Explosiveness

ii) Flammability

iii) A capacity to oxidise

iv) Corrosiveness

v) Toxicity (including chronic toxicity)

vi) Ecotoxicity, with or without bioaccumulation; or

b) Which on contact with air or water (other than air or water where the temperature or pressure has been artificially increased or decreased) generates a substance with any one or more of the properties specified in paragraph (a) of this definition."

Mineral Exploration: as "exploration" in section 2 of the Crown Minerals Act 1991.

"Means any activity undertaken for the purpose of identifying mineral deposits or occurrences and evaluating the feasibility of mining particular deposits or occurrences of one or more minerals; and includes any drilling, dredging, or excavations (whether surface or sub-surface) that are reasonably necessary to determine the nature and size of a mineral deposit or occurrence; and 'to explore' has a corresponding meaning."

Mining: as "mining" in section 2 of the Crown Minerals Act 1991.

"Means to take, win, or extract, by whatever means, a mineral existing in its natural state in land, or a chemical substance from that mineral, for the purpose of obtaining the mineral or chemical substance; but does not include prospecting or exploration; and 'to mine' has a corresponding meaning."

Network Infrastructure: in section 197 of the Local Government Act 2002 means:

"The provision of roads and other transport, water, wastewater, and stormwater collection and management."

Road: in section 315 of the Local Government Act 1974.

"Means the whole of any land which is within a district, and which--

(a) Immediately before the commencement of this Part of this Act was a road or street or public highway; or

(b) Immediately before the inclusion of any area in the district was a public highway within that area; or

(c) Is laid out by the council as a road or street after the commencement of this Part of this Act; or

(d) Is vested in the council for the purpose of a road as shown on a deposited survey plan; or

(e) Is vested in the council as a road or street pursuant to any other enactment;--

and includes—

(f) Except where elsewhere provided in this Part of this Act, any access way or service lane which before the commencement of this Part of this Act was under the control of any council [[or is laid out or constructed by or vested in any council as an access way or service lane]] or is declared . . . by the Minister of Works and Development as an access way or service lane after the commencement of this Part of this Act [[or is declared by the Minister of Lands as an access way or service lane on or after the 1st day of April 1988]]:

(g) Every square or place intended for use of the public generally, and every bridge, culvert, drain, ford, gate, building, or other thing belonging thereto or lying upon the line or within the limits thereof;–

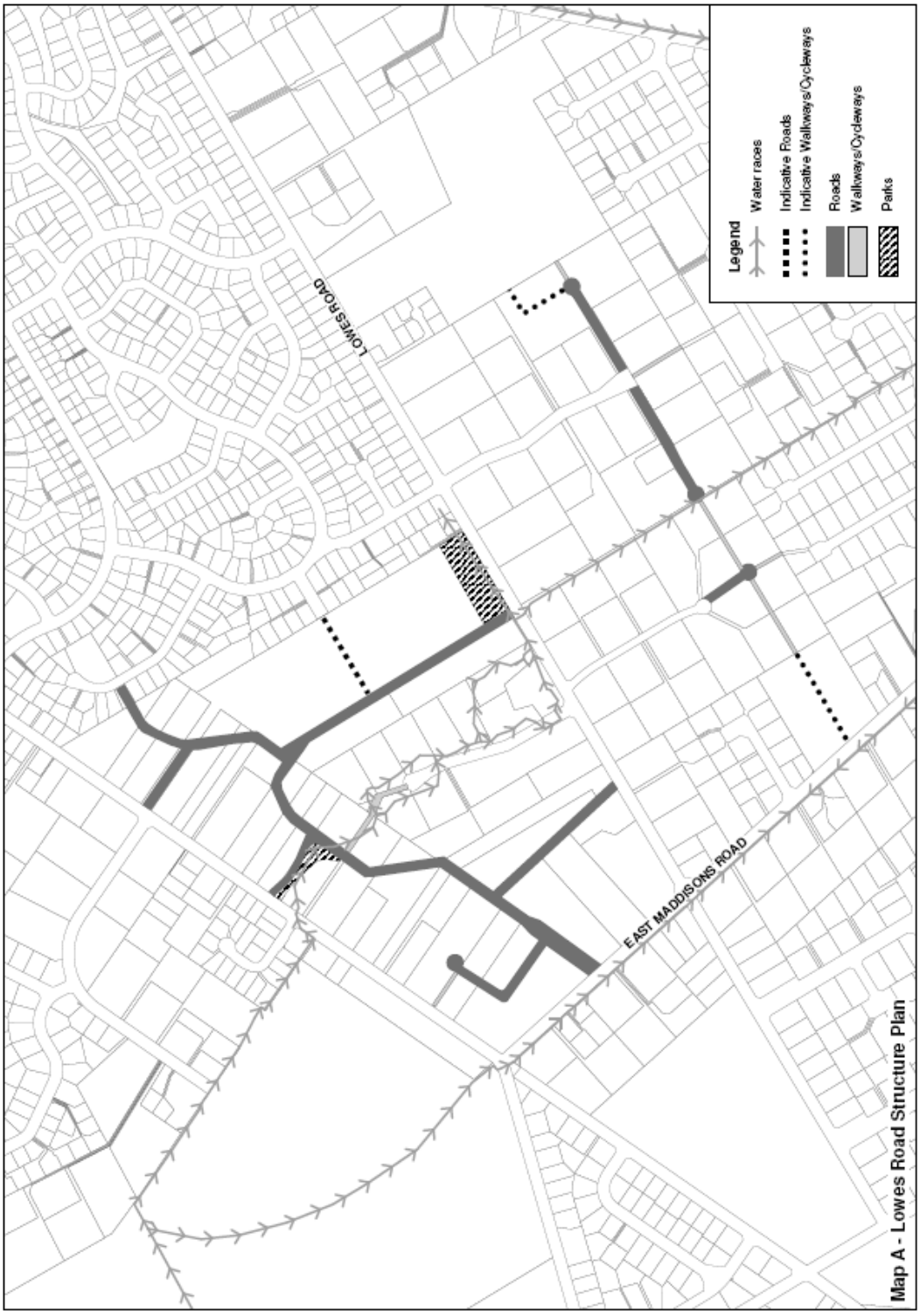
but, except as provided in [[the Public Works Act 1981]] or in any regulations under that Act, does not include a motorway within the meaning of that Act:

Wetland: in section 2 of the Act:

"Includes permanently or intermittently wet areas, shallow water, and land water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions."

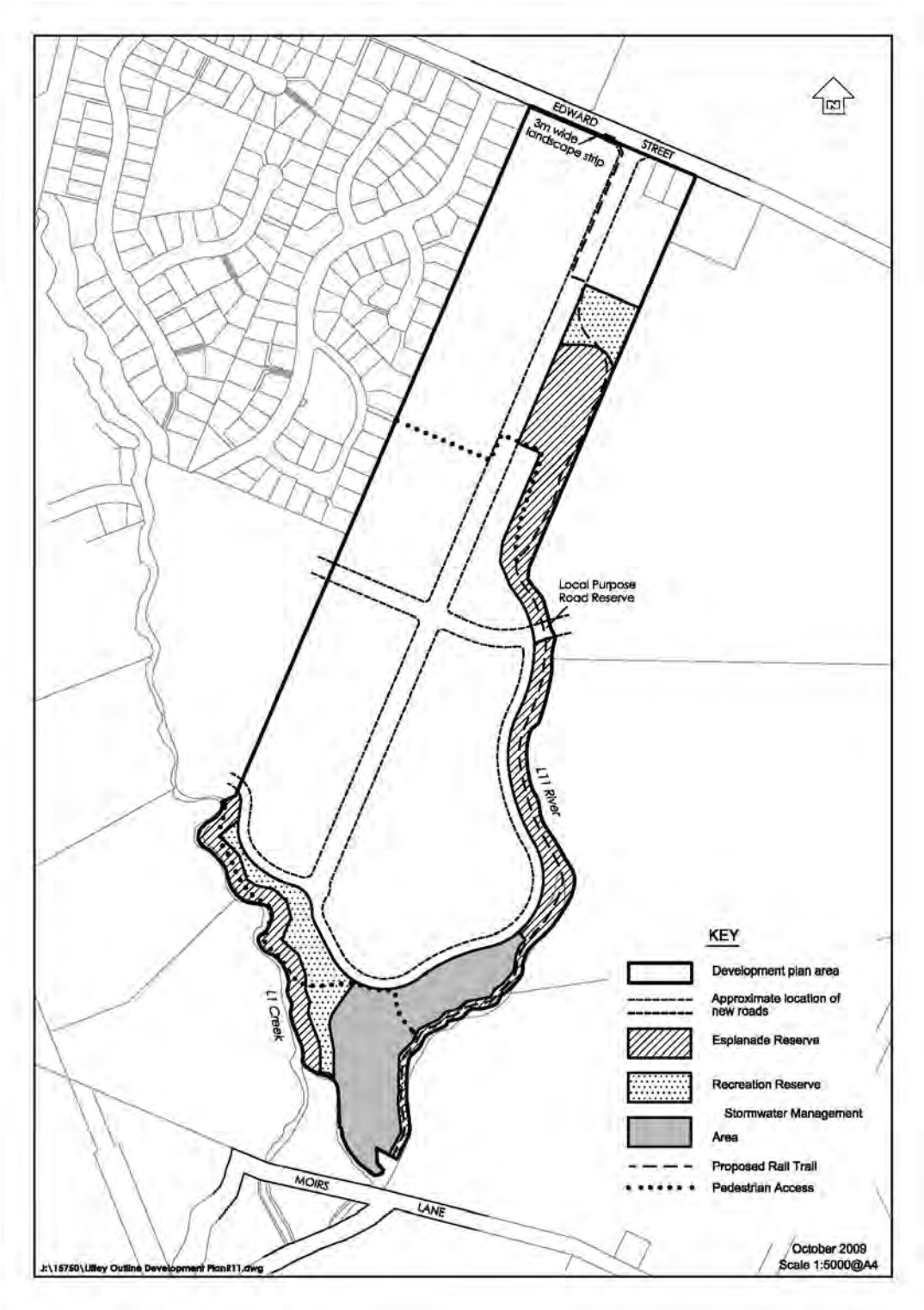
APPENDIX 34

STRUCTURE PLAN - LOWES ROAD, ROLLESTON



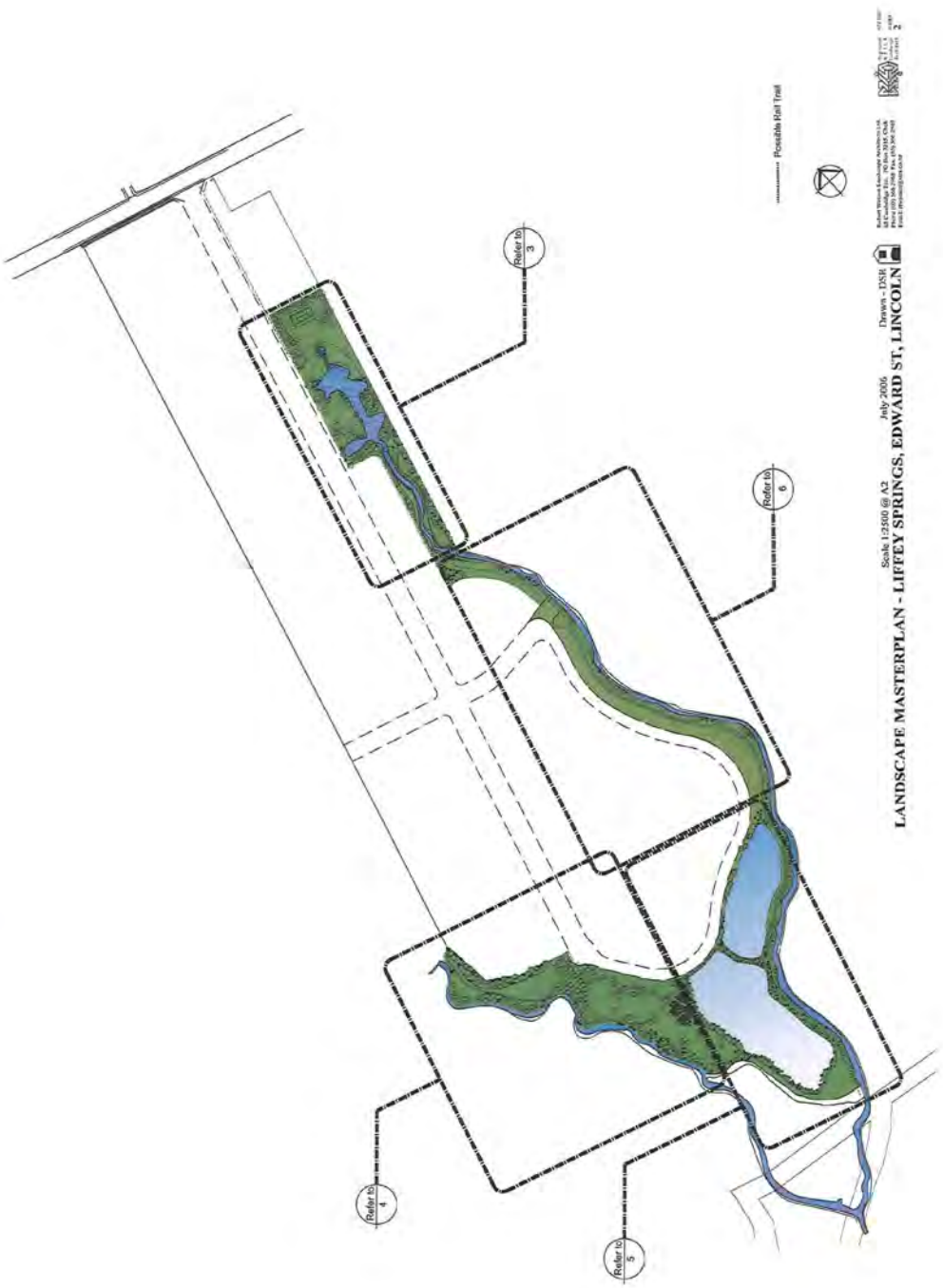
APPENDIX 35

ODP LIFFEY SPRINGS - LINCOLN



APPENDIX 36

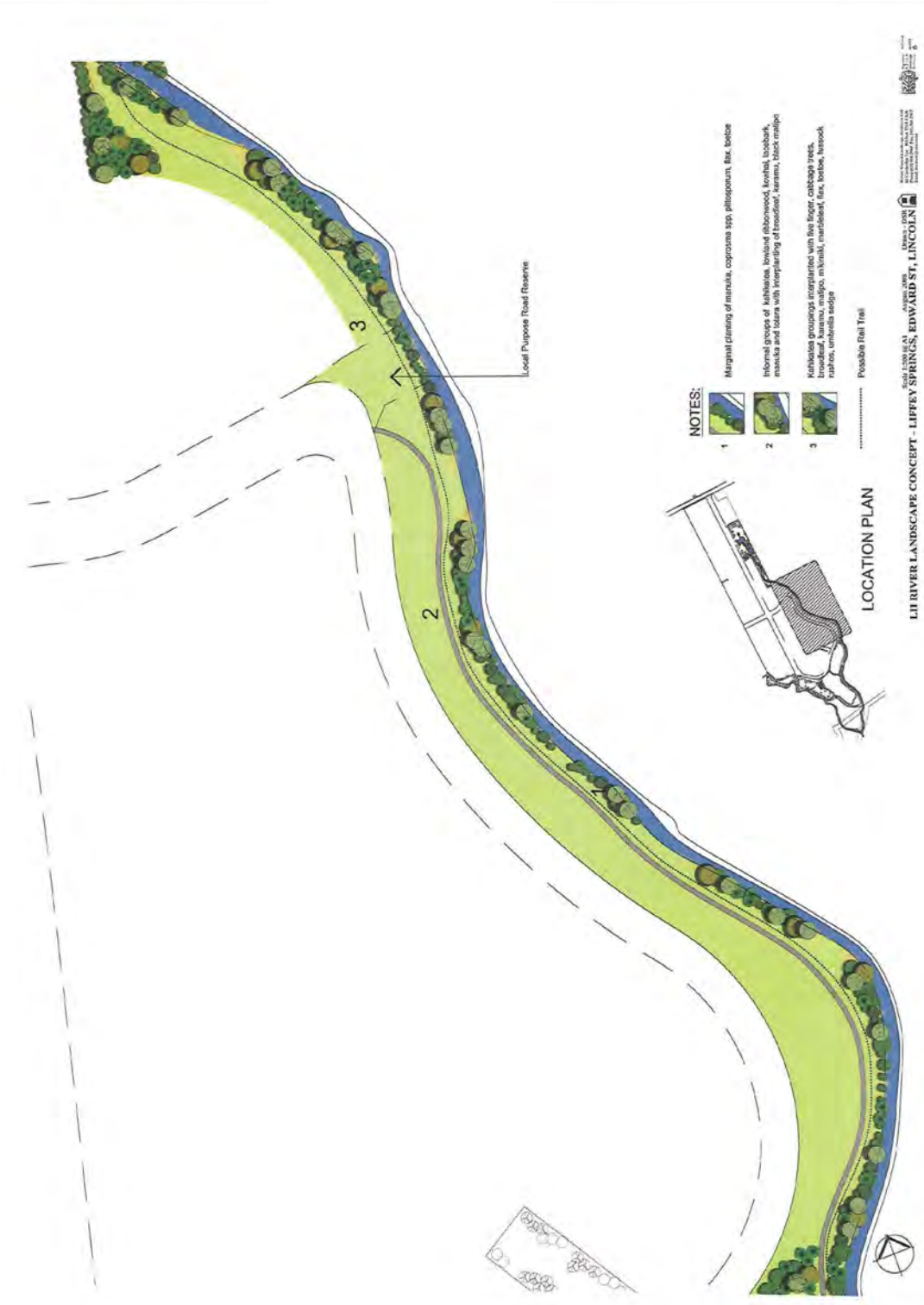
ODP LIFFEY SPRINGS – LINCOLN – LANDSCAPE



SPRINGS RESERVE LANDSCAPE CONCEPT- LIFFEY SPRINGS, EDWARD ST, LINCOLN
NOTES:
1 Marginal planting of manuka, coprosma spp, pittosporum, flax, toetoe
2 Informal groups of kahikatea, lowland ribbonwood, kowhai, lacebark, manuka and totara with interplanting of broadleaf, karamu, black matipo
3 Informal groups of larger native trees interplanted with five finger, manuka, cabbage trees, lancewood, karamu, matipo, mikimiki, marlbleaf, flax, toetoe, tussock rushes, umbrella sedge
4 Black beech - interplanted with Olearia x dentoni during establishment phase
5 Flax, toetoe, sedges, tussock, ferns, suahos, kunikatea and manuka
6 Spring planting including kahikatea, cabbage tree, mapou, tussock sedge, rishes, and karamu
7 Informal groups of larger native trees including totara, ribbonwood, houliere, mataii, kowhai with underplanting of coprosma spp, Griselinia littoralis, matipo, seasalt, five finger, marble leaf, wind grass
Possible Rail Trail
LOCATION PLAN

LOCATION PLAN
NOTES:
1 Upper Retention pond – marginal plants including rushes, toetoe, flax and sedges to be planted across area (subject to final design / levels)
2 Lower Retention pond – marginal plants as in upper retention pond incorporated with beaches, islands and pools
3 Informal groups of larger native species including lowland ribbonwood, totara, lancewood, matai and kowhai
4 Informal groups of larger native species (see 3) with interplanting of cabbage tree, five finger, golden akeake, broadleaf, karamu, black mahoe, wineberry, kanuka and wind grass
5 Mass planting of black beech - interplanted with Olearia x dartonii during establishment phase
6 Mass planting of cabbage trees - underplanted with corokia and wind grass
7 Informal groups of larger native trees including kohikohiu, hinau, matai, miro, lowland ribbonwood, kowhai, lacebark, manuka and totara.
8 Informal groups of larger native trees (see 7) interplanted with five finger, manuka, cabbage trees, broadleaf, karamu, mahoe, mikimiki, marbleleaf, flax, toetoe, tussock rushes, umbrella sedge
9 Flax, toetoe, sedges, tussock rushes, cabbage trees and manuka.
ESPLANADE RESERVE LAYOUT - LIFFEY SPRINGS, EDWARD ST, LINCOLN

NOTES:
1
Lower Retention pond - marginal plants as in upper retention pond interplanted with larger native trees inlcuding kahikatea
2
Upper Retention pond - marginal plants including flax, toetoe, sedges, lussock rushes, cabbage trees and manuka to be planted across area (subject to final design / levels)
3
Informal groups of larger native trees (see 5) interplanted with five finger, manuka, cabbage trees, broadleaf, karamu, matipo, mikimiki, marbleleaf, flax, toetoe, tussock rushes, umbrella sedge
4
Informal groups of larger native species including lowland ribbonwood, totara, lacebark, lancewood, matai and kowhai
5
Planting along Lil of kahikatea groupings interplanted with five finger, cabbage trees, broadleaf, karamu, matipo, mikimiki, marbleleaf, flax, toetoe, tussock rushes, umbrella sedge
Possible Rail Trail
1
2
3
4
5
STORMWATER BASIN LANDSCAPE LAYOUT - LIFFEY SPRINGS, EDWARD ST, LINCOLN
Scale 1:500 @ A2
August 2006
Drawn - DSR


LII RIVER LANDSCAPE CONCEPT - LIFFEY SPRINGS, EDWARD ST, LINCOLN
LOCATION PLAN
NOTES:
1
Marginal planting of manuka, coprosma spp, pittosporum, flax, toetoe
2
Informal groups of kahikatea, lowland ribbonwood, kowhai, lacebark, manuka and kanuka with interplanting of broadleaf, karamu, black matipo
3
Kahikatea groupings interplanted with five finger, cabbage trees, broadleaf, karamu, matipo, mikimiki, marlelleaf, flax, toetoe, hatsock rushes, umbrella sedge
Possible Rail Trail
Local Purpose Road Reserve
1
2
3

As the territorial sections of this District Plan are based on zones, rather than geographic areas, it is possible for land to move from one volume to another as it is rezoned. Therefore, any variation to the Proposed District Plan or change to the operative plan to rezone land is a change to both volumes of the Plan in the same way as it would be a change to the entire plan should it be bound as one document.

A1.3 CHANGING AND REVIEWING THE DISTRICT PLAN

Section 73 of the Act requires the Council to have a District Plan at all times. The Council must review its District Plan 10 years after the Plan becomes operative (it can review it sooner).

The District Plan is written with a view to addressing resource management issues in the District for the next 10 to 15 years. The Council may vary or change its District Plan at any time and other people can also request changes to the Plan. Therefore, the Plan can be amended to address changes in resource management issues and community values as they arise. The District Plan does not need to second-guess possible resource management issues in the future. It focuses on managing current issues.

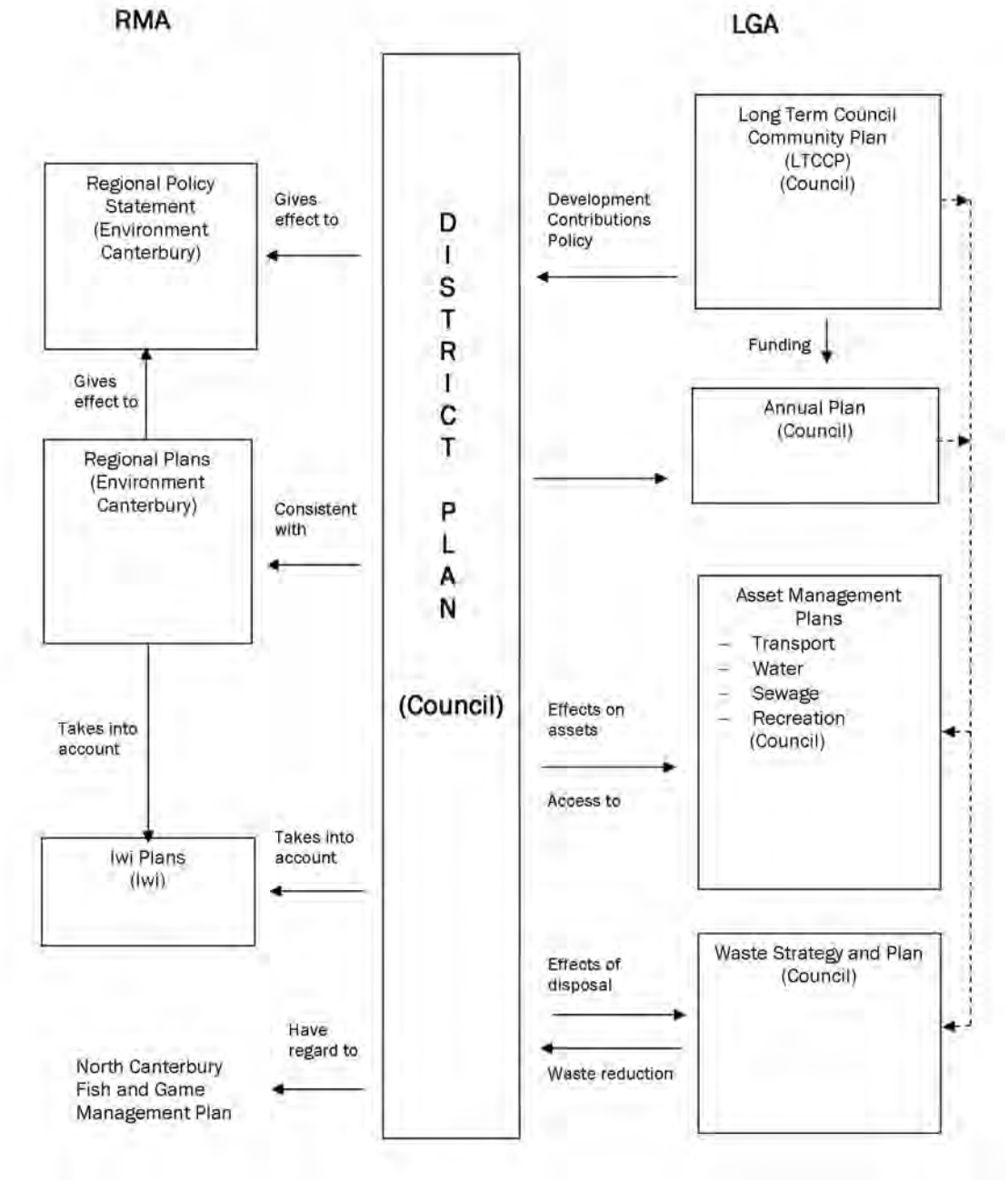
The procedures for requesting a change to the District Plan are set out in the First and Second Schedule to the Act. Under clause 22 of the Second Schedule to the Act, any request for a plan change must:

- be in writing;
- explain the purpose of and reasons for the change;
- contain an evaluation under section 32 for any objectives, rules or other methods proposed.

Appendix 18 provides some guidelines on the sort of information that may need to accompany a plan change request.

A1.4 RELATIONSHIPS TO OTHER DOCUMENTS

Figure A1.1 – Relationship Between Plans



Explanation

The Council is required to produce Plans to help it carry out its functions under both the Act and the Local Government Act 2002 (LGA). Figure A1.1 shows the relationships between the various strategies, policies and Plans the Council produces and those produced by Environment Canterbury (the Regional Council) and Iwi.

Resource Management Act 1991

Under the Act, Regional Councils must have a Regional Policy Statement (RPS – section 60) and a Regional Coastal Plan (section 64(1)) at all times. They may also produce regional plans to address issues that are mostly under their control (section 65). District councils must produce a District Plan (section 73). Regional Plans must not be inconsistent with the RPS (section 66(2)(a)); district plans must not be inconsistent with both the RPS and any relevant regional Plan (section 74(2)(a)).

The Council must also, in preparing or changing a District Plan, take in to account any relevant planning document recognised by an iwi authority (section 74(2)). Such a document may also be relevant in the consideration of applications for resource consent (section 104(1)c). As at 1 July 2004 Te Runanga o Ngāi Tahu has prepared and recognised the following:

- Te Whakatau Kaupapa – Ngāi Tahu Resource Management Strategy for the Canterbury Region; and
- Te Runanga o Ngāi Tahu Freshwater Policy.

In addition, Te Taumutu Runanga has released a 'Natural Resources Management Plan'.

Local Government Act 2002 ("the LGA")

In New Zealand the powers of local government are set by parliament and are contained in the LGA, and other specific statutes, such as the Resource Management Act 1991. The LGA reflects a departure from the way in which powers and functions have traditionally been codified in legislation. Instead of prescribing all the functions that local government should undertake, the LGA has instead provided local government with a general form of empowerment. The LGA encourages local authorities to focus on promoting the social, economic, environmental and cultural well-being of their communities, consistent with the principles of sustainable development.

Under the LGA, district councils are required to prepare a Long Term Council Community Plan (LTCCP) and an Annual Plan. The LTCCP covers a period of ten years and outlines the Council's medium to long term priorities. It describes how the Council intends to contribute to the community well-being over the life of the Plan. The Annual Plan sets out the budget for each year and includes:

- a funding impact statement;
- forecast financial statements;
- statements setting out service levels and performance measures; and
- details of any changes from the information in the LTCCP.

The LTCCP and Annual Plan allocate funds for all Council's activities, including funds for non-regulatory methods, environmental monitoring in the District Plan and Asset Management Plans

The District Plan sets the policies and rules under which everyone (including the Council) must carry out their activities to protect the environment.

Other Legislation

The Council has functions, powers and duties under other statutes. Some of these functions and powers are used along with, or instead of, rules in the District Plan. The District Plan states where other legislation is used. Examples include:

- Building Act 1991 – safe and structurally sound buildings.

- Historic Places Act 1993 – protection of archaeological sites.
- Hazardous Substances and New Organisms Act 1996 – health and safety in use of hazardous substances.

The Resource Management Act 1991 does not apply to:

- Activities necessary for national security (section 4(2)).
- Activities by the Crown on land held under the Conservation Act 1987, or any act listed in the First Schedule of that Act, if the activity is consistent with a conservation management Plan or strategy or other management Plan prepared under those Acts (section 4(3)).

Regional Plans and Rules

Regional Plans contain rules that manage some activities that are primarily the function of regional councils under the Act. These include: earthworks (Port Hills), burning vegetation (hill and high country), discharge of contaminants on to land, and gravel extraction from river beds. There are also activities which cannot take place without a resource consent under the Act, unless allowed by a rule in a Regional Plan. These activities include: taking, use, damming or diverting of water (except taking water for domestic and stock use), and the discharge of contaminants into water.

A1.5 CROSS-BOUNDARY ISSUES WITH OTHER COUNCILS

A District Plan must identify issues which cross territorial boundaries and methods to address these issues, under the Act (section 75(2)(f)). Table A1.1 includes a list of cross-boundary issues in Selwyn District and methods to address each issue. The cross-boundary issues relate to both townships and the rural area in Selwyn, and are repeated in both volumes of the Plan.

Table A1.1 Cross-Boundary Issues in the Selwyn District

Issues	Local Authorities	Methods
Effects on the strategic and arterial road network from people commuting between Selwyn and Christchurch.	Christchurch City Council (CCC) and Environment Canterbury (EC)	Identified as an effect of residential growth in the Plan. CCC can submit on proposals to re-zone land for more growth.
Effects on "rural character" of small allotments on the boundary with Christchurch.	CCC and EC	Consistent provisions in plans for residential density in this area.
Effects of stormwater run-off in Christchurch on flood flows and water quality in the Halswell River.	CCC and EC	Submissions on proposals for residential development in Halswell catchment. Lobby EC to model flood flows.
Air pollution across the boundary with Christchurch.	CCC and EC	Submissions on Regional Air Plan.
Effects of land uses on groundwater supplies for Christchurch.	CCC and EC	Require reticulated sewage for West Melton township. Encourage EC research and monitoring.
Noise effects from aircraft utilising Christchurch International Airport.	CCC, EC and Waimakariri District Council (WDC)	Consistent approach between plans.

Resident Growth

Residential density is increasing in the rural area particularly within 30km of Christchurch. Many of these residents live in the rural area predominately for lifestyle reasons and commute between Selwyn District and Christchurch City (see Section 4.1). This activity has two effects on the road network:

- More people using arterial routes between Selwyn and Christchurch.
- Higher expectations about the standard to which roads in the rural area should be formed.

A study undertaken for the Council (Barber, 1999, Energy Use and Settlement) estimates that between 4,000 and 5,000 people commute daily between Selwyn District and Christchurch City. Staff at Christchurch City Council are concerned about the effects of additional traffic using the Ellesmere/Sabys Roads route, as it passes through residential areas at Halswell and Hoon Hay. Selwyn District Council is concerned about effects on Prebbleton Township of additional traffic along Springs Road, and on Lincoln Township along Ellesmere Road and James Street.

Another effect of subdivision and residential growth in the rural area appears to be a demand for roads in the rural area to be sealed, even when there are insufficient vehicle numbers on the road to warrant sealing. The demand is greatest on roads which lead into the City and roads which lead to Arterial Roads into the City. Therefore, the demand may be to reduce perceived travel time to Christchurch.

The Council anticipates recovering the majority of its funds for road upgrades from rates income or LTNZ subsidies. However, the LTCCP Development Contribution Policy provides for development contributions to be taken in specific situations where the roading improvements provide a direct benefit to the development being considered or the development itself requires the upgrade of the roading network adjacent to the development.

Railway Lines

The two main trunk railways lines in the Selwyn District cross many roads. Not all railway crossings in the District have bells or barrier arms, so visibility at railway line crossings is very important for both train drivers and motorists. Railway crossings need to be appropriately designed for the number and type of vehicles using them. Where activities increase the number of people or vehicles crossing the railway line, any effects on the safety of the crossing need to be mitigated.

Airfields

Areas in the approach paths to airfields or airports need to be clear of very high structures, to enable the airfield or airport to operate within Civil Aviation Authority regulations. This includes approach paths to West Melton Airfield and Hororata Domain (see Appendix 19).

Issue 2

Effects on the Environment

The operation of transport networks can also adversely affect the surrounding environment. Examples include:

- Effects of constructing or maintaining roads or railway lines on adjoining waterbodies and wetlands.
- The visual effects from road construction on slopes or bridges across waterbodies.

- The effects of noise, vibration or dust from roads, railway lines or airfields on adjoining residents and reverse sensitivity effects.
- The effects of stock droving on road surfaces and road verges.

Issue 3

Reverse Sensitivity Effects

Sometimes nearby residents complain about these effects, and try to restrict the activity to reduce the effects. This 'reaction' is known as a reverse sensitivity effect. It occurs when:

- People buy or build houses next to busy roads, railways lines or airfields and do not expect the effects
- The traffic using the road, railway line or airfield changes and the effects increase.

Christchurch International Airport

Christchurch International Airport is one of very few international airports which operates without any restrictions on the type of aircraft or hours of operation to reduce noise effects. New Zealand's geographic location means it is usually the 'last leg' on international flight schedules and many large aircraft arrive and leave at night-time. The current absence of restrictions on the airport's operating hours is important for the commercial viability of the airport and the South Island's economy.

CIAL has identified the area of land in the District where people are likely to be exposed to noise from aircraft taking off and landing at the airport. Areas subject to sound exposure levels sufficient to have adverse effects are shown on planning maps within "airport noise contour" lines. The noise contours represent the predicted levels of sound exposure expressed as the day-night average sound level (Ldn) in A-frequency weighted decibels (dBA). This basis is used because annoyance from aircraft noise is a cumulative effect caused by a combination of loudness, the number of events and the increased sensitivity of people to noise at night-time.

The areas affected in Selwyn District are shown on the Planning Maps. The noise contours are calculated using the number of aircraft flights when the existing runway is operating at its full capacity. Therefore, land is shown in the noise contour area which is not affected now, but will be within the next 15 years. As the airport gets busier three effects occur which will concentrate aircraft noise in the area shown in the noise contours:

- There will be more flights;
- Aircraft will have to join the approach path to the Airport much sooner than what they do now (ie, they will start to queue);
- They will have to fly using instruments rather than visual approaches. Aircraft will need to turn into the flight path further south of the airport than they do now.

Christchurch International Airport Limited wants provisions in the District Plan to avoid potential "reverse sensitivity" effects on the airport from 'noise sensitive' activities on land under the noise contours for 50 dBA Ldn and 55 dBA Ldn. It is therefore desirable that the density of noise-sensitive activities (and hence the number of people potentially affected) within the area contained by the 50 dBA Ldn air noise contour be kept as low as possible. There is a requirement for additional noise insulation in houses erected in the area covered by the 55 dBA Ldn noise contour.

Note: 'Noise sensitive' activities include activities that are likely to be affected by aircraft noise. For example: residential activities and visitor accommodation.

Issue 4

Effects of Transport on Energy Use and the Environment

Transport involves energy use. The most common forms of transport in New Zealand rely on the consumption of carbon-based fuels (petrol, diesel, etc) and the use of private motor vehicles. Carbon–based fuels are thought to contribute to increased concentrations of carbon-dioxide (CO_2) in the atmosphere. These increases could cause changes to atmospheric and climatic conditions (the Greenhouse Effect). Private motor vehicles are not as efficient, in terms of fuel consumed per weight transported, as other modes of transport (Regional Policy Statement, 1998, p. 215).

The provision of transport infrastructure and the use of transport cause adverse effects on the environment. These effects may include: air pollution, noise and vibration, contaminated run-off from roads, loss of public amenity including effects on visual amenity, natural character and areas of significant flora and fauna, effects on ancestral lands, sites and other taonga of value to Tāngata Whenua, spread of noxious weeds from road verges, loss of land to roads and to the parking of vehicles and effects on sites of heritage value.

The Regional Policy Statement identifies adverse effects of transport (particularly private motor vehicles) on energy efficiency and air quality, as resource management issues in Canterbury (Chapter 12, Policy 1, p. 189, Chapter 13, Policy 9, p. 215, Chapter 15, Policy 3, p. 235). The Regional Policy Statement instructs district councils to promote land use and settlement patterns which reduce the demand for transport, especially private motor vehicles (Chapter 13, p. 215).

TRANSPORT NETWORKS — STRATEGY

The Rural Volume of the District Plan uses the following basic strategy to address transport issues:

Safe and Efficient Transport Networks

- Each road in the District is based on its function and the volume of traffic using it (see Appendix 9).
- Policies and rules to manage:
  - Design of roads; and
  - Activities on and alongside roads;

  Based on the classification of the road.
- A policy and rule to maintain visibility along railway lines and to avoid access to properties across railway lines.
- A policy and rule to manage the height of structures near airfields.

Environmental Effects and Reverse Sensitivity

- A policy to encourage roading authorities to reduce the effects of constructing and maintaining roads on the surrounding environment.
- A policy and rule to manage the location of new airfields relative to houses.
- A policy and rules to protect existing airfields and the flightpaths to Christchurch International Airport from reverse sensitivity effects within the area covered by air-noise contours.

TRANSPORT NETWORKS — OBJECTIVES

ROAD, RAIL AND AIRFIELDS

Objective B2.1.1

The safe and efficient operation of roads, railway lines and airfields is not compromised by effects of new land uses.

Objective B2.1.2

Adverse effects on the environment from constructing and maintaining roads and rail links are mitigated.

Objective B2.1.3

Continued operation of existing airfields without adverse noise effects on land uses near airfields or under flight-paths to airfields including Christchurch International Airport while ensuring such resources are not compromised by inappropriate development of noise-sensitive land use activities.

Explanation and Reasons

Transport networks are vital to social and economic activities in the District. They need to operate safely and efficiently. Activities alongside roads, railway lines and airfields can affect their safety and efficiency. Objective B2.1.1 is to ensure these effects do not occur.

The objective relates to land uses, because this is the function of district councils under the Act. Other legislation addresses the safe operation of motor vehicles, trains and aircraft. Objective B2.1.1 is achieved by policies and rules to:

- Ensure roads are formed and maintained to a standard to accommodate the volume and type of traffic.
- Avoid land uses creating hazards alongside roads and railway lines or around airfields.

Roads and rail links may pass through or alongside bush areas, waterbodies and wetlands, over slopes, and over or near sites of special cultural or heritage values. Objective B2.1.2 addresses the effects which the construction and maintenance of road and rail links may have on the surrounding area. Roads and railways are maintained by requiring authorities using designations (see Part A, Section 2.6), so District Plan rules do not apply. Objective B2.1.2 is implemented using a combination of: advocacy; encouraging good practice among requiring authorities; and the Council's power under section 176(A) of the Act to approve outline plans for designations.

Objective B2.1.3 protects existing airfields and Christchurch International Airport from potential reverse sensitivity effects caused by residential activities locating too close to airfields or underneath the flight paths to Christchurch International Airport while ensuring that adverse effects of noise on other land uses in the District are limited. The objective is achieved by policies and rules to manage residential density in the rural area generally and under the flight paths to Christchurch International Airport, specifically. The policies and rules require additional noise insulation in houses erected in the area covered by the 55 dBA Ldn noise contour for Christchurch International Airport (see the Planning Maps).

TRANSPORT NETWORKS — POLICIES AND METHODS

ROADS

Policy B2.1.1

Manage the Districts road network based on the function of each road and the volume of traffic it carries.

Policy B2.1.2

When the function of a road or the volume of traffic on it changes:

- **Ensure the road is upgraded to comply with the Council's Engineering Design Standards 2000 (see Appendix 10).**

NOTE:
The upgrading of State Highways is undertaken by Transit New Zealand to their own standards.

Explanation and Reasons

Every road in the District is classified using a combination of destination (the link the road provides) and the number of vehicles using it. The standards for the design and formation of roads, vehicular accessways, and vehicle crossings; and the rules for land uses, alongside roads, are based on the classification the road has in the road hierarchy. Road classifications are listed in Appendix 9.

Developments can affect the classification of a road by increasing volume of traffic. When a development changes the volume or type of traffic on a road, the LTCCP Development Contribution Policy enables Council to take development contributions to pay for road upgrades (see Section B4.2). This may include the forming of any unformed legal road to provide access to a property.

Appendix 10 outlines the standards for road design and vehicle crossings, for roads as classified. These standards are taken from the Council's Engineering Design Standards 2000. These standards also stipulate standards for construction of roads and other utilities to be vested in the Council.

Methods

Road Hierarchy

- Appendix 9.

District Plan Rules

- Vehicle manoeuvres
- Subdivision

LTCCP

- Development Contribution Policy

Policy B2.1.3

Manage roads classified as Strategic Roads in Appendix 9, primarily to ensure the safe and efficient flow of through traffic en route to its destination.

Policy B2.1.4

Recognise all other roads in the District as providing equally important functions of:

- **carrying 'through' traffic;**
- **providing access to properties; and**
- **providing pedestrian, cycle and stock access to properties.**

Explanation and Reasons

Roads classified as Strategic Roads in the road hierarchy carry large volumes of traffic between destinations, often at high speeds. Due to the volume and speed of traffic, the function of Strategic Roads to carry through traffic takes precedence over other functions of these roads. Policy B2.1.3 ensures activities which may affect this function such as: property access; signs; car parking; and stock droving are managed. The Strategic Roads in Selwyn District are listed in Appendix 9. They include all State Highways and Springs Road.

Policy B2.1.4 ensures all other roads in Selwyn District are managed to balance each of their functions equally. The Plan uses rules to manage effects of activities both alongside and within the road reserve. Within the road reserve, the Council and Transit New Zealand can also control activities through their powers under the LGA and the Transit New Zealand Act 1989, respectively.

Methods

Information

- Road classification

District Plan Rules

- Road formation
- Vehicular Accessways
- Vehicle crossings
- Car parking
- Intersection distances
- Outdoor signs
- Roadside stalls on Strategic Roads

Bylaw

- Stock droving

- Adequate distances between airfields, helipads and dwellings are maintained.
- Residential density is maintained at 1 house per 4 hectares or less in areas affected by noise from the flight paths to Christchurch International Airport and remains able to operate 24 hours a day.

TRANSPORT NETWORKS — MONITORING

See Part E, Appendix 1.

B2.2 UTILITIES — ISSUES

- **The cost of providing utilities in the rural area.**
- **Adverse effects of utilities on the landscape and amenity values of the rural area.**

What are Utilities?

Utilities are physical resources – the infrastructure which provides services such as: transport; water supplies; drainage; effluent and waste disposal; energy; meteorological functions and telecommunications. This section addresses issues associated with utilities, generally. Part B, Section 2.1 addresses transport networks. Part B, Section 2.3 addresses community facilities and recreation areas; and Part B, Section 2.4 addresses waste disposal.

Utilities have the following characteristics:

- They are often necessary for people to carry out their activities, eg telecommunications and water supplies.
- People expect to have access to utilities, to a certain standard and at an affordable price, to enable them to carry out their activities.
- Some utility providers have a statutory duty to provide utilities to a certain standard and within a certain price.
- Many utilities operate in networks which cover large areas.

People expect utilities to be available and affordable. They also expect themselves and their environment to be protected from any adverse effects from the installation or operation of utilities.

Issues with Utilities

Need for Utilities

Utilities are essential for people to carry out economic and social activities. The rural area is an important business area in the District and access to utilities at a reasonable cost is vital. It can be more expensive to provide utilities in rural areas than townships, because people are more widespread and access into remote areas can be difficult.

If residential density increases and allotment sizes get smaller, some parts of the rural area will require additional utilities, for example: reticulated water supplies, reticulated sewage treatment and disposal, and waste collection. The District Plan allows for residential development at higher densities in the Rural zone immediately surrounding townships (see Section B4.1 Residential Density and Subdivision). These allotments will need utilities similar to those in townships.

Under the LTCCP Development Contribution Policy, the costs associated with these additional utilities can be met through development contributions. The LTCCP Development Contribution Policy requires the provision of development contributions toward the cost of utilities based on service catchments. All new developments in the service catchments will be subject to a development contribution. Development contributions are generally taken at the subdivision consent stage, though they may apply at the building consent stage or at the service connection stage on residential or rural development where additional units of demand are created in the absence of subdivision.

Effects of Utilities on the Environment

Utilities are often used to mitigate adverse effects of activities on the environment. They can also cause adverse effects. People want the convenience of utilities, but often do not want to live near the infrastructure that provides the services.

There are three types of effects from utilities in the rural area:

Visual

Visual effects are the most obvious effects from utility buildings and structures. Utility structures and buildings may affect the character of the rural area, which people perceive as having fewer buildings and structures than urban areas.

Nuisance

Some utilities have nuisance effects such as noise, odour, or glare. The Rural zone is often an attractive place to locate utilities that cannot operate close to people due to nuisance effects, for example, sewage treatment stations or landfills. Once established, these activities need to be protected from new residential development occurring too close and creating reverse sensitivity issues.

Potential Health Issues

There has been much publicity over whether utilities which emit electromagnetic radiation or electromagnetic fields, affect people's health. Policy B3.4.16 of the Township Volume of the Plan, encourages these utilities to be located in Rural zones rather than Living zones.

To address potential health issues research undertaken by the Ministry of Health in conjunction with the Ministry for the Environment resulted in New Zealand Standard NZS 2772.1:1999 on Radiofrequency Fields Exposure. This has largely been formulated by drawing on international standards so to arrive at an outcome that affords a high degree of public health protection.

Provision of Utilities

Traditionally, utilities were provided by central or local government. This was usually done by designations. Increasingly, private organisations are providing utilities. Some private organisations are Requiring Authorities under section 167 of the Act (they can designate land). However, the District Plan needs to make provision for utilities using other methods than designations, because:

- It is consistent with the RMA (Part II and Section 32) to allow activities which have only minor effects as permitted activities.
- It is necessary to provide for the installation, maintenance and upgrade of utilities on sites which are not designated.

UTILITIES — STRATEGY

The Rural Volume of the District Plan uses the following basic strategy to address issues associated with utilities:

Efficient Use

- Avoid unnecessary restrictions on the installation of utilities.
- Any controls on utilities relate to effects on the environment, not the type of utility or who provides it.

Effects of Utilities

- Effects of utilities on the environment are managed.
- Potential reverse sensitivity effects of activities on utilities are managed.

UTILITIES — OBJECTIVES

Objective B2.2.1

Utilities are recognised as essential tools for people's economic and social well-being, and to mitigate effects of other activities, on the environment.

Objective B2.2.2

The provision of utilities where any adverse effects on the environment and on people's health, safety and wellbeing is managed having regard to the scale, appearance, location and operational requirements of utilities.

Explanation and Reasons

Utilities are necessary to enable many activities to take place and to mitigate adverse effects of activities on the environment. For example, reticulated sewerage treatment and disposal can reduce the risk of groundwater contamination. Co-ordination is needed between new activities, and installing the utilities that activity needs.

Objective B2.2.1 recognises the importance of utilities for the many business and residential activities which occur in the Rural zone. Obtaining access to these utilities can be difficult because the number of users is small and the distance between them large compared with a township. Objective B2.2.1 is achieved through policies and rules which:

- Outline the utilities that must be provided to allotments before activities can take place.
- Manage effects, not the type of utility or who supplies it.
- Protect established utilities from potential reverse sensitivity effects with new activities.

Utilities may have adverse effects on the environment. Objective B2.2.2 addresses these potential adverse effects. Utilities usually have less effect, or no more effects, than other activities, and their impacts are primarily visual. These effects are managed with regard to the sensitivity of the host environment, with living areas and outstanding landscapes being the most

sensitive. This protection also takes into account the operational requirements of utilities. Potential health effects are addressed through reference to appropriate New Zealand Standards.

UTILITIES — POLICIES AND METHODS

Policy B2.2.1

Ensure any activity has access to the utilities it requires when the allotment is created, if practical; or before the activity starts on the site.

Explanation and Reasons

Policy B2.2.1 requires utility services to be available at the boundary of any allotment. Policy B2.2.1 is to ensure activities have access to the utilities they require, to mitigate their effects, under the Plan. The policy encourages utility connections to be installed at the boundary of allotments when they are subdivided. The reason is to avoid people buying allotments that do not have or cannot be supplied with the access to the utilities they need. The policy recognises that supplying utility connections when land is subdivided is not always practical. For example, if there is no subdivision, if it is unclear what the allotment shall be used for and thus the utilities needed. The Council (as consent authority) shall determine the conditions for access to utilities on subdivision consents.

The District Plan policies and rules describe the utility services which must be available for activities in the Rural zone. Please refer to Sections B1.3 Water; B2.4 Waste Disposal; and B4.1 Residential Density and Subdivision.

Method

LTCCP

- Development Contribution Policy

District Plan Rules

- Subdivision
- Water supply
- Sewage disposal

Policy B2.2.2

Ensure provision is made for the ongoing maintenance and repair of utilities which are not vested in the Council, and that the users of these utilities are informed of any responsibility they have for ongoing maintenance or repair.

Explanation and Reasons

In the past most utilities were provided by local or central government agencies. Increasingly, private organisations are supplying utilities, such as water supplies, sewage treatment and disposal, and telecommunications. Sometimes the users are responsible for the ongoing maintenance and repair of these utilities. The Council does not advocate for the proliferation of numerous small water supply and sewage treatment schemes. It is important that the number of connections meets a critical mass to enable the long term sustainability of such schemes.

The Council prefers community water supplies, and community stormwater and sewage disposal systems, to comply with its Engineering Design Standards (2000) and be able to connect into the public system when it is available. In these cases, it is likely the Council will take over the utility and responsibility for its maintenance and repair. If responsibility for community water supplies, sewage and stormwater systems or other utilities remains with residents, there needs to be:

- A method to make residents aware of their share of responsibilities to maintain and repair the utility.
- An agreement between residents for how they will manage the utility and fund its maintenance and repair.

Methods

District Plan Policies

- To assess requests to subdivide land

District Plan Rules

- Subdivision and Residential Density

Policy B2.2.3

Avoid potential reverse sensitivity effects of activities on the efficient operation development, use and maintenance of established utilities.

Explanation and Reasons

Reverse sensitivity effects occur when activities, which are sensitive to the effects of utilities, establish close to the utility and then complain about its operation. The complainants can force the utilities to relocate to new sites or restrict the operation of the utility.

Policy B2.2.3 is implemented by:

- Rules to manage the location of utilities likely to have effects beyond the site; and
- Policies and rules to manage residential density in the rural area generally, and close to existing utilities, specifically.

This policy should be read in conjunction with Section B3.4 Quality of the Environment.

Method

District Plan Rules

- Residential density
- Discretionary activities

Policy B2.2.4

To ensure that emissions of electromagnetic radiation are managed to avoid any adverse effects on health.

B2.3 COMMUNITY FACILITIES AND RECREATIONAL AREAS — ISSUES

- **Ongoing use and maintenance of existing community facilities.**
- **Public access to recreational areas and effects of public access on recreational areas and adjoining landowners.**
- **Camping areas in inappropriate places.**

Community Facilities

Community facilities include land, buildings, equipment and services available to local communities for a range of activities, with or without a charge. They include: meeting halls, places of worship, schools, recreation areas and reserves, emergency services, and cemeteries.

There are many community facilities located in the rural area in Selwyn District. The population in the rural area is growing, but many community facilities in the rural area are under utilised. This under utilisation may result from:

- Population growth occurring in different parts of the rural area today than in the past.
- Many people who live in the rural area today commute to Christchurch for work or school, and use the community facilities, there.

If community facilities are under utilised, the costs per person to maintain or upgrade these facilities, increase.

Part of promoting sustainable management of natural and physical resources is to have particular regard to:

> "The efficient use and development of natural and physical resources" (section 7(e)).

The major causes of under utilised community facilities are changes in economic activities, lifestyles and transport patterns. The District Plan cannot influence these factors. The District Plan provisions can help to foster, or at least not hinder, the efficient use of community facilities by:

- Recognising and providing for community facilities as part of the rural area, which reduces compliance costs to change the use these facilities.
- Managing effects of activities, not type of activities or who is undertaking them, which also reduces compliance costs to let community facilities to private organisations.
- Exempting community facilities from rules for site coverage, so they have less land to maintain (see Policy B3.4.5).

Community facilities are not anticipated to cause nuisance effects to surrounding residents in the rural area, because of the lower levels of residential density and distance between neighbours. The Rural zone rules for noise, night lighting, carparking, recession planes et cetera apply to community facilities.

Recreation Areas, Access and Camping

The rural area is an important area for outdoor recreation and camping in the District. Recreation areas in the rural areas include:

- Domains and grounds for organised sports.

- Lakes and rivers, mountain and bush areas, held in national parks or reserves.
- The character of the rural area generally – the open space, scenery and green areas. A drive or ride in the country or roadside picnic are popular recreational past-times.

Popular outdoor recreation areas in the District include: the Port Hills; Te Waihora/Lake Ellesmere; the Waikiriri/Selwyn, Rakaia and Waimakariri Rivers; the high country generally; and the Southern Alps/Kā Tiritiri o te Moana.

There are three issues associated with recreational areas in the Rural zone:

- Access to lakes, rivers and reserve areas.
- Funds to purchase, develop or enhance recreation areas.
- Effects of camping grounds.

Access

Arthur's Pass National Park, most public reserves and many parks and rivers have formed, public access to them, but there are recreational areas in the District which do not. For example:

- Some reserves on the Port Hills (in Selwyn District) which are only accessible from the Summit Road.
- Access to Lake Coleridge which is over private roads (informally available for public use).
- Some small lakes and rivers in the hill and high country which do not have formed, public access to them.

There is demand for access to recreation areas over private land. This demand can create tension between recreational users and landholders. Trespassing occurs, particularly on the Port Hills and in the high country. Stock can be disturbed, pasture damaged by four wheel driving, motorbikes and mountain bikes, and fire risk increases from people having barbecues, camp fires or carelessly discarding cigarette butts.

Creating public access into recreational areas can also have adverse effects, especially if the area is small and has been isolated from people in the past. Wildlife or wāhi tapu sites may be disturbed; litter and other waste left; and conflicts arise between different recreational uses. Both positive and adverse effects of creating public access to recreation areas need to be considered.

The District Plan outlines the effects which should be addressed when considering developing public access to recreation areas. It has provisions to create esplanade reserves along some lakes and rivers in the District. Areas where the Council may form legal roads or otherwise negotiate access over private land to recreation areas, will be addressed through the Council's Recreation Plan. Access to private land for hunting, tramping and other recreational activities is a matter between private individuals and landholders

Funds

The LTCCP Development Contribution Policy requires the provision of development contributions from growth-related development to generate the necessary funds for reserves and facilities for open space and recreation. Contributions will also be taken for the construction of the Castle Hill Community Centre.

Protecting and enhancing the special areas of the District adds to the recreational and amenity values of the Rural zone. Special areas include: areas of outstanding natural features and landscapes, significant ecological sites and sites with heritage or cultural values. These areas contribute to the amenity values of the District and make it a more pleasant place to live and

work in. Some of the development contributions collected from development in the District, are used to help fund the costs of protecting or enhancing these special areas through Council acquisition.

Camping Grounds

Camping in the countryside is a traditional Kiwi pastime. There are private camping grounds in the District, camping grounds at reserves run by the Department of Conservation or the Council, and casual camping alongside roads, rivers and lakes and on private land.

One or two people camping in a tent or campervan overnight will have only a minor effect on the environment. When an area becomes an established camping ground for many people effects increase; for example, toilet, shower and cooking facilities may be needed. Local roads may need to be upgraded to manage additional traffic. Wildlife, wāhi tapu sites and the natural character of places may be affected, especially if camping areas become scattered around a lake or reserve, rather than concentrated in one area. A continuing issue is baches or cabins that have been erected on unformed roads, public land or other inappropriate places.

The District Plan does not prevent camping in the rural area. It does manage the development of camping ground facilities to ensure potential effects on the environment are addressed. The Camping Ground Regulations 1979 outline the requirements for camping grounds to provide facilities such as toilets and power.

COMMUNITY FACILITIES AND RECREATIONAL AREAS — STRATEGY

The Rural Volume of the District Plan uses the following basic strategy to address issues with community facilities and recreational areas:

- The District Plan provisions recognise community facilities as part of the rural area and do not restrict the multiple use of community facilities.

Recreation Areas

- Policies and rules to create esplanade reserves or strips for public access along lakes and rivers, where appropriate.
- Policies to encourage the Council to negotiate access to recreation areas with landholders where such access is desirable and will not have adverse effects on the environment.
- Policy and rules to manage the location of camping grounds.

COMMUNITY FACILITIES AND RECREATIONAL AREAS — OBJECTIVES

Objective B2.3.1

Efficient use and maintenance of community facilities is encouraged.

Objective B2.3.2

The use of areas for recreation and camping, and camping facilities, and access to them will not detract from the amenity values or their surrounds.

Explanation and Reasons

Objective B2.3.1 is to encourage the use of existing community facilities in the rural area. The District Plan does this by recognising community facilities as part of the rural area; and ensuring policies and rules do not unnecessarily hamper the multiple use of community facilities.

Objective B2.3.2 recognises that public access to and use of recreation areas and camping ground facilities should maintain and enhance the amenity values of these surrounding areas because these are the values that attract people to the area in the first instance, for example: having one well formed and marked access to an area which is located in a place that minimises effects on the environment and disturbance to surrounding landholders. The objective is achieved by policies and methods to:

- Consider potential effects of public access and recreation use on lakes, rivers and reserves; and
- Manage the location and establishment of camping grounds.

COMMUNITY FACILITIES AND RECREATIONAL AREAS — POLICIES AND METHODS

Community Facilities

Policy B2.3.1

Recognise community facilities as part of the rural environment and encourage new uses for existing community facilities.

Explanation and Reasons

Community and recreational facilities are part of the rural area. Their ongoing use is important to foster the identity of local communities and to ensure the efficient use of the community's assets. Policy B2.3.1 recognises community facilities in the rural area and encourages their on-going use. The role of the District Plan is limited, in this regard, to ensuring there are no unnecessary restrictions in the rules, to changing the use(s) of community facilities. This is achieved by avoiding 'catch all' rules that make any community facility require a resource consent.

Method

District Plan Rule Structure

- Permitted activities

Policy B2.3.2

Exempt community facilities from site coverage requirements in the rural area.

Research and modelling of natural hazards is occurring all the time. By keeping abreast of and supporting this work, and recording information on natural hazards as they occur, the information base is increasing.

Methods

Advocacy

- Encouraging and supporting relevant research work

Information

- Recording relevant information as opportunities arise.

NATURAL HAZARDS — ANTICIPATED ENVIRONMENTAL RESULTS

The environmental results should occur from Section B3.1:

- Increased awareness in the community of the risk and nature of natural hazards and how to respond.
- Houses are not erected in areas prone to coastal erosion or channel outbreak from the Waimakariri River.
- Houses and buildings located on land subject to flood water inundation are raised higher than floodwaters from a 2% AEP (1 in 50 year flood).
- No increase in stormwater runoff rates from land in the Rural zone.
- Houses, infrastructure and recreational facilities area not located on or under land that is slipping or prone to avalanche.
- The District's database on potential natural hazards improves.
- Effects of works to mitigate natural hazards on slopes are minor or mitigated.
- The database on potential natural hazards in the District, improves.

NATURAL HAZARDS — MONITORING

See Part E, Appendix 1.

B3.2 HAZARDOUS SUBSTANCES — ISSUES

- **Adverse effects on the human and natural environments from the manufacture, storage, transport on waterbodies or disposal of hazardous substances.**
- **Adverse effects on land and soils, waterbodies or other parts of the environment from accidental or deliberate spillage, leakage, or discharge of hazardous substances in the course of their manufacture, storage or disposal.**
- **Adverse effects on the amenity values of townships from activities involving the manufacture, storage or disposal of hazardous substances.**

What is a Hazardous Substance?

A hazardous substance is defined in section 2 of the Resource Management Act 1991 to include, but is not limited to, any substance defined in section 2 of the Hazardous Substances and New Organisms Act 1996 (HSNO) as a hazardous substance.

HSNO section 2 states:

> "Hazardous substance means, unless expressly provided otherwise by regulations, any substance
>
> (a) with one or more of the following characteristics:
>
> (i) explosiveness,
>
> (ii) flammability,
>
> (iii) a capacity to oxidise,
>
> (iv) corrosiveness,
>
> (v) toxicity (acute or chronic),
>
> (vi) ecotoxicity with or without bioaccumulation;
>
> or
>
> (b) which on contact with air or water (other than air or water where the temperature or pressure has been artificially increased or decreased) generates a substance with any one or more of the properties specified above."

What are the Issues?

Hazardous substances of various kinds are in widespread use in the Selwyn District and are an essential part of everyday life and many industries. People and operations in rural areas often need to store hazardous substances on site to carry out their activities efficiently. Common examples of hazardous substances are agrichemicals and animal remedies in the rural sector of the community, timber preservatives and strong acids and alkalis in the industrial and commercial sector, and garden sprays in the domestic sector. Other substances such as LPG, petroleum hydrocarbon fuels and lubricants, solvents, paints, pool chemicals and household cleaning agents are in widespread use across all sectors. Wastes generated by all sectors also contain hazardous substance residues, such as industrial processing wastes, packaging and containers, dead batteries and waste oil, paints and solvents, surplus agrichemicals and garden sprays.

rule does not apply to spare fuel for motorised water craft or hazardous substances found in the motor of such craft.

Method

District Plan Rules

- Transport of Hazardous Substances

DISPOSAL

Policy B3.2.4

Ensure parties who manufacture or store commercial quantities of hazardous substances have the means to dispose of hazardous substances and their containers without adversely affecting the environment.

Policy B3.2.5

Work toward obtaining access to appropriate hazardous waste treatment and disposal facilities for residents and ratepayers of the District.

Explanation and Reasons

Under Policies B3.2.4 and B3.2.5, the Council will work with Environment Canterbury and other District Councils, to develop solutions for disposing of hazardous substances and hazardous waste, including empty hazardous substance containers. The Council will also encourage manufacturers and users of hazardous substances and generators of hazardous wastes to participate in identifying and developing waste disposal options.

Environment Canterbury, in conjunction with other local authorities including Selwyn District Council, has developed the Canterbury Regional Hazardous Waste Management Strategy for dealing with hazardous waste. It provides that basis for a co-ordinated region wide approach to the minimisation and management of hazardous waste. Under that strategy, facilities are being developed to receive and store domestic hazardous wastes from residents throughout Selwyn District.

Methods

District Plan Rule

- Hazardous Substances

Trade Waste Bylaws

Advocacy

- Continue to advocate for a co-ordinated approach to hazardous waste disposal in Canterbury as a signatory to the Canterbury Regional Hazardous Waste Management Strategy.
- Support initiatives such as the Agrecovery programme for disposal of agrichemical containers.

HAZARDOUS SUBSTANCES — ANTICIPATED ENVIRONMENTAL RESULTS

The following environmental results should occur from implementing Section B3.2:

- Adverse effects of hazardous substances on the environment are minimised.
- Reduced instances of land becoming contaminated where hazardous substances have been used or stored.
- Reduced risk of waterbodies becoming contaminated from hazardous substances.
- Access to facilities for the treatment and disposal of hazardous substances.
- Users of large quantities of hazardous substances follow plans to minimise the amount of hazardous waste they produce and to dispose of that waste in ways that have minimal effects on the environment.

HAZARDOUS SUBSTANCES — MONITORING

Please refer to Part E, Appendix 1.

Explanation and Reasons

Buildings are often relocated as a whole or in parts, on to a new site, from either within or outside the District. Buildings are relocated for many reasons. They can be a cheaper alternative to new buildings; a specific building design may be required; or the building may be relocated to a new site to preserve it.

Some people object to relocated buildings being moved into their neighbourhood because they think it will reduce property values in the area, particularly if the relocated building is old and the other houses are new. Other people are more concerned if the relocated building sits on blocks on the new site for a long time, or is damaged during transit and not repaired.

Policy B3.4.17 and the associated rules do not prevent people from relocating buildings into the Rural zone. The provisions enable the Council to require the building be set on a building pad or foundations and repaired to a certain standard, within the time specified in the resource consent.

The District Plan does not prevent people relocating buildings for the following reasons:

- The plan does not control the design or age of any other building.
- Relocated buildings can be an efficient use of physical resources, which is a matter to have regard to under section 7(c) of the Act.
- If a particular developer wishes, he/she can use mechanisms outside the District Plan to prevent relocated buildings within a particular subdivision.

Relocated building is defined in Part D of the Plan. It does not include new buildings or parts of new buildings designed specifically for the site, but built off-site and transported to it.

Method

District Plan Rules

- Relocated buildings

REVERSE SENSITIVITY EFFECTS

Policy B3.4.18

Ensure new or expanding activities, which may have adverse effects on surrounding properties, are located and managed to mitigate these potential effects.

Policy B3.4.19

Protect existing lawfully established activities in the Rural zone from potential for reverse sensitivity effects with other activities which propose to establish in close proximity.

Explanation and Reasons

Policy B3.4.18 and B3.4.19 manage reverse sensitivity effects in the rural area. Policy B3.4.18 requires a resource consent for activities to set up which are likely to affect surrounding properties. This gives an opportunity for affected parties to participate in the consent process and for the Council to ensure those effects are mitigated to a satisfactory level.

Policy B3.4.19 protects activities which are established from potential reverse sensitivity effects caused by potentially incompatible activities locating close to them. The most common activity is erecting houses. Other potentially incompatible activities include: restaurants; schools; and other forms of residential or visitor accommodation. This policy is necessary to enable established businesses to operate efficiently and with some certainty, and to avoid creating unpleasant living environments for people. The most common tool to mitigate reverse sensitivity effects is to maintain appropriate buffers or separation distances between activities. However, there may be other methods which can be used to avoid reverse sensitivity effects.

Part B, Section 2.1 Transport contains specific policies to manage reverse sensitivity effects with odour; and with transport routes.

Methods

District Plan Rules

- Discretionary activities
- Intensive livestock farming
- Waste disposal
- Aircraft
- Residential density
- Building position controls
- Subdivision standards

District Plan Policies

- Township Volume, Section B4.3, Growth of Towns
- Rural Volume, Policy B4.1.1

Land Information Memorandum

- Information Sheet

4 GROWTH OF RURAL AREA

B4.1 RESIDENTIAL DENSITY AND SUBDIVISION IN THE RURAL AREA — ISSUES

- **The manner in which demand for a variety of living opportunities in the rural area might be met.**
- **Adverse effects of erecting houses in the rural area can affect natural or physical resources, the character of the rural area or create reverse sensitivity effects with other activities.**
- **Problems caused by managing residential density solely through subdivision.**

Residential Density

Residential density is the ratio of houses to land area. Residential density of an area indicates the concentration of buildings, people and their activities; and thus, the likely effects on the environment.

The Plan has a separate section dealing specifically with subdividing land and residential growth in the rural area, because it is the most significant resource management issue in the District.

People have houses in the rural area for a variety of purposes. For example:

- Custodial houses and worker's accommodation associated with many agricultural and horticultural activities, occurring on a range of property sizes.
- Houses on small allotments for a rural lifestyle.
- Holiday homes, baches and other forms of visitor accommodation.
- Papakainga housing on Māori land at Taumutu.

There is a steady demand for more houses in the rural area. The latest population growth projections from Statistics New Zealand show Selwyn District a fast growing area (refer: Barber, 2000, "Revised Population Projections for Selwyn District"). Most of this demand will be for allotments in that part of the rural area within 30 km radius of Christchurch City. This area is within the area shown as the Inner Plains, on the Planning Maps.

Part of promoting sustainable management is enabling:

> "people and communities to provide for their economic, social and cultural well-being..."(section 5(2)).

Papakainga Housing

Papakainga is an area of traditional Māori settlement. If it is an ancestral home, it may be associated with Taurangawaewae – a sense of belonging. Areas of papakainga may include houses, a marae, church, and community facilities and buildings.

Te Ture Whenua Māori Act 1993 provides for papakainga housing on Māori land. Taumutu is the ancestral home of the Hapū of Ngāi Te Ruahikihiki. Te Taumutu Rūnanga wishes to establish papakainga on land at Taumutu subject to Te Ture Whenua Māori Act 1993.

Papakainga is not easily accommodated in traditional European settlement patterns of one dwelling per allotment. Māori land tends to be owned by families or hapū, rather than individuals, and is not subdivided or sold outside of the family or hapū.

Making provisions for papakainga housing is part of the Council's duty under the Act to recognise and protect:

> The relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga...(section 6(e)).

Effects of Residential Development

As allotments get smaller, and more people live in an area, adverse effects can occur. For example:

- Effects on groundwater quality, including drinking water supplies, from increasing the amount of on-site effluent treatment and disposal in an area (see Section B1.3 Water).
- Effects on adjoining properties if allotments are too small to contain the zone of influence from the well or septic tank (see Section B1.3 Water).
- Effects on the values of outstanding natural features and landscapes and the natural character of lakes and rivers if houses and infrastructure are built in these areas (see Section B1.4 Outstanding Natural Features and Landscapes).
- Increased traffic on roads; demand for roads to be sealed; and effects on other road users, especially stock droving (see Section B2.1 Transport Networks).
- Increasing potential natural hazards if houses are built in areas which flood or are prone to earthquakes or slips or other forms of erosion (see Section B3.1 Natural Hazards).
- Effects on the character of rural areas, generally, if areas become too built up (see Section B3.4 Quality of the Environment).
- Effects on activities in the rural area if houses locate too close to them and residents then complain about the activity and try to stop or restrict it. This is known as reverse sensitivity effects (see Section B3.4 Quality of the Environment).

Subdivision

A minimum allotment size for subdividing land is the traditional method to manage residential density in the rural area under the Town and Country Planning Acts 1953 and 1977. The minimum allotment size was based on the minimum, economically sustainable farming unit, at the time. As farming changed, some planning schemes altered the minimum size.

This approach to subdivision creates the following issues:

Selecting a Minimum Size

There is so much variation in the types of farming activities and other activities in the rural area, that it is difficult to select a minimum allotment size which is appropriate for most activities.

Inefficient Use of Land

Minimum allotment sizes for subdivision in the rural area can result in inefficient land uses, if the minimum is more than an activity requires. The LTCCP Development Contribution Policy includes 'Criteria for Taking Land instead of Cash', which stipulates that Council may take land as a form of development contribution. This may result in a more efficient use of land in the case of minimum subdivision lots, as some of the land could then be vested and used as reserve instead of privately owned.

Subdivision for Other Purposes

Minimum allotment sizes for subdivision, based on residential density, do not:

- Provide for subdividing land for other reasons than erecting a dwelling; or
- Recognise subdivisions of existing houses or other buildings, where there will be no increase in potential residential density.

An option to address these issues is to separate the process of subdividing land from the rules for uses of the land. However, most land is subdivided for the purpose of building on it. The Council believes that most New Zealanders think that if they buy an allotment they have a "right" to build on it. The Council wants to avoid creating a system whereby people can purchase allotments only to find out later that they do not comply with the District Plan rules for erecting a house.

RESIDENTIAL DENSITY AND SUBDIVISION IN THE RURAL AREA — STRATEGY

The Rural Volume of the District Plan uses the following basic strategy to address issues of residential density and subdivision:

- Manage residential density (the ratio of houses to land area) in the rural area. Residential density varies over the rural area.
- Allow houses to be erected on small allotments in the rural area, provided the allotment is surrounded by open space to maintain the residential density for the area.
- Manage subdivision to ensure allotments are created which are appropriate for the intended use of the land.

RESIDENTIAL DENSITY AND SUBDIVISION IN THE RURAL AREA — OBJECTIVES

Objective B4.1.1

The provision of a variety of residential section sizes in the rural area, while maintaining a low overall residential density.

Objective B4.1.2

Residential density is low enough to maintain the character of the rural area and to avoid adverse effects on natural and physical resources or reverse sensitivity effects.

Objective B4.1.3

Allotments are created which are of the appropriate size and shape and have the required utility services, for their intended use.

Explanation and Reasons

The District Plan manages potential adverse effects of residential development in the rural area by maintaining residential density at levels which are considerably lower than those in townships. The levels differ throughout the rural area, reflecting the differences in effects, particularly effects on the rural character and landscape values of each area.

Objective B4.1.1 recognises the variety of residential patterns which exist in the Rural Zone. Not all houses are associated with large farms. Even when they are, people do not always want the house on a large allotment. Objective B4.1.1 is to allow a house to be erected on any sized allotment in the Rural Zone, as long as low levels of residential density are maintained.

Objective B4.1.2 relates to the level of residential density in the Rural Zone. It must be low enough to:

- Avoid effects on natural or physical resources such as groundwater and roads.
- Maintain the character of the area, particularly the ratio of land to buildings, which affects how built up an area looks.
- Avoid reverse sensitivity effects which can occur when houses locate too close to other activities in the Rural Zone.

Objective B4.1.1 and B4.1.2 are achieved by policies and rules which set maximum residential density standards in the Rural Zone; and allow houses to be erected on any sized allotment as long as the balance land area needed to comply with the density standard does not have any form of residential development on it.

The policies exempt some situations from complying with the residential density standards, because the development already exists or it will have only a minor effect. Exemptions include: replacing or adding to an existing house; and allotments which have already been subdivided for residential development and substantial progress has been made to complete the development (see Policy B4.1.5).

Objective B4.1.3 relates to subdividing land, generally. The objective is to avoid unnecessary restrictions on subdividing land, while ensuring people are not caught buying allotments that:

- Are unable to be used for their intended purpose; or
- Have unexpected costs for utility services or development contributions.

There is no minimum allotment size for subdividing land. Objective B4.1.3 is achieved through policies and rules to ensure that:

- Any allotments created is of an appropriate size and shape for its intended use, has all utility connections required under the Plan or expected for it's use; and any development contributions are paid; or
- There is appropriate notation on the Certificate of Title to advise people of any limitations on use of the allotment or development contributions owing.

RESIDENTIAL DENSITY AND SUBDIVISION IN THE RURAL AREA — POLICIES AND METHODS

RESIDENTIAL DENSITY

Policy B4.1.1

Discourage residential density greater than those shown below where these are outside the areas identified in policies B4.1.3 to B4.1.6.

Area shown on Planning Map	Dwellings per Hectare
Port Hills – Lower Slopes	1:40
Port Hills – Upper Slopes	1:100
Inner Plains	1:4
Outer Plains	1:20
Malvern Hills	1:20
High Country	1:120

Policy B4.1.2

Except in the Inner Plains area, allow a house to be built on any sized allotment, provided:

(a) The balance of land area needed to comply with Policy B4.1.1 is kept free of dwellings by covenant or some other method

(b) The house allotment is of an appropriate size and shape to avoid adverse effects on adjoining properties, the road network or potential reverse-sensitivity effects; and

(c) The number of houses clustered together on small allotments is kept small, to avoid creating new villages or settlements; and

(d) The balance of land area adjoins the house allotment and is of a shape that maintains the sense of "open space".

Explanation and Reasons

Policies B4.1.1 and B4.1.2 provide for residential growth in most parts of the Rural Zone. There are separate provisions for existing houses; papakainga; and residential development around townships, in Policy B4.1.4.

Policy B4.1.1 states a maximum residential density standard for each part of the rural area. The boundaries of each area are shown on the Planning Maps. The term dwelling is defined in the Plan. It includes a house and a family flat up to 70m^2 in floor area or holiday accommodation based on the number of kitchen facilities (see Part D).

The densities are based on a combination of factors. A maximum density in the rural area was established considering factors such as: groundwater; soil; natural hazards; and reverse sensitivity effects (see Barber, 1999, Rural Area Density). Effects of residential development at

this density on the landscape values and character of the rural area were assessed (see Densem, 2001, Plains Area Landscape Study).

The submissions and decisions on Plan Changes 23 and 25 to the Transitional Selwyn District Plan were also taken into account, in establishing the densities.

Policy B4.1.1 is implemented by rules. Erecting a house on an allotment which is as large as the maximum density standard or larger is a permitted activity (no resource consent needed). Erecting a house on a smaller allotment is a restricted discretionary activity (needs a resource consent). The Council shall restrict its discretion to the matters in the rule, including the method(s) used to keep the balance land needed to meet the density standard, free of houses or other large buildings.

Policy B4.1.2 allows houses to be erected on small allotments, as long as the residential density standards set out in Policy B4.1.1 are not exceeded.

The policy can be achieved by putting the balance land needed to comply with Policy B4.1.1 in some form where dwellings cannot be erected on it. The Plan does not have a set method to do this because different options may suit different people. Refer to the Council's pamphlet -Building a House in the Rural Area for further information on possible methods to comply with this policy and rule.

Policy B4.1.2 requires the house allotment to be of a size and shape to avoid adverse effects on adjoining property owners. For example: zones of influence from a well or septic tank, shading, or "reverse sensitivity" effects with other activities. The policy also limits the number of houses which may be clustered together on small allotments to avoid creating small villages or settlements. Creating new villages or settlements in the District is contrary to objectives and polices in both the Township and Rural Volumes of the Plan.

Policy B4.1.2 does not apply to the Inner Plains. The residential density standards in the Inner Plains is sufficiently high that:

- A minimum allotment size of 4 ha is needed to avoid adverse effects on adjoining properties; and
- To avoid creating clusters of houses.

Methods

District Plan Rules

- Residential Density
- Subdivision

Policy B4.1.3

Recognise Taumutu as the ancestral home of Ngāi Te Ruahikihiki and provide for papakainga housing in this area.

Explanation and Reasons

Taumutu is the ancestral home of Ngāi Te Ruahikihiki and one of the oldest settlements in the District. Policy B4.1.3 recognises the history of this area and provides for tāngata whenua to create a living environment which retains the links to their past and incorporates the traditions of tribal living and land ownership. This provision reflects the Council's duty under section 6(e) of the Plan to recognise and provide for:

> "The relationship of Māori and their customs and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga."

Papakainga housing is defined in Part D of the Plan. It is the erecting of dwellings for members of the same iwi or hapū on land which is owned by that iwi or hapū. Such land cannot be subdivided or sold outside the iwi or hapū, so several dwellings need to be erected on one allotment.

The Plan allows dwellings to be erected for papakainga housing at much higher densities than other dwellings in the Rural Zone, to provide for this relationship. The rules limit the development of papakainga housing to Māori Land (within the meaning of section 129 of Te Ture Whenua Māori Act 1993) at Taumutu. Therefore, there is unlikely to be any precedent or cumulative effects on residential density in the Rural Zone. The rules also stipulate conditions to ensure that each dwelling has access to sunlight, potable water and outdoor living space to ensure a pleasant living environment within the papakainga housing area.

Methods

District plan rules

- Buildings
- Subdivision

Policy B4.1.4

Recognise Existing Development Areas and Tourist Resort Areas within the Rural Zone, but encourage new residential development at densities higher than those provided for in Policy B4.1.1, to occur in and around townships.

Explanation and Reasons

Past plan changes have provided for residential developments and tourist resorts in the Rural Zone, at densities higher than the ratios set out in Policy B4.1.1. Policy B4.1.4 recognises these existing developments and provides for them to be completed to the original approved plan. However, any further residential developments at these higher densities should occur in or around townships, where the services and amenity values are appropriate for the density. It is also important to maintain the character of the rural area and to reduce potential 'reverse sensitivity' issues by keeping the distinction between townships and the rural area.

In the case of Lots 7, 8, 10 and 11 DP 309872 at Edendale, the Council notes that the subdivision and residential density minimum and average allotment size requirements reflect the maximum development potential that could have been achieved in accordance with the relevant provisions of the Transitional District Plan. Any further development of this land that exceeds 10 dwellings and/or allotments would therefore exceed the residential density anticipated to occur within the Edendale Existing Development Area.

Policy B4.1.4 does not prevent new holiday homes, tourist resorts and other forms of visitor accommodation in the Rural Zone, provided any such development is at a scale which maintains the ratio of residential density set out in Policy B4.1.1.

Policy B4.1.5

Exempt the following activities from the residential density ratios set out in Policy B4.1.1:

(a) Any additions to or replacement of existing, dwellings;

(b) Temporary structures erected on nohoanga and Mahinga Kai sites (identified in the Ngāi Tahu Claims Settlement Act 1998); and

(c) The erection of a dwelling on any existing, bare allotment upon which a dwelling might have been erected as a permitted activity under the Transitional District Plan, provided that the relevant allotment has been bought, sold or subdivided for the purpose of erecting a dwelling within the 10 years preceding notification of the Rural Volume of the Proposed District Plan.

Explanation and Reasons

Policy B4.1.5(a) exempts additions to or the replacement of dwellings from the residential density ratios in Policy B4.1.1. The effects of these dwellings already exist. Section 10 of the RMA provides circumstances when existing, lawfully established activities do not need to comply with the District Plan rules. Section 10 provisions can be uncertain, especially if an existing building is added to. Policy B4.1.5(a) makes it certain that people may modify or replace existing dwellings without complying with the residential density standards. Policy B4.1.5(a) is implemented by a rule which applies to any dwelling which existed prior to notification of this Plan.

Policy B4.1.5(b) exempts temporary shelters erected on nohoanga or Mahinga Kai sites from the residential density ratios in Policy B4.1.1. The Ngāi Tahu Claims Settlement Act 1998 identifies one nohoanga site and two Mahinga Kai sites in the District, and allows temporary shelters to be erected on these sites. These activities will not meet the density ratios in Policy B4.1.1 because the sites are only 1 hectare in size. The activities should be provided for, as part of the Council's duties under section 6(e) of the Act:

> "to provide for the relationship of Māori their customs and traditions with their ancestral lands, water sites, wāhi tapu and other taonga."

These activities will have only a minor effect on residential density in the Rural Zone because:

- They can only occur on a few sites in the District; and
- Any structures are temporary.

Policy B4.1.5(c) recognises that some allotments which are smaller than the minimums set out in Policy B4.1.1, have been subdivided, bought and sold for residential uses in the past.

Policy B4.1.5(c) and the rule which implements it (Rule 3.10.2), are 'grandfather provisions' which allow for erecting a dwelling on allotments where some action has been taken during the currency of the Transitional District Plan towards the development of those allotments for residential use. The policy is designed to avoid people being 'caught' by the change of provisions in the Proposed District Plan, and ending up with an allotment which they subdivided or bought to erect a dwelling at a time when such an activity was permitted under the Transitional District Plan at the time. In these cases, the Council believes an exemption to the residential density standards in Policy B4.1.1 is necessary to enable people to provide for their economic and social well-being and therefore to achieve the purpose of the Act. It is also important that people who have approved subdivision consents for their land are able to proceed with the development proposal unless the consent lapses. The provisions cannot be relied upon or interpreted as

indicating that one dwelling per 4 hectares is an acceptable residential density in the rural area (other than in the Inner Plains) and it is not intended that these provisions be used as a comparison for creating new allotments by subdivision or boundary adjustment, or for erecting dwellings on existing allotments which do not comply with the conditions relating to recent subdivision purchase.

Method

District plan rules

– Buildings

Policy B4.1.6

Allow subdivision of existing houses or boundary adjustments between allotments with existing houses, that do not comply with the residential density standards in Policy B4.1.1, provided the subdivision does not create any potential for additional residential development on the property.

Explanation and Reasons

Policy B4.1.6 recognises that subdividing all existing dwellings may not affect residential density. For example, where two dwellings houses exist on one allotment and that allotment is subdivided, with one dwelling on each new allotment. Similarly, adjusting the boundaries between adjoining allotments both of which are too small to comply with Policy B4.1.1. The key under Policy B4.1.6 is that the subdivision does not create an opportunity to erect additional dwellings that did not exist before the subdivision.

Methods

District Plan Rules

– Subdivision

Policy B4.1.7

Provide for consideration of the form of land to be taken, as a development contribution for reserves under the LTCCP Development Contribution Policy, when land is subdivided.

Explanation and Reasons

The consent authority may take development contributions under the LTCCP for the cost of providing growth-related network and community infrastructure, and reserves for open space and recreation. The provisions allow development contributions to be taken at either the subdivision consent stage, building consent stage, or at the time of service connection depending on when the consent authority thinks it is the most appropriate time for them to be paid.

While the area/value of land to be provided as a development contribution for reserves is determined under the LTCCP Development Contribution Policy process, it is necessary to consider the form of the land to be provided as reserves, including consideration of the location, size, layout, topography, etc, of that land at the time of subdivision consent. This is achieved through reference to the “Criteria for Taking Land Instead of Cash” policy in the Development Contribution Policy in the 2006 - 2016 LTCCP.

Methods

LTCCP

- Development Contribution Policy

District Plan Rules

- Subdivision (all zones)

SUBDIVISION

Policy B4.1.8

Ensure any allotment created is of sufficient size and shape for its intended use, including the avoidance of reverse sensitivity effects on existing lawful uses and has provision for a complying access to an adjacent road.

Policy B4.1.9(a)

Ensure any allotment created has connections to the reticulated utility services it requires, available at the boundary of the allotment when it is created; or

Policy B4.1.9(b)

If utility connections are not needed when the allotment is created, a notation is placed on the Certificate of Title to alert people that utility connections are not available at the boundary of the allotment.

Policy B4.1.10

Ensure any allotment created which may be used to erect a dwelling has an adequate building square and access to sunlight.

Policy B4.1.11

Ensure subdivisions do not create separately saleable allotments which due to their size, shape, location or legal restrictions on the Certificate of Title, cannot be used to erect a dwelling as a permitted activity, unless that allotment shall be used as a utility lot or for some other specified purpose; and that purpose is unlikely to result in the need to erect a dwelling at some stage.

Explanation and Reasons

The District Plan rule encourages allotments to be created that are the size and shape required for their intended use. This approach recognises that:

- Land is subdivided for a variety of reasons and uses in the rural area.
- Even when land is subdivided to erect a dwelling, there are other ways to maintain low residential density in the rural area than a minimum allotment size.

The Council also recognises that most subdivision of land is for residential development and that most people who purchase an allotment in the rural area expect to be able to erect a dwelling on it. Policies B4.1.8 to B4.1.12 are intended to provide for subdivision for a variety of purposes, while ensuring people do not unwittingly purchase allotments which are not suited for their intended use. In particular, people do not purchase an allotment expecting to erect a dwelling, only to find that:

- The allotment is too small; or
- It does not have an adequate building square or sunlight; or
- There are unexpected costs for utilities or development contributions.

Policy B4.1.11 ensures that any allotment which is created by subdivision and which is able to be bought or sold as a separate allotment can have a dwelling erected on it as a permitted activity. An allotment may not be able to have a dwelling erected on it as a permitted activity if it is too small or located in an area where building is not a permitted activity such as a flood area or an Area of Outstanding Landscape. An allotment may not be able to have a dwelling erected on it, if it has a legal restriction on the Certificate of Title, such as a covenant or a Consent Notice. This may be the result of an earlier subdivision under Rule 10.10, which provides for building on smaller lots, with building restrictions on adjoining land, to maintain the residential density standards set out in the Plan.

The reason for the policy and associated rules is to reduce the risk of people buying a rural allotment hoping to build a house on it, only to find the allotments cannot be built upon. Once this occurs, it is very difficult for the Council to refuse resource consent to allow a dwelling to be built on the allotment, especially if this is all the land the person owns. The result is that the residential density standards set in the Proposed Plan are undermined.

The policy provides for creating allotments which cannot have a dwelling erected as a permitted activity, if the allotment shall be used for an activity such that a dwelling will not be required on the lot, such as a utility lot or a reserve and possibly some business activities. In these cases, the Consent Authority needs to be satisfied that the location of the site and the nature of the proposed activity is such that there is unlikely to be any demand to erect a dwelling in conjunction with the activity in the future.

Policy B4.1.13

Encourage allotment boundaries to follow natural or physical features on the land, wherever practical.

Explanation and Reasons

In many parts of the Rural Zone, allotments will include natural or physical features which can make easily identifiable boundaries. Often it is more efficient for the natural or physical feature to form the boundary to an allotment rather than to cut through it; for example: a river or stream; or a road. Some natural features are easier to manage if they are wholly contained in one allotment than if the allotments are owned or managed separately, for example: a bush area or wāhi tapu site.

Policy B4.1.13 urges people to consider these matters, where it is practical to do so.

Methods

District Plan Rules

- Subdivision

Policy B4.1.14

"In limited circumstances and at the Council's discretion, to apply the concept of "environmental compensation" where:

(a) Land of high landscape or natural value is protected or made available for public use; or

(b) Significant public benefit will be gained from hazard mitigation measures which would substantially enhance amenity values".

Explanation and Reasons

There is a strong link between subdivision of land and the subsequent impacts of land use development. Subdivision activity can, in some cases, provide an opportunity to enhance the environment through the protection of significant features or through the provision of additional areas of open space. The Plan provides for the consideration of environmental compensation at the time of subdivision or development proposals. In some circumstances development may be proposed on land, where there are significant open space or natural values, examples being portions of the Port Hills, Malvern Hills and the High Country. The ability to acquire or protect such land in exchange for development opportunities is an option the Council will explore in appropriate circumstances. However, it is important to bear in mind that environmental compensation does not form part of a proposals development contribution under the LGA.

The acquisition or protection of land having high landscape or natural values is often impractical on account of land purchase costs. The use of the concept of "environmental compensation" (public ownership or covenants) for development rights has to be approached with some caution, but does offer a cost effective means to the community of achieving environmental benefits. This may result in development in locations which may not meet all other policy criteria, but any such arrangement must still require permitted development to be sustainable and environmentally acceptable.

The acquisition of land by the Council as environmental compensation for development opportunities in terms of Policy B4.1.14 would generally be in addition to, and not instead of, any requirement to provide land or cash for reserves under the Council's Development Contribution Policy. The Development Contribution Policy requires provision for public reserves for open space and recreation at the time of any residential and/or business development and/or subdivision. However, the provision of environmental compensation may be a situation where it is appropriate for the Council to exercise its discretion to reduce the amount of development contribution payable under the remission provisions of its Development Contribution Policy.

Environmental compensation may also be appropriate in circumstances where a public benefit is obtained from hazard mitigation, but only where as a result of such measures, there is a significant enhancement of amenity values (eg plantings, or wetlands for flood retention). It would not apply to normal sound management practices which landowners can be expected to undertake. Environmental compensation would arise in circumstances requiring significant development proposals, which would arise through plan changes, variations or resource consents, the outcome of which would still be subject to rights of submission and appeal under the Act.

Methods

District Plan Rules

- Subdivision

RESIDENTIAL DENSITY AND SUBDIVISION IN THE RURAL AREA – ANTICIPATED ENVIRONMENTAL RESULTS

The following results should occur from implementing Section B4.1:

- Residential development remains lower in rural areas than in townships.
- Dwellings built on small allotments in the rural area, are surrounded by land without buildings.
- Papakainga housing occurs at Taumutu.
- There is variety in the size and shape of allotments subdivided in the District.
- Residential density varies across the rural area.
- Other activities have allotments which are of an appropriate size and shape with the utility connections the activity requires.

RESIDENTIAL DENSITY AND SUBDIVISION IN THE RURAL AREA — MONITORING

Please refer to Part E, Appendix 1.

B4.2 DEVELOPMENT CONTRIBUTIONS — ISSUES

The distribution of the costs between private parties and general rates for:

- **Providing reserves and network and community infrastructure; and**
- **Mitigating the fiscal effects of providing growth related infrastructure.**

What are Development Contributions?

The term development contributions, defined in section 197 of the Local Government Act 2002, means a contribution:

a) provided for in a development contribution policy included in the Long-Term Council Community Plan of a territorial authority; and

b) calculated in accordance with the methodology; and comprising:

i. money;

ii. land, including a reserve or esplanade reserve (other than in relation to a subdivision consent), but excluding Maori land within the meaning of Te Ture Whenua Maori Act 1993, unless that Act provides otherwise; or

iii. both.

Development contributions can be taken to provide for:

- Reserves;
- Network infrastructure;
- Community infrastructure.

In most cases provision for reserves (for open space and recreation), land for esplanade purpose, network infrastructure or community infrastructure is made at the time of subdivision of the land. However, in some instances land use development and activities are undertaken without associated subdivision of land.

Contributions of land and / or cash arising from growth-related development can be required by the Council either under the Resource Management Act by way of the District Plan or under the Local Government Act 2002 by way of a Development Contribution Policy in the Long Term Council Community Plan (LTCCP). The Council has developed a Development Contribution Policy within the requirements of the Local Government Act. Accordingly, the Council's requirements for land and / or cash for the provision of growth-related reserves and for network and community infrastructure are contained within the Development Contribution Policy and such contributions are no longer taken under the District Plan. Requirements for the provision of esplanade reserves / strips and provisions relating to environmental compensation and the form of land contributions are included within the Subdivision provisions of the District Plan, while requirements for the provision of financial contributions to mitigate environmental damage are included as policies in Part B, Section 3, Peoples Health, Safety and Values.

Where costs are incurred in relation to maintenance of infrastructure or for improvements in service levels, these costs are met through targeted rates rather than development contributions. Therefore, the purposes for which development contributions are taken and the proportion of costs which are funded through development contributions is an important part of the Council's financial planning.

NOTE:
Esplanade reserves and strips – see Part B, Sections 1.4 and 2.3 and Part C, Rule 10 – Subdivision.

DEVELOPMENT CONTRIBUTIONS — STRATEGY

The provision to take development contributions under the LTCCP Development Contribution Policy will be complimentary to the subdivision consent process. Esplanade reserves/strips will be taken under the subdivision consent process, while consideration of the form of land to be provided as reserves will also be considered at the time of subdivision.

The LTCCP Development Contribution Policy will ensure that those responsible for development and/or subdivision that places additional demands on the Councils provision of reserves and network or community infrastructure will contribute a fair and reasonable contribution towards the expansion of those services.

DEVELOPMENT CONTRIBUTIONS — OBJECTIVES

Objective B4.2.1

The parties creating the need for the expenditure meet the costs of establishing or upgrading reserves and network and community infrastructure and developing and enhancing the recreational and amenity values of the District.

Objective B4.2.2

The Council uses its discretion to take development contributions under the LTCCP Development Contribution Policy in a transparent and consistent manner.

Explanation and Reasons

Development contributions are taken to help address the fiscal effects which a new development may have on the existing ratepayers of an area. If development contributions are not taken, the costs of addressing these effects must be funded from general rates.

DEVELOPMENT CONTRIBUTIONS — POLICIES AND METHODS

Policy B4.2.1

To ensure that subdividers and/or developers meet the costs of any required provision of works and services as a result of land use development and/or subdivision.

Explanation and Reasons

The Council has decided that all development contributions for new or upgraded reserves or network and community infrastructure as a result of development and/or subdivision will be in accordance with the Development Contribution Policy under the LTCCP and the Local Government Act 2002. This Policy will enable the Council to ensure that those responsible for development and/or subdivision that places additional demands on the Council's provision of reserves and network or community infrastructure will contribute a fair and reasonable contribution to the provision and expansion of these services.

Methods

LTCCP

– Development Contribution Policy

District Plan

– Subdivision

DEVELOPMENT CONTRIBUTIONS — ANTICIPATED ENVIRONMENTAL RESULTS

The following environmental results will occur from implementing Section 4.2:

– New developments and subdivisions contribute towards the cost of provision and expansion of reserves and network and community infrastructure facilities.

DEVELOPMENT CONTRIBUTIONS — MONITORING

Please refer to Part E, Appendix 1.

3 RURAL RULES - BUILDINGS

Notes

1. Erecting or demolishing any building and many alterations to buildings will require a building consent under the Building Act 2004, irrespective of whether a resource consent is needed under the District Plan. The Building Department of the Selwyn District Council should therefore be contacted.
2. Any earthworks associated with preparing a building site or erecting a building shall comply with Rule 1 – Earthworks. Any subdivision of land or buildings shall comply with Rule 10 Subdivision. Any activity, which is carried out in any building or on any site where a building is being erected, shall comply with Rule 9 Activities.
3. The treatment and disposal of effluent from any building onto the site is managed by regional rules. The disposal of stormwater on-site from any building, and sinking any bore to abstract water are also managed by regional rules. Therefore, Environment Canterbury should be contacted in respect of all these activities.
4. PERMITTED ACTIVITIES do not require a resource consent. OTHER ACTIVITIES do require a resource consent.
5. Development contributions under the LTCCP Development Contribution Policy will be taken where network infrastructure, community infrastructure or reserves have to be constructed or expanded as a direct result of growth from development.

3.1 BUILDINGS AND NATURAL HAZARDS

Permitted Activities — Buildings and Natural Hazards

3.1.1 Erecting any building or any additions or alterations to, or modification or demolition of, any building shall be a permitted activity if all of the following conditions are met:

3.1.1.1 Any new dwelling or other principal building is not erected in any of the following areas:

(a) Any area shown on the Planning Maps as the Waimakariri Flood Category A area;

(b) Seaward of the Coastal Hazard 1 Line as shown on the Planning Maps;

(c) Between any waterbody and any stopbank designed to contain floodwater from that waterbody; and

(d) The area shown on the Planning Maps as the Lower Plains flood area; unless a minimum building floor level 300mm above a 2% Annual Excedence Probability (AEP) hazard event is identified and the building floor level is at or above that level;

(e) The area shown on the Planning Maps as the Lake Ellesmere/Te Waihora flood area, unless a minimum building floor level of 3m above mean sea level (Lyttelton Datum 1937) is identified.

Notes

The Proposed Regional Coastal Environment Plan prohibits habitable buildings with floor areas in excess of 25m², including any extensions or alterations, seaward of the Coastal Hazard 1 line. If the Prohibited status remains once the Regional Plan is operative, then no consents will be granted for these activities by Environment Canterbury.

Refer to Council pamphlet "Building a House in the Rural Zone" in respect to Rules 3.1.1.1(d) or 3.1.1.1(e).

Rule 3.1.1 does not apply to additions or alterations to existing dwellings or existing principal buildings located in these areas.

Existing buildings may be able to be replaced as Existing Uses under section 10 of the RMA.

Restricted Discretionary Activities — Buildings and Natural Hazards

3.1.2 Erecting any new dwelling or other principal building on any site in the areas listed in Rule 3.1.1.1(d) and (e) with a minimum floor level which does not comply with Rule 3.1.1.1(d) or (e) shall be a restricted discretionary activity.

3.1.3 Under Rule 3.1.2, the Council shall restrict its discretion to consideration of:

3.1.3.1 The potential risk of the dwelling or other principal building being inundated and the extent of any flood damages; including its proximity to any adjacent stopbank where in the case of overtopping, breach or failure of a stopbank, the depth and velocity of that event (i.e. depth (m) x velocity (ms^{-1}) > 1) shall be taken into account.

3.1.3.2 The effectiveness of any mitigation measures proposed to reduce the risk of inundation or extent of flood damages;

3.1.3.3 Any effects of the dwelling or other principal building or the proposed flood mitigation measures on diverting or displacing floodwaters on to other property or increasing the potential level of floodwater on other properties;

3.1.3.4 Any other effects of any proposed mitigation measures on the environment;

3.1.3.5 Any positive effects which may offset any adverse effects; and

3.1.3.6 Any monitoring or review conditions.

Non-Complying Activities Buildings and Natural Hazards

3.1.4 Erecting any new dwelling or other principal building on any site in the areas listed in Rules 3.1.1.1(a), 3.1.1.1(b) or 3.1.1.1(c) shall be a non-complying activity.

4 RURAL RULES — ROADING

Notes

1. PERMITTED ACTIVITIES do not require a resource consent. OTHER ACTIVITIES do require a resource consent.
2. Development contributions under the LTCCP Development Contribution Policy will be taken where network infrastructure, community infrastructure or reserves have to be constructed or expanded as a direct result of growth from development.

4.1 ROADING AND OUTSTANDING NATURAL LANDSCAPE AND PORT HILLS AREAS

Permitted Activities — Roading and Outstanding Landscape and Port Hills Areas

4.1.1 The forming, installation, upgrading, maintenance or replacement of any road shall be a permitted activity if the following condition is met:

4.1.1.1 In any area shown on the Planning Maps as an Outstanding Landscape Area or the Port Hills Area, the formation of any road, road bridge or vehicular accessway is limited to the maintenance of existing roads, road bridges or vehicular accessways.

Restricted Discretionary Activities — Roading and Outstanding Landscape and Port Hills Areas

4.1.2 Any activity which does not comply with Rule 4.1.1 shall be a restricted discretionary activity if all of the following standards and terms are met:

4.1.2.1 The road is located in an area shown on the Planning Maps as:

(a) An Outstanding Landscape Area in the High Country or the Malvern Hills; or

(b) The Lower Slopes of the Port Hills; and

(c) The road or utility structure has to be located within that area.

4.1.3 Under Rule 4.1.2, the Council shall restrict its discretion to consideration of:

4.1.3.1 Whether the site is appropriate for the road and any associated infrastructure, considering the topography, stability and prominence of the site and the extent to which the site and surrounds have been modified by existing roads, buildings and utility structures;

4.1.3.2 The design and siting of the road and any associated infrastructure;

4.1.3.3 The need for, species and design of any planting in the road reserve, to mitigate visual effects;

4.1.3.4 Whether there are alternative sites available for the road and the costs, technical feasibility and practicality of using an alternative site;

4.1.3.5 Any positive effects which may offset any adverse effects;

4.1.3.6 Any monitoring or review conditions.

4.2 ROADING AND NATURAL HAZARDS

Permitted Activities — Roading and Natural Hazards

4.2.1 The forming, installation, upgrading, maintenance or replacement of any road shall be a permitted activity if the following conditions are met:

4.2.1.1 In any area shown on the Planning Maps as a flood area, the road is not located in a position or designed in such a way that it would:

(a) Divert, or displace, any floodwater; or

(b) Impede or alter the existing drainage pattern of the land.

Restricted Discretionary Activities — Roading and Natural Hazards

4.2.2 Any activity which does not comply with Rule 4.2.1 shall be a restricted discretionary activity.

4.2.3 Under Rule 4.2.2, the Council shall restrict its discretion to consideration of:

4.2.3.1 The effectiveness of any mitigation measures proposed to reduce the risk of inundation or extent of flood damages;

4.2.3.2 Any effects of the road or any proposed flood mitigation measures, on diverting or displacing floodwaters on to other property or increasing the potential level of floodwater on other properties;

4.2.3.3 Any other effects of any proposed mitigation measures on the environment;

4.2.3.4 Any positive effects which may offset any adverse effects;

4.2.3.5 Any monitoring or review conditions.

4.3 ROADING AND SILENT FILE AREAS, WĀHI TAONGA SITES, WĀHI TAONGA MANAGEMENT AREAS AND MAHINGA KAI SITES

Permitted Activities — Roading and Silent File Areas, Wāhi Taonga Sites, Wāhi Taonga Management Areas and Mahinga Kai Sites

4.3.1 The forming, installation, upgrading, maintenance or replacement of any road shall be a permitted activity if the following conditions are met:

5 RURAL RULES — UTILITIES

Notes

1. The undergrounding or ducting of any utility is permitted subject to compliance with Rule 1-Earthworks.
2. The Rules in the Rural Volume of this Plan are applicable to activities generally, including utilities. However, the rules under Rule 3 Buildings and Rule 4 Roading do not apply to utilities, except the following;

   Rule 3 Buildings

   - Rule 3.15.1 Relocated Buildings
   - Rule 3.9.1.1 Access and Parking
   - Rule 3.13.1.2 Line of sight – railway crossings

   Rule 4 Roading

   - Rules 4.5.1.2 – 4.5.1.5 Roads, Accessways and Vehicular Crossings.
   - Rules 4.6 Parking
   - Rule 4.1.1 Outstanding Landscapes
3. Work on utilities which are undertaken by requiring authorities under designations are not subject to the rules in this Plan.
4. PERMITTED ACTIVITIES do not require a resource consent. OTHER ACTIVITIES do require a resource consent.
5. Development contributions under the LTCCP Development Contribution Policy will be taken where network infrastructure, community infrastructure or reserves have to be constructed or expanded as a direct result of growth from development.

5.1 UTILITIES — ACTIVITIES

Permitted Activities — Utilities – Activities

The following existing utilities shall be permitted activities:

5.1.1 Upgrading, maintenance, operation and replacement of existing utilities shall be permitted and shall not be subject to compliance with any other performance standards, conditions or rules in this Plan provided that the effects of such shall be the same or similar in character and scale to those which existed before such upgrading, maintenance or replacement activities commenced. For the avoidance of doubt, the following activities are permitted:

5.1.1.1 The replacement of support structure cross arms;

5.1.1.2 The reconductoring or replacement of lines;

5.1.1.3 The resagging of conductors or lines;

5.1.1.4 The addition of longer or more efficient insulators or mountings;

5.1.1.5 The addition of earth wires which may contain telecommunication lines, earthpeaks and lighting rods;

5.1.1.6 The clearance and trimming of vegetation under lines or structures necessary to maintain security of electricity supply and telecommunication;

5.1.1.7 Pole replacement;

5.1.1.8 Where an existing electricity distribution line requires upgrading to improve the reliability of supply, the addition of one support structure cross arms;

5.1.1.9 The substitution of low voltage (400 Volts) electricity distribution lines with Aerial Bundled Cable provided that the overall diameter of the bundle shall not exceed 40 mm;

5.1.1.10 An increase in the voltage of a line, but only where the line was originally installed to operate at a higher voltage, but has been operating at a reduced voltage.

5.1.2 Any utility which meets the following provisions shall be a permitted activity:

5.1.2.1 Any utility which emits electromagnetic radiation shall meet the following conditions:

(a) Exposures shall comply with NZS 2772.1:1999 Radio Frequency Fields Part 1: Maximum exposure levels 3kHz–300 GHz ("the New Zealand Standard").

(b) Prior to commencing any radiofrequency emissions, the following shall be sent to and received by the Selwyn District Council:

(i) Written notice of the location of the facility or proposed facility; and

(ii) A report prepared by a radio engineer/technician or physical scientist containing a prediction or whether the New Zealand Standard will be complied with (note – this requirement shall not apply to the holder of an amateur radio licence).

(c) If the report provided to the Council under condition 5.1.2.1(b)(ii) predicts that emissions will exceed 25% of the exposure limit set for the general public in the New Zealand Standard, then within 3 months of radiofrequency emissions commencing, a report from National Radiation Laboratory (or Selwyn District Council, being an appropriately qualified organisation specifically identified in this rule), certifying compliance with the New Zealand Standard, based on measurements at the site, shall be provided to the Selwyn District Council.

5.1.2.2 Any power frequency electric and magnetic fields created by a utility do not exceed 100 micro tesla and 5kV/m in areas which are accessible to the public. Note: Electric and magnetic fields are measured and assessed in accordance with the International Commission on Non Ionising Radiation Protection Guidelines.

5.1.2.3 Any transformer, line or wire does not exceed a voltage of 110kV or a capacity of 100 MVA per circuit.

8 RURAL RULES - WASTE

Notes

1. Any landfill must comply with Rule 1 – Earthworks.
2. Regional rules also apply to the spreading of effluent on to land, and the discharge of solid waste on to land where it may leach into groundwater. Therefore, Environment Canterbury should be contacted.
3. Regional rules apply to separation distances between offal pits and water bores. Therefore, Environment Canterbury should be contacted.
4. The burning of solid waste outdoors may be restricted at certain times and conditions, under the Forest and Rural Fires Act 1977. Selwyn District Council should be contacted for more information.
5. Disposal of solid waste includes the disposal of offal.
6. Disposal of solid waste does not include the deposition of clean fill on to a site as part of preparing building sites or other construction work, landscaping, filling holes, or recontouring land, or the spreading of deep litter bedding (straw/sawdust) from intensive livestock production on land.
7. $3m^3$ of solid waste is approximately twelve, 240 litre wheelie bins.
8. PERMITTED ACTIVITIES do not require a resource consent. OTHER ACTIVITIES do require a resource consent.
9. Development contributions under the LTCCP Development Contribution Policy will be taken where network infrastructure, community infrastructure or reserves have to be constructed or expanded as a direct result of growth from development.

8.1 GENERATION, STORAGE AND DISPOSAL OF SOLID WASTE

Permitted Activities — Generation, Storage and Disposal of Solid Waste

8.1.1 Any activity which involves the generation, storage or disposal of solid waste shall be a permitted activity if all of the following conditions are met:

8.1.1.1 The activity generates not more than $3m^3$ of solid waste per week, averaged over any calendar year;

8.1.1.2 Any storage, sorting or redistribution of solid waste on-site:

(a) Involves only solid waste generated as part of any activity occurring on the site;

(b) Is stored in a closed waterproof container or is covered with a material that prevents nuisance effects from litter, odour, flies, vermin, dogs or birds; and

(c) Is only stored on-site until it is able to be collected or removed for treatment or disposal elsewhere;

8.1.1.3 Any disposal of solid waste on-site:

(a) Occurs only on sites where there is no public collection service available at the property boundary for the form of solid waste being disposed of;

(b) Involves only solid waste generated as part of any activities occurring on the site;

(c) Has a maximum volume of not more than $3m^3$ per week, averaged over any calendar year;

(d) Does not include any hazardous substance(s);

(e) Is not disposed of within 100 metres of any waterbody (excluding aquifers);

(f) Is not disposed of within 45m of any property boundary;

Note: Compliance with Rule 8.1.1.3(h) below is also required.

(g) Is not disposed of within an area identified in the Plan or on the Planning Maps as a Silent File Area, Wāhi Taonga Site, Wāhi Taonga Management Area, Mahinga Kai Site, or a Heritage Site; and

(h) Is buried at least 1 metre below the ground surface or is covered with a material to prevent nuisance effects from litter, odour, flies, vermin, dogs or birds.

Notes

Rule 8.1.1.1 does not apply to clean fill or green waste which is generated on the same property on which it is disposed of, or to livestock or crops which are grown or reared on-site.

Rule 8.1.1.2(a) does not apply to bins of not more than $5m^3$ in size, which are used to collect clothing, cans, bottles or paper/cardboard for recycling and which are ancillary to the main activity(ies) on the site.

Rule 8.1.1.3(c) does not apply to green waste, offal or livestock which is from plants or livestock grown or reared on the same property.

Rule 8.1.1.3(c) does not apply to clean fill which is sourced from the same property.

Rule 8.1.1.3(h) does not apply to ashes.

Restricted Discretionary Activities — Generation, Storage and Disposal of Solid Waste

8.1.2 Any activity which does not comply with Rule 8.1.1.1 shall be a restricted discretionary activity.

8.1.3 Any resource consent application made under Rule 8.1.2 shall be non-notified and shall not require the written approval of affected parties.

8.1.4 Under Rule 8.1.2 the Council shall restrict its discretion to consideration of:

8.1.4.1 The approval of a management plan which identifies practical ways to reduce the amount of solid waste needed to be disposed of;

9 RURAL RULES - ACTIVITIES

Notes

1. Any activity which is covered by Rules 1 to 8 or Rule 10 must comply with those rules, as well as Rule 9:
   - Earthworks – see Rule 1
   - Tree planting - see Rule 2
   - Buildings – see Rule 3
   - Roading– see Rule 4
   - Utilities – see Rule 5
   - Signs and Notice boards – see Rule 6
   - Hazardous Substances – see Rule 7
   - Waste Disposal –see Rule 8
   - Subdivision – see Rule 10
2. Any activity involving the taking, damming or diverting of water or the discharge of contaminants may require a resource consent from the Regional Council. Therefore, Environment Canterbury should be contacted.
3. Underlined words are defined in Part D of the Plan.
4. PERMITTED ACTIVITIES do not require a resource consent. OTHER ACTIVITIES do require a resource consent.
5. Development contributions under the LTCCP Development Contribution Policy will be taken where network infrastructure, community infrastructure or reserves have to be constructed or expanded as a direct result of growth from development.

9.1 ACTIVITIES — GENERAL

Permitted Activities — Activities – General

9.1.1 Any activity shall be a permitted activity if all of the following conditions are met:

9.1.1.1 The activity complies with all other rules of the Plan (Rules 1 to 8 and Rule 10);

9.1.1.2 The activity is not listed as a discretionary activity in Rule 9.2.1.

9.1.1.3 The activity is not listed as a non-complying activity in Rule 9.2.2.

Other Activities — Activities – General

9.1.2 Any activity which does not comply with Rule 9.1.1.1 shall have the status of the rule with which it does not comply.

9.2 ACTIVITIES – LISTED ACTIVITIES

Discretionary Activities — Listed Activities

9.2.1 All of the following activities shall be discretionary activities irrespective of whether they comply with all other rules in the Plan for permitted activities:

9.2.1.1 Any activity which requires an Offensive Trade Licence under the Health Act 1956;

9.2.1.2 Any activity which involves the composting of organic material, where that material is brought on to the site except where additional material such as saw dust or straw is required as part of the process of composting pigs;

9.2.1.3 Any activity which involves the manufacture of fertiliser from organic material, where that material is brought on to the site;

9.2.1.4 Prisons or detention centres; and

9.2.1.5 Camping ground facilities.

Non-Complying Activities — Listed Activities

9.2.2 All of the following activities shall be non-complying activities irrespective of whether they comply with all other rules in the Plan for permitted activities:

9.2.2.1 Any other industrial activity, except for an other industrial activity being a home based occupation.

Note: *Rule 9.2.2 does not apply to any temporary activity.*

9.3 ACTIVITIES IN THE PORT HILLS, MALVERN HILLS AND HIGH COUNTRY

Permitted Activities — Activities in the Port Hills, Malvern Hills and High Country

9.3.1 Permitted activities in the areas shown on the Planning Maps as the Port Hills, Malvern Hills and High Country are limited to any one or more of the following:

9.3.1.1 The growing or rearing of crops or livestock, including forestry, viticulture and horticulture;

9.3.1.2 Recreation and tourism activities and facilities associated with the use of the natural resources in the area or the appreciation of the physical surroundings;

9.3.1.3 Areas for the conservation, protection and enhancement of natural resources;

10 RURAL RULES - SUBDIVISION

Notes

1. The subdivision of any land is not a permitted activity. (This means that subdivision requires a resource consent).
2. If a subdivision is a controlled or restricted discretionary activity, the Council will restrict its discretion to the matters listed in the relevant rule under the headings 'Matters over which the Council has reserved control' or 'Matters subject to the Council's Discretion'.
3. If subdivision is a discretionary or a non-complying activity, the Council is required to consider all relevant matters under sections 104, 104B and 104D of the RMA.
4. Rule 10 applies to the subdivision of land, within the meaning of Section 218 of the RMA.
5. The design of any road, vehicular accessway, right of way or vehicle crossing must comply with Rule 4: Roading.
6. Any earthworks associated with subdivision of land must comply with Rule 1: Earthworks.
7. Erecting any dwelling or other building on any land must comply with Rule 3: Buildings, or Rule 4: Roading; or Rule 9: Activities.
8. Irrespective of any rules in this Plan, the transitional regional plan contains rules for minimum allotment sizes needed to treat and dispose of effluent on-site without a discharge permit. Therefore, Environment Canterbury should be contacted.
9. Underlined words are defined in Part D of the Plan.
10. The subdivision of any land adjoining a State Highway which is a Limited Access Road (LAR) firstly requires consent obtainable from Transit New Zealand. This is in addition to the subdivision application that is made with the Selwyn District Council. For any other LAR the consent is required from the Selwyn District Council in addition to the subdivision application.
11. Works affecting any archaeological sites require the consent of the New Zealand Historic Places Trust Pouhere Taonga (refer Part B, Section 3.3,) "Archaeological Sites").
12. Development contributions under the LTCCP Development Contribution Policy will be taken where network infrastructure, community infrastructure or reserves have to be constructed or expanded as a direct result of growth from development.

10.1 SUBDIVISION GENERAL

Controlled Activities — Subdivision General

10.1.1 Any subdivision of land shall be a controlled activity if all of the following standards and terms are met:

10.1.1.1 Any allotment created is not located within any of the following areas:

(a) Any areas shown on the Planning Maps as the Waimakariri Flood Category A area;

(b) Any area shown on the Planning Maps as the Lower Plains or Lake Ellesmere/Te Waihora flood areas;

(c) Seaward of the Coastal Hazard Line, as shown on the Planning Maps; and

(d) Between any waterbody and any stopbank designed to contain floodwater from that waterbody;

10.1.1.2 Any allotment created is not located within an area shown on the Planning Maps as an Area of Outstanding Landscape;

10.1.1.3 Any allotment created does not contain any of the following features:

(a) Any site listed as a heritage site in Appendix 3;

(b) Any site listed in Appendix 5 and shown in the Planning Maps as a Silent File area, a Wāhi Taonga site, a Wāhi Taonga Management Area, or a Mahinga Kai site;

(c) Any site which meets the criteria in Appendix 12 as being a significant ecological site which is worthy of protection;

10.1.1.4 Any allotment created is not located within 300 metres of any existing lawfully established intensive livestock production activity, except that the 300 metres restriction shall not apply to any allotment created in the Living 2A Zone at the intersection of Shands and Blakes Roads, Prebbleton and legally described as Lots 1, 2 and 10 DP 54204 and Lot 1 DP 21798 in respect of the existing Tegel Foods Ltd poultry operation located on Lot 1 DP 53738.

The separation distance shall be measured from the edge of any permanent building, enclosure or yard in which the intensive livestock production activity occurs or is permitted by a rule in the Plan (or a resource consent) to the nearest boundary of any proposed allotment.

10.1.1.5 Any allotment created has legal access to a formed and maintained legal road, other than a road listed as a Strategic Road in Appendix 9;

10.1.1.6 Any road, right of way or other vehicular accessway is designed and formed to comply with Rules 4.4 and 4.5 for permitted activities (for strategic roads they have to comply with the design criteria in Appendix 10);

Note: *Any vehicle crossing formed on any allotment must comply with Rules 4.5.1.4 and 4.5 1.5.*

Note: *Limited Access Roads (LAR). The objective of Limited Access Roads is to protect the safety and high level of traffic service on these important routes which may otherwise be adversely affected by traffic generation of property alongside. The LAR registration includes controls relating to subdivision and access to and from land adjoining the LAR. The effect is to prevent the proliferation of new access points and to reduce the number of accesses and volumes of traffic using them.*

10.1.1.7 Any allotment is for the purpose of establishing utility buildings or utility structures by a network utility operator.

10.1.1.8 Any subdivision is not within a corridor measured 20 metres from the centreline of a transmission line as indicated on the Planning Maps.

2. *Rule 10.1.1.11 does not apply to the areas shown on the Planning Maps as the Existing Development Areas for Terrace Downs and Grasmere refer to the provisions in Appendix 21 (Terrace Downs) or Appendix 22 (Grasmere).*

3. *There is no further subdivision potential within the Existing Development Area for Bealey Spur. Refer to Rule 3.10 for the provisions for erecting dwellings on the remaining vacant lots at Bealey Spur.*

10.1.2 Under Rule 10.1.1, the Council shall reserve control over all of the following matters:

Allotment Shape

10.1.2.1 The shape of the allotment, including (but not limited to) whether it has sufficient breadth and depth to: contain the zones of influence from water abstraction or effluent disposal; and reduce potential 'reverse sensitivity' effects with surrounding land uses, if applicable;

10.1.2.2 The boundaries of the allotment, including (but not limited to) whether they follow natural or physical features where practical;

Utilities

10.1.2.3 Whether any connections to telephone, electricity, water supplies or other utilities are made to the allotment;

10.1.2.4 The mechanism to be used to alert any prospective purchaser of an allotment, if connections to telephone, electricity or a potable water supply are not provided to the boundary of the allotment;

10.1.2.5 The design, siting, layout and construction of any road, reserve or other utility which will be owned or managed by, or otherwise vested in, Selwyn District Council;

10.1.2.6 Whether any allotment created has sufficient road frontage to enable any vehicle crossing to be formed in compliance with Rules 4.5.1.4 and 4.5.1.5, and to ensure an appropriate distance between vehicle crossings and appropriate sight distances to intersections.

Works

10.1.2.7 The method(s) used to avoid, remedy or mitigate any potential adverse effects on people or other parts of the environment resulting from any works associated with preparing the land for subdivision or installing associated access, utilities or landscaping; including (but not limited to) dust, noise, vibration or sediment run-off into waterbodies.

Easements

10.1.2.8 Any easements required to provide legal access over the allotment created.

Taking Land Instead of Cash

10.1.2.9 The extent to which the "Criteria for Taking Land Instead of Cash" clause of the "Reserves – Specific Issues regarding Development Contributions Assessment" in the Development Contribution Policy of the 2006-2016 LTCCP will meet the needs of present and future generations.

10.1.2.10 The creation of any allotment up to 200mm wide (point strip) to prevent access on to any particular road for any other purpose; and

Monitoring

10.1.2.11 Any monitoring conditions.

10.2 SUBDIVISION IN FLOOD AREAS

Restricted Discretionary Activities — Subdivision in Flood Areas

10.2.1 Any subdivision of land which does not comply with Rule 10.1.1.1 shall be a restricted discretionary activity if all of the following standards and terms are met:

10.2.1.1 Any land subdivided within the areas shown on the Planning Maps as the Waimakariri Flood Category A area or seaward of the Coastal Hazard 1 Line is not used to erect any dwelling or other principal building; and

10.2.1.2 Any land subdivided between any waterbody and any stopbank designed to contain floodwater from that waterbody is not used to erect any dwelling or building.

10.2.2 Any resource consent application made under Rule 10.2.1 shall not be notified and shall not require the written approval of affected parties.

10.2.3 Under Rule 10.2.1, the Council shall restrict its discretion to consideration of:

10.2.3.1 All the matters listed in Rule 10.1.2;

10.2.3.2 In the areas shown on the Planning Maps as the Lower Plains or Lake Ellesmere/Te Waihora flood areas:

(a) Whether any allotment created contains a site or sites where a dwelling or other principal building may be erected in accordance with the requirement of Building Rule 3.1.1.1(d) (for the Lower Plains flood area) or Building Rule 3.1.1.1(e) (for the Lake Ellesmere/Te Waihora flood area) and Earthworks Rule 1.3.

(b) The potential effects of inundation on pedestrian and vehicular access to the allotment, or to the dwelling or other principal building to be erected on the allotment; and

(c) Any condition on the subdivision consent requiring a consent notice or other mechanism to be placed on the Certificate of Title for any allotment created, to alert prospective purchasers that erecting any dwelling or other principal building on the allotment is not a permitted activity under the District Plan, unless it meets the minimum floor levels set out in Rules 3.1.1.1(d) and 3.1.1.1 (e).

Note: In relation to Rule 10.2.3.2(c), such a condition may not be needed if a land use consent to erect a dwelling or other principal building is granted.

Non-Complying Activities — Subdivision in Flood Areas

10.2.4 Any subdivision of land which does not comply with Rule 10.2.1 shall be a non-complying activity.

10.9.2.2 Whether the non-provision of public access to or along an esplanade reserve or strip adjoining a waterbody listed in Appendix 17 is necessary in order to ensure compatibility with conservation values, or whether the non provision of an access strip to an esplanade reserve or strip can be justified because of the availability of alternative access to the esplanade reserve or strip.

10.9.2.3 Whether an esplanade strip is necessary to protect the natural character or silent file areas of land adjoining any river or lake other than those listed in Appendix 17. In such cases, there shall be no public access.

10.9.2.4 The extent to which the "Criteria for Taking Land instead of Cash" clause of the "Reserves – Specific Issues regarding Development Contributions Assessment" in the Development Contribution Policy of the 2006-2016 LTCCP will meet the needs of present and future generations.

10.10 SUBDIVISION OF LOTS SMALLER THAN THE MINIMUM SIZE

Restricted Discretionary Activities — Subdivision of Lots Smaller than the Minimum Size

Note:

1. *Rule 10.10 applies to the subdivision of land where the allotments created may have a dwelling erected on them. Rule 10.10 may also be used for the subdivision of an allotment(s) which contains a dwelling(s). It may be used to provide for alternative subdivision layouts (e.g. clustering) to those provided for under Rule 10.1.1.11.*
2. *People wishing to subdivide land under Rule 10.10.1 are strongly advised to read the Council's pamphlet on subdividing land and erecting houses in the Rural Zone.*

10.10.1 Any subdivision of land which does not comply with Rule 10.1.1.11 shall be a restricted discretionary activity if:

10.10.1.1 Any allotment created is located outside the area shown on the Planning Maps as the Inner Plains;

10.10.1.2 The balance area of land needed to comply with the minimum area in Rule 10.1.1.11, Table C10.1, does not include:

(a) The bed of any lake or river;

(b) Any legal road;

(c) Land which is vested in any form of reserve; or

(d) Any other land which, due to its legal tenure, could not be used to erect a dwelling;

Note: *Rule 10.10.1.2 does not apply to land classified in the District Plan as an area of Outstanding Landscape which (if not for the District Plan provisions) could have had a dwelling erected on it. Nor does it apply to land held in pastoral lease.*

10.10.1.3 The balance area of land required to comply with the minimum area under Rule 10.1.1.11, Table C10.1, adjoins the allotment on which a dwelling may be erected, along at least one property boundary;

10.10.1.4 The balance area of land required to comply with the minimum area under Rule 10.1.1.11, Table C10.1, is:

(a) included within the area of land subject to the subdivision consent application, and is subject to a mechanism (as a condition of the consent) to prevent the erection of any dwelling on that land; or

(b) not included within the area of land subject to the subdivision consent application, and is subject to a Memorandum of Encumbrance or other mechanism to prevent the erection of any dwelling on that land.

10.10.2 Under Rule 10.10.1, the Council shall restrict its discretion to consideration of:

10.10.2.1 All the matters listed in Rule 10.1.2.

10.10.2.2 Whether any allotment on which a dwelling(s) is to be erected is of a suitable size and shape to avoid adverse effects on surrounding properties. Such effects include (but are not limited to): effects from the zones of influence of wells or on-site effluent treatment and disposal systems; and potential 'reverse sensitivity' effects with activities on surrounding sites;

10.10.2.3 The maximum number of small allotments which may be located together under this rule, having regard to Rule 3.10.3.6;

10.10.2.4 Any effects of access from the allotment on the safety and efficiency of the road network, including cumulative effects from several allotments, and whether a shared vehicular accessway is appropriate for more than one allotment;

10.10.2.5 The shape and location of the balance land to be kept free of dwellings;

10.10.2.6 Within the area shown on the Planning Maps as the Port Hills, the location of any allotment on which a dwelling may be erected, having regard to Rule 10.3.2.2;

10.10.2.7 For Rule 10.10.1.4, whether the mechanism proposed to ensure that the land is free of any dwelling is appropriate considering:

(a) The applicant's understanding of the restrictions placed on future uses of the land;

(b) Whether the mechanism is a condition by which the consent is granted;

(c) Enforceability of the condition;

(d) Any administration costs to the Council; and

(e) The ease with which any future buyer of the land can be made aware that a dwelling cannot be erected on the land; and

Note: *In relation to Rule 10.10.2.7, see the Council's Pamphlet for more information on the types of mechanisms available.*

10.10.2.8 Any positive effects which may offset any adverse effects.

Community Facility: includes any land, building or structure which is/are used for the primary purpose of health, education, safety or cultural, physical or spiritual well-being, where those facilities are funded or managed as a non-profit organisation by a central or local government agency or a community organisation, and are available for use by any person in the community. Community facilities include (but are not limited to): schools, hospitals, churches, cemeteries, halls, libraries, community centres, police or fire stations, reserves and recreational facilities.

Community Infrastructure: has the same meaning as in section 197 of the Local Government Act 2002. *

Contaminated Land: includes any land which contains hazardous substances at concentrations above recognised guidelines which pose or are likely to pose an immediate or long term risk to human health and/or the environment.

D

dBA: means A-frequency-weighted sound pressure level in decibel relative to a reference sound pressure of 20 micropascals. See NZS 6801:1999 Acoustics – Measurement of Environmental Sound.

Decibel (dB): is the term used to identify 10 times the logarithm to base 10 of the ratio of two like quantities proportional to intensity, power or energy. See NZS 6801:1999 Acoustics – Measurement of Environmental Sound.

Detention centre or prison: means land and buildings used in whole or in part for the assembly, corrective training, housing or incarceration of persons convicted of offences or on remand and includes (without limitation):

a) a prison, corrective training institution or police jail established under the Penal Institutions Act 1952;

b) a "habitation centre" as defined in section 2 of the Criminal Justice Act 1985;

c) a periodic detention centre established under section 126(1) of the Criminal Justice Act 1985; or

d) any like facility."

Developer: includes any person or persons who are legally liable for paying any development contribution taken upon the granting of a resource consent, a building consent or and authorisation for a service connection.

Development Contribution: has the same meaning as in section 197 of the Local Government Act 2002. *

Disposal: includes any activity associated with the permanent discarding of material which is spent, worthless or in excess. For the purposes of Rule 7.4.1 disposal does not include the application of hazardous substances in accordance with the manufacturer's instructions. For the purposes of Rule 8.1.1.3 disposal does not include: the deposition of inert fill on to land from another site, for the purposes of landscaping, levelling or recontouring land, filling holes or depressions, preparing building sites or other construction work.

District Plan: means this District Plan prepared under section 73 of the Resource Management Act 1991.

Dwelling: means any building or buildings or any part of a building or buildings which is used as a self-contained area for accommodation or residence by one or more persons; where that area collectively contains: bathroom facilities, kitchen facilities and a sleeping/living area. The term

dwelling includes a family flat up to 70m^2, except where the Plan has separate provisions that apply specifically to family flats.

A dwelling does not include any part of a farm building, business building or accessory building which contains bathroom or kitchen facilities which are used solely for the convenience of staff, or contract workers who reside off-site, or day visitors to the site; unless that building or part of a building is being used for overnight accommodation.

Where any buildings, building or part of a building on a site contains more than one set of bathroom facilities, kitchen facilities and a sleeping/living area such that they can be used as self-contained residences by different households, then each separate set of facilities shall be deemed to be one dwelling.

E

Earthworks: include any disturbance, to, or excavation, removal or deposition of, soil, earth or any other mineral derived from the ground. For the purpose of Rule 1, Earthworks, do not include disturbing soil associated with the following activities: digging post-holes, cultivation, tending or landscaping gardens, planting trees or removing dead or diseased trees. It does include disturbance of earth associated with harvesting trees.

Educational Facility: includes any land, building or structure which is/are used for the provision of regular instruction or training of students by suitably qualified instructors and any ancillary activities, and includes any preschool.

Emergency Services: means facilities and activities utilised for the protection and safety of people and property in times of an emergency and shall include New Zealand Fire Service, New Zealand Police and St Johns Ambulance.

Equivalent Car Movement per Day (ecm/d): is defined as follows.

1 car to and from the property	=	2 equivalent car movements
1 truck to and from the property	=	6 equivalent car movements
1 truck and trailer to and from the property	=	12 equivalent car movements

averaged over any one week period.

Existing Plantation: means the tending, maintenance, harvesting and replanting of a plantation already established at the date of notification of the Plan including any ancillary traffic movements thereto.

F

Family Flat: means any dwelling up to 70m^2 in gross floor area, excluding garaging, which is located on the same site as an existing dwelling and the family flat is occupied by a member of the same immediate family as a person residing in the main dwelling on the site. A family flat may be attached to the dwelling or an accessory building, or be free-standing.

Fumigant: means any substance listed in Schedule 1 of the "Environmental Risk Management Authority Hazardous Substances (Fumigants) Transfer Notice 2004 (as amended)".

G

Green Waste: includes any compostable vegetative material, including but not limited to: weeds and garden waste, spoiled crops and tree prunings.

Gross Floor Area: means the sum of the total area of all floors of any building. It shall be measured from the exterior faces of the exterior walls or from the centre line of any wall separating adjoining buildings.

Ground Level: means the level of the ground existing when works associated with any prior subdivision of the land were completed, but before filling or excavation for new building work on the land has commenced.

H

Hazardous Substance: includes, but is not limited to, any substance as defined in section 2 of the Hazardous Substances and New Organisms Act 1996 as a hazardous substance.

Heavy Vehicle: includes any vehicle which requires a heavy licence under section 5 of the Transport Act 1986.

Height: in relation to any building or structure means the vertical distance between the ground level at any point and the highest part of the building or structure immediately above that point. For the purpose of calculating height, no account shall be taken of any:

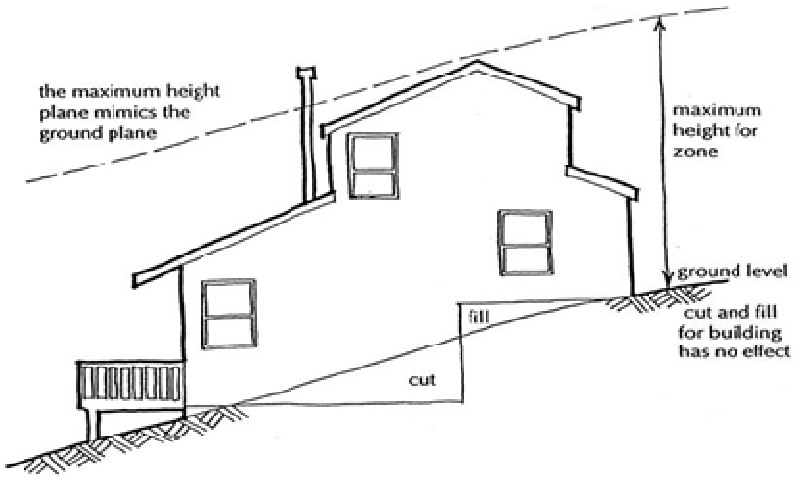
a) radio or television aerial provided that the maximum height normally permitted by the rules for the zone is not exceeded by more than 2.5m;

b) chimney or flue not exceeding 1m in any direction;

c) utility, or part of a utility with a horizontal dimension less than 25mm.

Measurement of Height:

For the purpose of applying rules in relation to height, the following diagram may be used to understand the application of the height rule.



Heritage Site: includes any land, building or structure which is listed in Appendix 3 and shown on the Planning Maps as a Heritage Site.

Heritage Tree: includes any tree listed in Appendix 4 and shown on the Planning Maps as a Heritage Tree.

Home Based Occupation: includes the use of a site for an occupation, business, trade or profession in conjunction with the use of the same site for residential activities. A home based occupation is undertaken by a person(s) permanently residing on the site.

I

Improved Pasture: for the purposes of administering indigenous vegetation clearance rules, improved pasture shall mean an area of pasture where species composition and growth has clearly been modified and enhanced for livestock grazing by cultivation or topdressing and over-sowing, or direct drilling, and where exotic pasture species are obvious.

Indigenous Vegetation: means a plant community in which species indigenous to that part of New Zealand are important in terms of coverage, structure and/or species diversity. For these purposes, coverage by indigenous species or number of indigenous species shall exceed 30% of the total area or total number of species present, where structural dominance is not attained. Where structural dominance occurs (that is indigenous species are the tallest stratum and are visually conspicuous) coverage by indigenous species shall exceed 20% of the total area.

Industrial Activity: means any activity involving the production, processing, assembly, disassembly, packaging, servicing, testing, repair, direct handling, distribution and/or warehousing of any materials, goods, products, machinery or vehicles, but excludes mining, mineral exploration and quarrying and, for the avoidance of doubt, harvesting activities associated with plantation forestry. For the purpose of this definition an industrial activity is further defined as being either of the following:

(a) Rural Based Industrial Activity: means an Industrial Activity that involves the use of raw materials or primary products which are derived directly from the rural environment, including agricultural, pastoral, horticultural, forestry, viticultural and crops.

Or

(b) Other Industrial Activity: means any other Industrial Activity that is not defined as a "rural based industrial activity", as stated in (a) above.

Intensive Livestock Production: means the use of land and buildings for the commercial rearing and management of livestock where the viability of that activity is not dependant upon the soil fertility of the land on which that activity is undertaken.

Intensive Piggery Production Activity: means the use of land and buildings for the commercial rearing and management of pigs where the viability of the activity is not dependent upon the soil fertility of the land on which that activity is undertaken.

Internal Boundary: refer to Boundary.

K

Kitchen: means a room or indoor area, the principal purpose of which is the preparation and cooking of food. A kitchen will generally include a sink bench, and a means of cooking food such as a stove, gas or electric cooker, or microwave (or have the facilities for the installation of these).

L

L_{10}: means the L_{10} exceedence level, in A-frequency-weighted decibels, which is equalled or exceeded ten percent of the total measurement time.

Ldn: means the night-weighted sound exposure level in dBA also known as the day-night average sound level and is the 24 hour sound exposure level in A-frequency weighted decibels (dBA) for any day with the period 10pm to 7am the following day "weighted" by 10 dB to represent the increased sensitivity of people to night-time noise. See NZS 6801:1999 Acoustics – Measurement of Environmental Sound.

Leq: means the sound level averaged over a stated time period which has the same A-weighted sound energy as the time varying sound during the same period. See NZS 6801:1999 Acoustics – Measurement of Environmental Sound.

L_{max}: means the maximum A-frequency-weighted sound level (dBA Lmax) during a stated time period. See NZS 6801:1999 Acoustics – Measurement of Environmental Sound.

M

Mahinga Kai Site: includes any land, building or structure which is listed in Appendix 5 and shown on the Planning Maps as a Mahinga Kai Site.

Mineral Exploration: has the same meaning as "exploration" in section 2 of the Crown Minerals Act 1991. *

Mining: has the same meaning as "mining" in section 2 of the Crown Minerals Act 1991. *

Monofill: includes any landfill which is designed and operated to accept waste associated with one specific activity or form of waste. For the purposes of Rule 7, a monofill does not include any landfill which accepts hazardous waste.

Municipal Solid Waste: includes any non-hazardous solid waste from any combination of domestic, commercial and industrial sources. It includes putrescible waste, garden waste, uncontaminated biosolids and contaminated waste, which is sterilised to a standard acceptable to the Department of Health and does not contain liquids or hazardous waste, which exceeds 200ml/tonne or 200g/tonne.

Network Infrastructure: has the same meaning as in section 197 of the Local Government Act 2002. *

N

Noise Limit: means a L_{10}, Leq or Lmax sound level in A-frequency-weighted decibels that is not to be exceeded during a measurement sample time in a specific time-frame. See NZS 6801:1999 Acoustics – Measurement of Environmental Sound.

Noticeboard: means a structure or device upon which notices can be placed or attached that are of community interest, which are intended to be read by people stopping at the notice board rather than by people passing by.

Notional Boundary: means a line 20m from any side of a rural dwelling or the legal boundary where this is closer to the dwelling.

P

Papakainga Housing: includes any dwelling(s) which is/are erected to house members of the same family, iwi, or hapū, on land which is owned by that family, iwi or hapū, and which is Māori Land within the meaning of section 129 of Te Ture Whenua Māori Act 1993.

Place of Assembly: means any land and building used for the gathering of people. It does not include residential accommodation or places of work.

Planned Upgrade: includes any work proposed to form, install or upgrade any road or other utility which has been planned to occur within the next ten years, as outlined by the Council in the relevant Asset Management Plan(s) or Long Term Financial Strategy.

Plantation: means any group of trees planted on a site, whether intended to be harvested or not, which are not classed as amenity plantings or shelterbelts. A plantation may be comprised of exotic or indigenous species and includes but is not limited to: forests planted for harvesting, conservation, soil erosion control, pest or wilding tree management, and any orchard, vineyard or woodlot which does not comply with the definition of amenity planting (refer also to the definition of Existing Plantation).

Point Strip: includes any strip of land adjoining the site or end of a road, the purpose of which is to prevent access on to that road from land adjoining the point strip. A point strip is usually (though not exclusively) up to 200mm wide.

Principal Building: includes any building or buildings which is/are used as part of the primary activity or activities on the site. Principal buildings include dwellings but do not include accessory buildings.

Project: for the purposes of Rule 1.6.1.2 the term 'project' includes all earthworks undertaken as part of, or ancillary to, the completion of one particular activity or the construction of a building or structure, whether that activity is undertaken or the building or structure is erected continuously or in discrete stages; and whether it occurs in one continuous area or is separated by land which is not disturbed by earthworks. For example: the construction of one road or track from destination (a) to (b) is one project, as is the disturbance of soil for geological surveys over an identified area.

Property: means all land and adjoining land which is held in the same ownership. Any property may include one or more allotments.

Public Waste Collection Service: includes any waste collection service which is provided by the local authority using its functions under the Local Government Act 1974.

Q

Quarrying: means to take, mine or extract, by whatever means, any rock, stone, gravel or sand existing in its natural state in land. "To quarry" has a corresponding meaning.

R

Radio Communication Facility: means any transmitting or receiving devices such as aerials, dishes, antenna, cables, lines, wires and associated equipment/apparatus, as well as support structures such as towers, masts and poles, and ancillary buildings.

Recreational Facility: includes the use of any land, building or structure for the primary purpose of recreation or entertainment and is available to be used by members of more than one household.

Relocated Building: includes any building that is removed from one site and relocated to another part, in whole or in parts. It does not include any new building which is designed for, or intended to be used on, a site but which is erected off the site, in whole or in parts, and transported to the site.

Research: means the use of land and buildings for the purpose of scientific research, inquiry or investigation, product development and testing, and consultancy and marketing of research information; and includes laboratories, quarantines, pilot plant facilities, workshops and ancillary administrative, commercial, conferencing, accommodation and retail facilities.

Residential Activity: means the use of land and buildings for the purpose of living accommodation and ancillary activities. For the purpose of this definition, residential activity shall include:

a) Accommodation offered to not more than five guests for reward or payment where the registered proprietor resides on-site;

b) Emergency and/or refuge accommodation; and

c) Supervised living accommodation and any associated caregivers where the residents are not detained on the site.

'Residential Activity' does not include:

(a) Travelling accommodation activities (other than those specified above); and

(b) Custodial and/or supervised living accommodation where the residents are detained on the site.

Restaurant: means any land and/or buildings, or part thereof, principally used for the sale of meals or light refreshments to the general public and the consumption of those meals or light refreshments on the premises. Such premises may be licensed under the Sale of Liquor Act 1989.

Riparian Margin/Zone: means a strip of land of varying width adjacent to a waterbody which contributes to the natural functioning, quality and character of the waterbody, the land margin and their ecosystems.

Road: shall have the same meaning as defined in section 315 of the Local Government Act 1974. *

Road Boundary: refer to Boundary.

Rural Activity: means the use of land or building(s) for the purpose of growing or rearing of crops or livestock, including forestry, viticulture and horticulture and intensive livestock production and may include a dwelling.

S

Sensitive Activity: includes any of the following activities:

- Residential Activity;
- Travelling Accommodation;
- Community Facility;
- Recreational Facility or Recreational Activity;
- Place of Assembly;
- Restaurant;
- Educational Facility;
- Camping Ground Facility;

but excludes Temporary Accommodation.

Shelterbelt: means any trees planted primarily to provide shelter for stock, crops or buildings from the prevailing wind(s). Shelterbelts are not more than 20 metres in width and are not clearfelled.

Sign: means any device or structure which is visible from any public space and is used to: identify any site or building; provide directions or information; or promote any goods, services, or forthcoming event. A sign does not include any window display, or any property identification signs which do not exceed an area of 0.2 m^2 (including rural numbers, dairy company numbers, street/road numbers/property names and property owners' names as long as those property identifiers do not include any advertising).

Silent File Area: includes any land which is listed in Appendix 5 and shown on the Planning Maps as a Silent File Area.

Site: means the area of land on which a particular activity and any ancillary activities by a person or party is/are undertaken. A site may include all or part of an allotment or more than one allotment.

Skyline: means the ridgelines of any mountain or hill range which are silhouetted against the sky and which do not have any other hill, mountain or mountain range behind them which is higher.

Solid Waste: includes any material which is discarded as being spent, useless, worthless or in excess, and includes liquid or gaseous waste which is stored in containers.

Sound Exposure Level: means the A-frequency weighted sound pressure level in decibels which, if maintained consistent for a period of 1 second, would convey the same sound energy to the receiver as is actually received from a given noise event over the same period. See NZS 6801:1999 Acoustics – Measurement of Environmental Sound.

Strategic Road: includes any road listed as a Strategic Road in Appendix 9.

Stopbank: means an embankment constructed for the purpose of preventing flooding.

T

Telecommunication Facility: means any telecommunication line, telephone exchange, telephone booth, telephone cabinet or pay phone, or any other structure, facility or apparatus intended for the purpose of effecting telecommunication.

Telecommunication Line: means a wire or wires or a conductor of any other kind (including a fibre optic cable) used or intended to be used for the transmission or reception of signs, signals, impulses, writing, images, sounds, or intelligence of any nature by means of any electromagnetic system; and includes any pole, insulator, casing fixture, tunnel, or other equipment or material used or intended to be used for supporting, enclosing, surrounding, or protecting any such wire or conductor and also includes any part of a line.

Temporary Accommodation: includes the use of any building to house any person for residential or business activities on a site, while construction work is being undertaken on the site. Temporary accommodation maybe provided for persons occupying the site on which construction work occurs, or for persons involved in the construction work.

Temporary Activity: includes any activity which occurs on any site for a period of not more than 15 consecutive hours in any one time and occurs on no more than 12 times in any 12 month period; or any activity which does not last longer than a total of 7 consecutive days in any one time and occurs on not more than 3 times at any one site in any 12 month period. For the purposes of Rule 9.13.1 a temporary activity includes casual labour for seasonal activities such as crop harvesting and fruit picking, provided it complies with one of the time periods specified in the definition.

Temporary Military Training Activity: means a temporary activity undertaken for Defence Purposes. Defence purposes are those in accordance with the Defence Act 1990.

Temporary Sign: includes any sign erected to advertise an upcoming event of interest to the community, or any sign which advertises the products or services of a business or organisation which is associated with an activity on the site on which the sign is erected. Any temporary sign shall not be erected on any site for more than 6 consecutive calendar months at any one time, or for a collective period of more than 6 calendar months in any 2 year period, except that for any school or church anniversary event the temporary sign maybe displayed for up to 12 months prior to the event.

Tertiary Education: means the use of land and buildings for the purpose of facilitating tertiary education, training, development and instruction and/or related research and laboratories; and includes ancillary and accessory administrative, cultural, commercial, communal, conferencing, accommodation, retail and recreation facilities.

Township: means an urban area within the District which comprises a Living zone(s) and in some situations a Business zone(s).

Track: includes any area of land which is formed or used principally to traverse an area of land by foot, animals, or vehicles and includes any road. A track will have access to or from a formed road, or access to another track which has access to a formed road. For the purpose of Rule 1 - Earthworks, a track does not include multiple strips of land of up to 10m in width which run parallel to one another over a site.

Travelling Accommodation: means the use of land and buildings for temporary residential accommodation offered for a daily tariff which may involve the sale of liquor to in-house guests and the sale of food and liquor in conjunction with food to both the public and in-house guest. Travelling accommodation includes motels, holiday flats, motor and tourist lodges and hostels.

U

Utility: includes the use of any structure, building or land for any of the following purposes:

(a) The generation, transformation and/or transmission of energy;

(b) Any telecommunication facility or telecommunication line;

(c) Any radio communication facility;

(d) The conveyance, storage, treatment or distribution of water for supply, including (but not limited to) irrigation and stockwater;

(e) The drainage, reticulation or treatment of stormwater, waste water or sewage;

(f) Transportation infrastructure, including (but not limited to) roads, accessways, railways, airports and navigational aids;

(g) Work to mitigate potential natural hazards, including (but not limited to) stopbanks, groynes and gabions; or

(h) Meteorological facilities for the observation, recording and communication of weather information.

Utility Building: includes any building or part of any building which is a utility or which is used principally to house or support a utility; and that building is $10m^2$ or more in gross floor area and 2.5m or greater in height.

Utility Structure: includes any device, equipment or other facility which is used principally to house or support a utility including any antenna, mast, pole or pylon; or any structure housing a utility which is less than $10m^2$ in gross floor area or less than 2.5m in height.

V

Vehicle Crossing: includes any formed vehicle entrance or exit point from any site on to any road, and includes that part of the road boundary across which the vehicle access is obtained and any culvert, bridge or kerbing.

Vehicle Movement: means a single motor vehicle journey to or from a particular site. "Vehicle trip" has the same meaning.

Vehicular Accessway: means that part of any site which is used to provide vehicular access into or through the site, but does not include a "road" within the meaning of section 315 of the Local Government Act 1974.

Vertebrate Toxic Agent: means any substance listed in Schedule 1 of the "Environmental Risk Management Authority Hazardous Substances (Vertebrate Toxic Agents) Transfer Notice 2004 (as amended)" and includes 1080 (Sodium fluoroacetate).

W

Wāhi Taonga Site: includes any land, building or structure which is listed in Appendix 5 and shown on the Planning Maps as a Wāhi Taonga Site.

Waterbody: means fresh water or geothermal water in a river, lake, stream, pond (but excluding any artificial pond), wetland or aquifer or any part therefore that is not located within the coastal marine area. The terms "river", "lake" and "wetland" are also defined in this Plan.

LEGISLATION REFERRED TO IN THE DEFINITIONS SECTION

The following are sections of legislation referred to in the Definitions section and marked by an asterisks (*).

They do not form part of the Plan but have been included to be of assistance to readers.

Airport: has the same meaning as defined in section 2 of the Act.

Allotment: in section 218 of the Act.

(2) Means—

(a) Any parcel of land under the Land Transfer Act 1952 that is a continuous area and whose boundaries are shown separately on a survey plan, whether or not—

(i) The subdivision shown on the survey plan has been allowed, or subdivision approval has been granted, under another Act; or

(ii) A subdivision consent for the subdivision shown on the survey plan has been granted under this Act; or

(b) Any parcel of land or building or part of a building that is shown or identified separately—

(i) On a survey plan; or

(ii) On a licence within the meaning of Part VIIA of the Land Transfer Act 1952; or

(c) Any unit on a unit plan; or

(d) Any parcel of land not subject to the Land Transfer Act 1952.

(3) For the purposes of subsection (2), an allotment that is—

(a) Subject to the Land Transfer Act 1952 and is comprised in one certificate of title or for which one certificate of title could be issued under that Act; or

(b) Not subject to that Act and was acquired by its owner under one instrument of conveyance—

shall be deemed to be a continuous area of land notwithstanding that part of it is physically separated from any other part by a road or in any other manner whatsoever, unless the division of the allotment into such parts has been allowed by a subdivision consent granted under this Act or by a subdivisional approval under any former enactment relating to the subdivision of land.

[(4) For the purposes of subsection (2), the balance of any land from which any allotment is being or has been subdivided is deemed to be an allotment.]

Amenity Values: has the same meaning as defined in section 2 of the Act

Archaeological site: in section 2 of the Historic Places Act 1993.

"Means any place in New Zealand that—

(a) Either—

(i) Was associated with human activity that occurred before 1900; or

(ii) Is the site of the wreck of any vessel where that wreck occurred before 1900; and

(b) Is or may be able through investigation by archaeological methods to provide evidence relating to the history of New Zealand:

Community Infrastructure: in section 197 of the Local Government Act 2002 means:

(a) land, or development assets on land, owned or controlled by the territorial authority to provide public amenities; and

(b) includes land that the territorial authority will acquire for that purpose.

Development Contribution: in section 197 of the Local Government Act 2002 means a contribution:

(a) provided for in a development contribution policy included in the long-term council community plan of a territorial authority; and

(b) calculated in accordance with the methodology; and

(c) comprising—

(i) money; or

(ii) land, including a reserve or esplanade reserve (other than in relation to a subdivision consent), but excluding Maori land within the meaning of Te Ture Whenua Maori Act 1993, unless that Act provides otherwise; or

(iii) both.

Hazardous Substance: in section 2 of the Hazardous Substances and New Organisms Act 1996:

"Means, unless expressly provided otherwise by regulations, any substance -

a) with one or more of the following intrusive properties:

i) Explosiveness

ii) Flammability

iii) A capacity to oxidise

iv) Corrosiveness

v) Toxicity (including chronic toxicity)

vi) Ecotoxicity, with or without bioaccumulation; or

b) Which on contact with air or water (other than air or water where the temperature or pressure has been artificially increased or decreased) generates a substance with any one or more of the properties specified in paragraph (a) of this definition."

Lake: has the same meaning as defined in section 2 of the Act.

"Means a body of fresh water which is entirely or nearly surrounded by land".

Mineral Exploration: as "exploration" in section 2 of the Crown Minerals Act 1991:

"Means any activity undertaken for the purpose of identifying mineral deposits or occurrences and evaluating the feasibility of mining particular deposits or occurrences of one or more minerals; and includes any drilling, dredging, or excavations (whether surface or sub-surface) that are reasonably necessary to determine the nature and size of a mineral deposit or occurrence; and 'to explore' has a corresponding meaning."

Mining: as "mining" in section 2 of the Crown Minerals Act 1991.

"Means to take, win, or extract, by whatever means, a mineral existing in its natural state in land, or a chemical substance from that mineral, for the purpose of obtaining the mineral or chemical substance; but does not include prospecting or exploration; and 'to mine' has a corresponding meaning.

Network Infrastructure: in section 197 of the Local Government Act 2002 means:

The provision of roads and other transport, water, wastewater, and stormwater collection and management.

River: has the same meaning as defined in section 2 of the Act.

"Means a continually or intermittently flowing body of fresh water; and includes a stream and modified watercourse; but does not include any artificial watercourse (including an irrigation canal, water supply race, canal for the supply of water for electricity power generation, and farm drainage canal)."

Road: in section 315 of the Local Government Act 1974.

"Means the whole of any land which is within a district, and which--

(a) Immediately before the commencement of this Part of this Act was a road or street or public highway; or

(b) Immediately before the inclusion of any area in the district was a public highway within that area; or

(c) Is laid out by the council as a road or street after the commencement of this Part of this Act; or

(d) Is vested in the council for the purpose of a road as shown on a deposited survey plan; or

(e) Is vested in the council as a road or street pursuant to any other enactment;--

and includes—

(f) Except where elsewhere provided in this Part of this Act, any access way or service lane which before the commencement of this Part of this Act was under the control of any council [[or is laid out or constructed by or vested in any council as an access way or service lane]] or is declared . . . by the Minister of Works and Development as an access way or service lane after the commencement of this Part of this Act [[or is declared by the Minister of Lands as an access way or service lane on or after the 1st day of April 1988]]:

(g) Every square or place intended for use of the public generally, and every bridge, culvert, drain, ford, gate, building, or other thing belonging thereto or lying upon the line or within the limits thereof;--

but, except as provided in [[the Public Works Act 1981]] or in any regulations under that Act, does not include a motorway within the meaning of that Act:

Tāngata Whenua: has the same meaning as defined in section 2 of the Act.

Wetland: has the same meaning as defined in section 2 of the Act.

"Includes permanently or intermittently wet areas, shallow water, and land water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions."