

SCHEDULE OF AMENDMENTS

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

Name	Description
Plan Change 12	Transport (Approved by Council 12 September 2012)
Plan Change 7	Growth of Townships (Resolution of Rolleston Square Ltd's Appeal)
Minor Amendments	Various minor amendments included (Clause 20A)

Please amend your District Plan by updating the following pages:

Township Volume

Amendments from 26 September 2012 to 23 October 2012

Replace pages - Please recycle all pages removed

Part A0 – Contents

Amend page numbering to reflect multiple additions of text A-001 – A-002

Part B2 – Physical Resources

All references to LTCCP throughout this chapter have been amended to LTP (Clause 20A) B2-001 – B2-054

Delete subheading “Road, Rail and Airfields” under B2.1 Transport Networks – Issues Entire Chapter

Delete 1st bullet point, amend existing 2nd and 4th bullet points, and insert new 1st, 2nd and 3rd bullet points.

Amend 1st paragraph of “Introduction”, delete 2nd sentence, insert new 2nd sentence and move rest of paragraph down to new “Road Network and Pathways” and insert new 2nd paragraph.

Insert new su heading “Road Network and Pathways”, amend 1st paragraph, insert three new paragraphs.

Insert new subheadings and paragraphs for “Railway Lines” and “Air Fields”

Insert new Issue 1 by adding new “Integrating Land Use and Transport” – renumber subsequent issues.

Amend Issue 2 (old Issue 1), 3rd sentence, delete last sentence – paragraph 1.

Delete 2nd sentence and add new 2nd sentence – paragraph 2.

Amend paragraph 3 and bullets 2, 4, 5, 7 and 8.

Amend paragraph 4.

Insert new subheadings “Heavy Vehicle”, “Railway Lines”, “Airfields”.

Insert new Issue 3 and accompanying text. Renumber subsequent Issues.

Amend all of Issue 4 (old Issue 2).

Amend Issue 5 (old Issue 3), adding text to end of subheading, new 1st paragraph and corresponding bullet points.

Amend 3rd bullet of paragraph 2.

Amend paragraph 3.

Amend Issue 6 (old issue 4), deleting existing subheading and inserting new one. Insert new 1st paragraph, amend 2nd paragraph and delete the three bullets. Amend 3rd and 4th paragraphs. Insert new 5th, 6th and 7th paragraphs.

“Amend Transport Networks – Strategy” by deleting existing heading “Road, Rail and Airfields”

Insert new subheading and accompanying text “Integration of Land Use and Transport”

Amend 1st, 2nd, 3rd and 4th bullets and insert new 6th bullet.

Insert new “Future Transport Network”, “Effects on Surrounding Land-use”, “Environmental Effects and Reverse Sensitivity” and accompanying bullet points. Delete existing “Reverse Sensitivity Effects” and bullets.

Transport Networks – Objectives

Amend heading by adding “Pathways”

Amend Objective B2.1.1.

Delete existing Objective B2.1.2 and B2.1.3, insert new Objective B2.1.2 and B2.1.3. Renumber subsequent Objectives. Amend existing Objective B2.1.5 and renumber to B2.1.4. Renumber Objective B2.1.4 to B2.1.5.

Amend Explanation and Reasons 1st paragraph, insert new paragraphs 2-9.

Transport Networks – Policies and Methods

Amend heading by adding “and Pathways”

Amend Policies B2.1.1, B2.1.2, B2.1.3, B2.1.4(a)- 3rd bullet point and policy B2.1.4 (b). Insert new Policy B2.1.5.

Amend Explanation and Reasons paragraphs 1, 2, 3, delete paragraph 4, insert new paragraphs 4, 5, 6. Amend final two paragraphs (new paragraphs 7 and 8). Insert new paragraphs 9, 10, 11, 12.

Amend Methods – Information, deleting first bullet point. Amend Methods – District Plan Rules, amending 2nd bullet point, insert new 3rd, 8th and 9th bullet points. Amend Methods – Bylaw, insert new 2nd and 3rd bullet points.

Amend Policy B2.1.6(a) and Reasons for Rules 1st and 3rd paragraphs.

Insert new Policy B2.1.6(b), B2.1.6(c) and B2.1.7, renumber subsequent rules.

Amend Policy B2.1.8 (old B2.1.5(a)), and Explanation and Reasons, and Method

Amend Policy B2.1.9 (old B2.1.5(b)), and Explanation and Reasons, insert new 3rd paragraph, and amend Method.

Amend Policy B2.1.10 (old B2.1.7), and Explanation and Reasons.

Amend Policy B2.1.11 (old B2.1.8), and Explanation and Reasons, and Methods.

Amend Policy B2.1.12 (old B2.1.9) Explanation and Reasons 1st paragraph, insert new 2nd paragraph, amend 3rd (old 2nd) paragraph, delete existing 3rd and 4th paragraphs, insert new 4th paragraph.

Amend Policy B2.1.13 (old B2.1.10), and Explanation and Reasons, inserting new 2nd, 3rd, 4th and 6th paragraphs. Amend existing 2nd (new 5th) paragraph. Insert new 2nd bullet to Method.

Amend Policy B2.1.14 (old B2.1.11) and Policy B2.1.15 (old B2.1.20), and Reasons for Rules deleting 2nd paragraph and replacing with new paragraph, amend 3rd paragraph, delete 4th paragraph, insert new 5th paragraph and amend bullet 3. Amend Methods.

Amend Policy B2.1.12 (old B2.1.16), and Explanation and Reasons. Insert new 2nd paragraph in Explanation and Reasons.

Insert new Policy B2.1.17 under "Railway Lines"

Amend Policy B2.1.18 (old B2.1.13), and Explanation and Reasons.

Amend Policy B2.1.19 (old B2.1.14) Explanation and Reasons only.

Amend Policy B2.1.20 (old B2.1.15), and insert new 2nd paragraph to Explanation and Reasons

Amend Policy B2.1.22 (old B2.1.17), B2.1.23 (old B2.1.18), and Explanation and Reasons

Amend Policy B2.1.24 (old B2.1.19), and 1st paragraph Explanation and Reasons, delete final paragraph and amend Methods.

Delete Existing B2.1.20 (renumbered as B2.1.15)

Amend Policy B2.1.25 (old B2.1.21) amending Information and Advocacy bullet point.

Transport Networks – Anticipated Environmental Results

Roads and Access – amend 1st, 3rd, 7th, and 10th bullet points. Delete existing 2nd and 11th bullet points. Insert new 2nd, 11th and 12th bullet points.

Insert new "Pathways" and two bullet points.

Insert new 2nd, 3rd and 4th bullet points under Railways.

Insert new "Transport Networks – Information" and subsequent bullet points.

Part B3 – Culture and Heritage

Amend Traffic B3.4.18 by renumber as B3.4.18(a). Insert new B3.4.18 (b) and (c). Amend Explanation and Reasons 1st and 2nd paragraphs, insert new 3rd and 4th paragraphs.

B3-049 – B3-064

Clause 20A – alter all reference to LTCCP to LTP.

Part C4 – LZ – Buildings

Amend Table C4.2 – Minimum Setbacks for Buildings

C4-009 – C4-018

Insert new "Setbacks from State Highways and Internal Noise Levels" 4.9.3, 4.9.4 and table. Renumber subsequent rules.

Delete C4.9.27

Part C5 – LZ – Roads

Amend heading to "Roads and Transport"

C5-001 – C5-008

Amend Notes 2, 3, 4 and 5.

Entire Chapter

Amend headings of Rule 5.1

Amend Rule 5.1.1.4 and 5.1.1.5

Amend headings of Rule 5.2

Amend Rule 5.2.1, 5.2.1.3, 5.2.1.4, 5.2.1.5, 5.2.1.6.

Delete and replace with new rules 5.2.1.2 and 5.2.1.7

Delete all of Restricted Discretionary Activities – Vehicle Accessways, rules 5.2.2 and 5.2.3.

Amend Discretionary Activities, insert new Rule 5.2.2. Renumber subsequent rules and references to rules.

Amend 5.3.1.1, 5.3.1.2, delete existing 5.3.1.3, amend 5.3.1.3 (old 5.3.1.4), insert new 5.3.1.4.

Amend 5.3.2, 5.3.3.2 and 5.3.3.3

Insert new 5.3.4 and 5.3.5 and new Discretionary Activities – Vehicle Crossings 5.3.6

Amend 5.4 (old 5.5), 5.4.1.1 and 5.4.1.2

Amend 5.5 (old 5.4), 5.5.1.1, 5.5.1.2, 5.5.1.3

Amend 5.5.1.4 heading, rule and insert new Note.

Amend 5.5.1.5 heading and rule

Amend 5.5.1.7 rule

Amend 5.5.2

Amend 1st and 2nd paragraphs of Reasons for Rules. Insert new 5th paragraph. Amend paragraphs 6, 8, 10 and 12

Part C10 – LZ – Activities

Amend 10.9.1.1 (c)

C10-007 – C10-008

Part C12 – LZ – Subdivision

Amend Notes 5 and 12 , insert new Note 8, delete Note 11, renumber notes accordingly

C12-001 – C12-036

Insert new rule 12.1.3.2, Corner Splays, renumber subsequent rules

Entire Chapter

Insert new rule 12.1.4.2, renumber subsequent rules

Insert new rule 12.1.4.15, renumber subsequent rules

Amend Note after 12.1.4.24 and insert new Rule 12.1.4.25 Point Strips and note, renumber subsequent rules

Amend Note after 12.1.4.33 altering reference to other rule numbers.

Amend Notes after 12.1.4.45 and 12.1.4.6.

Amend Restricted Discretionary Activities – West Melton, change to General, and insert new 12.1.5.1, renumbering subsequent rules. Insert new 12.1.5.3, 12.1.5.4 and 12.1.5.5 Corner Splays.

Insert new heading “West Melton” above rule 12.1.5.6 (old 12.1.5.2)

Amend 12.1.5.6 (old 12.1.5.2)

Insert new 12.2.1.5

Insert new 12.2.2.2, Corner Splays, renumber subsequent rules

Insert two new paragraphs to end of Reasons for Rules

Part C14 – BZ – Earthworks

Insert new 14.1.1.6 and new 2nd paragraph in Reasons for Rules, renumber subsequent rules.

C14-001 – C14-002

Part C17 – BZ – Roads

Amend heading to Roads and Transport

C17-001 – C17-010

Amend Notes 2 and 3

Entire Chapter

Amend 17.1 headings

Amend 17.1.1, 17.1.1.1, 17.1.1.2, 17.1.1.3 and insert (a) and (b), and 17.1.1.4

Amend 17.2 headings

Amend 17.2.1, 17.2.1.1 and 17.2.1.2

Delete 17.2.1.3 and renumber subsequent rules

Amend 17.2.1.3 (old 17.2.1.4), 17.2.1.4 (old 17.2.1.5), 17.2.1.5 (old 17.2.1.6)

Delete existing 17.2.1.7

Insert new rules 17.2.1.6, 17.2.1.7 and Notes.

Delete Restricted Discretionary Activities – Vehicular Accessways, and Rules 17.2.2 and 17.2.3, renumber subsequent rules.

Amend 17.2.2 (old 17.2.4) and 17.2.3 (old 17.2.5)

Amend 17.3.1.1, 17.3.1.2, delete 17.3.1.3, renumber subsequent rules

Amend 17.3.1.3 (old 17.3.1.4) and insert new 17.3.1.5.

Amend 17.3.2, 17.3.3.2 and 17.3.3.3

Insert new 17.3.4 (old 17.2.2) and new 17.3.5 (old 17.2.3)

Insert new 17.3.6 and 17.3.7

Add new heading *Discretionary Activities – Vehicle Crossings* above 17.3.8 (old 17.3.2)

Alter *Traffic Sight Lines – Road/Rail Crossings* rule number from 17.5 to 17.4 and corresponding rules.

Amend 17.4.1.1 and 17.4.1.2 (old 17.5)

Alter *Vehicle Parking and Cycle Parking* from 17.4 to 17.5 and corresponding

Amend 17.5.1.1, 17.5.1.2, 17.5.1.3, delete 17.5.1.4, amend 17.5.1.4 (old 17.4.1.5), 17.5.1.6 (old 17.4.1.7)

Insert new *Restricted Discretionary Activities – Vehicle Parking and Cycle Parking*, and subsequent rules 17.5.2 and 17.5.3.

Amend 17.5.4.

Amend 17.7 heading, deleting “and landscaping”

Amend 17.7.1 and 17.7.2, insert new 17.7.3 and 17.7.4, renumber subsequent rules.

Amend *Reasons for Rules* 1st and 3rd paragraphs, insert new 4th paragraph, amend 6th paragraph (old 5th), insert 14 new paragraphs to end of *Reasons for Rules*.

Part C22 – BZ – Activities (PC7 Rolleston Square Ltd Appeal)

Amend C22.14.1 and C22.14.2, altering “discretionary activity” to “non-complying activity” C22-009 – C22-010

Part C24 – BZ – Subdivision

Amend Note 5, insert new Note 8, delete existing Note 11, renumber Notes. C24-001 – C24-018

Insert new Rules 24.1.3.2 *Corner Splays*, renumber subsequent Rules Entire Chapter

Amend 24.1.4.1 (a), (b) and (c), insert new 24.1.4.2 *Corner Splays*, renumber subsequent rules

Amend Note after 24.1.4.15 (old 24.1.4.14) and insert new 24.1.4.16 *Point Strips*

Amend Note after 24.1.4.23 (old 24.1.4.21)

Insert new 24.2.1.5

Amend 24.2.2.1 and (a), (b) and (c)

Insert new 24.2.2.2 *Corner Splays* and renumber subsequent rules

Amend 24.3.2.2 and (c)

Insert new final paragraph to *Reasons for Rules*

Part D – Definitions

Amend *Definitions for – Gross Floor Area, Industrial Activity, Point Strip, Road, Service Station, Vehicle Accessway, Vehicle Crossing, Visitor Accommodation*, D-001 – D-020
Entire Chapter

Insert new *Definitions for – Accessway, Arterial Road, Carehome, Collector Road, Cycleway, Design Speed, Drive through facility, Food and Beverage, Health Care Services, Local road (and sub definitions), NZTA, Operating Speed, Outdoor Display Area, Parking Areas, Pathway, Pedestrian-cyclist link, Posted Speed Limit, Preschool, Professional Staff, Public Floor Area, Retail Activity, Secure, State Highway, Walkway, Workbay*,

Delete *Definition for – Strategic Road*,

Part E7 – Road Hierarchy

Rename Appendix 7, delete existing table and replace with new table E7-001 – E7-006
Entire Chapter

Part E13 – Roads and Transport

Amend Heading to “Roads and Transport” and insert new chapter list at top of page.

E13-001 – E13-018

Put “E” in front of ALL numbering

Amend heading for 13.1

Amend E13.1.1.1, split E13.1.1.2 and renumber, delete 13.1.1.3, insert new 13.1.1.5, and E13.1.1.6

Amend Table E13.1 and rename it as E13.1(a)

Insert new Table E13.1(b) and requirements

Amend Table E13.2 and Notes at bottom

Amend E13.1.3.1, insert new E13.1.3.3

Delete E13.1.4.1 and E13.1.4.2, insert new E13.1.4.1, E13.1.4.2 and E13.1.4.3

Amend E13.1.5.1 and E13.1.5.2

Amend E13.1.6.4

Clause 20a amendment to E13.1.7.1(a)

Amend E13.1.8, and Clause 20a amendment to E13.1.8.3

Amend E13.1.9.1(a) and (c) and insert new Note

Amend E13.1.10.2

Add new Note after Table E13.3

Delete heading for E13.2 and insert new heading

Amend heading 13.2.1

Amend E13.2.1.1 and Table E13.4

Insert new E13.2.1.2, E13.2.1.3, E13.2.1.4 and E13.2.1.5

Delete first three Notes and amend last Note

Amend E13.2.2 heading, amend E13.2.2.1, insert new E13.2.2.2 and E13.2.2.3

Delete existing Table E13.5, insert new Table E13.5 and delete first three Notes.

Amend E13.2.3 and E13.2.3.1

Delete Tables E13.6 and E13.7, insert new Table E13.6, renumber subsequent tables

Amend E13.2.4, insert new E13.2.4.2, E13.2.4.4, and E13.2.4.4, renumber subsequent rules.

Amend E13.2.4.5 (old 13.2.4.2), insert new E13.2.4.6 and E13.2.4.7

Amend Table E13.7 (old E13.8), insert new E13.2.4.8, delete Notes

Amend E13.2.5.1(a)

Amend E13.3 heading, E13.3.1.1, insert new E13.1.2, renumber subsequent rules

Amend Table E13.8 (old E13.9) and add new Notes

Delete E13.3.1.2, amend E13.3.1.3, insert new E13.3.1.4, E13.1.4 and E13.3.1.7, renumber subsequent rules

Amend E13.3.2 heading, delete E13.3.2.2, insert new E13.3.2.2, E13.3.2.3, (a) and (b)

Delete existing Table E13.10, replace with new table and renumber as E13.9, add new Note

Delete E13.3.3

Amend heading for Diagram E13.1

Delete Diagrams E13.2, E13.3 and E13.4, renumber Diagram E13.5 to E13.2 and amend heading

Insert new Diagrams E13.3 and Note, E13.4 and E13.5

SCHEDULE OF AMENDMENTS

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

Name	Description
Plan Change 12	Transport (Approved by Council 12 September 2012)
Minor Amendments	Various minor amendments included (Clause 20A)

Rural Volume

Amendments from 26 September 2012 to 23 October 2012

Replace pages - Please recycle all pages removed

Part A0 – Contents

Amend page numbering to reflect multiple additions of text A-001 – A-002

Part B2 – Physical Resources

All references to LTCCP throughout this chapter have been amended to LTP (Clause 20A) B2-001 – B2-054

B2.1 Transport Networks – Issues, delete subheading “Road, Rail and Airfields” Entire Chapter

Insert new 1st bullet, amend 2nd bullet, delete 3rd bullet (old 2nd), insert new 3rd, 4th and 5th bullets, delete last bullet.

Amend Introduction 1st paragraph and insert new 2nd paragraph.

Amend heading Rooding Network and 1st paragraph, insert new 2nd, 3rd and 4th paragraphs.

Amend 1st paragraph under “Railway Lines”

Insert new Issue 1 Integrating Land Use and Transport and renumber existing Issues

Amend 1st paragraph under Safe and Efficient Use of the Transport Network, Issue 2 (old Issue 1).

Amend 1st and 3rd paragraph under Road Network, Issue 2, delete first six bullets of 2nd paragraph and insert nine new bullets.

Amend 1st paragraph under Heavy Vehicles

Under Resident Growth, amend 2nd bullet of 1st paragraph, amend 2nd and 4th paragraphs

Under Railway Lines, amend paragraph

After Airfields, at end of Issue 2, insert new “Pathways” and corresponding text.

Insert new Issue 3 and corresponding text

Amend Issue 4 (old Issue 2) heading and insert four new bullet points, amend bullets 5, 6 and 7, insert new 8th bullet point, and insert new paragraph at end of bullet points.

Amend Issue 5 (old Issue 3), 1st paragraph, 1st bullet point. Insert new 2nd paragraph, bullet points and final paragraph.

Amend Issue 6 (old Issue 4), insert new 1st paragraph, amend 2nd and 3rd paragraphs, delete 4th paragraph, insert new 4th, 5th, 6th and 7th paragraphs

Under “Transport Networks – Strategy”, delete existing and insert new bullet points.

Under “Environmental Effects and Reverse Sensitivity”, amend 1st bullet point and add new 4th and 5th bullet points.

Under Transport Networks – Objectives, amend subheading

Delete Objective B2.1.1 and insert new B2.1.1, amend B2.1.2, insert new B2.1.3 and B2.1.4, renumber subsequent objectives.

Amend 1st paragraph Explanation and Reasons, delete 2nd paragraph and insert new 2nd, 3rd, 4th, 5th, 6th, 7th, 8th and 9th paragraphs, amend 10th paragraph.

Under Transport Networks – Policies and Methods, amend subheading

Delete Policies B2.1.1, B2.1.2 and Note, insert new B2.1.1 and B2.1.2

Amend Policy B2.1.3, delete B2.1.4 and insert new B2.1.4(a), B2.1.4(b) and B2.1.5, delete existing Explanation and Reasons and insert new Explanations and Reasons, amend Methods. Renumber subsequent Policies.

Insert new B2.1.6 and B2.1.7, along with Explanation and Reasons, and Methods.

Insert new Explanation and Reasons for Policy B2.1.8 (old B2.1.5)

Insert new Explanation and Reasons for Policy B2.1.9 (old B2.1.7)

Amend Policy B2.1.10 (old B2.1.6) and insert new Explanation and Reasons

Insert new Policy B2.1.11, along with Explanation and Reasons, and Methods

Amend Policy B2.1.12 (old B2.1.8), delete 1st three paragraphs of Explanation and Reasons, amend 1st and 2nd paragraphs, insert new 3rd paragraph, and amend 4th paragraph and note. Delete 2nd bullet from Methods.

Insert new point under Methods, Policy B2.1.13 (old B2.1.9)

Amend Policy B2.1.15 (old B2.1.11) and Explanation and Reasons

Amend 1st and 3rd paragraphs of Explanation and Reasons for Policy B2.1.16 (old B2.1.12)

Insert new Policy B2.1.17, renumber subsequent policies

Amend Policy B2.1.18 (old B2.1.13) and 1st paragraph of Explanation and Reasons, insert new 2nd paragraph

Delete Policy B2.1.14

Insert new Policy B2.1.19 under Railway Lines

Amend Policy B2.1.20 (old B2.1.15) and Explanation and Reasons

Amend Policy B2.1.21 (old B2.1.16) and Explanation and Reasons

Insert new Policy B2.1.22

Insert new Heading “Effects on the Environment and Reverse Sensitivity Effects” and subheading “Roads and Railway Lines”

Amend Policy B2.1.25 (old B2.1.25) and Explanation and Reasons

Insert new Policy B2.1.16

*Under “Transport Networks – Anticipated Environmental Results” amend 1st paragraph
Amend subheading “Roads and Access”, amend 2nd bullet, delete 3rd and 4th bullet, insert new 3rd and 4th bullets, amend 5th bullet, delete 6th bullet, insert new 6th bullet, amend 7th bullet and insert new 8th, 9th and 10th bullets.*

Insert new “Pathways” and corresponding bullets

Insert new 1st and 4th bullet under Railways

Insert new “Transport Networks – Information” and corresponding bullets after “Transport Networks – Monitoring”

Part B3 – People’s Health, Safety and Values

Amend Policy B3.4.18 and Explanation and Reasons first paragraph

B3-049 – B3-050

Part C1 – Earthworks

Insert new Rules 1.1 Earthworks and Road and Access Formation and 1.1.1, renumber subsequent rules

C1-001 – C1-010

Insert new text to end of paragraph 4, Reasons for Rules

Part C4 – Roads

*Amend heading to Roads **and Transport***

C4-001 – C4-010

Amend 4.1 heading and subheadings, amend 4.1.1.1

Entire Chapter

Amend 4.2 heading and subheadings

Amend 4.3 heading and subheadings

Amend 4.4 heading and subheadings, amend 4.4.1.2, delete 4.4.1.3, amend Notes after 4.4.2 – both paragraphs

Amend 4.5 heading and subheadings, amend 4.5.1, 4.5.1.1, Note, 4.5.1.2, 4.5.1.3, delete 4.5.1.4(a), amend 4.5.1.5(a) and (b), amend 4.5.1.6, 4.5.1.6(a), (b), (c), delete (d) and (e), renumber (f) to (d), insert new 4.5.1.7 and 4.5.1.8

Amend 4.5.3.2, 4.5.3.8 and 4.5.3.9.

Amend 4.5.4 and Note underneath, amend 4.5.5

Amend 4.6.1.1, 4.6.1.2, 4.6.1.3(a) and (b), 4.6.1.4, delete 4.6.2 and renumber subsequent rules

Amend 4.6.2.2, insert Note, delete 4.6.3 (old 4.6.4), insert new 4.6.4 Controlled Activities

Amend 4.6.7 (old 4.6.8)

Insert new 4.7 Traffic Sight Lines – Road/Rail Crossings Permitted and Non-complying Activities

Amend Cross Referencing Table

Reasons for Rules – amend 1st and 4th paragraphs, insert new 5th, 6th, 7th, 8th, 9th, 10th and 11th paragraphs.

Part C9 – Activities

Amend 9.13.1.1, 9.13.1.2, 9.13.1.2(a), 9.13.1.3 and Note 2.

C9-009 – C9-026

Amend subheading for 9.13.2, amend 9.13.2, delete 9.13.3 and renumber subsequent rules, insert new 9.13.2.3 and 9.13.2.6, renumbering rules consequently

Amend 9.21.2.4

Amend 4th paragraph under Moana Rua/Lake Pearson under Reasons for Rules

Part C10 – Subdivision

Amend Notes 5 and 7 and insert new Note 13

C10-001 – C10-018

Amend 10.1.1.5 and 10.1.1.6, insert new 10.1.1.7 and Note, renumber subsequent rules

Entire Chapter

Insert new 10.1.2.7 Point Strips, renumber subsequent rules

Amend 10.6.2.2, 10.6.2.2 (a), (b) and (c), amend 10.6.2.3 (a)

Amend 10.7 Heading and subheading

Insert new 10.8, renumber subsequent rules

Amend 10.12 (old 10.11) by inserting new rule 10.12.1.5 and Note

Amend Cross Referencing Table

Under Reasons for Rules insert new 6th paragraph

Part D – Definitions

Insert new Definitions for – Accessway, Arterial Road, Collector Road, Cycleway/Cyclist Link, Design Speed, Local Road, NZTA, Operating Speed, Parking Areas, Pathway, Pedestrian-Cyclist Link, Posted Speed Limit, Secure, State Highway, Vehicle Accessway, Walkway D-001 – D-018
Entire Chapter

Amend Definitions for – Industrial Activity, Point Strip, Road, Vehicle Crossing

Delete Definitions for – Strategic Road, Vehicular Accessway

Part E9 – Road Hierarchy

Delete existing table and insert new E9-001 – E9-006
Entire Chapter

Part E10 - Transport

Amend E10.1 heading E10-001 – E10-012
Entire Chapter

Renumber E10.4.1 Surface of Parking and Loading Spaces as E10.1.1, and renumber all sub-rules, insert new Note (c)

Renumber Table 10.8 – Minimum Car Park Dimensions as Table 10.1 and amend table, insert heading “Notes on Table 10.1” above Notes.

Renumber E10.5 as 10.1 and renumber rules accordingly

Amend E10.1.5.1 (old E10.5.1), E10.1.5.2 (old E10.5.3), E10.1.5.3 (old E10.5.4), insert new E10.1.5.4

Renumber E10.1 to E10.2 – Vehicle Accessways and Crossings

Renumber/name E10.1.1 Vehicular Accessways to E10.2.1 Private Vehicle Accessways, renumber subsequent Rules

Amend E10.2.1.1 (old E10.1.1.1), renumber Table E10.1 to E10.2, amend heading and table

Insert new Notes after Table E10.2

Insert new E10.2.1.2

Amend E10.2.1 renumber as E10.2.2 and amend heading

Amend E10.2.2.1 (old E10.2.1.1), insert new E10.2.2.2

Amend Table E10.3

Amend E10.2.2.3 (old E10.2.1.2) and E10.2.2.3(b), insert note underneath (b)

Amend E10.2.2.4 (old E10.2.1.3), insert new E10.2.3

Amend Table E10.6 – renaming it Table E10.4, amend table contents, delete 1st paragraph of Notes, amend 2nd, 3rd and 4th paragraphs of Notes

Renumber E10.3 as E10.2.4 and subsequent rules, amend E10.2.4.2 (old E10.3.2)

Insert new E10.2.4.3.1 and E10.2.4.3.2, renumber subsequent rules, amend E10.2.4.3.3, E10.2.4.3.4 and E10.2.4.3.5

Amend E10.2 renumbering as E10.3, insert new E10.3.1.2, renumber subsequent rules

Renumber Table E10.2 as E10.5, amend table contents

Amend E10.3.1.4 (old E10.1.2.3) and insert new Notes underneath

Amend E10.2.2 renumbering as E10.3.2, insert new E10.3.2.2, renumber subsequent rules

Renumber Table E10.4 and E10.6, amend table contents

Insert new heading for “Diagrams”. Amend heading for Diagram E10.A1

Delete and replace Diagram E10.A2, amend heading

Amend headings for Diagrams E10.B1 and E10.B2

Insert new Diagram E10.E and Note, renumber subsequent Diagrams

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 B2-030
- B2.3 COMMUNITY FACILITIES (AND RESERVES) B2-041
- B2.4 WASTE DISPOSAL..... B2-051

3 People's Health, Safety and Values

- B3.1 NATURAL HAZARDS B3-001
- B3.2 HAZARDOUS SUBSTANCES B3-011
- B3.3 CULTURE AND HERITAGE..... B3-020
- B3.4 QUALITY OF THE ENVIRONMENT B3-036

4 Growth of Townships

B4.1 RESIDENTIAL DENSITYB4-001
B4.2 SUBDIVISION OF LAND.....B4-013
B4.3 RESIDENTIAL AND BUSINESS DEVELOPMENTB4-026
B4.4 DEVELOPMENT CONTRIBUTIONSB4-102

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 – EarthworksC2-001
3 Living Zone Rules – HeritageC3-001
4 Living Zone Rules – Buildings.....C4-001
5 Living Zone Rules – Roothing.....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 – Roothing..... 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/A CANTERBURY EARTHQUAKE RECOVERY

D/A.1 Workers' Temporary Accommodation for the Greater Christchurch Rebuild.....D/A-001

PART D

Definitions.....D-001

2 PHYSICAL RESOURCES

B2.1 TRANSPORT NETWORKS – ISSUES

- Integration of land use and transport planning to reduce the demand for transport and also to achieve more sustainable travel within and beyond the district.
- Effects of activities on the safe and efficient operation of the transport network particularly roads, railway lines, cycleways, footpaths and airfields.
- A transport network that facilitates a sustainable transport system to meet the future needs of a growing population.
- Adverse effects including noise and vibrations from roads and rail networks and from the operation of aircraft utilising Christchurch International Airport and other airfields, on surrounding land uses and the environment.
- Effects on the operation of transport networks from adjoining land uses.
- Accessibility and effects of transport on energy use and the environment. ^{PC12}

Introduction

Transport systems move people, goods and services throughout Selwyn District and between the District and other areas. Transport networks also come within the general definition of utilities.

Selwyn District is experiencing continuing population growth necessitating the integration of transport and land use planning to reduce dependence on private motor vehicles (minimising energy use) through the provision of infrastructure designed to promote and achieve good connectivity and linkages to and through developments including access to public transport, walking and cycling routes. There is an increasing need to integrate land use and transport planning through the district and with adjoining districts.^{PC12}

Road Network and Pathways

The road network is the main transportation link in the District. The New Zealand Transport Agency (NZTA) manages all State Highways and the Selwyn District Council manages all other public roads in the District. State Highways 1, 73, 75 and 77 pass through Selwyn District. Some landowners have private roads or rights of way for access to or over their property. The district has approximately 2400km of formed roads. Just over half of the road network is sealed, the remainder un-sealed. There is also approximately 950km of unformed “paper” roads within the District. These road networks provide for a range of modes including walking, cycling, equestrians, stock droving, public transport, freight and private motor vehicles.

There is an increasing network of formed pathways within the District, some of these are shared use (for both walking and cycling). The main existing pathway is the Little River Railtrail however provision for similar paths between townships is being made.

Paths need to be strategically located to ensure they meet the needs of the potential users. Paths may be provided in a variety of locations both on and off road and or located within the road reserve but separated from the carriageway. There is also potential to utilise reserves and esplanade strips / reserves for walking and cycling pathways, often these areas have higher amenity than a road and are popular for recreational users but also add to the overall walking and cycling network for commuters and local trips.^{PC12}

The interaction of pathways with other transport networks also needs to be considered, commonly pathways for example cross roads and vehicle crossings. ^{PC12}

Railway Lines

There are two railway lines running through the District: the Midland line which runs east-west, and the South Island Main Trunk railway line which runs north-south. These are owned and managed by ONTRACK (a division of NZ Railways Corporation). ^{PC12}

Airfields

Recreational gliding occurs at the Hororata Domain. West Melton Airfield holds a private operator status for pilots and for training and facilities for aircraft maintenance. Noise contours from the approach paths to Christchurch International Airport extend over land in Selwyn District. These areas are shown on the Planning Maps. Issues associated with taking off or landing of aircraft in rural areas are addressed in the Rural Volume of the Plan. Many rural properties have private airstrips or helipads. ^{PC12}

Issue 1

Integrating Land Use and Transport

Land use patterns can exacerbate the adverse effects of transport and result in a high dependency on the use of private motor vehicles. Initiatives such as the Greater Christchurch Urban Development Strategy (UDS) and the Regional Policy Statement (RPS) have identified where growth may be appropriate. The identification of future growth also requires consideration and integration of the strategic provision of transport infrastructure.

To reduce demand for transport and hence dependency on private motor vehicles, a network that facilitates more sustainable transport is required. This necessitates good connectivity (the linking of local facilities, adjoining land and surrounding neighbourhoods through connected transport networks) and permeability (providing choice and ease of movement through the network) through and between urban areas in the district as well as to destinations in surrounding districts.

In order to reduce adverse effects associated with transport, Selwyn District also needs to improve and promote the accessibility (ensuring all users, particularly active transport mode users have access to services) and permeability for sustainable travel modes such as walking, cycling and public transport. Selwyn District therefore needs to take a more direct role in determining where and how urban growth occurs.

The provision of good quality infrastructure for pedestrian, cycle and other sustainable modes is necessary to promote and provide for active travel and provide alternatives to private vehicle transport. Good pedestrian and cycle links must be located such that they provide a safe and direct route between key land use destinations and residential areas. Consideration and provision of land for both on and off road pedestrian and cycle facilities is therefore critical in the initial stages of planning. ^{PC12}

Selwyn District has a number of urban areas separated by large areas of rural land. A significant number of people commute daily between Selwyn District and Christchurch. Given these characteristics, the provision or improvement, and promotion, of public transport services between townships and to Christchurch may require the provision of land for transit exchanges such as park and ride schemes. ^{PC12}

Issue 2

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 reduce the efficiency and effectiveness of the road in providing for any one group of users. In urban areas the movement of people and goods needs to be balanced against the other functions of the road in respect to the classification of the road. This problem is not so apparent for railway lines and airfields, which primarily deal with one mode of transport. ^{PC12}

As the number of households or businesses in Selwyn District increase, so does the number of motor vehicles using the road network. A paper published by Statistics New Zealand (Statistics New Zealand, 2008, Workforces on the move: An examination of commuting patterns to the cities of Auckland, Wellington and Christchurch) based on the 2006 census revealed that around 7,700 people commute from Selwyn District to Christchurch City for work. These transport patterns have three effects on the District's road network: ^{PC12}

- 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 is traffic volumes entering and leaving Christchurch City travelling through the residential areas of Hornby, Halswell and Hoon Hay and townships such as Prebbleton. ^{PC12}

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, structures and vegetation can reduce the visibility of intersections, vehicle crossings or railway crossings. ^{PC12}
- 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 and other road users. ^{PC12}
- Roadways, which are not designed or formed to the standard necessary to carry the volume or type of traffic using them (including active models), can create safety problems and congestion. ^{PC12}
- 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) or delay the vehicle exiting the traffic stream, in particular heavy vehicles that require more space to turn or manoeuvre. ^{PC12}

- Other utilities are often located in (or under) road reserves. The installation, maintenance or replacement of utilities within the road reserve can disrupt traffic flows and affect safety and access to sites. ^{PC12}
- 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 funds roading maintenance and upgrades from rates income or New Zealand Transport Agency subsidies through the National Land Transport Programme. However, the Council's LTP Development Contribution Policy also 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. This may require Council also providing supporting funding. ^{PC12}

Heavy Vehicles

In Townships, heavy vehicle use on roads increases with the utilisation of business land and the construction related to the development of land (albeit temporary heavy vehicle use). In Selwyn District the activities most likely to lead to increases in heavy vehicles in towns are; increased business activity and therefore the general transporting of goods to and from businesses (i.e. freight); increased growth requiring service vehicles such rubbish collection, and tourism ventures which may lead to increases in bus trips. Freight passing through the district is most likely to be on State Highways, arterials and other specific routes. (i.e. over dimension routes and routes where increased tonnage may be permissible).

Heavy vehicles pay for the additional wear and tear on roads through road user charges. An upgrade to a particular road may be required to strengthen it for heavy vehicles associated with a new activity. For example: strengthening a bridge or culvert, widening the carriageway, or providing a turning area.

Railway Lines

Road users moving across railway lines can also create potential safety hazards. 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 road users. 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.

Issue 3

Future Transport Network

The Christchurch, Rolleston and Environs Transportation Study (CRETS)¹ identified the issue of efficient travel within and beyond the district to meet the future needs of the growing population

¹ CRETS commenced in 2002 and is a partnership between SDC, NZTA, CCC, ECAN and CIAL to investigate and develop a transport strategy to accommodate transport growth and demand in the greater Christchurch area up to and beyond 2021. CRETS was adopted by SDC in 2007.

in both Selwyn District and Christchurch City and the increasing demand for travel between these districts and within the Selwyn District.

There is an identified need to provide adequate capacity and ensure a good level of service on State Highways, arterial and collector roads between townships, and to Christchurch City and other major destinations around Selwyn District. CRETS recommended upgrading existing links and providing new roads to encourage the use of main roads and avoid adverse effects of through traffic particularly on the townships of Rolleston, Lincoln, Prebbleton and Templeton. Further studies are likely to be undertaken by the Council in relation to the CRETS recommendations, and any final recommendations will need to be considered within the framework of the Resource Management Act.

Main routes need to provide for the future expansion of public transport services within Selwyn District and to Christchurch City and other major destinations. In conjunction with public transport there is a need to provide off road cycle and pedestrian links within and between townships to offer alternatives to private motor vehicle travel as part of the overall strategy to meet the travel demands associated with growth.

Many of the future transport network issues facing Selwyn District cross territorial boundaries and require co-operative planning of the timing and funding of road upgrades in the short medium and long term, with other stakeholder partners such as Christchurch City Council, New Zealand Transport Agency, Environment Canterbury and Christchurch International Airport. These include upgrading the road network, new motorways, public transport and walking and cycling links.

Future local transport networks need to be designed to ensure long term sustainability of the land transport system and to ensure future roads created by subdivisions are appropriately located within the existing road network to accommodate all potential road users including buses, pedestrians and cyclists.

In the next 40 years freight demands are expected to double in the Canterbury region. The efficient movement of freight is beneficial to the district and needs to be considered in the planning of the transport network. The future network may see the establishment of freight hubs and inland ports to cater for this growth by providing efficient opportunities to store, distribute and transfer freight between different transport modes e.g. sea, air, road and rail.

Future transport solutions may require utilisation of a variety of transport modes including alternatives to road transport. Viable opportunities to diversify the transport network via utilisation of alternatives to road transport need to be considered. The movement of freight via rail has been identified as an opportunity to control heavy vehicle use of the road networks where a practical and viable opportunity exists.^{PC12}

Issue 4

Effects of Transport Networks on the Environment and Surrounding Land Uses

The operation of transport networks can also adversely affect the activities and surrounding environment. Effects include:^{PC12}

- The effects of noise, vibration, emissions, glare or dust from roads, railway lines or airfields on adjoining residents and reverse sensitivity effects.^{PC12}
- 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 servicing or passing through residential areas.^{PC12}
- Noise from aircraft flying overhead, as they approach and take off from, airports.

- Loss of privacy due to increasing numbers of persons utilising walking and cycling links in residential areas and along esplanade reserves.
- Effects of constructing or maintaining roads, pedestrian and cycling pathways and railway lines on adjoining water bodies and wetlands.
- The visual effects from road and pathway construction on slopes or bridges across water bodies.

Increasing urban growth and development pressures are exacerbating such adverse effects. It is therefore becoming increasingly important to integrate land use and transport planning to achieve successful outcomes for both.^{PC12}

Issue 5

Effects on the Operation of Transport Networks From Adjoining Land Uses (Reverse Sensitivity Effects)

Sometimes nearby residents complain about the effects of other land uses, and try to restrict the activity to reduce these effects. This 'reaction' is known as a "reverse sensitivity" effect. It often occurs when for example:

- People buy or build houses next to busy roads, pathways, railways lines or airfields and do not expect the effects
- The traffic using the road, railway line or airfield changes and the effects increase.^{PC12}

Often these effects can cause nearby residents to complain, and try to restrict:

- the type of vehicles which use the road;
- the speed of vehicles; or
- the times when trains, aircraft and ancillary activities (such as loading of freight) operate; to reduce these adverse effects.^{PC12}

This "reverse sensitivity" effect occurs quite frequently, even when people knowingly build or buy houses next to railway lines or main roads, or close to airports or airfields. By taking an integrated approach to land use and transport planning such effects can be avoided, or minimised.^{PC12}

Christchurch International Airport

Christchurch International Airport Ltd (CIAL) is one of very few international airports that 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. Therefore, the current lack of restriction on the airport's operations is important for both 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 areas which are not affected now, but will be within the next 15 years are shown under the noise contours. As the airport gets busier three effects occur which will concentrate the noise in this area:

- There will be more flights, and
- Aircraft will have to join the approach path to the Airport much sooner than what they do now (i.e, they will start to queue).
- They will have to fly under instrument rules which will result in more consistency of flight paths.

CIAL 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 or greater.

Issue 6

Accessibility, Energy Use and Diversity of Transport Modes

One of the core functions of transport infrastructure is to provide safe, efficient and effective transport options. Another is to ensure that both the transport routes and adjoining land uses are accessible to the people who use them.^{PC12}

Transportation involves energy use. The most common forms of transport in New Zealand rely on the consumption of non-renewable carbon-based fuels (petrol, diesel, etc) and the use of private motor vehicles. The New Zealand Transport Strategy indicates that around one third of all vehicle trips are less than 2km and the majority less than 6km. Although a number of these trips may be linked to form tours or trip chains there are still around a quarter of these tours which are less than 4km long and around half are less than 10km long². A large proportion of private motor vehicle trips are made by a single occupant. Travel by private motor vehicle is inefficient in terms of fuel consumption and environmental effects per weight transported.^{PC12}

The siting and design of transport infrastructure and land use patterns can cause and exacerbate adverse effects on the environment. These effects include “green house” gas emissions with atmospheric and climatic changes. The adverse effects of transport on energy efficiency and air quality are identified by the RPS as a resource management issue for the whole of Canterbury. In addition direct effects of transport on the environment of Selwyn District may result such as: air pollution, noise and vibration, contaminated stormwater 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.^{PC12}

The Regional Policy Statement instructs District Councils to promote land use and settlement patterns which reduce the demand for transport, especially by private motor. The RPS (Plan Change 1) also seeks to ensure that planning and provision of transport infrastructure is integrated with development and settlement patterns to reduce network congestion, reduce dependency on private motor vehicles, reduce emission of contaminants to air, re-use energy use and promote the use of sustainable transport modes.^{PC12}

Existing settlement patterns in Selwyn District include concentrations of people in growing townships separated by rural areas. This settlement pattern results in large commuter travel distances and heavy reliance on private motor vehicles. The existing nature of Selwyn District and the anticipated increase in urban growth makes it imperative to integrate future land use and

² O’Fallon, C., Sullivan, C. 2005. Trip chaining: understanding how New Zealanders link their travel. Transfund New Zealand Research Report No. 268. Pg.46, Table 5.9

transport planning to ensure that new development and a variety of transport infrastructure and modes are sustainable, functional and accessible. ^{PC12}

Within the Selwyn District transport networks need to be upgraded and when necessary new networks provided to improve accessibility and provide for sustainable travel options to reduce both local and wider environmental effects of travel. Transport routes linking townships pass through the rural area, and as such the rural area will also benefit from the promotion of sustainable modes of transport, for example the Christchurch to Little River Railtrail pathway. ^{PC12}

New developments need to provide and be appropriately located within transport networks (including roads and pathways) that are accessible, connected, safe, well designed and appropriately located to encourage the use of active transport. New developments should also consider the ability to accommodate future public transport systems. ^{PC12}

TRANSPORT NETWORKS— STRATEGY

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

Integration of Land use and Transport

- Policies and rules that reflect the need for an integrated approach to land-use and transport planning to enable transport choice and avoid adverse effects of development. ^{PC12}

Safe and Efficient Use

- A roading classification (referred to as a road hierarchy) is used to identify and manage roads in the district based on their function and roles. ^{PC12}
- Rules for: the design and siting of roads; vehicle crossings; vehicular accessways; carparking; and roadside signs and activities on and alongside the road, based on the classification of the road. ^{PC12}
- Policies to manage and plan the growth of townships to reduce effects of traffic movements on to or across main roads or across railway lines. ^{PC12}
- A policy and rule to manage the height of structures near airfields. ^{PC12}
- A policy to encourage network utility operators to minimise the effects of their activities in road reserves, on traffic flow and efficiency.
- A policy and rule to maintain visibility along railway lines and to avoid access to properties across railway lines.

Future Transport Network

- Policies and rules to encourage the development of roads and subdivisions which provide for sustainable transport modes (both on and off road).
- Rules for the provision of cycle parking.
- Policies and rules to encourage development patterns that reduce the need to travel long distances and enable short trips to be undertaken by more sustainable travel modes.
- Policies and rules that ensure the long term protection of transport systems including transport corridors

Effects on Surrounding Land-use

- Rules to control the minimum building setback from road boundaries
- Rules to control the orientation and frontage of new residential developments adjoining arterial/strategic roads.

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 flight paths to Christchurch International Airport from reverse sensitivity effects within the area covered by airport-noise contours.
- A policy to promote the provision of, and encourage the use of, sustainable modes of transport within the rural area.
- The Plan policies encourage growth patterns that limit new residential areas to be developed parallel with and along main roads or railway lines.^{PC12}

TRANSPORT NETWORKS – OBJECTIVES

ROAD, PATHWAYS, RAIL AND AIRFIELDS

Objective B2.1.1

An integrated approach to land use and transport planning to ensure the safe and efficient operation of the District's roads, pathways, railway lines and airfields is not compromised by adverse effects from activities on surrounding land or by residential growth.^{PC12}

Objective B2.1.2

An integrated approach to land use and transport planning to manage and minimise adverse effects of transport networks on adjoining land uses, and to avoid “reverse sensitivity” effects on the operation of transport networks.^{PC12}

Objective B2.1.3

Future road networks and transport corridors are designed, located and protected, to promote transport choice and provide for: a range of sustainable transport modes; and alternatives to road movement of freight such as rail.^{PC12}

Objective B2.1.4

Adverse effects of land transport networks on natural or physical resources or amenity values, are avoided, remedied or mitigated, including adverse effects on the environment from construction, operation and maintenance.^{PC12}

Objective B2.1.5

The future, unrestricted operation of Christchurch International Airport is not jeopardised by “reverse sensitivity” effects from residential development in the Selwyn District.

Explanation and Reasons

Transport networks are vital to provide and improve accessibility (ensuring all users, particularly active modes, have access to services) to social, cultural, environmental and economic activities in the District. People need access to quality transport networks, to move themselves and their goods safely and efficiently. Activities alongside roads, pathways, railway lines and airfields can affect the safe and efficient operation of transport networks.^{PC12}

At the same time, residents living near transport networks sometimes object to effects such as noise, dust and vibration from the network. Objectives B2.1.1 to B2.1.3 are centred on ensuring transport networks operate safely and efficiently while not adversely affecting people living nearby.

Objective B2.1.2 recognises the potential impacts land use and transport can have on each other. Managing and mitigating such effects necessitates an integrated approach to the planning of transport and surrounding land uses.

Integrated assessments become increasingly important where activities are proposed out of zone, areas of land are rezoned, land is subdivided or activities that generate significant levels of traffic (all modes) are proposed.

The fundamental purpose of an integrated assessment from a transport perspective is to consider the accessibility of any proposal, for a range of modes and the ability to improve the accessibility for all modes. Other important considerations relate to how well the proposal fits with the objectives and policies of the wider area, the nature and scale of traffic (not just motorised) associated with the proposal and the impact on the existing transport network including any changes needed to meet appropriate policies and standards or improve connectivity (the linking of local facilities, adjoining land and surrounding neighbourhoods through connected transport networks) particularly for active modes.

An integrated land use and transport planning approach will manage the effects of urban growth and development on the existing transport network, manage the effects of transport networks on land uses and integrate the provision of new sustainable transport modes into the network based on anticipated urban growth.

Objective B2.1.3 relates to improving the permeability (providing choice and ease of movement through the network) and accessibility of the transport network in terms of the design, form, function and location of roads for example to achieve greater connectivity, as well as the provision for sustainable modes of travel. Providing a high level of connectivity can reduce travel distances and make active modes more attractive and efficient for users where such provision can have environmental and social benefits.

Objective B2.1.3 recognises that future solutions to transport need to consider sustainable transport modes. Consideration shall be given to the potential for public transport, expanding the active transport network and utilising and promoting the movement of freight via existing and future rail infrastructure.

Improving accessibility reduces travel distances and makes sustainable modes more attractive and efficient for users, which can have environmental, cultural and social benefits. The objective is achieved by policies which promote the inclusion of these facilities and encourage their use.

Roads, pathways and rail links may pass through or alongside bush areas, water bodies and wetlands, over slopes, and over or near sites of special cultural, heritage or other important values. Objective B2.1.4 addresses the effects which the location, construction and maintenance of roads, pathways and rail links may have on the surrounding area. Objective B2.1.4 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 B2.1.5 focuses specifically on Christchurch International Airport. The Plan recognises the unrestricted operation of CIAL.

TRANSPORT NETWORKS— POLICIES AND METHODS

ROADS AND PATHWAYS

Policy B2.1.1

Apply a road hierarchy classification in Selwyn District to recognise the different functions and roles of the District's roads.^{PC12}

Policy B2.1.2

Manage effects of activities on the safe and efficient operation of the District's existing and planned road network, considering the classification and function of each road in the hierarchy.^{PC12}

Policy B2.1.3

Recognise and protect the primary function of roads classified as State Highways and Arterial Roads in Part E, Appendix 7, to ensure the safe and efficient flow of 'through' traffic en route to its destination.^{PC12}

Policy B2.1.4(a)

Ensure all sites, allotments or properties have legal access to a legal road which is formed to the standard necessary to meet the needs of the activity considering:

- the number and type of vehicle movements generated by the activity;
- the road classification and function; and
- any pedestrian, cycle, public transport or other access required by the activity.^{PC12}

Policy B2.1.4(b)

Avoid adverse effects on the safe flow of traffic along State Highways and Arterial Roads from new property access, where the speed limit is more than 70 km/hr.

Policy B2.1.5

Ensure the development of new roads is:

– integrated with existing and future transport networks and landuses; and

– is designed and located to maximise permeability and accessibility;

through achieving a high level of connectivity within and through new developments to encourage use of public and active transport; whilst having regard to the road hierarchy. ^{PC12}

Explanation and Reasons

Each road in the District is classified using a combination of destination (the link the road provides) and the number of vehicles using it and the function of the road. The rules for the design and formation of roads, vehicle accessways, vehicle crossings and effects of adjoining land uses relate to the classification the road has in the road hierarchy. The road hierarchy is listed in Part E, Appendix 7, this includes State Highways, Arterial Roads and collector roads. ^{PC12}

Roads classified as State Highways are the highest in the roading hierarchy, they are required to accommodate connections of arterial roads, collector and local roads in a very controlled manner. Due to the higher volume and speed of traffic, the function of State Highways to carry 'through' traffic takes precedence over other functions of these roads. Activities which may affect this function such as: property access; signs; car parking; and bus stops are managed. ^{PC12}

In most townships in the District, the speed limit on State Highways and Arterial Roads is restricted to 70 km/hr or less and the adjacent urban activities will influence the road design, ie; the need to cater for pedestrians, cyclists and public transport. Property access directly onto a State Highways or Arterial Roads may be allowed where the speed limit exceeds 70 km/hr, by granting resource consent. The consent authority will consider matters such as whether the property can have access from another road; the location of the vehicle accessway; and the number and type of vehicles using it. The Plan recognises that multiple property access onto State Highways already exists where the speed limit is 70 km/hr or less. ^{PC12}

Arterial roads connect the districts townships and other important places and activities together, including across district boundaries. They are high to medium capacity roads and have intersection priority over other roads lower in the hierarchy. In urban areas they are likely to require the use of cycle lanes on the carriageway. They can provide a continuity of linkage between State Highways and collector roads, and may be required to accommodate inter town bus services. Arterial roads are required to minimise, and control local road and property access to ensure they operate efficiently. ^{PC12}

Collector Roads are low to medium capacity roads typically in urban areas that have an increased degree of access compared to other roads higher in the hierarchy. Their prime role is to distribute and collect local traffic within and between neighbourhood areas. In some situations they may link smaller rural communities to the arterial road network. They provide a continuity of linkage between arterial roads and local roads and are the most likely to be used, in conjunction with arterial roads, to accommodate urban bus routes. Collector roads are required to balance the necessary traffic movement function against the property access function that they also need to provide. ^{PC12}

Local Roads make up the largest proportion of the districts rural and urban roads. The function of local roads is almost entirely to provide for access to properties and adjoining land uses. Local roads are not intended to act as main through routes for traffic and generally have lower traffic volumes. Local roads are not specifically listed in the Plan rather include all roads not otherwise identified as Collector, Arterial or State Highways. The definition of local roads includes sub categories of Local Business, Local Major, Local Intermediate, Local Minor. This intended to assist in delivering urban design principles by allowing the introduction of a tier of local road classifications, with standards suited to their intended use. ^{PC12}

Within the road reserve, the Council and New Zealand Transport Agency can control activities through their functions under the **Local Government Act** and the **Government Roading Powers Act 1989**, respectively.

An adequate separation distance between **vehicle crossings** and road intersections is required to allow sufficient visibility for motor vehicles to manoeuvre on and off the road safely.

It is important to consider the location and design of new roads within the context of existing and anticipated transport networks and adjoining land use patterns. Strategic planning of transport networks and provision for public transport and active transport modes can reduce dependence on private motor vehicles and ensure permeability and accessibility to and through developments and existing townships. In respect to future public transport provision reference is made to the guide on “Providing for Passenger Transport within your subdivision”, and the most recent Greater Christchurch Metro Strategy.

The integration of new developments with surrounding neighbourhoods can be achieved through increasing the variety of transport connections. The key design elements to achieve greater connectivity include providing a variety of transport linkages including access to walking and cycling routes and neighbourhood blocks that are pedestrian friendly.

The Council's *Design Guide For Residential Subdivisions In The Urban Living Zones* provides practical explanations and guidelines for achieving good connectivity.

Taking an integrated approach can enable the identification of patterns and distribution of land uses to reduce the need to drive, by ensuring services for example schools, doctors, and employment are within walking or cycling distance.

Note: Existing property access may be an existing use under section 10 of the Act. (Part A, Section 1.2 Existing Uses).

Methods

Note: Information sources for all policies are included at the end of this section.

District Plan Rules

- Road Formation
- **Vehicle** Accessways
- **Pedestrian and Cycle Pathways**
- Vehicle Crossings
- Car Parking
- Intersection Distances
- Outdoor Signs
- **Subdivision rules**
- **Outline Development Plans**

Bylaw

- Stock Droving
- **Traffic and Parking**
- **Speed Limits**

Policy B2.1.6(a)

Require activities to have adequate on-site carparking and loading facilities to minimise potential adverse effects from roadside parking and to require adequate on-site manoeuvring area to avoid the need for reversing onto or off roads particularly State Highways and Arterial Roads. ^{PC12}

Explanation and Reasons

When vehicles park or stop on the road they reduce the width of the carriageway available for moving vehicles. They can also impede the visibility of pedestrians and cyclists, or of vehicles moving across vehicle crossings or intersections. Significant on-street parking may adversely affect the character and amenity of the surrounding area. The extent of on-street parking and associated adverse effects will depend on: the actual parking demand of the particular activity, the number and type of vehicles parking on the roadside; the width of the carriageway; the volume, speed and types of traffic the road carries; and adjoining land uses. Because it is important to protect the safe and efficient movement of traffic on State Highways and Arterial Roads, which serve a primarily through traffic function, it is important to ensure that vehicles can manoeuvre on site and not have to reverse on or off such roads.

In Living zones, on-street car parking can also adversely affect the privacy and outlook of neighbouring properties. This issue is addressed in Part B, Section 3.4, Policy B3.4.18.

The District Plan contains rules for car parking in Living and Business zones. These rules stipulate the number of on-site car parks and loading zones that should be provided to meet the parking demand associated with most activities for all but the busiest times of the year. It is primarily the responsibility of the property owner or developer to provide adequate off-road parking to meet the demand of staff and visitors so as to minimise or ideally avoid adverse effects associated with a lack of parking provision. The lower requirement for some activities (e.g. places of assembly) recognises that it is not always feasible to provide parking to meet a high peak demand of limited duration (one or two hours) once or twice a week where parking demand for the remainder of the week is considerably lower and sporadic. Typically such activities provide a not for profit service to the community.^{PC12}

Policy B2.1.6(b)

Recognise that reductions from the required level of on-site car parking within Lincoln, Rolleston, Darfield, Prebbleton, Leeston and Southbridge, Business 1 zone Town Centres may individually or cumulatively impact on the future availability of on-street parking within the Business zone resulting in the overflow of parking into and adverse effects on surrounding residential streets.

On-site parking rates below anticipated demand have been specified for Lincoln, Rolleston, Darfield, Prebbleton, Leeston and Southbridge Town Centres. These lower rates recognise a number of factors including: the slightly lower parking demand rate likely to occur when a large conglomeration of retail activities occur within a defined area, the acceptability of the use of on-street parking within these town centre business zones, the desire to encourage business growth in these areas and the need to reduce on-site parking provision in order to facilitate improved urban design outcomes within these business zoned sites.

The rates have been set considering the existing and future on-street parking supply and demand in these townships. In addition to the matters listed under B2.1.6(a), reductions from these rates may result in an overflow of parking into residential zones. Whilst this may not occur upon

commencement of the activity, the additional on-street demand generated by the activity displaces on-street parking anticipated for use by other, sites yet to be developed for business activities. Cumulatively and over time this could result in parking overflowing into adjoining residential zones. This may result in adverse effects on the availability of on-street parking for residents and their visitors and impact on the amenity and character of the residential area. As such where the required level of on-site parking cannot be provided within these townships consideration should be given to reducing the parking demand of the activity.

Policy B2.1.6(c)

Encourage parking provision on alternative sites and/or travel via sustainable modes and/or provision of workplace or school travel management plans, where these reduce on-site car parking demand and have wider associated benefits, provided that such options are viable and enforceable.

Explanation and Reasons

Where surrounding land uses are compatible, car parks may be provided on a separate site to the activity or shared sites. Appropriate legal arrangements must be entered into to ensure the continued availability of those spaces for use in association with the activity or activities proposed. Parking on a separate site must be clearly identifiable as being associated with the activity; be within easy walking distance; and not compromise the safety of pedestrians by requiring them to cross State Highways, Arterial roads or other high volume and or high speed roads.

Consent for reduced on-site parking provision may be appropriate where it is considered likely that bus, coach and or cycle parking provision will reduce actual on-site car parking demand; and where practicable sustainable travel options are available and/or the use and implementation of a suitable workplace travel management plan is approved, likely to be used and is adequately enforceable (including monitor-able). Educational activities are particularly encouraged to consider travel demand management plans to mitigate adverse effects associated with school parking particularly drop-off and pick up at school start and finish times and to encourage healthy active travel options for young people. ^{PC12}

Method

District Plan Rules

- Car Parking
- Cycle Parking ^{PC12}
- Loading Facilities

Policy B2.1.7

Provide for pedestrian safety, security, circulation and access within parking areas by considering the interaction of vehicle access and manoeuvring, circulation, loading and parking, with likely pedestrian routes onto the site, including for users of public transport, and between car and cycle parks, and building entrances.

Explanation and Reasons

Activities (particularly those with high visitor parking demand) with larger parking areas require the consideration of pedestrian safety, security, circulation and access within parking areas to be balanced against vehicle access and circulation in order to encourage people to walk within

townships and provide for safe movement of pedestrians within the site, to and from motor vehicles.

Significant improvements for pedestrian circulation within a site can be achieved through consideration of the location of vehicular access and manoeuvring areas relative to pedestrian entrances to sites, parking areas and the building entrance. Such considerations does not always require provision of separate pedestrian facilities for example improvements could be achieved by ensuring the main circulation does not cross key areas of pedestrian activity such as entrances to buildings.

Methods

District Plan Rules

- Road formation
- Vehicle Accessways
- Vehicle crossings
- Car parking provision, design and layout ^{PC12}

Policy B2.1.8

Ensure **road side** signs and other roadside activities do not distract drivers for too long or cause or contribute to sudden or dangerous driving manoeuvres.

Explanation and Reasons

Traffic safety is paramount and efficient traffic flow is important, to efficiently move people and freight throughout the District. Signs that are incorrectly sited or designed may be hard to read and cause drivers to be distracted from the road for too long. Similarly, if signs are not sited far enough away or roadside activities have insufficient room for vehicles to move safely onto or off the road, they can cause drivers to make sharp or sudden manoeuvres which may disrupt traffic flow or cause an accident. The District Plan can reduce potential adverse effects on traffic safety or flow, caused by incorrectly positioned roadside structures such as signs, intersections, vehicle crossings.^{PC12}

Method

District Plan Rules

- Outdoor signs and noticeboards

Policy B2.1.9

Ensure buildings are set back a sufficient distance from road boundaries to maintain good visibility for **all road users including** motorists, **cyclists** and pedestrians, and to allow safe access and egress and to mitigate reverse sensitivity effects on land adjoining the State Highway.^{PC12}

Explanation and Reasons

Buildings positioned too close to road boundaries can affect the visibility of road users including pedestrians and motorists. If garage doors are parallel to the road it is desirable that there is sufficient room for a motor vehicle to park in front of the garage and off the footpath when stopping to open the garage door. Policy B2.1.9 is to ensure that buildings are setback a sufficient distance from roads in townships, to ensure road use and safety is not adversely affected. PC12

The policy is implemented by rules for setbacks of buildings from road boundaries.

In Living zones, high fencing located along road boundaries and adjacent to vehicle crossings can also adversely affect the visibility of motorists and be detrimental to the safety of pedestrians and cyclists. This issue is addressed in Part B, Section 4.1, Policy B4.1.12.

Setbacks are also required to mitigate reverse sensitivity arising from road noise. This can also be achieved through a combination of building insulation and physical works such as fencing and mounding. Implementation of this policy is through rules along State Highways with a speed limit of 70km/h or greater and through rezoning land from rural to urban along the State Highway network in Selwyn. PC12

Method

District Plan Rules

- Building setbacks from road boundaries

Subdivision Design Guides PC12

Policy B2.1.10

Ensure vehicle crossings, intersections, pathways, roadside signs and noticeboards are designed and positioned to ensure good visibility for all road users, and to allow safe passage, access and egress. PC12

Explanation and Reasons

If vehicle accessways and intersections are located too close to one another, visibility is insufficient for motor vehicles to manoeuvre on and off the road safely. PC12

Method

District Plan Rule

- Distance to intersections

Policy B2.1.11

Ensure roads are designed, constructed, maintained and upgraded to an appropriate standard to carry the volume and types of traffic safely and efficiently.

Explanation and Reasons

As land use changes, the volume and type of traffic (including active modes) on a road also changes. As roads get busier, they require different design standards to ensure safe and efficient movement of traffic. Upgrades may include widening, strengthening, improved lighting and additional footpaths to provide sufficient capacity for the traffic volumes expected.^{PC12}

Methods

District Plan Rules

- Subdivision
- Roads and Vehicle Accessways ^{PC12}

Monitoring

- Monitor traffic volumes where the need arises. Traffic volumes on Maddisons Road are to be monitored at six monthly intervals from June 2009 to June 2012 to assess whether any road improvement or traffic calming measures are required as a result of the expanded Business 2 Zone on Hoskyns Road.

Policy B2.1.12

Address the impact of new residential or business activities on both the local roads around the site and the District's road network, particularly Arterial Road links with Christchurch City.

Explanation and Reasons

A new residential or business activity may alter the volume or type of traffic using roads and other transport networks in the local area. The impact of this change on: the design of the road; its ability to carry traffic safely; pedestrians and cycle facilities and on the amenity values of the area, should be addressed.

The establishment of land use activities should consider the location within the road network in order to achieve compatibility with the roads they front including effective access to the road network in terms of the road hierarchy and the avoidance or mitigation of reverse sensitivity effects which each has on the other. Activities which involve the movement of freight need to be appropriately located within the road network to ensure the safe and efficient movement for the larger vehicles to the activity whilst ensuring adverse effects on the community are minimised.^{PC12}

New residential or business development in the Selwyn District increases the volume of traffic using the District's main road network, particularly main roads between the Selwyn District and Christchurch City. Christchurch City is a major employment centre for residents of the Selwyn District. Approximately 7,700 people commute to Christchurch to work predominantly in private motor vehicles. (Statistics New Zealand, 2008, Workforces on the move: An examination of commuting patterns to the cities of Auckland, Wellington and Christchurch).^{PC12}

A Transport study (CRETS) was undertaken between 2002-2007 to identify the transport needs for the wider South West Christchurch area (including Selwyn District) where high population growth is anticipated. This study identified the transport needs to 2021 and beyond as agreed by the study partners (Selwyn District Council, Christchurch City Council, New Zealand Transport Agency, Environment Canterbury and Christchurch International Airport). The study recommended a number of road improvements, public transport, walking and cycling works to manage the transport demands to assist in reducing the impacts of transport demand associated with the

anticipated population growth in the study areas and the impacts this has on travel between Selwyn District and Christchurch City. Further studies are likely to be undertaken by the Council in relation to the CRETS recommendations, and any final recommendations will need to be assessed within the framework of the Resource Management Act.^{PC12}

Method

District Plan Policies

- To assess plan change requests to rezone land for the expansion of townships
- Pursuant to clause 3 of the First Schedule of the Act, Christchurch City Council receives a copy of any plan change request to rezone land in Selwyn District.

Policy B2.1.13

Minimise the effects of increasing transport demand associated with areas identified for urban growth by promoting efficient and consolidated land use patterns that will reduce the demand for transport.^{PC12}

Explanation and Reasons

Demand for transport and associated effects on: roads, energy use, and air and water quality, are effects of residential growth.

The Regional Policy Statement (RPS) has identified that existing townships in Selwyn District, namely Lincoln, Rolleston and Prebbleton, are suitable for future urban growth. Further, Structure Plan processes have identified specific Greenfield areas adjacent to these towns that are most suitable for urban growth and where the potential environmental effects of such growth are able to be sustainably managed. One of the key factors in identifying the location and timing of these future urban growth areas is the ability to efficiently provide infrastructure to serve that growth, including transport infrastructure.

The Greater Christchurch Urban Development Strategy, and its associated Travel Demand Management Strategy highlight the need to reduce dependence on private motor vehicles and encourage integration and use of sustainable transport modes, including public transport, cycling and walking; and where practicable promoting the use of Travel Management Plans. Within Selwyn, this is further supported by Township Structure Plans, which will feed into future Outline Development Plans requiring such considerations. Through the provisions of the Plan, the use of Travel Management Plans for activities and developments will be encouraged as an alternative to the provision of large numbers of car parks (linked to Policies B2.1.6(a) – (c)).

The Regional Policy Statement requires that urban growth, and expansion into Greenfield areas only occur in accordance with approved Outline Development Plans which require planning for future transport networks and transport demand. Development outside of the approved Outline Development Plan areas is discouraged due to issues with providing and supporting infrastructure that is effective and sustainable to maintain. Together with an overarching District wide Growth Strategy this will enable Council to integrate land use and transport networks in a coordinated manner over the long term.^{PC12}

The Council is required to have regard to the Regional Land Transport Strategy (RLTS) and the New Zealand Transport Strategy (NZTS) under section 74(2)(b)(i) of the RMA when preparing its District Plan. The RLTS and NZTS promote the use of sustainable modes of transport (e.g. buses, walking and cycling). The above policy is considered to integrate with the policies of the RLTS and NZTS.^{PC12}

Method

District Plan Rules

- To assess plan changes to rezone land for expansion of towns
- Rules and policies relating to parking and sustainable modes of travel PC12

Policy B2.1.14

Encourage people to walk or cycle within and between townships by providing a choice of routes for active transport modes and ensuring there is supporting infrastructure such as parking for cycles, at destinations. PC12

Policy B2.1.15

Require pedestrian and cycle links in new and redeveloped residential or business areas, where such links are likely to provide a safe, attractive and accessible alternative route for pedestrians and cyclists, to surrounding residential areas, business or community facilities.

Explanation and Reasons

All of Selwyn District's townships are small enough that business and community facilities are within easy walking or cycling distance for residents. The Council cannot 'force' residents not to use cars, but it can help develop walkways, cycleways and street designs which make walking or cycling safer and more pleasant (see Part B, section 2.1 Policy B2.1.15). PC12

To encourage their use, pathways need to be well designed and placed linking to and between township focal points and destinations such as shops, reserves community facilities, libraries, schools and public transport routes. The provision of well designed facilities at destinations, such as cycle parking and seating, and also signage will help to support the use of cycleways and walkways. In respect to future public transport provision reference is made to the guide on "Providing for Passenger Transport within your subdivision". PC12

Where new pedestrian / cyclist links are provided, the width of the corridor should depend on its length, as the longer the corridor the wider it should be to maintain visibility through the link from both ends. As stated in the explanation to Policy B2.1.13 above, the Council is required to have regard to the Regional Land Transport Strategy (RLTS) in preparing its District Plan. The RLTS promotes the use of sustainable modes of transport (e.g. buses, bicycles, and walking). It is therefore considered that the above policy integrates with the policies of the RLTS.

Pedestrian and cycle links/facilities are required for people walking or cycling around townships, especially children, these may be off road, segregated, along quiet streets or through reserves. For these facilities to be utilised, they need to:

- be designed to protect personal safety;
- be easy to access and use;
- be convenient links to the surrounding neighbourhood (go where people want to go); and
- not be perceived as any longer than using the road.

Methods

Selwyn District Walking and Cycling Strategy

- Goals and Action Plan

Greater Christchurch Travel Demand Management Strategy

District Plan Policies

- To assess plan changes to rezone land for expansion of towns

District Plan Rules

- Subdivision, provisions for cycleways/walkways

Subdivision Design Guide

- Layout and conceptual design

Selwyn District Council Engineering Code of Practice

- Design

Selwyn Community Plan (LTP)

- Funding to assist communities to develop walkways and cycleways ^{PC12}

Policy B2.1.16

Encourage network utility operators to coordinate, install, maintain and repair utilities located in road reserves at times and in ways that minimise any potential adverse effects on:

- traffic (all road users) safety;
- traffic flow;
- activities on adjoining land including access: and
- amenity ^{PC12}

Explanation and Reasons

The maintenance or repair of roads and the installation, repair or replacement of pipes, cables and other utilities laid within the road reserve disrupts traffic flow and use by other road users. If broken seal, holes or other 'hazards' are not clearly marked, they can endanger people's safety. The noise, dust and vibration from these works can adversely affect surrounding residents. Difficulties getting access into or out of property can also adversely affect residents and businesses, particularly businesses which rely on passing motorists for trade.

Utilities are sought to be installed in a coordinated manner to avoid issues associated with continual disruption to road users and infrastructure and perceived inefficiencies by the public.

In urban areas there is a higher density of utilities required to be accommodated in the road reserve. The restoration of the road reserve needs to avoid rough and uncomfortable surfaces to traffic including pedestrians and cyclists. ^{PC12}

Much of this sort of work is done by requiring authorities who have either designations or special statutory powers to do this work and are not affected by rules in the District Plan. Therefore, the best method is to work with network utility operators to encourage these matters to be considered when developing work programmes, particularly for non-emergency work.

Method

Advocacy

- Discussions with network utility operators

District Plan Rules

- Construction Noise and Vibration
- Stockpiling of materials

RAILWAY LINES

Policy B2.1.17

Encourage viable alternatives to road transport such as the movement of freight via rail.

Explanation and Reasons

Future solutions to transport particularly in and through rural areas may involve alternatives to road transport. The movement of freight via existing and future rail infrastructure may facilitate more efficient movement of freight.

Method

District Plan Rules

- Railways ^{PC12}

Policy B2.1.18

Ensure structures and plantings do not impair the visibility of railway lines and road/rail crossings for motorists, pedestrians or train drivers. ^{PC12}

Explanation and Reasons

Railway crossings are hazardous places and not all crossings have alarm bells and/or barrier arms or other appropriate warning devices. Visibility of railway crossings is as important as visibility at any intersection. Some land alongside railway lines has building line restrictions to ensure visibility is not impaired.

Method

District Plan Rule

- Subdivision — Building Line Restrictions for Railway Crossings

Policy B2.1.19

Avoid any property having access to a formed, legal road over a railway line.

Explanation and Reasons

Pedestrians and vehicles should not have to cross a railway line to obtain access on to a formed legal road from their property. The crossing of railway lines, is best undertaken at controlled road level crossings as other situations can be dangerous where the necessary standards and controls cannot be provided.

Method

District Plan Rule

- Property Access

Policy B2.1.20

Ensure any new development is designed and located to minimise the need for pedestrians, cyclists or motorists to cross railway lines.

Explanation and Reasons

When rezoning land for new residential development, consideration should be given to the location of the land relative to any railway line: in particular; whether pedestrians or motorists need to cross the railway line to access the main road out of the town or to access business or community facilities. Where a township has been confined wholly or largely to one side of a railway line, this pattern should continue unless there are other resource management reasons to avoid continuing to expand the township in that area.

Where new development necessitates the crossing of railway lines, infrastructure should be provided to allow crossing in a safe and efficient manner.^{PC12}

Methods

District Plan Rules

- Property access

District Plan Policy

- To assess plan changes to rezone land for expansion of townships

AIRFIELDS

Policy B2.1.21

Ensure structures and activities do not adversely affect the safety of aircraft approaches to Hororata Domain or West Melton airfield.

Explanation and Reasons

Part of Hororata Domain is leased for recreational gliding. West Melton airfield is a public airfield. Land under the approach paths to both airfields needs to be kept clear of very high structures to ensure the airfields can operate safely and within Civil Aviation Authority guidelines. West Melton airfield is located in Selwyn District, as is land affected by the height restrictions of the airfield.

Hororata and West Melton townships are not currently affected by the respective approach surfaces of West Melton Airfield and Hororata Domain Airfield. The issue of structures and plantings beneath the approach surfaces of these airfields is therefore likely to become more of an issue for West Melton and Hororata townships if either township expands in the direction of the respective airfield. This is a matter which shall be considered if the Council receives a plan change for new residential or business development at West Melton or Hororata.

Method

District Plan Policies

- To assess plan change requests to rezone land for the expansion of Hororata and West Melton Townships

EFFECTS ON THE ENVIRONMENT AND REVERSE SENSITIVITY EFFECTS

ROADS AND RAILWAY LINES

Policy B2.1.22

Confine residential or business development in a township to one side of any State Highway or railway line where the township is already wholly or largely located on one side of the State Highway or railway line, unless that area is not suitable for further township expansion.

Policy B2.1.23

Where a township is already largely developed on both sides of a State Highway or railway line:

- **Discourage new residential or business development from extending the township further along the State Highway or railway line if there are alternative, suitable sites; or, if not,**
- **Restrict new residential or business areas to extending further along one side of the State Highway or railway line only.**

Explanation and Reasons

Many townships in Selwyn District have developed alongside main road or rail routes. As these routes get busier and residents' expectations about the quality of their living environment increase, conflicts occur. Busy roads or railway lines can affect communities. Effects include:

- noise, fumes, glare, dust and vibration from vehicles and trains;
- actual or potential safety risks from pedestrians and motorists having to cross railway lines or busy roads.

A busy road or railway line bisecting a township can also create psychological barriers for the community; the 'other side' of the transport route can be considered to be another community.

Policy B2.1.22 discourages this land use pattern from happening in the first instance. Policy B2.1.23 discourages existing patterns from being exacerbated. The policies provide, in the first instance, for new residential or business areas to expand at angles to rather than parallel with the transport route if possible. The policies recognise that there may be other resource management constraints to expanding townships in those directions. If so, the next 'best' option is to confine any further expansion of the township to one side of the transport route. PC12

Policy B2.1.24

Encourage heavy vehicles to use routes which bypass townships, where practical and appropriate, and avoid new residential development along heavy vehicle bypasses.

Explanation and Reasons

Heavy vehicles travelling through townships can adversely affect:

- Residential amenity values through dust, noise and vibration;
- Perceptions of safety, especially for cyclists and pedestrians; and
- Roads, if they are not designed for heavy vehicles.

Policy B2.1.24 encourages heavy vehicles to use routes that bypass rather than bisect townships, where practical and appropriate, in order to avoid these effects. The preferred method to achieve this in these circumstances is to design ring roads and bypasses that are quicker and easier to use, than roads which bisect townships. Consequently, once a bypass or heavy vehicle route is created, it is important that it is not adversely affected by new residential or business activities occurring along the route, and then trying to slow or restrict the traffic using it.

PC12

Methods

Selwyn District Council Engineering Code of Practice PC12

- Road design

Bylaws to prevent heavy vehicle use of roads if necessary PC12

Asset Management Plans

- Roads

District Plan Policies

- To assess plan change requests to rezone land for the expansion of townships around heavy vehicle routes or bypasses

Policy B2.1.25

Mitigate adverse effects from the construction or maintenance of roads or railway lines on:

- adjoining residents;
- any waterbodies or ecosystems; or
- any special landscape, cultural, heritage or amenity values of the site or area.

Explanation and Reasons

When transport routes are constructed, maintained or replaced, works involve noise, dust and vibration. Earthworks can affect local waterbodies. Special ecological or cultural sites may be disturbed or landscape values affected by either the transport route itself or the surrounding land not being landscaped or replanted after the work. Many of these effects are only “temporary” effects. However, the duty under section 5(2)(c) of the Act (to avoid, remedy or mitigate any adverse effects of activities on the environment) applies to “temporary effects” too (see section 3 of the Act).

Transport routes are important economic and social activities in the District. The Plan policies and rules are not intended to prevent transport routes from being constructed, repaired, redesigned or replaced. Rather, the Plan provisions encourage these activities to occur in ways that reduce or mitigate associated effects on the environment.

Most work on transport routes is undertaken by requiring authorities on designated sites. In these cases the District Plan provisions do not apply (see section 176 of the Act). The methods the Council shall use include: information and advocacy; its powers under section 176(A) of the Act; and ensuring it acts responsibly when undertaking its function to manage roads in the District.

Methods

District Plan Rules (if applicable)

- Earthworks
- Construction Noise and Vibration
- Subdivision

Information and Advocacy

- Support New Zealand Transport Agency’s policies for environmental protection during road construction and realignment

Designation Outline Plans

- Use powers under section 176(A) of the Act to encourage requiring authorities to minimise the effects of their activities on the environment

CHRISTCHURCH INTERNATIONAL AIRPORT

Policy B2.1.26

Avoid new residential development and other activities which may be sensitive to aircraft noise occurring on land which is located underneath the airport flightpath noise contours shown on Planning Map 013 for 50 dBA Ldn or greater .

Explanation and Reasons

CIAL is one of the few international airports which currently operates without any restrictions on the type of aircraft or times of flights, to manage effects of aircraft noise. Unrestricted operation is very important to both the Airport and the South Island's economy because New Zealand is often the 'last leg' on the International Flight Schedule. Many overseas aircraft arrive at night. (The country's position on the International Flight Schedule is due to its geographic location.)

Christchurch International Airport Ltd (CIAL), the Airport Company, is anxious to maintain unrestricted operation in the future. Therefore, CIAL wants to prevent residential activities, or other activities which may be sensitive to aircraft noise, locating close to the airport and then lobbying for restrictions on the airport's operations.

In addition, persons residing or carrying out noise sensitive activities in the 50 dBA Ldn noise contour may experience adverse effects on amenity.

Therefore, Policy B2.1.26 is intended to restrict new residential development at urban densities or other 'noise sensitive' activities, in areas subject to aircraft noise. The reason is both to reduce the potential for people trying to restrict the operation of CIAL in the future, as a means of mitigating noise effects, and also to avoid adverse effects on the amenity of persons living within the contours. New Zealand Standard 6805:1995 recommends such restrictions apply where aircraft noise exposure is 55 dBA Ldn or greater, but notes that greater protection may be appropriate in some areas. CIAL advocates for land use restrictions from 50 dBA Ldn. Overseas research shows people become annoyed by aircraft noise at levels lower than 55 dBA Ldn, so the risk of "reverse sensitivity" effects occurs before then. At 50 dBA Ldn it is appropriate to restrict residential activities rather than requiring noise insulation. The reason is that the effects from aircraft noise at 50 dBA Ldn are mostly experienced outdoors or when windows are open.

Objective B2.1.4 and Policy B2.1.26 recognise that "reverse sensitivity" effects on CIAL must be avoided because of the importance of the unrestricted operation of CIAL to the Region's and District's economy.

The noise contours shown on the Planning Maps are those for aircraft noise from aircraft taking off or landing on the north east/south west runway at Christchurch International Airport. The noise contours are developed using a combination of loudness and frequency of flights (which is why the contours are much longer for the north/south runway than the less used east/west runway). The contours are based on the projected number of flights when CIAL is operating at full capacity on one runway. Therefore, some of the land shown under the noise contours is not affected by this level of aircraft noise now; and aircraft fly over areas now which will be less affected in the future. The reasons are:

- As the number of flights increase the dBA Ldn noise contours elongate (because they measure frequency as well as loudness).
- As the number of flights increase aircraft will have to join the approach path to the Airport sooner and queue. Aircraft will join the approach path further south than they do now.

Method

District Plan Policy

- To assess plan change requests to rezone land for the expansion of townships; or resource consent applications for subdivision of land.

AIRFIELDS

Policy B2.1.28

Avoid the location and operation of new airports, airfields or helipads in Business or Living zones, other than for emergency work or 'one off' events, or for the take off and landing of aircraft ancillary to the use of the land and facilities and to the predominant use of the land and facilities on the site.

Explanation and Reasons

The take off and landing of aircraft is not generally part of township environments. Residents in living and business areas, and customers and workers in business areas, do not expect to hear noise from aircraft taking off and landing on sites around them. The Plan identifies the Rural Zone as the appropriate zone in which airfields, airports and helipads should be established. Several exceptions can however be tolerated, without significant adverse effects on township amenity values. Those exceptions are in the situation of emergency work (where short term adverse effects will be outweighed by the benefits to people and society) and 'one off' events, such as helicopter rides at a local fair.

In addition, the use of a site within a township for the take off and landing of aircraft may be appropriate if it is ancillary to the use of the land and facilities and is not the predominant use of the land and facilities. A resource consent for a discretionary activity will be required to assess the ancillary nature of the aircraft movements.

Method

District Plan Rules

- Aircraft and Airports – all zones

TRANSPORT NETWORKS – ANTICIPATED ENVIRONMENTAL RESULTS

The following environmental outcomes are expected as a result of implementing Section B2.1:

Roads and Access

- State Highways and Arterial Roads are the most efficient routes for “through” traffic. PC12
- All roads are formed and maintained to the standard necessary to carry the type and volume of traffic using them, safely and efficiently. PC12
- The visibility of roads, intersections, vehicle accessways and railway crossings is not impaired. PC12
- Roads are designed, maintained, and if necessary, upgraded to the standard required for their traffic volume, traffic type and the amenity values of the zone.
- Adverse effects of residential and business growth in Selwyn District on road links into Christchurch City are addressed.
- Heavy traffic bypasses townships, where practical.

- An increase in cycleways and walkways in townships that are effective in providing alternative linkages within the townships. PC12
- No increase in the extent to which main transport routes 'bisect' townships.
- Fewer impacts from the construction, maintenance and repair of roads or other utilities in road reserves, on people and the environment.
- New settlement and residential activities occur closer to places of work, services and other activities, typically near existing townships. PC12
- Greater provision for public transport and active modes such as walking and cycling. PC12
- The avoidance of situations that may give rise to reverse sensitivity and reduce the future viability and or efficiency of transport systems. PC12

Pathways

- Greater provision of and improvement of existing on and off road pathways, footpaths and cycleways.
- Improved accessibility and connectivity between townships by active travel modes. PC12

Railways

- The safe operation of the District's railway lines is not reduced or impeded by land use activities.
- Properties do not have access directly over railway lines.
- Visibility along railway lines and at road/rail crossings is maintained.
- Opportunities for movement of freight via rail are encouraged

Airfields

- Land uses in Selwyn District do not impede or compromise the unrestricted operation of Christchurch International Airport
- Structures in Selwyn District do not impede the continued operation of West Melton Airfield or gliding at Hororata Domain.

TRANSPORT NETWORKS – MONITORING

See Part E, Appendix 1.

TRANSPORT NETWORKS – INFORMATION

- Road Classification
- Selwyn District Council Walking and Cycling Strategy
- Selwyn District Council Subdivision Design Guide
- Selwyn District Council Engineering Code of Practice
- Selwyn District Council Activity Management Plans
- Selwyn Community Plan (LTP) PC12

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 LTP 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 to 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 historical significance, which should be taken into account when such works are undertaken.

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 LTP 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

LTP

- 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 LTP 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 LTP 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

LTP

- 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.

RESERVES

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

LTP

- 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 LTP 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

LTP

- Development Contribution Policy

COMMUNITY FACILITIES (AND RESERVES) – ANTICIPATED ENVIRONMENTAL RESULTS

The following environmental outcomes are expected to result from implementing Section B2.3:

- Community facilities keep pace with the growth of townships, where necessary.
- Community facilities in townships are located in places which are accessible to residents, including children and people with impaired mobility.
- New community facilities do not adversely affect residential amenity values or the safe and efficient operation of Strategic Roads or railway lines.
- More use is made of existing, under-utilised community facilities.
- Clustering of community facilities in one area in some townships.
- A range of uses of community facilities and reserve areas.
- Existing residents do not pay twice for the costs of community facilities which they have already funded.
- Each township has a reserve area, to meet the recreational needs of residents.
- Public access is provided along main waterbodies that adjoin townships, where it is likely to create a useful community facility.

COMMUNITY FACILITIES (AND RESERVES) – MONITORING

See Part E, Appendix 1.

B2.4 WASTE DISPOSAL – ISSUE

- **Adverse effects on the environment from the generation and disposal of waste.**

What is Waste?

Any activity which involves using resources is likely to produce waste. Waste is a difficult term to define, but includes:

“Any material which has been discarded as spent, useless, worthless, or in excess.”

Waste may be solid, liquid or gaseous. It includes containers to hold liquid or gaseous waste; and may include toxic substances – known as hazardous waste.

Waste in Selwyn District

The most common forms of waste in Selwyn District are:

- Household rubbish and garden waste;
- Hardfill;
- Sewage and septic tank sludge;
- Animal effluent and offal;
- Crop residue and horticultural waste;
- Containers of hazardous substances – particularly agricultural chemicals; and
- Sawdust.

The District does not have large quantities of waste from industrial or manufacturing activities. Most waste in Selwyn District is disposed on to land: either in landfills or spread on to land (animal effluent and treated sewage). Landfills operate at: Killinchy; Hawkins; Springfield and Springston (hardfill and garden waste only). Household waste collected by the Council contractors is disposed of to landfill.

All townships in the District have a solid waste collection service at the gate. Exceptions are Arthur’s Pass, Castle Hill and Lake Coleridge Village, where town skips are used. Twenty percent of households in the District do not have access to the Council’s refuse collection service. These households are located in the Rural Zone. Issues associated with the disposal of waste from these households are addressed in the Rural Volume of the Plan.

Several townships have reticulated sewage treatment and disposal systems: Arthur’s Pass (Sunshine Terrace); Castle Hill; Doyleston, Lake Coleridge Village; Leeston; Lincoln; Prebbleton; Rolleston; Southbridge, Springston and Tai Tapu.

At the time of writing, options are being investigated for reticulated sewage treatment and disposal at Southbridge. Sewage from Lincoln; Prebbleton; Springston and Tai Tapu is pumped into Christchurch, where it is treated and disposed of at the Bromley Treatment Station.

The District has septic tank sludge disposal sites at: Bleakhouse Road, near Tramway Road; Derretts Road/Ardlui Road (Hororata). Sawdust is disposed of at Hororata and Darfield. Animal effluent, treated sewage and other composted organic matter is spread on to land on many sites in the Rural Zone. There are no facilities for the collection, storage or disposal of hazardous substances in the District.

Issues with Waste Disposal

Issues associated with waste disposal in Selwyn District are described below:

Facilities

A lack of appropriate facilities for disposing of some waste, such as: hazardous substances. The Council has facilities for sludge from campervan and caravan toilets at, but not limited to, Springfield (Kowhai Pass Domain), Rakaia Gorge Bridge, Glentunnel Holiday Park and Rakaia Huts Campground.

Effects

Effects on the environment from disposing of waste include:

- contaminants leaching into groundwater;
- creating unstable or contaminated land;
- odour, vermin or litter; and
- effects on the aesthetic or amenity values of areas around disposal sites.

Tāngata Whenua

The disposal of waste and its associated effects is an important issue for Tāngata Whenua. Particular concerns include the contamination of waahi tapu, waahi taonga and mahinga kai sites through:

- disposal of human and animal effluent (treated or untreated);
- stormwater;
- industrial discharges;
- chemical/poison disposal or storage;
- refuse disposal and leachate;
- abattoir/offal disposal.

Costs

To reduce effects on the environment, waste has to be treated and disposed of more carefully than in the past. This costs more. Many older landfills and sewage schemes in New Zealand need to be replaced or upgraded to meet higher standards for protecting our environment. In Selwyn District the costs, per person, of treating and disposing of waste are greater than in larger metropolitan areas because the District's population is settled in numerous, small, scattered townships and over a rural area, rather than concentrated in one area.

After-Care of Disposal Sites

Any site used to treat or dispose of waste may become contaminated due to the type or concentrations of material disposed on to the land. Pits or landfills may also be unstable, depending on how they have been filled, and whether the fill material is likely to rot or settle. Contaminants may be leach into groundwater as material continues to decompose. When a site ceases to be used for disposal of waste, the site and any future use of it need to be managed to mitigate these ongoing adverse effects.

Managing Waste Under the Act

Generating and disposing of waste are issues under the Act for two reasons:

- Any adverse effects of disposing of waste on the environment must be addressed under section 5(2)(c) of the Act.
- The rate at which waste is produced may be an issue in relation to sustaining the potential of resources to meet the reasonably foreseeable needs of future generations under section 5(2)(a) of the Act.

District and Regional Councils have functions in relation to waste disposal under the Act.

- District Councils manage effects of land uses on the environment (section 31(1)(b));
- Regional Councils control discharges of contaminants into air or water and on to land, and control land uses which affect water quality (section 30).

District Councils also have a duty to prepare and implement a Waste Management Strategy and a Waste Management Plan under the Local Government Act 1974 and to promote effective and efficient waste management within their Districts. The Council adopted a Solid Waste Management Strategy in 1997 and a Solid Waste Management Plan in 1998. The Council has also adopted a policy of 'Zero Waste to Landfill by 2015'. Plans for the establishment of a Resource Recovery Centre to serve the whole District are underway. This is a major step in working towards achieving zero waste to landfill by 2015 and achieving effective, efficient and environmentally sustainable waste management within the District.

WASTE DISPOSAL – STRATEGY

The Township Volume of the District Plan uses the following basic strategy to address issues associated with waste disposal.

Focus

- The District Plan focuses on addressing environmental effects of waste, irrespective of its source, type or who is disposing of it.
- How the Council chooses to dispose of the waste it collects, such as using the Regional Landfill, is addressed in the Waste Management Strategy (1997) and Waste Management Plan (1998).

Waste Generation

- The Plan encourages initiatives to reduce waste; and
- Requires high waste generating activities to have a waste minimisation and disposal plan.

Waste Disposal

- The Plan recognises the special interest of local rūnanga in this issue.
- Policies and rules manage waste collection and storage in townships, to protect amenity values.
- Waste treatment and disposal is inappropriate in townships (except in some special cases).
- Policies and rules to protect people from effects of contaminated or unstable sites used to dispose of waste in the past.

NOTE: Waste disposal in rural areas is addressed in the Rural Volume of the Plan.

WASTE DISPOSAL – OBJECTIVES

Objective B2.4.1

People’s awareness of the environmental effects of producing and disposing of waste, is increased.

Objective B2.4.2

Adverse effects on the environment from the collection, treatment, storage or disposal of waste are reduced.

Explanation and Reasons

There is a direct relationship between the amount of waste people generate, and potential effects of disposing of it. Objective B2.4.1 aims to increase people’s awareness of the environmental ‘costs’ or issues associated with generating and disposing of waste. Many of the factors which influence how much waste people generate cannot be controlled through the District Plan. However, the Plan has a policy to encourage initiatives to reduce the amount of waste people generate.

Objective B2.4.2 is to ensure that adverse effects on the environment from waste collection, storage, treatment or disposal are reduced. Generally, townships are inappropriate areas for treating and disposing of waste, due to section sizes, population density and the amenity values residents expect. Waste may be collected and stored, under conditions that protect amenity values. This is managed through policies and rules in the District Plan. Similarly, in some areas and under some conditions waste may be treated and disposed of without adverse effects. For example, on-site effluent treatment and disposal; composting household scraps and green waste; or small scale incineration in Business 2 Zones and the Business 3 Zone. Disposing of waste by applying it on to land is usually inappropriate in townships.

WASTE DISPOSAL – POLICIES AND METHODS

Policy B2.4.1

Promote initiatives to reduce waste generated in the District and to reuse or recycle goods.

Explanation and Reasons

The amount of waste generated by people has a direct effect on the quantity of waste that needs disposal. Waste quantity affects the standard of treatment needed and the number and size of treatment and disposal facilities. The Council’s Waste Management Plan 1998 discusses options for encouraging reductions in waste disposal using the Council facilities. Options include: charging for solid waste collection based on quantity; and requiring activities which generate large amounts of solid waste to have a waste minimisation and disposal plan.

Methods

Waste Management Plan

- Waste disposal charges

- Options to reuse, recycle or sort waste collected in Selwyn District
- Access to recycling facilities

District Plan Rules

- Waste disposal
- Waste minimisation and disposal plan for 'high' waste producers.

Advocacy

- Promote, support and lobby for waste reduction initiatives
- Council policy of 'Zero Waste to Landfills by 2015'

Policy B2.4.2

Ensure that residents in Selwyn District have access to appropriate waste treatment and disposal facilities for the types of waste produced in the District, including but not limited to those facilities for disposing of hazardous substances.

Explanation and Reasons

Policy B2.4.2 has two aims: to ensure Selwyn's residents have access to facilities to dispose of the various types of waste that they generate; and to ensure those facilities treat and dispose of waste with minimal effects on the environment. The Council initiated Resource Recovery Park at Rolleston provides facilities for the collection and some treatment of waste and also provides a facility for the collection and temporary storage of hazardous waste. In addition, some traditional methods of disposing of other forms of waste are no longer appropriate, as the law requires and people expect higher standards of environmental care and respect for the values of different groups in the community. For example, dumping in old landfill sites in or near gravel riverbeds; and discharging effluent into water, are often no longer appropriate waste disposal methods. Providing access to and promoting provisions for region-wide facilities is encouraged.

Methods

Advocacy District Plan Policy

- Work with Environment Canterbury and other territorial local authorities to develop regional facilities for the disposal of hazardous substances.

Waste Management Plan

- Look at further options for disposal facilities for toilet sludge from campervans/ caravans.

Policy B2.4.3

Ensure any services or facilities for collecting or storing of waste in townships protect the amenity values of the area.

Policy B2.4.4

Ensure land rezoned for new residential or business development has a regular solid waste collection and disposal service available to residents.

Explanation and Reasons

Waste produced in townships, particularly solid waste, needs to be stored until it is collected for treatment and disposal. The most common activity is the storage of waste from households or businesses on-site until it is collected. Some business and community facilities have central collection bins for cans, rags and other waste that may be reused or recycled. These activities are part of townships and do not have adverse effects, provided the waste is properly contained and regularly collected.

Methods

District Plan Rules

- Waste Storage and Disposal
- Subdivision

District Plan Policies

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

Policy B2.4.5

Avoid treating or disposing of solid waste in townships, unless any adverse effects, including effects on amenity values are minor; and minimise adverse effects on the environment from disused waste treatment or disposal sites.

Explanation and Reasons

The density of residential and business activities in townships and the amenity values of people residing in townships makes them generally unsuitable areas to treat or dispose of waste. There may be some exceptions where effects will be minor, such as: composting of household scraps and on-site effluent treatment and disposal in some townships. In Business 2 Zones and the Business 3 Zone, small-scale waste incineration or composting may have only minor effects. This depends on the scale and nature of the operation and surrounding land uses. Therefore, it is managed through a resource consent for a discretionary activity.

Areas in and around townships that are identified in the Plan as being prone to natural hazards (for example, flooding or other forms of unstable land) are also generally inappropriate areas to locate large scale facilities for the treatment or disposal of municipal refuse or reticulated sewage, unless the facility will not be adversely affected by such hazards (see Part B, Section 3.1 – Natural Hazards).

After a site has been used to dispose of waste, it may have contaminated soil or be unstable, if it has been filled. Policy B2.4.5 ensures that such sites are managed as potentially contaminated or unstable sites until they are demonstrated to be otherwise.

Method

District Plan Policy

- Waste Disposal
- Hazardous Substances
- Natural Hazards

- Discretionary Activities
- Non-complying Activities

Policy B2.4.6

Recognise that the tāngata whenua have a particular interest in the treatment and disposal of waste; and ensure appropriate consultation is undertaken with them on this matter.

Explanation and Reasons

Part of promoting sustainable management of natural and physical resources, protecting all persons exercising functions and powers under the Resource Management Act 1991 shall recognise and provide for matters of national importance, including:

“The relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga (section 6(e)).”

When the Council is responsible for establishing facilities for waste treatment or disposal, the Council invites representatives from local rūnanga to participate from the early investigation stages. Where facilities are being established by another party, the Council strongly encourages that party to consult with local rūnanga over the proposed activity. The Council, as the consent authority, will also consult with local rūnanga when it receives a resource consent application to establish a facility for treating or disposing of waste.

Methods

Advocacy

- Promote consultation with local rūnanga in the initial stages of investigating waste treatment and disposal options.

Resource Consents

- Ensure local rūnanga are identified as potentially affected parties in any resource consent application to establish waste treatment or disposal facilities, where adverse effects on water, land or sites of special value to the tāngata whenua may result.

Asset Management Plans

- Invite local rūnanga to participate in any projects the Council undertakes to establish or upgrade waste treatment or disposal facilities.

Policy B2.4.7

Regard any land used to treat or dispose of solid waste or to spread effluent as a potentially contaminated site, until it is tested.

Explanation and Reasons

Land used to dispose of waste or to spread effluent or treated sewage, may be contaminated due to the concentrations or mix of material deposited on to the land over time. Therefore, any site which is used for these purposes shall be identified in the Council’s Register of possibly “Contaminated Sites” until it is tested and certified as not being contaminated. (Refer to Part B, Section 1.1 – Land and Soil, for provisions for managing contaminated land.)

Methods

District Plan Rules

- Contaminated Land

Information

- Record on LIMs sites known by the Council to be used to dispose of waste in the past

Advice

- Encourage people who own “possibly contaminated” sites to have them tested for contamination and land stability, if the site area has been filled.

Policy B2.4.8

Consider the taking of bonds or other mechanisms to cover any costs of managing adverse effects from sites used to treat or dispose of waste, when the site is established.

Explanation and Reasons

As discussed under B2.4 Waste Disposal – Issue, sites used for the treatment or disposal of waste often require ongoing management of effects, after the use of the site ceases. This is particularly so for landfills where waste may continue to break down and ‘settle’ for many years.

Policy B2.4.8 allows the consent authority to consider conditions on resource consent applications for: the continued management of effects from waste disposal sites after the use has ceased; or any unforeseen effects. This may include costs of continued management of a site if the organisation involved runs out of money or otherwise disbands.

Method

District Plan Rules

WASTE DISPOSAL – ANTICIPATED ENVIRONMENTAL RESULTS

The following outcomes are expected to occur as a result of implementing Section B2.4:

- The costs associated with the sustainable management of all types of waste are likely to increase.
- More programmes in the District to reuse and recycle goods.
- Access, in the District, to facilities for treatment and disposal of hazardous substances and sludge from campervan/caravan toilets.
- The amenity values of the District are not adversely affected by waste collection, storage, transport or disposal.
- Waste treatment and disposal facilities that have less impact on the environment than in the past, with a preference for disposal to land.
- Waste treatment and disposal methods are not offensive to tāngata whenua.

WASTE DISPOSAL – MONITORING

Please refer to Part E, Appendix 1

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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 and the local receiving environment.

Policy B3.4.18(a)

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.

Policy B3.4.18 (b)

Ensure that a high level of amenity, safety and accessibility is achieved for pedestrians, users of public transport and cyclists when car parking is provided.

Policy B3.4.18 (c)

Ensure that access by sustainable transport modes, such as public transport, cycling and walking, is considered when assessing parking needs for new activities.

Explanation and Reasons

Policy B3.4.17 provides that non-residential activities in Living zones should not generate effects associated with the number of vehicles or people that are of a scale incompatible with the living zone as a whole or the surrounding residential activities. Consideration should include the existing amenity, traffic volume and character as well as the anticipated functioning and amenity of the frontage road. The quality of the environment may not be noticeably affected where extra pedestrian and vehicle activity occurs on an infrequent basis.

Policy B3.4.18(a) 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.

Policy B3.4.18(b) recognises that activities requiring a high level of on-site car parking can be visually dominant, present unattractive street frontages, adversely affect the amenity of an area,

and take little account of pedestrian access, circulation, security and safety to and through a site. The need to provide car parking on a site often comes at the expense of other key components of good overall site design and layout, resulting in buildings being pushed to the rear of sites away from the public footpath interface, with car parking routinely located adjacent to road frontages and a lack of landscaping. Consideration should be given to the overall design and layout of sites to ensure that car parking layout does not dominate the overall layout of the site, and a high level of amenity and on-site safety is achieved.

Policy B3.4.18(c) seeks that all new developments and activities are not just accessible by motor vehicles, but are also easily accessed by sustainable transport modes such as public transport, cycle and pedestrian routes. Providing for sustainable modes of transport may reduce the need for car parking, thus improving amenity and also providing users with healthy alternatives to motorised vehicle transport. Implications for sustainable transport and the safety and efficiency of the road network are addressed under Part B, Section 2.1 – Transport Networks. ^{PC12}

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.

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, remedy or mitigate adverse effects on adjoining sites; or**
- **Maintain the character of areas with outstanding natural features or landscapes values or special heritage or amenity values; or**
- **Maintain and establish pleasant and attractive streets and public areas in the Business 1 zone.**

Explanation and Reasons

In general, the District Plan does not have provisions that tell people what colour, shape or materials to use when building structures. 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. In the case of the Business zones some of these provisions are either relaxed or do not exist where adjoining another business zoned site. An exception is within the Business 1 zone where it is considered that active management of design is needed in order to address the effects on public spaces.

Some areas 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 Living Zones and some Business Zones)
- Urban Design Guides

Policy B3.4.23(a)

Ensure that Business 1 zoned town centres are walkable and well integrated, and that development in those town centres contributes to the economic and social vibrancy of the District's towns by:

- **complementing public spaces (both those in public ownership and on-site public space) with high quality active frontage**
- **ensuring the provision of high quality public space**
- **bringing activity to street frontages by, where possible, positioning buildings and active frontage along the street boundary and not locating car parking between buildings and a road**
- **providing for a high quality pedestrian experience in places the public may be present**
- **ensuring that development supports the urban structure by providing for direct and logical pedestrian routes within and through larger sites and to entranceways along pedestrian desire lines**
- **ensuring entranceways are positioned in logical places for pedestrian access**
- **allowing for a variety of building typologies including large format retailing where appropriate.**

Explanation and Reasons

Town Centres are the hub of a community and the venue for a variety of transactions. A vibrant and vital town centre results from the variety of experiences and transactions on offer from a single journey. The presence of people on the street is an essential component of a vital town centre, adding interest, excitement and commercial opportunities.

An inviting and walkable town centre allows people to combine shopping and other activities (such as using the library or meeting with friends). The social fabric of the town is strengthened by the opportunities for chance encounters. There are health benefits from allowing people to incorporate walking into their daily routine. But people will only walk around a centre if it is safe, attractive and convenient.

The integration of adjacent sites is important for the economic success of the centre, increasing opportunities for multi-use visits and broadening the range of activities taking place in the centre.

For these reasons, a centre must have a layout which supports pedestrian activity and buildings must be designed to bring interest and activity to streets and areas where people may be present. Developments which turn their backs on the street and neighbouring development and which do not contribute to a pleasant and convenient pedestrian experience will undermine the opportunity for a community hub to be developed.

The plan differentiates between small developments (with floor areas below 450m²) and large ones.

Small developments have a reduced scale of effects, but there is more potential for adverse cumulative effects from development which is undertaken at different times. Effects are managed with bottom line standards designed to ensure regular development with good street interaction.

Large developments have a greater scale of effects but can be designed comprehensively and include on-site public space. These proposals need a greater degree of scrutiny, so they are restricted discretionary activities, but assessment can include the overall effects of the development on the environment (rather than rigid compliance with standards).

The policy recognises that there is a demand for large format retail; that it is appropriately located in the B1 zone; and that its presence can be an important contribution to the economic and social vitality of a town centre. It seeks a balance between the positive contribution such retail makes and the adverse effect it can have if poorly designed.

Methods

District Plan Rules (Business 1 zones)

- Streetscene
- Retail Activities
- On-Site Public Spaces
- Entranceways
- External finish
- Landscaping
- Urban Design Guides

Policy B3.4.23(b)

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 and some business areas. 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.

Within the Business 2A Zone and the Business 3 Zone at Lincoln provision is made for taller buildings to reflect needs of both locations given the importance of both to the District and the Greater Christchurch area.

In the case of the Business 2A Zone at Rolleston whilst it has the same permitted height limit (15m) as the Business 2 Zones, provision is made for buildings between 15m to 20m to be considered as a restricted discretionary activity. In addition, there is no recession plane applicable within the Business 2A Zone recognising the nature and character of this Zone. The

location of the Business 2A Zone is well separated from Living zones to ensure that the lack of recession plane will not result in any unacceptable effects.

In the case of the Business 3 Zone at Lincoln provision is made for multi stored buildings which is a distinctive character of the existing development in this area.

Method

District Plan Rules

- Recession Planes (all Living Zones and some Business 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, 2A and 2B 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, 2A and 2B 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 LTP 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

LTP

- 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.

LTP

- 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, 2A and 2B 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.

In the case of the Business 2A Zone this exists in one discrete location at Rolleston, and is well separated from any Living Zones. In the case of the Business 2B Zone, this exists in one discrete location at Lincoln, and a 50m buffer from the Living Z Zone will be created.

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, 2A and 2B 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, 2A and 2B Zones and the Business 3 Zone at Lincoln may have effects which are incompatible with other activities. For example, in Business 2, 2A and 2B 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, 2A, 2B 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 2A Zone
- Business 2B 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 B3.4.37 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 B3.4.38 does not preclude rezoning of land for residential development adjoining Business 2, 2A and 2B 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, 2A and 2B 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, 2A and 2B 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.

4.8 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 Except in Rule 4.9.1.1 and 4.9.1.2, the construction of any building which complies with the Recession Plane A requirements set out in Appendix 11;

4.9.1.1 In a Living Z medium density area located within an Outline Development Plan (ODP) on any internal boundary which is:

- a) not a boundary of a lot in a low density area; and
- b) which is not a boundary of the ODP area as a whole – the construction of any building which complies with a recession plan angle of 45 degrees, with the starting point for the recession plane to be 4m above ground level; and

4.9.1.2 Where buildings on adjoining sites have a common wall along an internal boundary, the recession plane shall not apply along that part of the boundary covered by such a wall.

Setbacks from Boundaries

4.9.2 Except as provided in Rules 4.9.3 to 4.9.33, 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 (or shared access where specified)^{PC12}
<u>Dwelling</u> or <u>principal building</u>	2 m	4 m
Garage: Wall length 7m or less and vehicle door faces <u>road or shared access</u> ^{PC12}	1 m	5.5 m
Garage: Wall length 7m or less and vehicle door faces <u>internal boundary</u>	1 m	2 m
Garage: Wall length greater than 7m and Vehicle door faces <u>road or shared access</u>	2 m	5.5 m
Garage: Wall length greater than 7m and Vehicle door faces <u>internal boundary</u>	2 m	4 m
<u>Accessory Building</u> with wall length not more than 7m	1 m	2 m
<u>Accessory Building</u> with wall length greater than 7m	2 m	4 m
<u>Utility Structures</u>	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.

Setbacks from State Highways and internal noise levels

4.9.3 Except for the Living 3 Zone at Rolleston identified on the Outline Development Plan in Appendix 39 and 40, and ODP Area 3 and ODP Area 8 in Rolleston, 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 edge of the sealed carriageway of State Highways with a posted speed limit of 70 Km/hr or greater.

4.9.4 Except for the Living 3 Zone at Rolleston identified on the Outline Development Plan in Appendix 39 and 40, and ODP Area 3 and ODP area 8 in Rolleston, any dwelling, family flat, and any rooms within accessory buildings used for sleeping or living purposes within 100m from the edge of the sealed carriageway of State Highways with a posted speed limit of 70 Km/hr or greater shall have internal noise levels from road traffic that do not exceed the limits set out below with all windows and doors closed.

24 hours	
Within Bedrooms	35 dBA (Leq 24 hour)
Within Living Area Rooms	40 dBA (Leq 24 hour)

Note: Living Area rooms means any room in a dwelling other than a room used principally as a bedroom, laundry, bathroom, or toilet.

Common Wall

- 4.9.5 Buildings may be sited along an internal boundary of the site if the building shares a common wall with another building.

Castle Hill

- 4.9.6 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.
- 4.9.7 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:
- 4.9.7.1 Along the Living 1A Zone boundaries the minimum setback shall be 3 metres; and
- 4.9.7.2 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

- 4.9.8 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.
- 4.9.9 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.
- 4.9.10 Any dwelling shall be setback not less than 3 metres from an internal boundary in the Living 1A2, 1A3 and 1A4 Zones in Prebbleton.
- 4.9.11 For the Living 1A6 Zone in Prebbleton, no dwelling shall be sited within 5m of the north western common boundary with the Kingcraft Drive Existing Development Area, as identified in the ODP contained in Appendix 19.
- 4.9.12 Any dwelling in the Living 2A Zone in Prebbleton shall have:
- 4.9.12.1 A setback from any internal boundary other than the southern zone boundary of not less than 6 metres.
- 4.9.12.2 A setback from the southern zone boundary of not less than 20 metres.
- 4.9.13 Any dwelling shall be set back not less than 15 metres from the north eastern boundary of the Living 2A (Blakes Road) Zone.
- 4.9.14 Any dwelling shall be set back not less than 48.2m from the north eastern zone boundary of the Living 2A Zone in Prebbleton, as identified in Appendix 19.

West Melton

- 4.9.15 Any dwelling within the area shown in Appendix 20 (Living 1B and Living 2 zones) or Appendix 20A (Living WM Zone) shall be set back at least 40 metres from State Highway 73.
- 4.9.16 Any dwelling in the Living 2A Zone at West Melton shall have:
- 4.9.16.1 A setback from any internal boundary of not less than 6 metres.

4.9.16.2 A setback from any road boundary of not less than 10 metres.

Leeston

4.9.17 Any dwelling in the Living 2A Zone at Leeston shall have a setback from any Business Zone boundary of not less than 20 metres.

Living Z Medium Density areas located within an Outline Development Plan

4.9.18 Any dwelling or principal building shall be set back a minimum of 3m from any road boundary.

4.9.19 Where an allotment has legal access to a private Right of Way or shared access, any dwelling or principal building on that allotment shall be set back a minimum of 3m along the entire length of the boundary with that private Right of Way or shared access.

4.9.20 Any garage where a vehicle door faces the road, a private Right of Way or shared access shall be set back a minimum of 5.5m from the road boundary, private Right of Way, or shared access.

4.9.21 No garage or accessory building is to be located between the front facade of the dwelling and the road boundary, or the private Right of Way or shared access by which the allotment is accessed.

4.9.22 Any dwelling or principal building, excluding garages or accessory buildings, shall be set back a minimum of 2m from any internal boundary. Buildings may however be sited along an internal boundary if the building shares a common wall with another building on an adjoining site.

4.9.23 No set back is required for any garage or accessory building from an internal boundary, provided that the total length of garages or accessory buildings adjacent to the internal boundary do not exceed 7m and provided those garages or accessory buildings comply with a 45 degree recession plane measured from 2.5m above ground level at the boundary.

4.9.24 All balconies at first floor level and above may only be located in a façade that faces a road boundary or an internal boundary shared with land vested or designated with Council for stormwater, recreation or esplanade reserve/ strip purposes.

4.9.24.1 Any windows at first floor level or above must:

- face a road boundary, or an internal boundary shared with land vested or designated with Council for stormwater, recreation or esplanade reserve/ strip purposes; or
- Be set back a minimum of 10m from an internal boundary; or
- Have a sill height of at least 1.6m above internal floor level; or
- Be obscure glazed, and either non-opening or top- hinged, and be associated with a bathroom, toilet, or hallway.

Temporary Activities

4.9.25 Rule 4.9.2 does not apply to the siting of any building, tent, caravan or trailer on a site if:

4.9.25.1 The building, tent, caravan or trailer is erected for a temporary activity; and

4.9.25.2 The building, tent, caravan or trailer is removed within 2 days of the activity ceasing.

4.9.26 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:

4.9.26.1 The building is removed within 12 months or when construction ceases, whichever is the shorter time.

Setback from Lincoln Sewerage Treatment Plant

4.9.27 Any dwelling in the Living 1A and Living Z Zone at Lincoln shall be setback not less than 150 metres from the boundary of the area designated for the Lincoln Sewerage Treatment Plant, as identified on Planning Map 122.

Lincoln

4.9.28 Within the Living Z zone at Lincoln, ODP Area 5, Appendix 37, no dwelling or principal building shall be constructed within 50m of the Landscape Buffer located at the northern end of the Business 2B zone until appropriate noise attenuation measures, as determined by a suitably qualified noise expert and designed to achieve the noise standards contained in Rule 22.4.1.6 have been constructed.

Rolleston

4.9.29 In ODP Area 3 and ODP Area 8 in Rolleston, no dwellings shall be located closer than 40m (measured from the nearest painted edge of the carriageway) from State Highway 1.

4.9.30 In ODP Area 3 and ODP Area 8 in Rolleston, for any dwelling constructed between 40m and 100m (measured from the nearest painted edge of the carriageway) from State Highway 1:

- Appropriate noise control must be designed, constructed and maintained to ensure noise levels within the dwelling meet the internal design levels in AS/NZS2107:2000 (or its successor) – 'Recommended design and sound levels and reverberation times for building interiors';
- Prior to the construction of any dwelling an acoustic design certificate from a suitable qualified and experienced consultant is to be provided to Council to ensure that the above internal sound levels can be achieved.

4.9.31 Any building in the Living 3 Zone at Rolleston (as shown on the Outline Development Plan in Appendix 39 and 40) shall be set back at least:

- i) 15 metres from any road boundary except that on corner lots a minimum setback of 10m applies to one road boundary;
- ii) 5 metres from any other boundary

4.9.32 Any dwelling, family flat, and any rooms within accessory buildings used for sleeping or living purposes, and any internal areas associated with noise sensitive activities in the Living 3 Zone at Rolleston (as shown on the Outline Development in Appendix 39) shall be setback at least 80m from State Highway 1.

For the purposes of this rule, noise sensitive activities means any residential activity, travellers accommodation, educational facility, medical facility or 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 annoyances as a result of traffic noise from State Highway 1 over its location.

- 4.9.33 Any dwelling, family flat, and any rooms within accessory buildings used for sleeping or living purposes in the Living 3 Zone at Rolleston (as shown on the Outline Development Plan in Appendix 39 (Holmes Block) located outside the 'Odour Constrained Area' as shown in Appendix 40 (Skellerup Block)).

Special Character Low Density Areas (Living 1C zoning)

- 4.9.34 In Living 1C zoned areas, buildings shall have a setback from the road boundary of not less than 6m.

- 4.9.35 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 principal dwelling.

Restricted Discretionary Activities – Buildings and Building Position

- 4.9.36 Any activity which does not comply with Rule 4.9.1 shall be a restricted discretionary activity.

- 4.9.37 Under Rule 4.9.36 the Council shall restrict the exercise of its discretion to consideration of:

- 4.9.37.1 Any adverse effects of shading on any adjoining property owner; or on any road or footpath during winter.

- 4.9.38 Any activity which does not comply with Rule 4.9.2 and Rules 4.9.4 to 4.9.15 and 4.9.27 to 4.9.29 shall be a restricted discretionary activity.

- 4.9.39 Under Rule 4.9.38 the Council shall restrict the exercise of its discretion to consideration of:

4.9.39.1 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

4.9.39.2 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

4.9.39.3 Any reverse sensitivity issues at the southern zone boundary of the Living 2A zone at Prebbleton.

4.9.39.4 In the Living 3 Zone at Rolleston as shown in Appendix 39, whether the building development meets the internal sound levels listed in the table below:

Type of Occupancy/Activity	Recommended Internal Design Sound Level (dBA Leq (24hr))
Dwelling/Family Flat/Accessory buildings – bedroom Within Bedrooms	35
All other habitable spaces	40
Noise Sensitive Activities	35

4.9.40 Any activity which does not comply with 4.9.34 or 4.9.35 shall be a restricted discretionary activity

4.9.41 Under rule 4.9.40 the Council shall restrict the use of its discretion to consideration of the unique spacious character of the area and its sensitivity to incongruous or closely spaced buildings.

Discretionary Activities – Buildings and Building Position

4.9.42 Any activity which does not comply with Rule 4.9.3 shall be a discretionary activity.

Non-Complying Activities – Buildings and Building Position

4.9.43 Any dwelling which does not comply with Rule 4.9.27 shall be a non-complying activity.

4.9.43 Erecting any new dwelling in the Countryside Area or the ‘Odour Constrained Area’ identified on the Outline Development Plan in Appendix 39 and 40.

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 COMPREHENSIVE RESIDENTIAL DEVELOPMENT IN LIVING Z MEDIUM DENSITY AREAS LOCATED WITHIN AN OUTLINE DEVELOPMENT PLAN

Restricted Discretionary Activities – Comprehensive Residential Development in Living Z Medium Density areas located within an Outline Development Plan

4.12.1 In a Living Z Medium Density area located within an Outline Development Plan, comprehensive residential development shall be a restricted discretionary activity, which shall not be notified and shall not require the written approval of affected parties. Under Rule 4.12.1 the Council shall restrict the exercise of its discretion to consideration of:

4.12.1.1 Context and Spaciousness

The extent to which comprehensive development responds to the existing context through:

- (a) Providing compatibility in scale between the new development and any neighbouring buildings;
- (b) Being oriented towards adjoining public spaces such as roads, parks, or reserves and presents a front façade with a good level of glazing. Visible pedestrian front entrances and low front fencing;
- (c) Providing dwellings which relate to each other and surroundings in terms of regularity of features such as window height and detailing and a consistency in roof slope and form.

4.12.1.2 Attractive Street Scene

The extent to which the public interface and external appearance of buildings in comprehensive developments:

- (a) Provides dwellings with visual interest when viewed from any public spaces through articulation, roof form, openings and window location;
- (b) Provides visible entry to the dwelling when viewed from the road or the main public access to the development;
- (c) Provides a good level of glazing and overlooking from habitable rooms towards the road and any adjacent public open spaces;
- (d) Building design provides a balance of consistency and variety in the street scene;
- (e) Provides open frontages which will not be enclosed by fences over 1m in height.

5 LIVING ZONE RULES — ROADS AND TRANSPORT

Notes

1. All underlined terms are defined in Part D.
2. Roads or vehicle accessways formed in the Living zones at Arthur's Pass and Castle Hill, shall also comply with Rule 12.
3. In assessing a discretionary activity under Rule 5, the consent authority will refer to the Council's most recent Engineering Code of Practice where appropriate, as well as to the relevant objectives and policies of the District Plan.
4. Rule 5.3.1.4 may not affect existing property access onto State Highways or arterial roads which comply with Section 10 of the Act as an "Existing Use".
5. Existing activities may not need to comply with Rule 4 if they comply with Section 10 of the Act as an "Existing Use".

5.1 ROAD AND ENGINEERING STANDARDS

Permitted Activities — Road and Engineering Standards

- 5.1.1 The forming of any road shall be a permitted activity if the following conditions are met:
 - 5.1.1.1 The road is formed on land which has an average slope of less than 20°; and
 - 5.1.1.2 The road does not have a gradient greater than:
 - (a) 1:6 vertical; or
 - (b) 1:20 horizontal; and
 - 5.1.1.3 The road is not located closer than:
 - (a) 20m to any waterbody listed in Appendix 12; or
 - (b) 20m to a site listed in Appendices 3 or 4; and
 - 5.1.1.4 The road is formed to the relevant standards in Appendix E13.3.1, except that E13.3.1 shall not apply to works to existing roads undertaken by Council pursuant to the Local Government Act; and
 - 5.1.1.5 The road complies with the relevant standards in Appendix E13.3.2; and
 - 5.1.1.6 For the Living 3 Zone at Rolleston identified on the Outline Development Plan in Appendix 39 and 40, the road shall include the cross sectional treatment as shown in Appendix 39 and 40.

Discretionary Activities – Roading and Engineering Standards

5.1.2 Any activity which does not comply with Rule 5.1.1 shall be a discretionary activity.

5.2 VEHICLE ACCESSWAYS

Permitted Activities – Vehicle Accessways

5.2.1 The forming of any vehicle accessway shall be a permitted activity if the following conditions are met:

5.2.1.1 The site has legal access to a formed, legal road; and

5.2.1.2 Any site with more than one road frontage to a road that is formed and maintained by Council, shall have access to the formed and maintained (and legal) road with the lowest classification, except that where a site has frontage to a collector and a local road frontage may be obtained to either road.

Note: For example, where a state highway and arterial road intersect the access shall be to the arterial road or in the case of an arterial road and collector road access shall be to the collector road. ^{PC12}

5.2.1.3 The vehicle accessway is formed on land which has an average slope of less than 20°; and

5.2.1.4 The vehicle accessway does not have a gradient greater than:

- (a) 1:6 vertical; or
- (b) 1:20 horizontal; and

5.2.1.5 The vehicle accessway is not located closer than:

- (a) 20m to any waterbody listed in Appendix 12; or
- (b) 20m to a site listed in Appendices 3 or 4; and

5.2.1.6 The vehicle accessway is formed to the relevant standards in Appendix E13.2.1 and in addition for the Living 3 Zone at Rolleston identified on the Outline Development Plan in Appendix 39 and 40, private vehicular accessways serving less than three sites shall have a maximum formed width of 3.5m at the road boundary and within 10m of the road boundary; and

5.2.1.7 Shared access to more than six dwellings or sites shall be by formed and vested legal road and not by a private accessway. ^{PC12}

Discretionary Activities – Vehicle Accessways

5.2.2 In the Living Z Zone, any activity served by a shared vehicle access that does not comply with Rule 5.2.1.7 shall be a discretionary activity if the following condition is met:

5.2.2.1 The shared vehicle access provides only secondary access and there is an alternative unshared vehicle access to a formed and vested road. ^{PC12}

5.2.3 Any activity which does not comply with any of Rules 5.2.1.2 to 5.2.1.6 inclusive shall be a discretionary activity.

Non-Complying Activities – Vehicle Accessways

5.2.4 Except as provided in Rule 5.2.2, any activity which does not comply with Rule 5.2.1.1 or 5.2.1.7 shall be a non-complying activity.

5.3 VEHICLE CROSSINGS

Permitted Activities – Vehicle Crossings

5.3.1 The forming of any vehicle crossing shall be a permitted activity if the following conditions are met:

5.3.1.1 The vehicle crossing is formed and sited to comply with the relevant requirements in Appendix E13.2.2, E13.2.4, E13.2.5; and

5.3.1.2 The vehicle crossing is to be sealed if the adjoining road is sealed; the crossing shall be sealed for the full length between the site boundary and the sealed carriageway; and

5.3.1.3 The vehicle crossing complies with the relevant standards in Appendix E13.2.3

5.3.1.4 The site does not have access directly on to a State Highway or arterial road listed in Appendix 7; unless:

(a) The speed limit on that part of the road to which access is gained is 70 km/hr or less; or

(b) The site is used solely to house a utility structure; and

(c) The site generates less than 100 equivalent car movements per day; and ^{PC12}

Restricted Discretionary Activities – Vehicle Crossings

5.3.2 Any activity which does not comply with Rule 5.3.1.1 and 5.3.1.2 shall be a restricted discretionary activity.

5.3.3 Under Rule 5.3.2 the Council shall restrict its discretion to consideration of:

5.3.3.1 Any adverse effects on the ease and safety of vehicle manoeuvres, and on the visibility and safety of pedestrians, cyclists and motorists.

5.3.3.2 Any potential increase in the cost or difficulty of maintaining the road and vehicle crossings, including transporting of mud and chip on to any sealed road, if the vehicle crossing or vehicle accessway is not sealed.

5.3.3.3 Any visual effects on street design and residential amenity values from not forming the vehicle crossing or vehicle accessway to the specified standards.

5.3.4 Any activity which does not comply with Rule 5.3.1.4 shall be a restricted discretionary activity.

5.3.5 Under Rule 5.3.4 the Council shall restrict its discretion to consideration of:

5.3.5.1 Whether the site can have access from another road which is not a State Highway or arterial road listed in Appendix 7.

5.3.5.2 The design and location of the vehicle crossing.

5.3.5.3 The number and type of vehicles or pedestrians, and using the access.

5.3.5.4 Any adverse effects, including cumulative effects, on traffic safety or flow on the State Highway or arterial road.

Discretionary Activities – Vehicle Crossings

5.3.6 Any activity which does not comply with 5.3.1.3 shall be a discretionary activity.

5.4 TRAFFIC SIGHT LINES – ROAD/RAIL CROSSINGS

Permitted Activities – Traffic Sight Lines – Road/Rail Crossings

5.4.1 The following shall be permitted activities:

5.4.1.1 Any building if the building is positioned so that it does not encroach within the line of sight for any railway crossing as shown in Appendix 13, Diagram E13.3.

5.4.1.2 Any tree if the tree is planted so that it does not encroach within the line of sight for any railway crossing as shown in Appendix 13, Diagram E13.3.

Non-Complying Activities – Traffic Sight Lines – Road/Rail Crossings

5.4.2 Any building or tree which does not comply with Rules 5.4.1.1 or 5.4.1.2 shall be a non-complying activity.

5.5 VEHICLE PARKING AND CYCLE PARKING

Permitted Activities – Vehicle Parking and Cycle Parking

5.5.1 Any activity which provides for car parking, cycle parking, vehicle loading and parking access in accordance with the following conditions shall be a permitted activity if:

Car Park Spaces

5.5.1.1 The number of car parks provided complies with the relevant requirements for the activity as listed in Appendix E13.1.1, E13.1.2, E13.1.3 and E13.1.12; and

- 5.5.1.2 All car parking spaces and vehicle manoeuvring areas are designed to meet the criteria set out in Appendix E13.1.5.2, E13.1.6, E13.1.7, E13.1.8, E13.1.9, E13.1.10 and E13.1.11; and

Loading Space

- 5.5.1.3 Each site that is used for an activity which is not a residential activity and which generates more than 4 heavy vehicle movements per day has one on-site loading space which complies with the requirements set out in Appendix E13.1.5. The loading space does not count as a car parking space for the purpose of complying with Rule 5.5.1.1; and

Note: Rule 5.5.1.3 does not apply to emergency services facilities.

State Highways and Arterial Roads

- 5.5.1.4 Each site which is accessed from a road listed as a State Highway or Arterial road in Appendix 7 is designed so that a motor vehicle does not have to reverse on, or off, the State Highway or Arterial road.

Note: Refer to the Council's most recent Code of Practice for the design standards required for the manoeuvring of vehicles.^{PC12}

Disabled Car Parking

- 5.5.1.5 Each site that is used for an activity other than a residential activity has one car park space for mobility impaired persons for up to 10 car parking spaces provided, and one additional car park space for a mobility impaired person for every additional 50 car parking spaces provided or part there-of; and
- 5.5.1.6 Car parking spaces for mobility impaired persons are:
- Sited as close to the entrance to the building or to the site of the activity as practical; and
 - Sited on a level surface; and
 - Clearly marked for exclusive use by mobility impaired persons; and

Cycle Parking

- 5.5.1.7 Cycle parking spaces are provided in accordance with the standards in Appendix E13.1.4.

Discretionary Activities – Vehicle Parking and Cycle Parking

- 5.5.2 Any activity which does not comply with Rule 5.5.1 shall be a discretionary activity.

Reasons for Rules

Roads and vehicle accessways need to be designed and formed to a standard appropriate for the number of vehicles they are likely to carry. The purpose of Rules 5.1 to 5.2.5 is to manage: the safety of motorists and pedestrians; the efficient flow of traffic; and the maintenance and repair of the road or vehicle accessway.

Rules 5.1.1.1, 5.1.1.3, 5.2.1.3 and 5.2.1.4 manage the effects of forming roads and vehicle accessways on slopes, and near waterbodies and special sites. These rules do not prevent roads

and vehicle accessways being formed in these areas, but require an application for resource consent (or designation), so potential adverse effects on these more sensitive areas can be addressed.

A maximum width applies to accessways within the front 10m of sites in the Living 3 Zone at Rolleston identified on the Outline Development Plan in Appendix 39 and 40 in order to avoid dominance of landscaped front yard areas by wide paved accessway surfaces, which could compromise the rural character the zone is expected to create.

All sites need legal access. This is usually secured at the time of subdivision but some existing allotments in the District have access on to unformed roads or over other land which is not formally legalised to provide that access.

Rights of way have historically been problematic in the Selwyn District. In some instances further development of sites has resulted in a large number of sites with a shared access. Whilst limited shared access can be useful such as where houses front a reserve or waterway the potential number of users needs to be limited. The provision of long ROWs is not conducive to achieving a high degree of connectivity, permeability and accessibility for vehicular and non-vehicular access. Where access to a larger number of sites (or potential sites) is required this should be by way of local roads.^{PC12}

The State Highways and arterial roads listed in Appendix 7 are the only roads in Selwyn District where the safety of traffic travelling along the routes is given primacy over the other uses of roads, such as the use of roads for property access. This is because of the higher volumes of traffic using those routes and the higher speed of the vehicles. Access to allotments on State Highways and Arterial Roads may be granted, as a restricted discretionary activity, where there is no alternative road access and the consent authority is satisfied the access can be designed, sited and managed to reduce traffic safety hazards. It is noted that access to a State Highway requires approval from the New Zealand Transport Agency as road controlling authority.

Similarly, resource consent for a non-conforming vehicle crossing may be granted as a restricted discretionary activity, if the consent authority is satisfied the vehicle crossing can be designed and sited to mitigate any potential adverse effects on road safety, maintenance, and residential amenity values.

On-site car parking is desirable to reduce potential adverse effects on traffic flow and safety, especially on State Highways and Arterial Roads. On-site car parking also avoids the potential adverse effects of having vehicles constantly parked outside people's houses. Such effects include lack of on-site parking for visitors, loss of 'street outlook' and reduced privacy. Within Living Z Medium Density areas located within an Outline Development Plan, the minimum on-site car parking standard has been reduced in recognition of the more built-up character of these areas, the potential for smaller dwellings with fewer occupants, and to provide increased design flexibility for small sites. The requirement for a 5.5m setback between garage doors and the boundary with a road, private Right of Way, or shared access means that this area can be used as an informal second parking space for residents or visitors.

Mobility impaired car parking spaces are desirable to make access to activities and facilities easier for people with reduced mobility.

Activities that do not comply with the vehicle and cycle parking rules may be allowed as a discretionary activity if any potential adverse effects associated with the non-conformance are able to be adequately mitigated. Where different activities are undertaken at different times on a site, or adjoining sites, and the car parking demands of those activities do not coincide, the Council may consider the joint use of car parking spaces to be appropriate.

A lack of visibility for road/rail level crossings raises implications for road users and traffic safety.

For that reason, buildings and tree plantings are not permitted if they encroach within the line of sight of a railway crossing as shown in Appendix 13 (Diagram E13.3). This rule reflects the importance of maintaining lines of sight for traffic safety.

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10.8 ACTIVITIES AND LIGHT SPILL

Permitted Activities – Activities and Light Spill

- 10.8.1 The following activities shall be permitted activities:
- 10.8.1.1 Any fixed, exterior lighting if it is directed away from adjacent properties and roads.
 - 10.8.1.2 Any lighting if it does not have a lux spill (horizontal or vertical) of more than 3 on to any part of any adjoining properties.

Discretionary Activities – Activities and Light Spill

- 10.8.2 Any activity which does not comply with Rules 10.8.1 shall be a discretionary activity.

10.9 ACTIVITIES AND SCALE OF ACTIVITIES

Permitted Activities – Activities and Scale of Activities

- 10.9.1 Any activity, which is not a residential activity, shall be a permitted activity if the following conditions are met:
- 10.9.1.1 Permanent Activities
 - (a) No more than two full time equivalent staff employed on the site live off site, and
 - (b) The gross floor area of any building(s) other than a dwelling does not exceed 300m², or in the case of any building used for spiritual activities does not exceed 500m², and
 - (c) Vehicle movements do not exceed:
 - State Highways, Arterial Roads and Collector Roads: 40 per day plus 4 heavy vehicle movements per day
 - Local Roads: 20 per day plus 2 heavy vehicle movements per day.

Note:

Rule 10.9.1.1 does not apply to existing schools and Police stations.

Subclause (c) of Rule 10.9.1.1 shall not apply to emergency service vehicles.

10.9.1.2 Temporary Activities

- (a) The activity does not last for a period longer than 15 hours in any one time and occurs on no more than 12 times in any 12 month period, or
- (b) The activity does not last longer than a total of 7 consecutive days in any one time and occurs on no more than 3 times in any 12 month period.

Discretionary Activities – Activities and Scale of Activities

10.9.2 Any activity which is not a residential activity, and which does not comply with Rule 10.9.1 shall be a discretionary activity.

Note: Rule 10.9.1.2 exempts temporary activities from complying only with Rule 10.9.1.1, not from complying with any other rules in the District Plan.

10.10 ACTIVITIES AND HOURS OF OPERATION

Permitted Activities – Activities and Hours of Operation

10.10.1 Any activity, which is not a residential activity, shall be a permitted activity if the following conditions are met:

10.10.1.1 The employment of staff who are not resident on the site; and

10.10.1.2 Visits by customers, patrons, clients or other people to the site, who are not resident on the site shall only occur between the hours of 7:00am and 10:00pm on any day.

Note: Rule 10.10.1 does not apply to spiritual and educational activities.

Discretionary Activities – Activities and Hours of Operation

10.10.2 Any activity which is not a residential activity, and which does not comply with Rule 10.10.1 shall be a discretionary activity.

10.11 ACTIVITIES AND THE OUTDOOR STORAGE OF MATERIALS AND GOODS

Permitted Activities – Activities and the Outdoor Storage of Materials and Goods

10.11.1 The outdoor storage of any materials or goods shall be a permitted activity if the following conditions are met:

Vehicles

10.11.1.1 The outdoor storage of motor vehicles, caravans or campervans, trailers, or watercraft shall be associated with residential activities on the site.

Note: For the purpose of this rule the storage of wrecked vehicles or vehicle bodies is excluded from the definition of residential activities.

Construction Materials

10.11.1.2 The outdoor storage of materials for construction, repair or landscaping work on the same site shall be limited to up to 4 months in any 12 month period.

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, vehicle 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. Attention is drawn to the provisions of any other relevant zone/activity rules for land use activities that may be associated with subdivisions. Should an activity not meet any one or more of those roles, then application for consent will also need to be made in respect to those rules.
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 New Zealand Transport Agency. 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. Development contributions under the LTP 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.
12. The Selwyn District Council “Design Guide for Residential Subdivisions in the Urban Living Zones” and most recent “Engineering Code of Practice” should be consulted when preparing subdivision applications.
13. Earthworks in areas listed in Appendix 5 and shown on the planning maps as a Silent File Area, Wāhi Taonga Site or Wāhi Taonga Management Area may be subject to Rule 10.4 Activities and Cultural Sites. In addition, any Earthworks affecting any of these sites may require the consent of the New Zealand Historic Places Trust Pouhere Taonga (refer to Part B, Section 3.3 Archaeological Sites).
14. Earthworks affecting any archaeological site, including Wāhi Taonga Management Area C39(b) at Rakaia Huts, may require the consent of the New Zealand Historic Places Trust Pouhere Taonga.
15. Refer to Appendix 6 “Protocols on Accidental Discovery of Archaeological Sites” when any Earthworks occur in any Silent File, Wāhi Taonga Site or Wāhi Taonga Management Area.

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

Corner Splays

12.1.3.2 The corner of any allotment at any road intersection shall be splayed with a rounded minimum radius of 3 metres.^{PC12}

Water

12.1.3.3 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

12.1.3.4 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

12.1.3.5 Any allotment created is supplied with a facility or service to dispose of solid waste off the site; and

Size and Shape

12.1.3.6 Any allotment created, including a balance allotment, contains a building area of not less than 15m x 15m, except for sites greater than 350m² in area in a Medium Density area located within an Outline Development Plan where the minimum building area shall be not less than 10m x 15m. For sites that form part of a comprehensive residential development in a Medium Density area located within an Outline Development Plan there shall be no minimum building area requirement; and

12.1.3.7 Any allotment created, including any balance allotment, complies with the relevant allotment size requirements set out in Table C12.1; and

Coalgate

12.1.3.8 In the Living zones at Coalgate, no allotment has vehicular access directly on to Homebush Road.

Darfield

12.1.3.9 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.

12.1.3.10 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.

12.1.3.11 The subdivision of land shown in Appendix 27 (east of Clintons Road) is in accordance with the plan shown in that Appendix.

Dunsandel

12.1.3.12 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.

12.1.3.13 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.

12.1.3.14 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

12.1.3.15 In the Living 2A zone at Kirwee, no more than 3 allotments have vehicular access to Dawn Place.

Lincoln

12.1.3.16 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

12.1.3.17 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

12.1.3.18 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 The subdivision of land shown in Appendix 35 shall be in accordance with the Outline Development Plan as shown that appendix.

In the Living 1 Zone 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 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.

- 12.1.3.22 The subdivision of the Living 1 Zone 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.

- 12.1.3.23 In that part of the Living Z Zone located in Lincoln as depicted within the Outline Development Plan for ODP Area 5, Appendix 37, no subdivision shall occur within 50m of the Landscape Buffer located at the northern end of the Business 2B zone until appropriate noise attenuation measures, as determined by a suitably qualified acoustic expert and designed to achieve the noise standards contained in Rule 22.4.1.6, have been constructed.

Prebbleton

- 12.1.3.24 In the Living 1A, 1A1, 1A2, 1A3, 1A6, LX and 2A zones 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 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 utilises an existing vehicular access onto Springs Road; and

- 12.1.3.26 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.

- 12.1.3.27 In the Living 1A6 Zone, any subdivision plan submitted to the Council shall be accompanied by a landscape plan detailing plantings to be undertaken:

- a) Along the common boundary with the Kingcraft Drive Existing Development Area, in accordance with the ODP contained in

Appendix 19. At least 65% of the species identified on the landscape plan shall be from the list of species identified in Appendix 19. The deciduous tree species shall be a minimum of 1.5m in height at the time of planting and shall be at 10m centres. Native shrubs shall provide under planting to this tree row and shall be spaced at no more than 3m centres and that this area is to be fenced along all boundaries. The native shrubs shall form a continuous screening and obtain a mature height of approximately 2.5-3m.

- b) Along the common boundary with Lot 1 DP 46168 (Meadow Mushrooms), in accordance with the ODP, contained in Appendix 19. At least 65% of the species from the landscape plan shall be from the list of deciduous tree species identified in Appendix 19. The deciduous tree species shall be a minimum of 1.5m in height at the time of planting and shall be at 10m centres.
- c) Within any reserve adjacent to a residential allotment, in accordance with the ODP, in Appendix 19. At least 65% of the species from the required plan shall be from the list of species identified in appendix 19. the deciduous tree species shall be a minimum of 1.5m in height at the time of planting and shall be at 10m centres.
- d) And any subdivision of land within the area shown in Appendix 19 shall be in 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 acceptable to the Council shall be registered in favour of the Council requiring:
 - (i) The ongoing maintenance and retention of the landscape mitigation in accordance with the approved landscape plan; and
 - (ii) The restriction of buildings within the landscape buffer identified in the Appendix 19 ODP.

12.1.3.28 In the Living 1A6 Zone, any fencing proposed along the common boundary of the Kingcraft Drive Existing Development Area and fronting onto Blakes Road shall be limited to post and wire fencing.

12.1.3.29 In the Living 1A6 Zone, any fencing along a boundary adjoining a reserve or pedestrian accessway shall be limited to a height no greater than 1.2m.

12.1.3.30 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

12.1.3.31 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

12.1.3.32 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.

- 12.1.3.33 For the Living 2A 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.
- 12.1.3.34 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.

Rolleston

- 12.1.3.35 Any subdivision of land within the area shown in Appendix 39 and 40 (Living 3 Zone at Rolleston) complies with:
- a) the Countryside Area layout of the Outline Development Plan at Appendix 39 and 40;
 - b) the location of the Lower Density Area as shown on the Outline Development Plan at Appendix 39 and 40;
 - c) the establishment of shelterbelt planting comprising three rows of Leyland Cypress along the common boundary with Lot 3 DP 20007 in accordance with the Outline Development Plan at Appendix 40;
 - d) the roading layout of the Outline Development Plan at Appendix 39 and 40;
 - e) where any conflict occurs with Rule E13.3.1 the cross sections in Appendix 39 and 40 shall take precedence; and
 - f) full public access is maintained to internal roads so that the area shown on the Outline Development Plan in Appendix 39 and 40 does not become a gated community.
- 12.1.3.36 (a) In respect of the land identified at Appendix 39 (Holmes Block), no more than 97 rural residential allotments may be created;
- (b) In respect of the land identified at Appendix 40 (Skellerup Block), no more than 51 rural residential allotments may be created and no subdivision shall take place to densities less than what are provided for under the Rural (Outer Plains) Zone until:

- (i) a publicly owned sewerage reticulation system has been extended to the site.

12.1.3.37 Any subdivision application within the Living 3 Zone west of Dunns Crossing Road that includes any part of the Countryside Areas as identified on the Outline Development Plan included at Appendix 39 and 40 shall be accompanied by a Countryside Area Management Plan which addresses the following matters:

- (a) The ownership and management structure for the Countryside Area(s);
- (b) Mechanisms to ensure that the management plan applies to and binds future owners;
- (c) The objectives of the proposed rural use of the Countryside Area(s);
- (d) Identification of the rural activity or activities proposed for the Countryside Area(s), which meet the above objectives;
- (e) Measures to maintain and manage open space and/or rural character;
- (f) Measures to manage plant pests and risk of fire hazard;
- (g) Measures to internalise adverse effects including measures to avoid nuisance effects on occupiers of adjacent rural residential allotments;
- (h) Measures to provide for public access within the Countryside Area(s) along Dunns Crossing Road; and
- (i) Whether there is sufficient irrigation water available to provide surety of crop within the Countryside Area(s).

Springston

12.1.3.38 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

12.1.3.39 Any subdivision of land within the area shown in Appendix 20 (Living 1, Living 1B, Living 2, Living 2A or Rural Zones) or Appendix 20A (Living WM Zone) at West Melton complies with the layout and contents of the Outline Development Plan shown in Appendix 20 and Appendix 20A respectively; and

12.1.3.40 Any subdivision of land within the area shown in Appendix 20 and 20A 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) if it is within the area shown in Appendix 20, 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.
- (c) if it is within the area shown in Appendix 20A, be subject to an Accidental Discovery Protocol where in the event of any discovery of suspected cultural/archaeological remains (e.g. concentrations of shell, charcoal or charcoal-stained soil, fire-fractured stone, bottles, pieces of glass or ceramics, bones etc) during the undertaking of earthworks and/or the installation of services, the following protocol shall be followed by the consent holder, or his/her representative:
 - Cease all earthworks immediately; and
 - Contact the local Runanga being Te Taumutu Runanga; and
 - Contact the Regional Archaeologist at the Christchurch office of the New Zealand Historic Places Trust (03 365 2897); and
 - Do not commence earthworks until approval in writing has been given by the Regional Archaeologist of the New Zealand Historic Places Trust, as required under the Historic Places Act 1993.

12.1.3.41 In the Living 2A Zone at West Melton, the maximum number of allotments is 10.

12.1.3.42 No subdivision of land in the Living WM Zone 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 WM west of Weedons Ross Road.
- (d) An archaeological assessment has been undertaken by a suitably qualified expert and the results reported to the Council, the Regional Archaeologist at the New Zealand Historic Places Trust, and the iwi organisations Te Ngai Tuahuriri and Te Taumutu Runanga. In carrying out the assessment, the expert is to consult with the iwi organisations

Outline Development Plans

12.1.3.43 Any subdivision within a Living Z Zone that is subject to an operative Outline Development Plan within the District Plan shall be in general compliance with that Outline Development Plan and shall comply with any standards referred to in that Outline Development Plan.

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 <u>allotment</u> 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
	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
Darfield	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 <u>township</u> (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 800m ²
	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

Township	Zone	Average Allotment Size Not Less Than
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 <u>township</u> (650m ²)
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

Township	Zone	Average Allotment Size Not Less Than
	Living Z	<p>600m², with a minimum individual allotment size of 500m², except that allotments within a Medium Density area located within an operative Outline Development Plan shall have a maximum average allotment size of 450m² and a minimum individual allotment size of 350m².</p> <p>These requirements exclude any allotment that forms part of a comprehensive residential development identified by a consent notice on the subdivision consent and located within a Medium Density area where there shall be no minimum site size. Subsequent subdivision consent within a comprehensive residential development shall however only be granted following the erection (to the extent that the exterior is fully closed in) of the dwellings that are to be subdivided, with that subsequent subdivision to have a maximum average density of no more than 350m² per unit.</p>
Prebbleton	Living 1	800m ²
	Living 1A	2,000m ²
	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 <u>comprehensive residential development</u> , the minimum average area shall be 350m ² .

Township	Zone	Average Allotment Size Not Less Than
	Living 1A6	<ul style="list-style-type: none"> – Area A: 1000m² minimum net allotment area; – Area B: 600m² minimum net allotment area and 900m² maximum net allotment area; – Area C: 550m² minimum average allotment area and 450m² minimum net allotment area; and – In all cases development shall proceed in accordance with the ODP and shall achieve a minimum density of 10 lots/ha once the entire site has been developed.
	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 (The Paddocks)	1.5 ha minimum allotment size
	Living X	What the subdivider nominates, but not less than the average for the Living 1 Zone in the <u>township</u> (800m ²)
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 1C	2,000m ² with a minimum lot area of 1,000m ²
	Living 2	5,000m ²
	Living 2A	1 ha

Township	Zone	Average Allotment Size Not Less Than
	Living 3 (Appendix 39 & 40)	<p>At least 20ha of the land within the area defined by the Outline Development Plan at Appendix 39 and 40 shall be developed as a Lower Density Area in the location shown on the Outline Development Plan with a minimum and an average allotment size of no less than 4ha.</p> <p>The balance of the land on the Outline Development Plans at Appendix 39 and 40 outside the above area shall be developed with an average allotment size of no less than 5000m² with a minimum allotment size of 4000m².</p> <p>The maximum number of allotments within the area defined by the Outline Development Plan at Appendix 39 shall be 97.</p> <p>The maximum number of allotments within the area defined by the Outline Development Plan at Appendix 40 shall be 51.</p>
	Living Z	<p>750m², with a minimum individual allotment size of 550m², except that allotments within a Medium Density area located within an operative Outline Development Plan shall have a maximum average allotment size of 450m² and a minimum individual allotment size of 350m².</p> <p>These requirements exclude any allotment that forms part of a comprehensive residential development identified by a consent notice on the subdivision consent and located within a Medium Density area where there shall be no minimum site size. Subsequent subdivision consent within a comprehensive residential development shall however only be granted following the erection (to the extent that the exterior is fully closed in) of the dwellings that are to be subdivided, with that subsequent subdivision to have a maximum average density of no more than 350m² per unit.</p>
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

Township	Zone	Average Allotment Size Not Less Than
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 1B	2,800m ²
	Living 2	5,000m ²
	Living 2A	Maximum number of allotments is 10, and a minimum <u>allotment</u> size of 1 ha.
	Living WM Medium Density	Minimum lot area of 500m ² and maximum lot area of 3000m ² (Appendix 20A)
	Living WM Low Density	Minimum lot area of 3000m ² and maximum lot area of 5000m ² (Appendix 20A)
So that a total of 292 allotments must be achieved across the whole Living WM Zone		
Whitecliffs	Living 1	The size needed for on-site effluent <u>disposal</u> but not less than 800m ²
All <u>Townships</u>	Heritage Buildings listed in Appendix 3	The <u>building</u> , curtilage and any other area needed to: <ul style="list-style-type: none"> - mitigate adverse effects; or - maintain the heritage values of the site
	Community Reserves, Community Facilities and <u>Point Strips</u>	No minimum area
All Living Zones	Calculating <u>Allotment</u> Sizes	
<p>The average <u>allotment</u> size shall be calculated as a mean average (total area of allotments divided by the number of allotments).</p> <p>The total area and number of allotments used to calculate the mean shall exclude areas used exclusively for <u>access</u>, reserves or to house <u>utility structures</u>, or which are subject to a designation.</p> <p>Any <u>allotment</u> which is twice or more the size of the average <u>allotment</u> required in the zone, shall be calculated as being:</p> <p>2 x average <u>allotment</u> size for that zone – 10 m²; or as its actual size, if a covenant is placed on the Certificate of Title to prevent any further subdivision of that land.</p>		

Township	Zone	Average Allotment Size Not Less Than
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.

12.1.4.2 If access by a private accessway is proposed, whether the land the accessway serves has capacity for any intensification of density under District Plan averages for the zone and, if so, whether provision of a formed and vested legal road instead of a private accessway is appropriate. PC12

Water

12.1.4.3 The provision of water for firefighting; and

12.1.4.4 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

12.1.4.5 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

12.1.4.6 Whether any utility cables shall be laid underground.

- (a) For the Living WM zone, whether street lighting options will assist with mitigating any adverse effects on the operation of West Melton observatory whilst not compromising the safe and efficient operation of the road network.

Telephone and Power

- 12.1.4.7 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

- 12.1.4.8 The method(s) for disposing of stormwater; and
- 12.1.4.9 Any adverse effects of stormwater disposal on any land drainage scheme which is administered by Selwyn District Council; and
- 12.1.4.10 The quantity and rate of stormwater disposed into any land drainage scheme which is administered by Selwyn District Council.

On-Site Effluent Disposal

- 12.1.4.11 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.*

Geotechnical Assessment

- 12.1.4.12 The outcome of a comprehensive geotechnical investigation and assessment to assess the risk of liquefaction and lateral spread undertaken in accordance with the most recent NZ Geotechnical Society Guidelines or New Zealand Standard; or an equivalent guideline/standard adopted by the District Council or the New Zealand Government. Where such a hazard is identified, the development shall be designed and constructed to ensure that the magnitude of any liquefaction ground damage and/or lateral spread is reduced to below acceptable levels for both SLS(serviceability limit state) and ULS (ultimate limit state) seismic events. This shall take into consideration potential impacts on land, properties, utility services, roading, buildings and houses.
- 12.1.4.13 The method(s) by which prospective purchasers of allotments are to be informed of any fiscal obligations or geotechnical constraints arising from the geotechnical assessment.

Roads, Reserves and Walkways/Cycleways

- 12.1.4.14 The provision, location, co-ordination, layout and formation of all roads and vehicular accessways and walkways/cycleways; and
- 12.1.4.15 The design and layout of any new road shall ensure the desired design speed is achieved with to respect to the classification of road (including the subsets of local roads) and surrounding environment.^{PC12}
- 12.1.4.16 The avoidance of areas which could create unsafe situations e.g. dark corridors, a lack of natural surveillance or clear sightlines across pedestrian and cyclist routes, or where a safe and secure environment may be compromised; and
- 12.1.4.17 Whether the design and layout of roading, footpath patterns, and layout of allotments complements the natural characteristics of the site and the design and layout of any adjoining urban areas; and
- 12.1.4.18 The length of cul-de-sacs and whether a pedestrian connection is appropriate from the end of the cul-de-sac through to another road; and
- 12.1.4.19 The access to cul-de-sacs being from a through road rather than another cul-de-sac; and
- 12.1.4.20 The balance of benefits of enclosing a subdivision i.e. gated subdivisions against potential longer term issues for residents, such as maintenance costs of facilities, and costs to the wider community including lack of connectivity or viability of public transport; and
- 12.1.4.21 The provision, location, co-ordination, 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; and
- 12.1.4.22 The provision of footpaths, lighting and street furniture; and
- 12.1.4.23 Any landscaping and tree planting required in the road reserve, recreational reserves, and the margins of cycleways/walkways; and
- 12.1.4.24 Whether roads and reserves have a coherent and logical layout to facilitate connectivity, legibility and permeability e.g. desire lines are provided to cater for cyclists and pedestrian users.

Note: The consent authority shall consider any relevant provisions in the district plan or the Council's most recent Engineering Code of Practice where appropriate, in using its discretion under Rules 12.1.4.14 to 12.1.4.24.

Point Strips

- 12.1.4.25 Where in the course of subdivision a new road, cycle way or pedestrian link is constructed and vested that will or could provide frontage to other land, that other land (with subdivision potential) can be separated from the new road, cycle way or pedestrian link by a point strip, and an agreement will be entered into by the first subdivider with the Council, to ensure the benefiting owner pays a fair share towards the cost of providing the frontage road, cycle way or pedestrian link.

The point strip(s) will transfer to Council on the deposit of the plan for each stage of the subdivision.

The point strip agreement sets the amount to be paid, which will be updated from the date of signature of the agreement by the Consumers Price Index. Such agreements will be held by the Council and can be identified by the point strip separating the subsequent property from frontage to the road, cycle way or pedestrian link.

Note: Point Strips may also be required to prevent access to any road. See. Rule 12.3.2.8.^{PC12}

Special Sites

- 12.1.4.26 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).
- 12.1.4.27 If the land to be subdivided contains any ecological site or any place or item which is listed in Appendix 2 as a Designation, Appendix 3 as a Heritage Item, Appendix 4 as a Protected Tree, Appendix 5 as a Site of Significance to Tāngata Whenua:
- (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

- 12.1.4.28 The size and shape of allotments in accordance with Rules 12.1.3.5 and 12.1.3.6; and
- 12.1.4.29 The size and shape of allotments for the subdivision of a heritage building or site listed in Appendix 3; and.
- 12.1.4.30 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
- 12.1.4.31 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.
- 12.1.4.32 The mechanism(s) used to alert any prospective buyer(s) of the allotment.
- 12.1.4.33 Whether residential blocks achieve an average perimeter of 800m and maximum perimeter of 1000m, unless precluded by an existing pattern of development. NOTE: Section 4.6 of the “Design Guide for Residential

Subdivision in the Urban Living Zones” can be referred to for other examples of how residential blocks can be measured.

Note: The consent authority shall consider a dwelling as being a minimum of 150m² in gross floor area (except in the Medium Density areas located within an Outline Development Plan where the minimum gross floor area shall be 80m²), when using its discretion under Rules 12.1.4.28 to 12.1.4.33 for compliance with District Plan rules.

Residential Allotments

- 12.1.4.34 Whether the creation of rear allotments occurs only where it is necessary to reach awkward parts of a site and there is no practical alternative to develop the site; and
- 12.1.4.35 The design of accessways serving four or more allotments with respect to the creation of an open street environment and whether sites have sufficient frontage to such accessways; and
- 12.1.4.36 Whether the total number of allotments with no frontage to an adopted road exceeds 20% of the lots in any one Greenfield subdivision and the total number of rear allotments (served by an accessway serving less than four allotments) exceeds half of the 20% allowance. The potential adverse effects of which are related to the lack of an open street environment and/or concentrating small sections as rear allotments; and
- 12.1.4.37 A variety in sections sizes whilst maximising orientation to the sun.

Context

- 12.1.4.38 The extent to which the subdivision relates well to its surroundings, cultural features, and makes use of existing features and amenities, such as the retention of trees and water features, view shafts to mountains, or good use of the rural interface to enhance the urban area; and
- 12.1.4.39 The convenience to community infrastructure such as schools, shops, sports fields and medical facilities; and
- 12.1.4.40 The location of water races in prominent locations such as along the front of lots rather than along rear boundaries.
- 12.1.4.41 The retention of existing mature trees within public spaces, but also within residential areas where it is practical to do so e.g. the tree species does not have a tendency to drop debris and sufficient space can be practically retained around the tree to prevent it dying.
- 12.1.4.42 The retention of shelter belts where they serve to maintain rural character but do not cause excessive shading or maintenance issues on residential properties.
- 12.1.4.43 The extent to which stormwater treatment contributes to an attractive public realm or provides ecological value.

Utilities and Facilities

12.1.4.44 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

12.1.4.45 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 **most recent Engineering Code of Practice** where appropriate, in using its discretion under Rule 12.1.4.45.

Construction of any Works

12.1.4.46 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

12.1.4.47 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

12.1.4.48 Any easements or other mechanism(s) needed to obtain or maintain legal access to land or utilities.

High Voltage Transmission Lines

12.1.4.49 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

12.1.4.50 Whether esplanade reserve will be created on any allotment which adjoins a river, lake or stream listed in Appendix 12;

12.1.4.51 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

- 12.1.4.52 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
- 12.1.4.53 In the Living 1A2 Zone at Prebbleton, the retention of the existing stream; and
- 12.1.4.54 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
- 12.1.4.55 In the Living 1A2 Zone at Prebbleton, without compromising Rule 12.1.4.53, the location of larger sized lots along the north west and north boundaries of the zone; and
- 12.1.4.56 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
- 12.1.4.57 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.
- 12.1.4.58 In the Living 1A6 Zone in Prebbleton, the extent to which the extension of Cairnbrae Drive is compatible with the existing road network in terms of carriageway width, footpaths, lighting, street furniture and landscaping.
- 12.1.4.59 In the Living 1A6 Zone in Prebbleton, the extent to which the subdivision layout and design provides for a natural surveillance for the purpose of minimising the potential for criminal behaviour to occur.
- 12.1.4.60 In the Living 1A6 Zone in Prebbleton, any measures to reduce reverse sensitivity on established adjoining land uses.
- 12.1.4.61 In the Living 1A6 Zone in Prebbleton, any measures introduced to ensure subdivisions are able to factor in water demand managements and other household sustainability ideas.
- 12.1.4.62 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 most recent Engineering Code of Practice where appropriate, in using its discretion under Rule 12.1.4.62.

Rolleston

- 12.1.4.63 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;

- 12.1.4.64 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;
- 12.1.4.65 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;
- 12.1.4.66 The need to provide for pedestrian and cycle movement within the road reserve;
- 12.1.4.67 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;
- 12.1.4.68 The need for local reserves;
- 12.1.4.69 The extent to which failure to provide walkways/ cycleways may result in a loss of pedestrian safety and amenity;
- 12.1.4.70 The design guidelines contained in Appendix 23;
- 12.1.4.71 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.
- 12.1.4.72 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.
- 12.1.4.73 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.
- 12.1.4.74 Except as provided by rule 12.1.4.75, for allotments within or adjacent to the Lowes Road Outline Development Plan area, that the proposed layout is in general accordance with the Outline Development Plan map in Appendix 34.
- a) In assessing whether the layout is in general accordance with the structure plan map the following will be considered:
 - b) that the ability for Council to obtain the indicated linkages is not compromised.
 - c) that the ability for Council to obtain the indicated reserves is not compromised.

- d) that the layout will result in a logical pattern of development for the area as a whole.
- e) That the ability of adjoining landowners to develop their land whilst providing for the indicated reserves and linkages is not unduly compromised.
- f) That the proposal will result in public space of equal or better quality than the Outline Development Plan
- g) That the proposal will not involve excessive additional costs for Council in the construction of roads or paths funded by development contributions.

12.1.4.75 For Lot 32 DP 76956 BLK III Leeston SD (35 Fairhurst Place), any subdivision need not provide connections shown on the Outline Development Plan provided that the average lot size is above 4000m² and the layout plan demonstrates that the connections can be provided in a logical fashion by future re-subdivision. This exception shall not apply to the connection to the adjacent school site (along the southern boundary of 35 Fairhurst Place) and shall not apply to any subsequent re-subdivision of the lots created.

12.1.4.76 In relation to the Living 3 Zone (Holmes and Skellerup) at Rolleston as shown in Appendix 39 and 40:

- a) Whether the pattern of development and subdivision is consistent with the Outline Development Plan in Appendix 39 and 40;
- b) Whether local roading, and trees and planting on roads and lots, are proposed in general accordance with the Outline Development Plan, road cross section(s) and associated planting schedules and requirements shown in Appendix 39 and 40;
- c) Whether the roading and lot pattern follow a rectilinear pattern with orientations generally established by the surrounding road network, consistent with the typical subdivision patterns of the Rolleston rural area;
- d) Whether the roading pattern and proposed hard and soft landscape treatments in the road reserve will create a rural character to the development and distinguish it from conventional suburban development;
- e) Whether suburban road patterns and details such as cul de sac, arbitrary curves, and kerb and channels are avoided;
- f) The extent to which the maximum of 97 lots (Holmes) and 51 lots (Skellerup) within the area defined by the Outline Development Plan in Appendices 39 and 40, respectively, is met;
- g) Whether the creation of open space in rural production areas is consistent with the Countryside Areas identified on the Outline Development Plan in Appendix 39 and 40;
- h) Whether the provision of public walkways is consistent with the public walkways identified on the Outline Development Plan in Appendix 39;

- i) Whether there is a need for the western public walkway taking into account the ability to connect to future public walkways to the west (Holmes Block, Appendix 39);
- j) Whether at least 20ha of land is developed as a Lower Density Area with larger allotments (4ha or more) in general accordance with the location identified on the Outline Development Plan in Appendices 39 (Holmes) and 40 (Skellerup);
- k) In the event that it is developed first, whether the development of a Lower Density Area in advance of other development avoids frustrating the intentions of the Outline Development Plan or the ability to achieve integrated development over the Outline Development Plan area;
- l) Whether shelterbelt planting will achieve screening of activities occurring on Lot 3 DP 20007 (Skellerup Block, Appendix 40).

12.1.4.77 In relation to the Countryside Area Management Plan required for the Living 3 Zone west of Dunns Crossing Road, Rolleston as shown in Appendix 39 and 40:

- a) The adequacy of the management plan to achieve open space and/or rural character across the Countryside Area(s) in a manner that is compatible with the surrounding rural residential environment;
- b) The adequacy of proposed mechanisms to maintain and manage the Countryside Area(s) long term in a consistent manner;
- c) Whether rural landscape, visual and amenity value characteristics of the Countryside Area(s) are able to be maintained;
- d) The extent to which potential adverse nuisance effects on occupiers of adjacent rural residential allotments will be internalised within the Countryside Area(s);
- e) The extent to which adverse effects of plant pests and fire hazard risks will be avoided or remedied; and
- f) The suitability of proposed access within the Countryside Area(s) along Dunns Crossing Road.

Rolleston Special Character Low Density Areas (Living 1C zoning)

12.1.4.78 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 Outline Development Plan unless:

- a) an alternative path of equal prominence is provided;
- b) the water-race is landscape to a standard equivalent to surrounding landholdings.

Except that the above shall not apply to any part of the water race which is greater than 12m from the legal road boundary.

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.

- 12.1.4.79 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 new crossings are required, the assessment shall take into account:

- a) The extent to which the crossing would be of similar design, materials and colour to the existing bridges on Waterbridge Way.
- b) The visibility within the streetscene of the crossing.
- c) The extent to which the design would complement the special character of its surroundings.

- 12.1.4.80 In Living 1C zoned areas in Fairhurst Place, that the subdivision would not require the removal of street trees in order to provide access.

Tai Tapu

- 12.1.4.81 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 – General

- 12.1.5 The following activities shall be restricted discretionary activities:

12.1.5.1 Any subdivision subject to Rule 12.1.1 which complies with all standards and terms in Rule 12.1.3 except Rule 12.1.3.2.^{PC12}

12.1.5.2 Any subdivision subject to Rule 12.1.1 which does not comply with Rule 12.1.3.38.

Corner Splays

12.1.5.3 Any application arising from Rule 12.1.5.1 shall be non-notified and will not require the written approval of any persons. The exercise of the Council's discretion shall be restricted to the matters listed in 12.1.5.4 and 12.1.5.5 below.

12.1.5.4 Effects on the efficient functioning of any road, and the safety of road users;

12.1.5.5 The effect on the amenity of surrounding allotments.

West Melton

12.1.5.6 The exercise of discretion in relation to Rule 12.1.5.2 shall be restricted to the matters listed in 12.1.5.7 to 12.1.5.10 below.

12.1.5.7 Whether any amendments to the roading pattern will retain connectivity and avoid piecemeal and uncoordinated subdivision patterns;

12.1.5.8 Whether any amendments to the subdivision would still enable efficient and coordinated provision of services;

12.1.5.9 Whether any amendments to the subdivision layout will provide adequately for reserves, pedestrian or cycle linkages;

12.1.5.10 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 5000m².

12.1.6.5 Any subdivision in a Living 1C zone with an average lot size between 1,200m² – 2,000m².

12.1.6.6 Any subdivision in the Living 2 zone at Lincoln with an average allotment size of less than 3,000m².

12.1.6.7 Any subdivision in a Living Z Zone that is not in general compliance with an operative Outline Development Plan.

In the event that a medium density residential subdivision is proposed outside a Medium Density area shown on an operative Outline Development Plan, and is assessed by the Council as being acceptable, then a consent notice or similar mechanism shall be registered on the title of those lots indicating that the District Plan controls relating to those sites are to be those applying to the Living Z Medium Density areas. Conversely, in the event that lower density subdivision within an area shown on an operative Outline Development Plan as a Medium Density area is assessed as being acceptable then a consent notice or

similar mechanism shall be registered on the title of those lots indicating that the District Plan controls relating to those sites are to be those applying to the Living Z lower density areas.

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 Outline Development Plan area that is not in general accordance with the Outline Development Plan.
 - 12.1.7.5 Any subdivision in a Living 1C zone with an average lot size below 1,200m².
 - 12.1.7.6 Any subdivision within a Living Z or Living Z (deferred) Zone shown on the Planning Maps shall be a non-complying activity where it does not comply with the provisions of the Rural (Inner Plains) Zone, unless the District Plan contains an operative Outline Development Plan for the area.
 - 12.1.7.7 In a Living Z Medium Density area located within an Outline Development Plan, any subdivision to create an allotment less than 350m² that is not part of a comprehensive residential development shall be a non-complying activity. Subdivision of a comprehensive residential development to create individual lots smaller than 350m² shall be a non-complying activity prior to the erection (to the extent that the exterior is fully closed in) of the dwellings that are to be subdivided.
 - 12.1.7.8 Any subdivision that does not comply with Rule 12.1.3.34.

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.

12.2.1.5 The corner of any allotment at any road intersection shall be splayed with a rounded minimum radius of 3 metres. ^{PC12}

If the subdivision complies with Rules 12.2.1.1 to 12.2.1.5, 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 State Highway listed in Appendix 7:
 - (a) Any adverse effects, including cumulative effects, on traffic safety or traffic flow on the State Highway; and
 - (b) Any alternative roads that may be used for access; and
 - (c) The design and siting of the vehicle accessway or vehicle crossing.

Corner Splays

12.2.2.2 Under Rule 12.2.1.5 the Council shall restrict its discretion to consideration of:

- (a) Effects on the efficient functioning of any road, and the safety of road users; and
- (b) The effect on the amenity of surrounding allotments. ^{PC12}

Water

- 12.2.2.3 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.

Size and Shape

- 12.2.2.4 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 12.2.2.4(c), the consent authority shall consider a dwelling of 150m² in gross floor area for compliance with District Plan rules.

Stormwater Disposal

- 12.2.2.5 The methods for disposing of stormwater;
- 12.2.2.6 Any adverse effects of stormwater disposal on any land drainage scheme administered by the Selwyn District Council; and
- 12.2.2.7 The quantity and rate of stormwater discharged in to any land drainage scheme administered by the Selwyn District Council.

On Site Effluent Disposal

- 12.2.2.8 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

- 12.2.2.9 If any allotment subject to the boundary adjustment contains or adjoins:
- (a) Any waterbody excluding aquifers; or
 - (b) Any site listed in Appendix 3 as a Heritage Item, Appendix 4 as a Protected Tree: or Appendix 5 as a Site of Significance to Tāngata Whenua; 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

- 12.2.2.10 Any new or upgraded utilities required to any allotment as a result of the boundary adjustment; and
- 12.2.2.11 Whether any utility cables shall be laid underground; and
- 12.2.2.12 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
- 12.2.2.13 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
- 12.2.2.14 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

- 12.2.2.15 Any easements or other mechanisms needed to obtain legal access to land or utilities.

High Voltage Transmission Lines

- 12.2.2.16 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

- 12.2.2.17 Whether any esplanade reserve will be created on any allotment which adjoins a river, lake or stream listed in Appendix 12.

Tai Tapu

- 12.2.2.18 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 as a Designation, Appendix 3 as a Heritage Item, Appendix 4 as a Protected Tree, Appendix 5 as a Site of Significance to Tangata Whenua;
- (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 and local rūnanga.

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.

Rule 12.1.3.34(a) and (b) has been incorporated to give effect to the Regional Policy Statement in as far as it relates to the allocation of rural residential households to the Selwyn District Council within the first and second sequence periods shown on Table 1 of Chapter 12A of the Regional Policy Statement.

Rule 12.1.3.34(b) has been incorporated to ensure that no development has occurred until a publicly-owned sewerage system is available to service the site. Experience has shown that the Council is likely to be called upon to take over the ownership and operation of privately-owned sewerage systems serving multiple properties.

In Living Z Medium Density areas that are located within an Outline Development Plan, provision has been made for comprehensive residential developments. Such developments are anticipated to result in lots that are generally smaller than 350m², and therefore the development needs to be built in an integrated manner to ensure that acceptable urban design and amenity outcomes are achieved. A minimum of four dwellings designed and built in a comprehensive manner is required to ensure that the building design and relationship to each other has a good standard of urban design. The Plan requires a building commitment to be in place prior to subdivision consent (typically unit titles) being granted to ensure that the lot boundaries are located in a logical position and to also control the creation of very small allotments below 350m² prior to building that could then potentially be sold and built individually, thereby frustrating the creation of a comprehensive, integrated development. Given that the intention of comprehensive residential developments is to facilitate higher density housing options, the final subdivision (post-building) should be such that subdivision does not exceed a maximum average of 350m² per allotment i.e. the comprehensive residential development provisions are to be used for small lots rather than large lot developments which would be counter to the purposes of a Medium Density area.

As urban growth pressures increase, the integration of land use and transport planning to ensure that new developments are accessible, permeable and connected to adjoining land and transport networks is paramount for sustainable and efficient development. Point strips are methods to ensure that development of land that is in one ownership is able to be connected to adjoining land that also has subdivision potential. Point strips are commonly utilised for road connections, but can also be applied to cycle ways and pedestrian links.

Corner splays on the corner of road intersection can improve sightlines, particularly due to being able to step back and trim encroaching vegetation. In addition it can allow the upgrading of intersections to improve safety through minor realignments and smoothing of corners and the installation of kerbing etc. In some instances carriageways are not located in the centre of the road reserve and then any realignment around intersections may encroach on private property within the area of a typical corner splay. In urban areas a radius specified splay is appropriate to fit into the streetscape and allows, for example footpaths alignments closer to pedestrian desire lines. In both urban and rural areas the larger splays required on higher classification roads commensurate with the likely higher design standards e.g. design speeds, sight lines etc and alignments needed to support a wider range of vehicles, in particularly large vehicles such as truck and trailer units. Similarly the same logic applies to Local Business roads.^{PC12}

14 BUSINESS ZONE RULES – EARTHWORKS

Notes

1. Rule 14 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 22.7 – Activities and 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”).

14.1 EARTHWORKS

Permitted Activities – Earthworks

14.1.1 Any earthworks shall be a permitted activity if the following conditions are met:

14.1.1.1 Any disturbed or stockpiled material is to be kept moist until it has consolidated, and

14.1.1.2 Any stockpiled material is to be kept consolidated or covered to avoid sediment run-off from rainfall, and

14.1.1.3 Any site subject to earthworks is to be:

- (a) Built upon; and/or
- (b) Sealed; and/or
- (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.

14.1.1.4 Earthworks are not to occur and material from earthworks is not to be deposited within:

- (a) 20m of any waterbody listed in Appendix 12.
- (b) 10m of any other waterbody (excluding aquifers).

- 14.1.1.5 Any earthworks has:
- (a) A volume of not more than 5,000m³ per project; and
 - (b) A vertical cut face where no more than 5% of the total vertical cut is over 2 metres.

14.1.1.6 Any earthworks are not for the purposes of creating or forming; a road, or access to serve any future allotment(s), unless the road or access forms part of an approved subdivision consent or is provided for within a designation.^{PC12}

14.1.1.7 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.

14.1.1.8 The earthworks are not part of mining or mineral exploration.

Discretionary Activities – Earthworks

14.1.2 The following shall be discretionary activities:

14.1.2.1 Mineral exploration.

14.1.2.2 Any activity which does not comply with any of Rules 14.1.1.1 – 14.1.1.8.

Non- Complying Activities – Earthworks

14.1.3 Mining shall be a non-complying activity.

Reasons for Rules

Earthworks can have the following adverse environmental effects in the Business zones – create a dust nuisance, siltation effecting adjoining properties and be unsightly if left uncompleted. To ensure that the adverse effects arising on the environment will be no more than minor, controls need to be imposed requiring the dampening down of excavated areas and excavated spoil to prevent dry material being blown about in strong winds. Any stockpiled material needs to be adequately consolidated or covered to prevent scouring etc by water runoff.

Earthworks for the purposes of creating or forming, a road, or access to future allotment(s), prior to subdivision approval, have the potential to undermine the potential to achieve an integrated transport network. Consideration needs to be given to the location, form, safety, efficiency connectivity and permeability of the transport network and the relationship with other infrastructure. Rule 2.1.1.7 exempts earthworks associated with road or access formation where such works are covered by approved subdivision consent or form part of a designation. The exemptions recognise that the necessary considerations have been undertaken during respective the approval processes.^{PC12}

Mineral exploration and mining require resource consents, irrespective of the scale of earthworks. The reason is potential effects on property values as a result of lessened environmental standards if mineral exploration occurs within the township area. Mining and quarrying tend to be associated with the generation of significant adverse environmental effects that can persist for a long time even after those activities have concluded.

17 BUSINESS ZONE RULES – ROADS AND TRANSPORT

Notes

1. All underlined terms are defined in Part D.
2. In assessing a discretionary activity under Rule 17, the consent authority will refer to the Council's **most recent** Engineering **Code of Practice** where appropriate, as well as to the relevant objectives and policies of the District Plan.
3. Rule 17 may not affect existing property access onto **State Highways** which comply with section 10 of the Act as an "Existing Use".
4. Existing activities may not need to comply with Rule 17 if they comply with section 10 of the Act as an "Existing Use".

17.1 ROAD AND ENGINEERING STANDARDS

Permitted Activities – Road and Engineering Standards

- 17.1.1 The forming of any road shall be a permitted activity if the following conditions are met:
- 17.1.1.1 The road is formed on land which has an average slope of less than 20°; and
 - 17.1.1.2 The road does not have a gradient greater than:
 - (a) 1:6 vertical; or
 - (b) 1:20 horizontal; and
 - 17.1.1.3 The road is formed to the relevant standards in Appendix **E13.3.1, except that:**
 - (a) **E13.3.1.1 shall not apply where roads within the B2A zone are formed in accordance with the recommended road cross sections in Appendix E22;**
 - (b) **E13.3.1 shall not apply to works to existing roads undertaken by Council pursuant to the Local Government Act; and**
 - 17.1.1.4 The road complies with the relevant **intersection spacing requirements in Appendix E13.3.2, except that E13.3.2.1 shall not apply where roads within the B2 and B2A zone are located as shown in appendix E22 or E32.** for distance from intersections.

Discretionary Activities – Roading and Engineering Standards

- 17.1.2 Any activity which does not comply with Rule 17.1.1 shall be a discretionary activity.

17.2 VEHICLE ACCESSWAYS

Permitted Activities – Vehicle Accessways

17.2.1 The forming of any vehicle accessway shall be a permitted activity if the following conditions are met:

17.2.1.1 The site within which the vehicle accessway is formed has legal access to a formed, legal road; and

17.2.1.2 The site within which the vehicle accessway is formed does not have access directly on to Railway Road, Rolleston from that part of the Business 2A Zones as is depicted on the Outline Development Plan at Appendix 22.

Note: Rule 17.2.1.2 does not prevent individual rail crossings from the Midland Line into the Business 2A Zone, or prevent a legal road extension to Railway Road.

17.2.1.3 The vehicle accessway is formed on land which has an average slope of less than 20°; and

17.2.1.4 The vehicle accessway does not have a gradient greater than:

(a) 1:6 vertical; or

(b) 1:20 horizontal; and

17.2.1.5 The vehicle accessway is formed to the relevant standards in Appendix 13.2.1; and

17.2.1.6 Shared access to more than six sites shall be by formed and vested legal road and not by a private accessway.

17.2.1.7 Any site with more than one road frontage to a road that is formed and maintained by Council shall have access to the formed and maintained (and legal) road with the lowest classification.

Note: For example, where a site has frontage to both an arterial road and a local road access shall be to the local road.

Refer also to Rules 17.3.6 and 17.3.7.5 where applicable.^{PC12}

Discretionary Activities – Vehicle Accessways

17.2.2 Any activity which does not comply with any of Rules 17.2.1.3 to 17.2.1.5 inclusive and 17.2.1.7 shall be a discretionary activity.

Non-Complying Activities – Vehicle Accessways

17.2.3 Any activity which does not comply with Rules 17.2.1.1, 17.2.1.2 or 17.2.1.6 shall be a non-complying activity.

17.3 VEHICLE CROSSINGS

Permitted Activities – Vehicle Crossings

Note: Vehicle Crossings are defined in Part D.

- 17.3.1 The forming of any vehicle crossing shall be a permitted activity if the following conditions are met:
- 17.3.1.1 The vehicle crossing is to be formed and sited to comply with the relevant requirements in Appendix 13.2.2, 13.2.4, 13.2.5; and
 - 17.3.1.2 The vehicle crossing is to be sealed if the adjoining road is sealed; the crossing shall be sealed for the full length between the site boundary and sealed carriageway; and
 - 17.3.1.3 The vehicle crossing is to comply with the relevant standards in Appendix 13.2.3.
 - 17.3.1.4 Notwithstanding Rule 17.3.1.1 and Appendix 13, any vehicle crossing onto Hoskyns Road, Rolleston, is to be designed and sited to comply with the details depicted on the Business 2 Outline Development Plan (Hoskyns Road) at Appendix 32.
 - 17.3.1.5 The site does not have access directly on to a State Highway or arterial road listed in Appendix 7; unless:
 - (a) The speed limit on that part of the road to which access is gained is 70 km/hr or less; or
 - (b) The site is used solely to house a utility structure; and
 - (c) The site generates less than 100 equivalent car movements per day.^{PC12}

Restricted Discretionary Activities – Vehicle Crossings

- 17.3.2 Any activity which does not comply with Rule 17.3.1.1, 17.3.1.2 and 17.3.1.4 shall be a restricted discretionary activity.
- 17.3.3 Under Rule 17.3.2 the Council shall restrict its discretion to consideration of:
- 17.3.3.1 Any adverse effects on the ease and safety of vehicle manoeuvres, and on the visibility and safety of pedestrians, cyclists and motorists.
 - 17.3.3.2 Any potential increase in the cost or difficulty of maintaining the road and vehicle crossings, including transporting of mud and chip on to any sealed road, if the vehicle crossing or vehicle accessway is not sealed.
 - 17.3.3.3 Any visual effects on street design and residential amenity values from not forming the vehicle crossing or vehicle accessway to the specified standards.
- 17.3.4 Any activity which does not comply with Rule 17.3.1.5 shall be a restricted discretionary activity.^{PC12}
- 17.3.5 Under Rule 17.3.4 the Council shall restrict its discretion to consideration of:

17.3.5.1 Whether the site has alternative access options from another road.

17.3.5.2 The design and location of the vehicle crossing.

17.3.5.3 The number and type of vehicles or pedestrians or stock using the access.

17.3.5.4 Any adverse effects, including cumulative effects, on traffic safety or flow on the State Highway or arterial road.

17.3.6 Any vehicle crossing to a site which generates more than 250 vehicle movements per day, or any vehicle crossing providing shared access to sites which cumulatively generate more than 250 vehicle movements per day, shall be a restricted discretionary activity, except that this rule shall not apply to any site located within the Business 2A zone (Izone).^{PC12}

17.3.7 Under rule 17.3.6 the Council shall restrict its discretion to consideration of:

17.3.7.1 The proximity to other vehicle crossings on the same or opposite side of the road, particularly those to sites which also generate more than 250 vehicle movements per day.

17.3.7.2 The proximity to road intersections.

17.3.7.3 The location of the vehicle crossing(s) and the impacts on the frontage road(s) including safety and efficiency for all road users (i.e. including pedestrians).

17.3.7.4 Whether any adverse effects on the frontage road (all road users) or location relative to other access points can be mitigated by the provision of physical works to the frontage roads or installation of traffic controls.

17.3.7.5 Where a site has more than one road frontage, whether access to the higher classification road would be more appropriate in this case, with respect to effects on residential amenity and the traffic network.^{PC12}

Discretionary Activities – Vehicle Crossings^{PC12}

17.3.8 Any activity which does not comply with Rules 17.3.1.3 shall be a discretionary activity.

17.4 TRAFFIC SIGHT LINES – ROAD/RAIL CROSSINGS

Permitted Activities – Traffic Sight Lines Road/Rail Crossings

17.4.1 The following shall be permitted activities:

17.4.1.1 Any building if the building is positioned so that it does not encroach within the line of sight for any railway crossing as shown in Appendix 13, Diagram E13.3.

17.4.1.2 Any tree if the tree is planted so that it does not encroach within the line of sight for any railway crossing as shown in Appendix 13, Diagram E13.3.

Non-Complying Activities – Traffic Sight Lines Road/Rail Crossings

- 17.4.2 Any building or tree which does not comply with Rules 17.4.1 shall be a non-complying activity. ^{PC12}

17.5 VEHICLE PARKING AND CYCLE PARKING

Permitted Activities – Vehicle Parking and Cycle Parking

- 17.5.1 Any activity which provides for car parking, cycle parking, vehicle loading and parking access in accordance with the following conditions shall be a permitted activity:
- 17.5.1.1 The number of car parks provided complies with the relevant requirements for the activity as listed in Appendix E13.1.1, E13.1.2, E13.1.3, E13.1.12; and
 - 17.5.1.2 All car parking spaces and vehicle manoeuvring areas are designed to meet the criteria set out in Appendix E13.1.5.2, E13.1.6 (if applicable), E13.1.7, E13.1.8, E13.1.9, E13.1.10 and E13.1.11 for all activities; and
 - 17.5.1.3 Each site that is used for an activity which is not a residential activity and which generates more than 4 heavy vehicle movements per day has one on-site loading space which complies with the requirements set out in Appendix E13.1.5. The loading space does not count as a car parking space for the purpose of Rule 17.5.1.1; and

Note: Rule 17.5.1.3 does not apply to emergency services facilities.
 - 17.5.1.4 Each site that is used for an activity other than a residential activity has one car park space for mobility impaired persons for up to 10 car parking spaces provided, and one additional car park space for a mobility impaired person for every additional 50 car parking spaces provided or part there-of; and
 - 17.5.1.5 Car parking spaces for mobility impaired persons are:
 - (a) Sited as close to the entrance to the building or to the site of the activity as practical; and
 - (b) Sited on a level surface; and
 - (c) Clearly marked for exclusive use by mobility impaired persons; and
 - 17.5.1.6 Cycle parking spaces are provided in accordance with the standards in Appendix 13.1.4.

Restricted Discretionary Activities – Vehicle Parking and Cycle Parking ^{PC12}

- 17.5.2 Any activity on a site located only within the Business 2A zone (Izone), which does not comply with Rule 17.5.1.1, shall be a restricted discretionary activity and shall not require the written approval of other persons and shall be non-notified. ^{PC12}

17.5.3 Under Rule 17.5.2, the Council will restrict the exercise of its discretion to the current and future parking demand of the activity or activities proposed or likely to establish on the site, ^{PC12}

Discretionary Activities – Vehicle Parking and Cycle Parking

17.5.4 Any activity which does not comply with Rule 17.5.1 except as applicable to rule 17.5.2 shall be a discretionary activity. ^{PC12}

17.6 ROAD/RAIL CROSSINGS IN THE BUSINESS 2A ZONE

Restricted Discretionary Activities – Road/Rail Crossings in the Business 2A Zone

17.6.1 The establishment of a road or rail crossing requiring a break in the existing primary shelter belt or future secondary planting strip required by Landscape Treatment 3 in Rule 24.1.3.14 along the Railway Road frontage of the Business 2A Zone shall be a restricted discretionary activity.

17.6.2 Under Rule 17.6.1, the exercise of discretion shall be restricted to consideration of:

17.6.2.1 The likely impact on the health of the adjoining sections of the existing primary shelterbelt or future secondary planting strip;

17.6.2.2 The extent and nature of any other planting to mitigate the potential impact on amenity of the removal of a portion of the existing primary shelterbelt or future secondary planting strip ;

17.6.2.3 The extent to which sites within the Business 2A Zone become visible from sites outside of the Business 2A Zone;

17.6.2.4 Any cumulative effects of multiple breaks in the existing primary shelterbelt or future secondary planting strip.

Discretionary Activities – Road/Rail Crossings in the Business 2A Zone

17.6.3 The establishment of a road or rail crossing requiring a break in the existing primary shelter belt along the Railway Road frontage of the Business 2A Zone that exceeds 30m in length shall be a discretionary activity.

17.7 PARKING AREAS

Permitted Activities

17.7.1 For all activities in the Business 1 Zone and for all activities except industrial in the Business 2 zone, new car parking areas shall be a permitted activity if they comply with the following:

- 17.7.1.1 A continuous landscaping strip is provided between any legal road and an adjacent parking area, except across vehicle crossings and pedestrian accesses, which complies with the following:
- a) A depth of at least 3m with plants that will grow to a height of 60cm within three years over the entire area; or
 - b) A depth of at least 1.5m that will reach a continuous height of 1m (visually impermeable) within three years.
- 17.7.1.2 A minimum of 1 tree is provided for each 10m of road frontage, set in a planting bed with minimum dimensions 1.5m x 1.5m.

Note: For car parking areas resulting in more than 20 parking spaces, Rule 17.7.2 will apply in addition to Rule 17.7.1.

Controlled Activities

17.7.2 For all activities in the Business 1 zone and for all activities except industrial in the Business 2 zone, new car parking areas resulting in more than 20 parking spaces shall be a controlled activity.

17.7.3 In the Business 3 zone, new car parking areas resulting in more than 40 spaces shall be a controlled activity.

17.7.4 Under Rules 17.7.2 and 17.7.3, the exercise of Councils discretion shall be limited to the following:

- a) The degree to which low level landscaping has been provided in order to break up the appearances of hardsurfacing, particularly between the car park and pedestrian areas.
- b) Whether an adequate number of trees, within suitably sized planting beds, have been provided in appropriate locations within the car parking area in order to mitigate any adverse visual effects.
- c) Safety, circulation and access considerations for pedestrians within the site and moving past vehicle crossings.^{PC12}

Restricted Discretionary Activities

17.7.5 Any car parking area which does not comply with Rule 17.7.1 shall be a restricted discretionary activity. The exercise of the discretion shall be limited to consideration of effects on visual amenity.

Reasons for Rules

Roads and vehicle accessways need to be designed and formed to a standard appropriate for the number and type of vehicles they are likely to carry. The standards help manage: the safety of motorists and pedestrians; efficient flow of traffic; adequate construction standards, and the upgrading of any existing road or vehicle accessway.

All sites need legal access which is suitable for vehicular use. This is usually secured at the time of subdivision, but there are existing allotments in the District which have access only on to unformed roads or access over other land which has never been formally legalised.

The State Highway and Arterial Roads listed in Appendix 7 are the only roads in Selwyn District where the safety of traffic travelling along the routes is given primacy over the other uses of roads, such as property access. This is because of the volume of traffic using those routes and the speed. Access to allotments on State Highways may be granted, as a restricted discretionary activity, where there is no alternative road access and the consent authority is satisfied the access can be designed, sited and managed to reduce traffic safety hazards.

Rights of way (ROW) have historically been problematic in the Selwyn District. In some instances further development of sites has resulted in a large number of sites with a shared access. Whilst limited shared access can be useful such as where houses front a reserve or waterway the potential number of users needs to be limited. The provision of long ROWs is conducive to achieving a high degree of connectivity, permeability and accessibility for vehicular and non-vehicular access. Where access to a larger number of sites (or potential sites) is required this should be by way of local roads. ^{PC12}

A lack of visibility for road/rail level crossings raises implications for road users and traffic safety.

For that reason, buildings and tree plantings are not permitted if they encroach within the line of sight of a railway crossing as shown in Appendix 13 (Diagram E13.3). This rule reflects the importance of maintaining lines of sight for traffic safety.

The Business 2A Zone is screened from the land to the west through the existing primary shelterbelt along Railway Road. In time, this screening will be supplemented by a secondary planting strip required by Landscape Treatment Three in Rule 24.1.3.14, which will form a second shelterbelt. The creation of breaks within these shelterbelts for road or rail crossings are identified to occur on the Outline Development Plan at Appendix 22 of the District Plan. Rule 17.6.1 recognises that whilst such breaks in the existing primary shelterbelt and future secondary planting strip are appropriate to create access for road and rail linkages, such breaks will allow views into the Business 2A Zone from that land to the west to a limited extent, and as such, the potential adverse effects of such breaks in this screening need to be considered.

On-site carparking is desirable to reduce potential adverse effects on traffic flow and safety on some roads. The need to provide off street parking acknowledges that commercial and public activities generate levels of vehicle parking which need to be satisfied without relying solely on the street to provide it. This will also assist in preventing the over spill of on-street parking into the adjacent Living zone areas.

Specially provided mobility impaired car parking spaces are required, to make access to activities and facilities easier for people with reduced mobility.

Parking rates below anticipated demand have however been specified for the Business 1 zone Town Centres of:

- Lincoln (area shown on the Planning maps generally fronting Gerald Street between West Belt and Kildare Terrace and extending south partway along West Belt, Maurice Street, Robert Street and Kildare Terrace).
- Rolleston (area shown on the Planning maps generally along Tennyson Street, Masefield Drive and Rolleston Drive)
- Darfield (area shown on the Planning maps generally fronting SH 73 (West Coast Road / South Terrace) between Cardale Street and McLaughlins Road).
- Prebbleton (area shown on the Planning maps generally on the northern corner of Springs Road and Tosswill Road).

- Leeston (area shown on the Planning maps generally along High Street between Messines Street and just west of Leeston and Lake Road).
- Southbridge (area shown on the Planning maps fronting High Street between Hastings Street and Gordon Street / Taumutu Road).

The rates have been set considering the existing and future on-street parking supply and demand in each township and recognise a number of factors including: the slightly lower parking demand rate when a large conglomeration of retail activities occurs within a defined area, the acceptability of on-street parking use within these town centres, the desire to encourage business growth in the town centre business 1 zone and the need to reduce on-site parking provision in order to facilitate improved urban design outcomes within these business zoned sites.

The applicability of the lower rates is therefore limited to retail and Food and Beverage activities within the main Business 1 zone in each township. It is not considered appropriate to apply these rates to isolated pockets of Business 1 zoned land or areas of Business 1 zone which are outside of the main town centre.

Minimum on-site staff parking levels have also been specified for these Town Centre activities areas given that on-site parking provision will not cater for all staff and visitor demand. The minimum staff requirement reflects the more efficient use of on-street parking by visitors whom can then walk between several shops / activities rather than having to move their car between private parking areas which generates additional traffic and has associated adverse effects. The rate has however been set below total staff parking demand so as to minimise any disincentives for staff to consider use of non-private motor vehicle travel.

Reductions from the required township rates may result in an overflow of parking into residential zones. Whilst this may not occur upon commencement of the activity, the additional on-street demand generated by the activity displaces on-street parking anticipated for use by other sites yet to be developed for business activities. Cumulatively and over time this could result in parking overflowing into adjoining residential zones. This may result in adverse effects on the availability of on-street parking for residents and their visitors and impact on the amenity and character of the residential area. As such where the required level of on-site parking cannot be provided within these townships consideration should be given to reducing the parking demand of the activity.

To ensure that non-industrial business areas maintain the environmental quality, aesthetic and amenity values which make them attractive places to work and visit, it is necessary to integrate the design and layout of parking areas with the other components of the site. Integrated design should avoid visual dominance of large parking areas and achieve a level of amenity consistent with the anticipated character and amenity of the surrounding area. For example, landscaping can screen large parking areas and improve amenity however this needs to be balanced against security of users within the parking area and building layout.

Activities with larger parking areas require the consideration of pedestrian and cyclist safety, security, circulation and access within parking areas to be balanced against vehicle access and circulation in order to encourage people to walk and cycle within townships and provide for safe movement of pedestrians and cyclists within the site, to and from motor vehicles and cycle parking areas.

Significant improvements for pedestrian circulation within a site can be achieved through consideration of the location of vehicular access and manoeuvring areas relative to: pedestrian and cyclist entrances to sites, parking areas and the building entrance, and does not always require provision of separate pedestrian facilities.

Rule 17.7 is intended to allow an integrated consideration of factors associated with and adjacent to parking areas. It recognises the need to balance the various components of a site or area to achieve business zones that maintain environmental quality, aesthetic and amenity

values and are permeable and provide good circulation for both motor-vehicles, pedestrians and cyclists.

The controlled activity status recognises that the physical size and shape of some sites, the particular needs of some activities and outside processes such as stormwater discharge consents, may constrain the extent to which improvements or alternative options are achievable.

Industrial activities within the B2 zone and any activity within the B2A zone (Izone) are exempt however other activities in the Business 2 zone have not been made exempt as the higher parking turn-over and potential for a greater number of visitors to the car park associated with these activities warrants consideration of effects particularly in respect to matters relating to vehicles and pedestrians.

A higher threshold has been set in the Business 3 zone reflecting the particular nature and characteristics of the activities occurring in this zone and the reasonably high proportion of frequent users (low proportion of visitors) associated with these activities.

22.11 DEVELOPMENT WITHIN THE BUSINESS 1 ZONE AT ROLLESTON BOUNDED BY ROLLESTON DRIVE, STATE HIGHWAY 1 AND DICK ROBERTS PLACE

Permitted Activities – Development within the Business 1 Zone at Rolleston bounded by Rolleston Drive, State Highway 1 and Dick Roberts Place

22.11.1 Development in the Business 1 Zone at Rolleston bounded by Rolleston Drive, State Highway 1 and Dick Roberts Place shall be a permitted activity provided that the following conditions are met.

Outline Development Plan

22.11.1.1 All development in the Business 1 Zone at Rolleston bounded by Rolleston Drive, State Highway 1 and Dick Roberts Place is in general accordance with the Outline Development Plan at Appendix 29 (to the extent that this plan applies).

Access Restrictions

22.11.1.2 Vehicle access to the Business 1 Zone bounded by Rolleston Drive, State Highway 1 and Dick Roberts Place is limited to only one crossing. That crossing shall connect to Rolleston Drive.

22.11.1.3 The vehicle access to the Business 1 Zone bounded by Rolleston Drive, State Highway 1 and Dick Roberts Place zone is located approximately 300 metres from the strategic intersection of State Highway 1 and Rolleston Drive, and no less than 260 metres from the strategic intersection of State Highway 1 and Rolleston Drive, and generally in the position shown on Appendix 29.

Discretionary Activities – Development within the Business 1 Zone at Rolleston bounded by Rolleston Drive, State Highway 1 and Dick Roberts Place

22.11.2 Any activity which does not comply with Rules 22.11.1 shall be a discretionary activity.

22.12 RETAILING WITHIN THE BUSINESS 2A ZONE, ROLLESTON

Permitted Activities – Retailing within the Business 2A Zone, Rolleston

22.12.1 The following shall be a permitted activity:

22.12.1.1 Any retail activity undertaken from an allotment in the Business 2A Zone at Rolleston as depicted on the Outline Development Plans at Appendix 22 provided that it only occupies up to 20% of the gross floor area of building on that allotment or 2,000m², whichever is the lesser.

Discretionary Activities – Retailing within the Business 2A Zone, Rolleston

- 22.12.2 Any activity which does not comply with Rule 22.12.1.1 shall be a discretionary activity.

22.13 RETAILING WITHIN THE BUSINESS 1 ZONE AT ROLLESTON BOUNDED BY ROLLESTON DRIVE, STATE HIGHWAY 1 AND DICK ROBERTS PLACE

Non-Complying Activities: Retailing within the Business 1 Zone at Rolleston bounded by Rolleston Drive, State Highway 1 and Dick Roberts Place

- 22.13.1 Any retailing activity within the Business 1 Zone at Rolleston bounded by Rolleston Drive, State Highway 1 and Dick Roberts Place shall be a non-complying activity.

22.14 RETAILING IN ODP NEIGHBOURHOOD AND LOCAL CENTRES WITHIN THE BUSINESS 1 ZONE

- 22.14.1 Any retailing activity within a neighbourhood centre as identified on ODP contained in Appendices 37 and 38 within either Rolleston or Lincoln with a total retail floor space in excess of 2000m² or individual retail tenancy area greater than 350m² GFA shall be a non-complying activity.
- 22.14.2 Any retailing activity within a local centre as identified on ODP contained in Appendices 37 and 38 within either Rolleston or Lincoln with a total retail floor space in excess of 450m² or individual retail tenancy area greater than 350m² GFA, shall be a non-complying activity.

22.15 CAFES AND LUNCHBARS WITHIN THE BUSINESS 2B ZONE IN LINCOLN

Permitted Activities – Café and Lunchbars within the Business 2B Zone in Lincoln

- 22.15.1 The following shall be a permitted activity provided that the following conditions are met:
- 22.15.1.1 Any cafes/lunchbars located within the Business 2B zone with a gross floor area of less than 150m²

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, vehicle accessway, right of way or vehicle crossing must comply with Rule 17: Roads and Transport.
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. Attention is drawn to the provisions of any other relevant zone/activity rules for land use activities that may be associated with subdivisions. Should an activity not meet any one or more of those rules, then application for consent will also need to be made in respect to those rules. ^{PC12}
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. 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.

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

Corner Splays

24.1.3.2 The corner of any allotment at any road intersection within a Business zone shall be splayed with a rounded minimum radius of 6m.^{PC12}

Water

24.1.3.3 Any allotment created is supplied with a reticulated water supply which complies with the current New Zealand Drinking Water Standard; and

Effluent Disposal

24.1.3.4 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

24.1.3.5 Any allotment created is supplied with a facility or service to dispose of solid waste off the site; and

Size and Shape

24.1.3.6 Any allotment created, including a balance allotment, contains a building area of not less than 15m x 15m; and

24.1.3.7 Any allotment created, including any balance allotment, complies with the relevant allotment size requirements set out in Table C24.1; and

Outline Development Plan

24.1.3.8 Any subdivision within an area that is subject to an operative Outline Development Plan within the District Plan shall be in general compliance with that Outline Development Plan. Any subdivision to create a Neighbourhood or Local Centre shall have a consent notice registered on the titles indicating that the District Plan controls relating to those sites are to be those applying to the Business 1 zone.

Prebbleton

24.1.3.9 In the Business 1 zone at Prebbleton, any subdivision is in general accordance with the respective concept and/or Outline Development Plans in Appendix 19.

Rolleston

24.1.3.10 In that part of the Business 2 Zone located south of Jones Road, Rolleston, as depicted on the Landscape Development Plan at Appendix 28, no subdivision of land shall take place until all of the landscape

planting, irrigation system, and fencing shown on the Landscape Development Plan on that allotment is completed.

24.1.3.11 In the Business 2A Zone road connections and pedestrian links shall be provided generally in accordance with those locations identified on the Outline Development Plan at Appendix 22. The roads shall be constructed in general accordance with the road cross section examples also included in Appendix 22 (and where any conflict occurs with rule E13.3.1 these cross sections shall take precedence). Furthermore, lots created which abut Hoskyns Road in the locations shown on the Outline Development Plan at Appendix 22 should be designed in such a way that buildings will likely be encouraged to front onto and access onto Hoskyns Road.

24.1.3.12 In the Business 2A Zone street plantings shall be planted in new roads in accordance with the following requirements:

- A planting strip of not less than 1 metre in width shall be established within the roadside berm on each side of the road;
- A planting strip shall be established occupying the full width of any median within a boulevard road;
- Planting shall consist of the species listed in Groups A, C and D in Appendix 21;
- Planting in any service berm shall consist of grass and/or Group D plantings only;
- Group A trees shall be planted in the outer berm at a provision of not less than one tree for every 20 metres of road length;
- Grassed breaks in the planting of the outer berm shall be provided to enable crossing between a parked car and the footpath;
- All plants shall be of the following maximum spacings:
 - Group C – 1.5 metre centres;
 - Group D – 700mm centres.

24.1.3.13 The area along the common boundary of the Business 2A Zone and the Rural Zone, as depicted in the respective landscape treatment areas identified on the Outline Development Plan at Appendix 22, and the principal building shall be landscaped to the following standards:

Landscape Treatment One

- (a) The landscaping shall be planted along the Business 2A Zone side of the common boundary.
- (b) The landscaping shall achieve, once matured, a minimum width of 2.5 metres and a minimum height of 6.5 metres.
- (c) The landscaping planted shall be maintained, and if dead, diseased, or damaged, shall be removed and replaced.
- (d) The landscaping shall consist of one or more of the following species:
 - Macrocarpa
 - Leyland cypress
 - Radiata pine

- Kahikatea
- Totara

Landscape Treatment Two

- (a) The landscaping shall be planted along the Business 2A Zone side of the common boundary.
- (b) The landscaping shall achieve, once matured, a minimum width of 5 metres and a minimum height of 6.5 metres.
- (c) The landscaping planted shall be maintained, and if dead, diseased, or damaged, shall be removed and replaced.
- (d) The landscaping shall consist of one or more of the following species:
 - Macrocarpa
 - Leyland cypress
 - Radiata pine
 - Kahikatea
 - Totara

Landscape Treatment Three

- (a) The existing primary shelter belt along Railway Road shall be retained along the full extent of the Business 2A Zone boundary in this location
- (b) The existing primary shelterbelt shall be maintained, and if dead, diseased or damaged, shall be removed and replaced.
- (c) A secondary planting strip consisting of the species Leyland cypress shall be located to the west of the existing primary shelterbelt on the opposite side of Railway Road in generally that location as identified in the Outline Development Plan at Appendix 22.
- (d) The secondary planting strip shall achieve, once matured, a minimum width of 2.5 metres and a minimum height of 8 metres.
- (e) The secondary planting strip shall be maintained, and if dead, diseased, or damaged, shall be removed and replaced.

Note: Common boundary landscaping is required along the full extent of the relevant boundaries as depicted on the Outline Development Plan at Appendix 22 except across vehicle, rail, or pedestrian crossings. Refer to Rule 17.6.1 in respect of road or rail crossings that require breaks in the existing primary shelterbelt or future secondary planting strip along Railway Road.

24.1.3.14 Existing established hedgerows and vegetation located within the area indicated on the Outline Development Plan at Appendix 22 shall be retained until such time as the new planting required by Rule 24.1.3.12 achieves a minimum height of 3 metres in that identified location.

24.1.3.15 In the Business 2A Zone at the time subdivision consent is sought for the creation of the 'Boulevard Road' within Precinct 2 as depicted on the Outline Development Plan at Appendix 22, the upgrading of Hoskyns Road as depicted on the 'Hoskyns Road Upgrade Plan' included at Appendix 22, which includes an off-road shared cycleway/pedestrian

link, must be provided for as part of the works associated with that subdivision.

Note: *The detailing of the intersection between Hoskyns Road and the proposed 'boulevard road' should be designed with regard to integrating the external cycle/pedestrian link with pedestrian and cycle routes on the internal road system.*

24.1.3.16 In the Business 2A Zone at the time that the first subdivision consent is sought within Precincts 2 or 3, each application must include an allotment that is to be set aside for the purposes of an Amenity Hub. This allotment is to be a minimum of 1000m² and is to be located generally in accordance with one of the locations identified on the Outline Development Plan at Appendix 22. The allotment shall be bounded on at least 50% of the length of its boundaries by public roads. The use of the allotment for the purpose of an Amenity Hub is to be secured by way of a consent notice being registered on the Certificate of Title for the allotment identified as the Amenity Hub site.

24.1.3.17 In the Business 2A Zone at the time subdivision consent is sought for any allotment that is to gain access to Hoskyns Road north of the proposed 'Boulevard Road' the upgrading of Hoskyns Road beyond that required by Rule 24.1.3.14 to the intersection with Maddisons Road as depicted on the 'Hoskyns Road Stage 2 Upgrade Plan' included at Appendix 22 must be provided for.

24.1.3.18 Any subdivision of land within Precinct 2 of the Business 2A Zone as depicted on the Outline Development Plan at Appendix 22 shall provide for the upgrading of the Hoskyns Road/Maddisons Road intersection in accordance with the Traffic Design Group drawing 7030-3-5A dated 02/12/2008 "Proposed Intersection" as included at Appendix 22 prior to any new certificates of title being issued for land within this area.

24.1.3.19 In the Business 2A Zone at the time that the first subdivision consent is sought for land contained within Precinct 3, the secondary landscaping strip required by Landscape Treatment 3 must be planted prior to the commencement of works associated with the above subdivisions consent.

24.1.3.20 In Precincts 2 and/or 3 in the Business 2A Zone, before Certificates of Title can be issued for any subdivision that creates allotments that in total exceed 57ha, the upgrade of the Hoskyns Road / Jones Road intersection shall be provided in accordance with the 'Proposed Roundabout Jones Road and Hoskyns Road' Plan included at Appendix 22.

24.1.3.21 In the Business 2A Zone, at the time subdivision consent is sought for the creation of the new road within precinct 3 as depicted on the Outline Development Plan at Appendix 22, Railway Road shall be sealed to a point 50m north west of the zone boundary and 10m to the south east of the new access road.

Note: *Rule 24.1.3.21 only applies to allotments used for business purposes, and excludes balance, utility or roading allotments.*

Table C24.1 - Allotment Sizes

Township	Zone	Allotment Size Not Less Than
All <u>Townships</u>	All Business Zones	No average <u>allotment</u> size.
All <u>Townships</u>	Heritage Buildings listed in Appendix 3	Listed in Appendix 3. The <u>building</u> , curtilage and any other area needed to: <ul style="list-style-type: none">- mitigate adverse effects; or- maintain the heritage values of the site
All <u>Townships</u>	Community Reserves, Community Facilities and <u>Point Strips</u>	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 State Highway or Arterial Road; and
- (b) The design and location of the vehicle accessway and vehicle crossing; and
- (c) Whether access to the allotment(s) can be obtained off another road which is not a State Highway or Arterial Road either directly or by an easement across other land.^{PC12}

Corner Splays

24.1.4.2 Under Rule 24.1.3.2 the Council shall restrict its discretion to consideration of:

- (a) Effects on the efficient functioning of any road, and the safety of road users; and
- (b) The effect on the amenity of surrounding allotments.^{PC12}

Water

24.1.4.3 The provision of water for fire fighting; and

24.1.4.4 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

- 24.1.4.5 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

- 24.1.4.6 Whether any utility cables shall be laid underground.

Telephone and Power

- 24.1.4.7 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

- 24.1.4.8 The method(s) for disposing of stormwater; and
- 24.1.4.9 Any adverse effects of stormwater disposal on any land drainage scheme which is administered by Selwyn District Council; and
- 24.1.4.10 The quantity and rate of stormwater disposed into any land drainage scheme which is administered by Selwyn District Council.

On-Site Effluent Disposal

- 24.1.4.11 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

- 24.1.4.12 The provision, location, co-ordination, layout and formation of all roads and vehicular accessways and walkways/cycleways; and
- 24.1.4.13 The provision, location, co-ordination, 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
- 24.1.4.14 The provision of footpaths, lighting and street furniture; and

24.1.4.15 Any landscaping and tree planting required in the road reserve, recreational reserves, and the margins of cycleways/walkways.

Note: The consent authority shall consider any relevant provisions in the district plan or the Council's **most recent** Engineering **Code of Practice** where appropriate, in using its discretion under Rules 24.1.4.12 to 24.1.4.15.

Point Strips

24.1.4.16 Where in the course of subdivision a new road, cycle way or pedestrian link is constructed and vested that will or could provide frontage to other land, that other land (with subdivision potential) can be separated from the new road, cycle way or pedestrian link by a point strip, and an agreement will be entered into by the first subdivider with the Council, to ensure the benefiting owner pays a fair share towards the cost of providing the frontage road, cycle way or pedestrian link.

The point strip(s) will transfer to Council on the deposit of the Plan for each stage of the subdivision.

The point strip agreement sets the amount to be paid, which will be updated from the date of signature of the agreement by the Consumers Price Index. Such agreements will be held by the Council and can be identified by the link strip separating the subsequent property from frontage to the road, cycle way or pedestrian link.

Point Strips may also be required to prevent access to any road. See Rule 24.3.2.8. ^{PC12}

Special Sites

24.1.4.17 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).

24.1.4.18 If the land to be subdivided contains an ecological site or any place or item which is listed in Appendix 2 as a Designation, Appendix 3 as a Heritage Item, Appendix 4 as Protected Tree, Appendix 5 as a Site of Significance to Tāngata Whenua:

- (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

24.1.4.19 The size and shape of allotments in accordance with Rules 24.1.3.6 and 24.1.3.7; and

- 24.1.4.20 The size and shape of allotments for the subdivision of a heritage building or site listed in Appendix 3.
- 24.1.4.21 Whether subdivision in the Business 2A Zone creates a lot or lots which are of a suitable size and dimension to facilitate the development of an Amenity Hub to serve the day to day needs of employees and is generally in one of those locations in each precinct shown on the Outline Development Plan attached at Appendix 22.

Utilities and Facilities

- 24.1.4.22 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
- 24.1.4.23 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 most recent Engineering Code of Practice where appropriate, in using its discretion under Rule 24.1.4.22.

Construction of any Works

- 24.1.4.24 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

- 24.1.4.25 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

- 24.1.4.26 Any easements or other mechanism(s) needed to obtain or maintain legal access to land or utilities.

High Voltage Transmission Lines

- 24.1.4.27 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

- 24.1.4.28 Whether esplanade reserve will be created on any allotment which adjoins a river, lake or stream listed in Appendix 12;
- 24.1.4.29 Whether any esplanade reserve 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

- 24.1.4.30 In the Business 1B zone 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 allotment(s) that are wholly contained within the Banham and Tapp Outline Development Plan in Appendix 19, and containing an existing dwelling that utilises an existing vehicular access onto Springs Road.

Rolleston

- 24.1.4.31 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;
- 24.1.4.32 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;
- 24.1.4.33 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;
- 24.1.4.34 The need to provide for pedestrian and cycle movement within the road reserve;
- 24.1.4.35 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;
- 24.1.4.36 The need for local reserves;
- 24.1.4.37 The extent to which failure to provide walkways/cycleways may result in a loss of pedestrian safety and amenity;
- 24.1.4.38 The design guidelines contained in Appendix 23;
- 24.1.4.39 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
 - (b) bus routes

- (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.

24.1.4.40 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.

Non-Complying Activities – Subdivision – General

24.1.5 The following activities shall be non-complying activities:

- 24.1.5.1 Any subdivision which is subject to Rule 24.1.1 and does not comply with 24.1.3.

24.2 SUBDIVISION – BOUNDARY ADJUSTMENTS

Note: If a boundary adjustment completed under 24.2 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

24.2.1 Any subdivision to adjust the boundaries between existing allotments shall be a restricted discretionary activity if it complies with the following standards and terms:

24.2.1.1 All allotments subject to the boundary adjustment are adjoining or separated by a road, railway line, vehicular accessway or waterbody (excluding aquifers); and

24.2.1.2 No additional allotments are created as a result of the boundary adjustment; and

24.2.1.3 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

24.2.1.4 Each allotment has legal access to a formed, legal road.

24.2.1.5 The corner of any allotment at any road intersection within a Business zone shall be splayed with a rounded minimum radius of 6m.^{PC12}

Note: If the subdivision complies with Rules 24.2.1.1 to 24.2.1.5, 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 24.2.2.

24.2.2 Matters over which the Council has restricted the exercise of its discretion:

Access

24.2.2.1 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 or traffic flow on the State Highway or Arterial Road; and
- (b) Any alternative roads that may be used for access; and
- (c) The design and siting of the vehicle accessway or vehicle crossing.

Corner Splays

24.2.2.2 Under Rule 24.2.1.5 the Council shall restrict its discretion to consideration of:

- (a) Effects on the efficient functioning of any road, and the safety of road users; and
- (b) The effect on the amenity of surrounding allotments^{PC12}

Water

24.2.2.3 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.

Size and Shape

24.2.2.4 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 24.2.2.4(c), the consent authority shall consider a dwelling of 150m² in gross floor area for compliance with District Plan rules.

Stormwater Disposal

- 24.2.2.5 The methods for disposing of stormwater;
- 24.2.2.6 Any adverse effects of stormwater disposal on any land drainage scheme administered by the Selwyn District Council; and
- 24.2.2.7 The quantity and rate of stormwater discharged in to any land drainage scheme administered by the Selwyn District Council.

Special Sites

- 24.2.2.8 If any allotment subject to the boundary adjustment contains or adjoins:
- (a) Any waterbody (excluding aquifers); or
 - (b) Any site listed in Appendix 2 as a Designation, Appendix 3 as a Heritage Item, Appendix 4 as a Protected Tree, Appendix 5 as a Site of Significance to Tāngata Whenua:
 - 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

- 24.2.2.9 Any new or upgraded utilities required to any allotment as a result of the boundary adjustment; and
- 24.2.2.10 Whether any utility cables shall be laid underground; and
- 24.2.2.11 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
- 24.2.2.12 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
- 24.2.2.13 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

24.2.2.14 Any easements or other mechanisms needed to obtain legal access to land or utilities.

High Voltage Transmission Lines

24.2.2.15 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

24.2.2.16 Whether any esplanade reserve will be created on any allotment which adjoins a river, lake or stream listed in Appendix 12.

Non-Complying Activities – Subdivision – Boundary Adjustments

24.2.3 The following activities shall be non-complying activities:

24.2.3.1 Any subdivision to adjust boundaries which does not comply with Rule 24.2.1 shall be a non-complying activity.

24.3 SUBDIVISION – ACCESS, RESERVE AND UTILITY ALLOTMENTS

Controlled Activities – Subdivision – Access, Reserve and Utility Allotments

24.3.1 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 24.3.2.

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 24.3.2.

24.3.2 Matters over which the Council has restricted the exercise of its discretion:

Access

24.3.2.1 Whether any allotment(s) created by the subdivision require(s) legal access to a legal, formed road; and

24.3.2.2 If legal access is to be to a State Highway or Arterial 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 vehicle accessway or vehicle crossing.

Size and Shape

24.3.2.3 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

24.3.2.4 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).

24.3.2.5 If the land to be subdivided contains an ecological site or any place or item which is listed in Appendix 2 as a Designation, Appendix 3 as a Heritage Item, Appendix 4 as a Protected Tree, Appendix 5 as a Site of Significance to Tāngata Whenua:

- (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 and the local rūnanga.

Utilities

24.3.2.6 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

24.3.2.7 Any easements or other mechanisms needed to obtain legal access to land or other utilities.

Point Strips

24.3.2.8 The creation of any 200mm wide allotment to deny access onto a particular road for traffic safety purposes.

High Voltage Transmission Lines

24.3.2.9 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

24.3.2.10 Whether any esplanade reserve will be created on any allotment which adjoins a river, lake or stream listed in Appendix 12;

24.3.2.11 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.

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 24.1 identifies the facilities and other conditions necessary to ensure allotments in each township are suitable for building on. The plan recognises, in Rules 24.2 and 24.3 that some allotments are not subdivided to house new buildings. Rule 24.2 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 24.1 and 24.2 are recognised as having more potential effects on the environment than those in Rule 24.3.

Rules 24.1 and 24.2 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.

As urban growth pressures increase, the integration of land use and transport planning to ensure that new developments are accessible, permeable and connected to adjoining land and transport networks is paramount for sustainable and efficient development. Point strips and are a method of ensuring that development of land that is in one ownership is able to be connected to adjoining land that also has subdivision potential. Point strips are commonly utilised for road connections, but can also be applied to cycle ways and pedestrian links. Point strips are also a method of restricting access for safety reasons.^{PC12}

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DEFINITIONS

INTRODUCTION

This section lists the meaning of underlined words used in this plan, in alphabetical order. Where reference is made to an interpretation provided in a particular Act, and is marked with an asterisk (*), the meaning is provided at the end of this section to assist readers.

Words and phrases defined in section 2 of the Act take the same meaning for the purposes of this Plan.

Any singular definition includes the plural and vice versa.

A

Access: means that area of land over which lawful vehicular and pedestrian access is obtained to a legal road.

Accessway: see Vehicle accessway. ^{PC12}

Accessory building: means any building which is separate from the principal building or buildings on the site, the use of which is incidental to the use of the principal building or buildings on the site or to the use of a site. In respect of land used for a residential activity “accessory building” extends to include a sleepout (but not a family flat), garage or carport (whether freestanding or attached to any other building) shed, glasshouse, fence over 2 metres in height, swimming pool or similar structure. Accessory buildings also include implement sheds, storage sheds, and commercial glasshouses and packing facilities which generate less than 15 equivalent car movements/day (refer to the definition of Equivalent Car Movements Per Day).

Act: means the Resource Management Act 1991.

Active Frontage: means buildings where the ground floor level features glazing, windows or doors which allow views into the premises. It refers to that part of the building with glazing occupying the entire area between 1m and 2m in height, as a minimum.

Agrichemical: means any substance or mixtures of substances, whether inorganic or organic, biological, man-made or naturally occurring, modified or in its original state, that is prepared or manufactured and used to eradicate or control flora and fauna. This includes any pesticide, herbicide, fungicide, insecticide, piscicide, vertebrate pest control chemical, or other biocide, or any genetically modified organism or animal remedy classified under the Hazardous Substances and New Organisms Act 1996 and the Agricultural Compounds and Veterinary Medicines Act 1997. For the avoidance of doubt, it does not include fertilisers or lime and other soil conditioners, or animal effluent.

Airport: means any land intended or designed, to be used, whether wholly or partly, for the landing, departure and movement of aircraft.

Allotment: has the same meaning as in section 218 of the Act. *

Amenity Hub: in relation to the Business 2A Zone means a recreation reserve and potentially associated development intended to serve the day to day recreation and convenience needs of employees. An Amenity Hub shall include a recreation reserve with a minimum area of 1000m².

It may also include retail/service activities (such as but not limited to a bakery, café, dairy, takeaway bar, child care and learning centre, or fitness centre) that serve the day to day needs of employees within the surrounding area. Any such associated retail/service activity shall be located adjacent to or opposite, if separated by a road, the recreation reserve required.

Amenity Planting: means any tree or trees planted in the immediate vicinity of a house or principal building, primarily to provide shelter or aesthetic appeal. Amenity plantings include any woodlot, orchard or vineyard planted in close proximity to a house or principal building, primarily to supply the residents on-site. The total area of any woodlot, orchard or vineyard which is classed as amenity planting shall not exceed 4 ha.

Amenity Values: has the same meaning as defined in section 2 of the Act.

Antenna: means that part of a communication facility used for the transmission or reception of signals including the antenna mounting but not including any supporting mast, pole or similar structure. This definition includes any dish antenna.

Archaeological site: has the same meaning as in section 2 of the Historic Places Act 1993. *

Arterial Road: means any road identified as an arterial road in the road hierarchy classification as listed in Appendix 7. They connect areas of district importance not already provided by State Highways. Arterial roads connect the districts townships and other important places and activities together, including across district boundaries. Arterial roads are subject to tighter access controls than collector and local roads to promote efficient traffic flow.^{PC12}

B

Boarding of Animals: includes the use of any land or building for the boarding or care of animals which do not permanently reside on the site. It includes veterinary hospitals or clinics which provide overnight accommodation for ill or recuperating animals.

Boundary: includes any legally defined boundary of a site, allotment or property.

- **Internal boundary:** means any boundary of a site other than a road boundary
- **Road boundary:** means any boundary of a site with a legal road (formed or unformed) or any boundary which is contiguous to a boundary of a road designation.

Building: means any structure or part of any structure whether permanent, moveable or immovable, but does not include any of the following:

- Any scaffolding or falsework erected temporarily for maintenance or construction purposes.
- Any fence or wall of up to 2m in height.
- Any structure which is less than 10m² in area and 2m in height.
- Any vehicle, trailer, tent, caravan or boat which is moveable and is not used as a place of storage, permanent accommodation or business (other than the business of hiring the facility for its intended use).
- Any utility structure.

C

Carehome: an old people's home or home for the care of people with special needs excluding a hospital.

Collector Road: means any road identified as a collector road in the road hierarchy classification as listed in Appendix 7. Their prime role is to distribute and collect local traffic within and between neighbourhood areas. In some situations they may link smaller rural communities to the arterial road network. Collector roads are required to balance the necessary traffic movement function against the property access function that they also need to provide.^{PC12}

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.

Commercial rearing: in relation to livestock means the breeding and/or rearing and sale of animals and birds for financial gain.

Community Infrastructure: has the same meaning as in section 197 of the Local Government Act 2002. *

Comprehensive Residential Development: shall only apply to the Living 1A5 Zone in Prebbleton or to a Medium Density area located within an Outline Development Plan.

In Prebbleton it means 8 or more residential units, clustered, planned and designed in an integrated and comprehensive manner. Comprehensive residential development applies where all required land use and subdivision consents are submitted concurrently or where the required land use consent for comprehensive residential development is submitted and approved prior to a subdivision consent being submitted for the same.

In a Medium Density area located within an Outline Development Plan, it means four or more residential units, clustered, planned and designed in an integrated and comprehensive manner. The comprehensive residential development is to be shown via a consent notice on the creation of the balance lot, with any subsequent subdivision consent for the individual units only being granted following the erection (to the extent that the exterior is fully closed in) of the dwellings that are to be subdivided.

Cycleway: See Pedestrian-cyclist link^{PC12}

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.

Design speed in respect to roads is the speed used for the design of geometric features of a road carriageway that influence vehicle operation. Design speed should not be less than the 85th percentile speed (which is known as the operating speed).^{PC12}

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 “Habilitation Centre” as defined in section 2 of the Criminal Justice Act 1985;

- A periodic detention centre established under section 126 (l) 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.

Drive through facility: means a retail activity where goods are sold to customers whom remain within their vehicle and for the purpose of determining car parking the queue length shall be provided from the first point of contact, usually where orders are placed.^{PC12}

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 70m², 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 70m² 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.

Food and Beverage: means a retail activity involving the sale of food and, or beverages prepared for immediate consumption on or off the premises including restaurants, taverns, cafes and takeaway bars but does not include supermarkets, dairies or bottle stores.^{PC12}

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.

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 (GFA): 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. For the purpose of calculating parking requirements GFA shall exclude any required parking and loading areas provided within a building.^{PC12}

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. *

Health Care Services: means land and or buildings used for the provision of services relating to the physical and mental health of people and or animals including: vets, general practices, medical centres, and dentists, in addition for the purposes of calculating car parking requirements, includes a hospital.^{PC12}

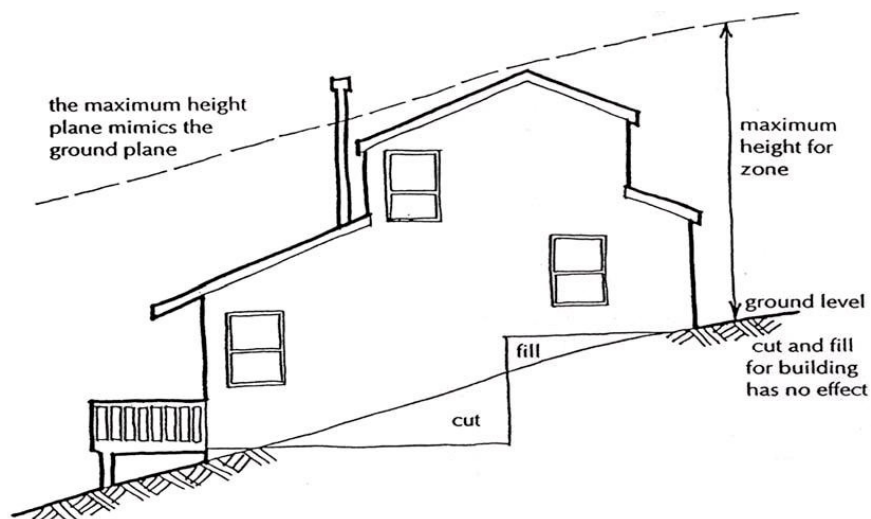
Height: in relation to any building or structure means the vertical distance between the ground level at any point and the highest part of the building or structure immediately above that point.

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 (except the Business 2A Zone) provided that the maximum height normally permitted by the rules for the zone is not exceeded by more than 2m.
- Lift shafts, plant rooms, water tanks, air conditioning units, ventilation ducts, cooling towers, chimney stacks, water tanks and similar architectural features on any building in the Business 2A Zone provided that the maximum height normally permitted by the rules is not exceeded by more than 5m and no more than 10% of the plan area of a building.

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.



Historic Heritage: means those natural and physical resources that contribute to an understanding and appreciation of New Zealand's history and cultures, deriving from any of the following qualities:

- archaeological:
- architectural:
- cultural:
- historic:
- scientific:
- technological; and

Includes-

- historic sites, structures, places, and areas; and
- archaeological sites; and
- sites of significance to Maori, including wāhi tapu; and
- surroundings associated with the natural and physical resources.

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 **manufacturing**, 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

L₁₀: means the L₁₀ 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.

Landscaping: means the visual improvement of an area through designed live planting of trees, shrubs and ground cover for amenity purposes and may include provision of physical features such as paving, art and seating. For the purposes of this definition, landscaping does not include the re-contouring of land by removing or displacement of earth or soil, or any earthworks associated with the erection or installation of a wall.

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.

Local Centre: is a small grouping of convenience stores (in the order of 1-5 stores) servicing residents' day-to-day retailing requirements and predominantly draws people from a localised area.

Local Road: means a road that is not intended to act as a main through route for motorised vehicle traffic as their primary network function is to provide property access, and they generally have lower traffic volumes. Any road in the district that is not specifically identified in this Plan as a State Highway, Arterial or Collector road is a 'local road'. New Local roads are further classified into the following sub categories.

– **Local Business Road (includes cul de sacs):** means a local road that serves a commercial or industrial area within a business zone in the district. These roads can be different in nature and of a higher standard, compared to a residential local road, as they need to cater for larger and heavier vehicles with their increased demands on vehicle manoeuvring, parking and property access.

– **Local Major Road:** means a local road that connects to collector and arterial roads (and other local roads). They are likely to form part of a wider network of connected roads of a similar standard that extends over an urban area. Council's urban design terminology refers to these roads as "local area Streets"

– **Local Intermediate Road (includes cul de sacs):** means a local road with low traffic volumes and speeds and primarily provides only for property access in urban areas, while maintaining some degree of connectivity best suited for walking and cycling between streets. The Council's urban design terminology refers to these as "neighbourhood streets",

– **Local Minor (includes cul de sacs):** means a local road that primarily provides for property access. Local minor roads are referred to as "resident's streets" Local minor roads are required to maximize street amenity in a space shared by all road users and have a low speed environment (less than 50km/hr).^{PC12}

M

Maintenance of gardens lawns or public spaces: means carrying out any work to preserve existing gardens lawns or public spaces in such a way that the scale or nature of the gardens lawns or public spaces is not altered. Maintenance does not include upgrading.

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

Neighbourhood Centre: is a grouping of principally convenience stores (in the order of 6-15 stores) predominantly servicing the local communities weekly and day-to-day retail requirements.

Net Density: is the number of lots of household units per hectare (whichever is the greater). The area (ha) includes land for:

- Residential purposes, including all open space and on-site parking associated with residential development;
- Local roads and roading corridors, including pedestrian and cycle ways, but excluding State Highways and major arterial roads;
- Local (neighbourhood) reserves.

The area (ha) that excludes land that is:

- Stormwater retention and treatment areas;
- Geotechnically constrained (such as land subject to subsidence or inundation);
- Set aside to protect significant ecological, cultural, heritage, or landscape values;
- Set aside for esplanade reserves or access strips that form part of a larger regional or sub-regional reserve network;
- For local community services and retail facilities, or for schools, hospitals or other district, regional or sub-regional facilities.

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.

NZTA: the New Zealand Transport Agency^{PC12}

O

Office: a place where administrative, business, clerical or professional and, or management activities are conducted.^{PC12}

On-site Public Space: means de-facto public space occurring on private sites. This includes all places where the public may be present including visitor car parking areas, private lanes and accessways to buildings. It excludes areas such as service lanes for the delivery of goods.

Operating Speed: The speed at which motor vehicles generally operate (85th percentile speed) on a particular road. Where operating speeds are unknown they are assumed to be the posted speed limit plus 10km/hr.

Outdoor Display Area: For the purpose of calculating car parking requirements, outdoor display area shall include the area of any land within a site where goods are on display for sale.^{PC12}

P

Parking Areas: means a continuous portion of a site, sites, allotment, allotments or part of any site or allotment on which parking for motor vehicles is provided and includes associated access.

Pathway: means a formed path for pedestrians and, or cyclists.

Pedestrian-cyclist link: means a green transport corridor for pedestrians and, or cyclists that for example links a road to a road, or a road to a reserve or facility. They are also known as 'walkway/cycleway links'. There is generally a pathway provided within the corridor for pedestrians and cyclists to share.^{PC12}

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. Point strips may also be for the purpose of protecting the opportunity to achieve future transport links between adjoining blocks of land.^{PC12} Such a strip is usually (although not necessarily) about 200mm in width.

Posted Speed Limit: the legal and sign posted speed limit that applies to the road as per the Selwyn District Council Speed Limits Bylaw.

Preschool: means land or buildings used for care and/or education of more than 3 children who do not reside on-site and are under the age of 6 years.^{PC12}

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.

Professional Staff: includes registered medical practitioners, dentists, veterinary surgeons, physiotherapists, practice nurses or any other specialist employed at a health facility who patients may consult for medical advice.^{PC12}

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.

Protected Tree: a tree or group of trees, which are of significance to the District, and are listed in the protected tree schedule in Appendix 4.

These trees fall into two categories:

- Category A: trees that have particularly high levels of significance, particularly in relation to heritage values, and score the highest under the evaluation criteria.
- Category B: trees that have significance for a range of reasons (e.g. landscape importance) and have a moderate score under the evaluation criteria.

Public Floor Area (PFA): means the sum of all floor areas or outdoor area available for the use of the general public in association with an activity, but excludes lift wells, stairwells, toilets, bathrooms and parking areas.^{PC12}

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.

Retail Activity: the use of land or buildings for displaying or offering goods for sale or hire to the public, including service stations. For the purposes of calculating car parking requirements, slow trade and bulk goods retail shall mean large goods which typically have a low turn-over such as building supplies, white wares, furniture and vehicles.^{PC12}

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. * and shall include roads to be vested.^{PC12}

Road Boundary: refer to Boundary.

S

Secure: with respect to cycle parking, means that cyclists and their bicycles are not exposed to danger or harm; for example cycle parking is not located where manoeuvring vehicles could collide with a cyclist and or their parked bicycle; also that the cycle parks are not located where there is no visibility from a public space (i.e. a road or car parking area).^{PC12}

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.

Except that for the purposes of calculating car parking requirements, the following may be separately assessed: Mechanical repair and servicing of motors (including motor cycles, caravans, motor boats, trailers), Warrant of fitness testing and or the sale of other merchandise where this is an ancillary activity to the sale of the motor fuel and vehicle accessories;^{PC12}

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 m² (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 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.

State Highway: means any road that is identified as a State Highway in the road hierarchy classification as listed in Appendix 7 and managed by the New Zealand Transport Agency. They are high capacity roads of national importance providing inter-district and regional links between significant transport destinations such as towns, cities, ports and other places of significance. State Highways are maintained to high standards to ensure they operate efficiently, including managing both road and property access to them through the New Zealand Transport Agency's powers under the Government Roding Powers Act. They are also subject to access controls in this Plan.^{PC12}

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).

Tree: any woody perennial plant, typically with a distinct trunk (but sometimes multi-stemmed) from which branches arise well above ground level to form a crown, and includes other plants of a tree-like size and form such as palms.

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 10m² 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 10m² in gross floor area, or less than 2.5m in height.

V

Vehicle Accessway: means any area of land, the primary purpose of which is to provide access between the body of any allotment(s) or site(s) and any road reserve. Accessway includes any rights of way, access lot, access leg or private road.^{PC12}

Vehicle Crossing: means the area within the road reserve over which vehicles move from the carriageway to a site. The width of a vehicle crossing shall be defined as the formed width at the property boundary. The length of the crossing is the distance from the edge of the carriageway to the property boundary.^{PC12}

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.

Visitor Accommodation: means the use of land and buildings for transient accommodation offered on a daily tariff, except as provided for under the definition of a residential activity. Visitor accommodation may involve the sale of food and liquor to in-house guests.

W

Wāhi Taonga Management Area: includes any land, building or structure which is listed in Appendix 5 and shown on the Planning Maps as a Wāhi Taonga Management Area.

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.

Walkway: See Pedestrian-cyclist Link^{PC12}

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. *

Workbay: for the purposes of calculating parking requirements, shall be the area required for each motor vehicle in a space where it can be serviced and any area immediately surrounding the vehicle required for lifts / hoists that enable the vehicle to be worked upon. It is noted that any other floor area within the building surrounding the work bay shall be considered as retail, office or industrial as appropriate.^{PC12}

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."

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APPENDIX 7

ROAD HIERARCHY

Road Name	To	From	Classification	Location	Predominate zoning
Aylesbury Road	Bealey Road	Main South Road (SH1)	Arterial		township
Bangor Road (SH77)	Darfield	Homebush Road (SH77)	State Highway	includes Darfield	township/ rural
Barker Street	West Belt	new road south	Collector	Lincoln - links to new urban areas	township
Bealey Road	West Coast Road (SH73)	Hororata Road	Arterial	includes Hororata	township/ rural
Birchs Road	Springs Road	James Street	Collector	Prebbleton to Lincoln	township/ rural
Blakes Road	Shands Road	Springs Road	Collector	Prebbleton	township
Boundary Road	James Street	Lincoln Rolleston Road	Collector	Lincoln	township/ rural
Bray Street	South Terrace (SH73)	Cardale Street	Arterial	Darfield	township
Bridge Street	Hororata Road	Homebush Road (SH77)	Arterial	Coalgate	township
Brookside Road	Byron Street	Dunns Crossing Road	Collector	Rolleston	township
Browns Road	Hororata Dunsandel Road	Main South Road (SH1)	Collector	Dunsandel	township
Browns Road	Main South Road (SH1)	Tramway Road	Collector	Dunsandel	township
Burnham Road	Main South Road (SH1)	Ellesmere Junction Road	Arterial		rural
Byron Street	Brookside Road	Tennyson Street	Collector	Rolleston	township
Cardale Street	Bray Street	Telegraph Road	Arterial	Darfield	township
Cardale Street	Mathias Street	Bray Street	Collector	Darfield	township
Cardale Street	Telegraph Road	Greendale Road	Collector	Darfield	township
Chattertons Road (Shared District Boundary Road)	Old West Coast Road	West Coast Road (SH73)	Arterial		
Christchurch Akaroa Road (SH75)	District Boundary (Halswell)	District Boundary (Motukarara)	State Highway	includes Tai Tapu, Motukarara	township/ rural

Road Name	To	From	Classification	Location	Predominate zoning
Coaltrack Road	Bridge Street	Homebush Road (SH77)	Collector	Coalgate	township
Coleridge Road	Rakaia Gorge Road (SH77)	Acheron Avenue	Collector	includes Coleridge	township/ rural
Cordys Road	Hororata Road	Milnes Road	Arterial	includes Hororata	township/ rural
Courtenay Road	Old West Coast Road	West Coast Road (SH73)	Collector	includes Kirwee	township/ rural
Cunningham Street	Pound Road	High Street	Collector	Leeston	township
Dawsons Road (Shared District Boundary Road)	Main South Road (SH1)	West Coast Road (SH73)	Arterial		rural
Deans Road	West Coast Road (SH73)	Homebush Road (SH77)	Arterial		rural
Derretts Road	Dunsandel Road	Bealey Road	Arterial		rural
Dryden Avenue	Rolleston Drive	Overbury Crescent	Collector	Rolleston	township
Dunns Crossing Road	Lowes Road	Main South Road (SH1)	Arterial	Rolleston	township
Dunsandel Road	Hororata Dunsandel Road	Derretts Road	Arterial		rural
East Maddisons Road	Brookside Road	Oak Tree Lane	Collector	Rolleston	township
Edward Street	Gerald Street	Ellesmere Road	Arterial	Lincoln	township/ rural
Ellesmere Junction Road	Burnham Road	Gerald Street	Arterial		township/ rural
Ellesmere Road	Edward Street	Trices Road	Arterial	Lincoln to Halswell	township/ rural
Feredays Road	High Street	Southbridge Rakaia Road	Arterial	includes Leeston	township/ rural
Gerald Street	Edward Street	Springs Road	Arterial	Lincoln	township
Goulds Road	Lowes Road	Oak Tree Lane	Collector	Rolleston	township
Greendale Road	McLaughlins Road	Cardale Street	Collector	Darfield	township
Hamptons Road	Waterholes Road	Springs Road	Arterial		rural
High Street (Leeston)	Station Street	Feredays Road	Collector	Leeston	township
High Street (Southbridge)	Southbridge Leeston Road	Brook Street	Collector	Southbridge	township

Road Name	To	From	Classification	Location	Predominate zoning
Homebush Road (SH77)	Bangor Road (SH77)	Wairiri Road (SH77)	State Highway	includes Coalgate, Glentunnel	township/ rural
Hororata Dunsandel Road	Main South Road (SH1)	Highfield Road	Collector	Dunsandel	township
Hororata Dunsandel Road	Highfield Road	Dunsandel Road	Arterial	includes Dunsandel	township/ rural
Hororata Road	Bealey Road	Bridge Street	Arterial	Hororata	township/ rural
Hoskyns Road	West Coast Road (SH73)	Main South Road (SH1)	Arterial	Includes access to Izone Industrial	township/ rural
Izone Drive	Jones Road	Illinois Road	Collector	Rolleston	township
James Street	Birchs Road	Gerald Street	Collector	Lincoln	township
Jones Road	Weedons Ross Road	Two Chain Road	Arterial	Includes access to Izone Industrial	township/ rural
Kidman Street	Tennyson Street	Rolleston Drive	Collector	Rolleston	township
Kimberley Road	Kowhai Drive	North Terrace	Collector	Darfield	township
Leaches Road	Milnes Road	Rakaia Gorge Road (SH77)	Arterial		rural
Leeston Dunsandel Road	Tramway Road	Irvines Road	Collector	Dunsandel	township
Leeston Dunsandel Road	Irvines Road	Market Street	Arterial	Dunsandel to Leeston	township/ rural
Leeston Lake Road	Station Street	High Street	Arterial	Leeston	township
Leeston Road	Ellesmere Junction Road	Station Street	Arterial	Springston to Leeston	township/ rural
Levi Road	Weedons Road	Loves Road	Arterial	Rolleston	township/ rural
Lincoln Rolleston Road	Masefield Drive	Selwyn Road	Arterial	Includes Rolleston	township/ rural
Lincoln Rolleston Road	Selwyn Road	Boundary Road	Collector		rural
Lincoln Tai Tapu Road	Ellesmere Road	Christchurch Akaroa Highway (SH75)	Arterial	Lincoln to Tai Tapu	township/ rural
Loves Road	Levi Road	Dunns Crossing Road	Arterial	Rolleston	township
Main Rakaia Road	Southbridge Rakaia Road	Main South Road (SH1)	Arterial		rural
Main South Road (SH1)	District Boundary (Templeton)	District Boundary (Rakaia River)	State Highway	includes Templeton, Rolleston, Dunsandel	township/ rural

Road Name	To	From	Classification	Location	Predominate zoning
Market Street	High Street	Pound Road	Collector	Leeston	township
Masefield Drive	Rolleston Drive	Lincoln Rolleston Road	Collector	Rolleston	township
Mathias Street	North Terrace	West Coast Road (SH73)	Collector	Darfield	township
Mathias Street	West Coast Road (SH73)	Cardale Street	Collector	Darfield	township
McLaughlins Road	Bangor Road (SH77)	Cressy Place	Collector	Darfield	township
McMillan Street	North Terrace	West Coast Road (SH73)	Collector	Darfield	township
Milnes Road	Cordys Road	Leaches Road	Arterial		rural
North Belt	West Belt	James Street	Collector		township
North Terrace	Kimberley Road	Mathias Street	Collector	Darfield	township
Old West Coast Road	District Boundary (Chattertons Road)	Waimakariri Gorge Road	Arterial		rural
Pound Road	Market Street	Cunningham Street	Collector	Leeston	township
Rakaia Gorge Road (SH77)	Windwhistle Road (SH77)	District Boundary (Rakaia River)	State Highway	includes Windwhistle	township/ rural
Rembrandt Drive	Rolleston Drive	Lowe's Road	Collector	Rolleston	township
Rolleston Drive	Main South Road (SH1 north)	Tennyson Street	Collector	Rolleston	township
Rolleston Drive	Tennyson Street	Main South Road (SH1 south)	Collector	Rolleston	township
Selwyn Road	Lincoln Rolleston Road	Shands Road	Arterial		rural
Shands Road	District Boundary (Marshs Road)	Ellesmere Junction Road	Arterial		rural
Southbridge Leeston Road	Feredays Road	High Street (Southbridge)	Arterial	includes Southbridge	township/ rural
Southbridge Rakaia Road	Feredays Road	Main Rakaia Road	Arterial		rural
Southfield Drive	Edward Street	Ryelands Drive	Collector	Lincoln	township
Springs Road	District Boundary (Marshs Road)	Gerald Street	Arterial	Prebbleton to Lincoln	township/ rural
Springs Road	Gerald Street	800 metres North of Collins Road	Collector	Lincoln	township

Road Name	To	From	Classification	Location	Predominate zoning
Springston Rolleston Road	Lowes Road	Shands Road	Arterial	Includes Rolleston	township/ rural
Station Street	Leeston Road	Leeston Lake Road	Arterial	Leeston	township
Telegraph Road	Cardale Street	Main South Road (SH1)	Arterial	Darfield	township/ rural
Tennyson Street	Main South Road (SH1)	Lowes Road	Collector	Rolleston	township
Tosswill Road	Springs Road	Hamptons Road	Collector	Prebbleton	township
Tramway Road	Browns Road	Leeston Dunsandel Road	Collector	Dunsandel	township
Trices Road	Springs Road	District Boundary (Sabys Road)	Arterial	Includes Prebbleton	township/ rural
Two Chain Road	Jones Road	Walkers Road	Arterial		rural
Waimakariri Gorge Road	West Coast Road (SH73)	District Boundary (Waimakariri River)	Arterial	includes Waddington	township/ rural
Wairiri Road (SH77)	Homebush Road (SH77)	Windwhistle Road (SH77)	State Highway		rural
Walkers Road	Main South Road (SH1)	Two Chain Road	Arterial		rural
Waterholes Road	Hamptons Road	Main South Road (SH1)	Arterial		rural
Waterholes Road	Ellesmere Junction Road	Springston Rolleston Road	Collector		rural
Weedons Road	Main South Road (SH1)	Ellesmere Junction Road	Arterial		rural
Weedons Ross Road	Old West Coast Road	Main South Road (SH1)	Arterial	includes West Melton	township/ rural
West Belt	North Belt	Barker Street	Collector	Lincoln	township
West Coast Road (SH73)	District Boundary (Yaldhurst)	District Boundary (Arthurs Pass)	State Highway	includes West Melton, Darfield, Waddington, Sheffield, Springfield, Arthurs Pass	township/ rural
Whitecliffs Road	Homebush Road (SH77)	Farr Street	Collector	Glentunnel to Whitecliffs	township/ rural
Windwhistle Road (SH77)	Wairiri Road (SH77)	Rakaia Gorge Road (SH77)	State Highway	includes Windwhistle	township/ rural

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APPENDIX 13

ROADS AND TRANSPORT

E13.1 Parking requirements

E13.2 Vehicle accessways and crossing standards

E13.3 Road standards

E13.1 Parking Requirements

E13.1.1 Parking Spaces to be Provided

- E13.1.1.1** For any new activity, or any increase in an existing activity not complying with Section 10 of the Act (Certain Existing Land Uses in Relation to Land Protected), provision shall be made for on-site vehicle parking, for use by staff and visitors, in accordance with Table E13.1(a) and E13.1(b), and in compliance with the car park dimensions in Table E13.2 and Diagram E13.1.^{PC12}
- E13.1.1.2** If an activity is not listed in Table E13.1, the activity closest in parking demand to the new activity shall be used. ^{PC12}
- E13.1.1.3** Where there are two or more similar activities in Table E13.1 and there is uncertainty over which rate is most applicable, the activity with the higher parking rate shall apply. ^{PC12}
- E13.1.1.4** Where there are two or more different activities listed in Table E13.1 occurring on the site, the total requirement for the site shall be the sum of the parking requirements for each activity. ^{PC12}
- E13.1.1.5** Where a parking requirement results in a fractional space, any fraction of one half or over shall be rounded up to the nearest whole number and any fraction under one half shall be disregarded except that there must be a minimum of one space for each activity.^{PC12}
- E13.1.1.6** Parking spaces for persons with impaired mobility shall be provided at the required rate (refer to Rules 5.5.1.5 and 17.5.1.4) and shall be included within the total requirement specified in Table E13.1.^{PC12}

Table E13.1(a) – Minimum Parking Spaces to be Provided

Except as provided in Table E13.1(b), the following parking rates shall apply:

ACTIVITY	MINIMUM PARKING SPACES TO BE PROVIDED
Residential	2 spaces per residential dwelling or 1 space per residential dwelling in Living Z Medium Density areas identified on an Outline Development Plan.

ACTIVITY	MINIMUM PARKING SPACES TO BE PROVIDED
Industrial activities	1.5 spaces per 100m ² GFA
Places of Assembly and/or Recreational Activities	10 spaces per 100m ² public area or 1 space per 10 seats, whichever is greater
Drive-throughs, excluding service stations	5 stacked parking spaces per booth or facility
Service stations	1 space beside each booth or facility except car wash facilities which shall be provided with 5 stacked parking spaces per facility
Retail activities generally (including Commercial)	4.5 spaces per 100m ² GFA and/or outdoor display area
Slow trade and bulk goods retail	2.5 spaces per 100m ² GFA and/or outdoor display area
Food and Beverage	4.5 spaces per 100m ² PFA for the first 150m ² then 19 spaces per 100m ² PFA thereafter. Where there is no public floor area, for example a drive through only, one space shall be provided per staff member employed on the site at any one time.
Sports grounds and playing fields	15 spaces per hectare of playing fields
Carehomes	1 space per 3 clients
Health care services	3 spaces per professional staff member employed on-site at any one time
Offices	2.5 spaces per 100m ² GFA
Research facilities	1 space per 2 full time equivalent staff
Educational (excluding Preschools)	1 space per full time equivalent staff member, plus 1 space per 8 students over 16 years of age, and Visitor/set down parking at: Primary schools: 1 space per 6 students All other education facilities: 1 space per 20 students under 16 years of age except that in respect to student parking, any required on site parking provision can be deferred until a minimum of 5 spaces are required. At such time that the 5th space is required, the car parks shall be formed and sealed on site within 6 months of that time.
Preschool	0.26 spaces per child (including drop-off and staff parking)
Visitor Accommodation	1 space per bed plus 1 space per 2 staff
Activities providing automotive servicing	3 parking spaces per work bay ¹

¹ Note that in accordance with clause 13.1.1.4 activities involving work bays, service stations or drive throughs shall be assessed in addition to any other activity such as industrial, office or retail.

Table E13.1 (b) – Parking spaces to be provided for Town Centres, and Local and Neighbourhood Centres

The following requirements shall apply to:

- Retail and Food and beverage activities located within the main Business 1 zone within the town centres of Lincoln, Rolleston, Darfield, Prebbleton, Leeston or Southbridge, as shown on the respective Planning maps.
- Local and Neighbourhood Centres as identified on an approved Outline Development Plan.

For the avoidance of doubt, the following requirements shall not apply to isolated pockets of Business 1 zoned land or areas of Business 1 zone land which are outside of the main town centre.

ACTIVITY	MINIMUM PARKING SPACES TO BE PROVIDED
<p>Food and Beverage (Lincoln, Rolleston, Darfield, Leeston and Southbridge except as specified below)</p>	<p>3.5 spaces per 100m² PFA for the first 150m² then 15 spaces per 100m² PFA thereafter. Of which the greater of 1 space or 15% of the total spaces required for the activity, shall be marked on-site to provide a minimum level of staff parking.</p> <p>Where there is no public floor area, for example a drive through only, one space shall be provided per staff member employed on the site at any one time.</p>
<p>Retail activities generally (including Commercial) (Lincoln, Rolleston, Darfield, Leeston and Southbridge except as specified below)</p>	<p>3.5spaces per 100m² GFA and/or outdoor display area. Of which the greater of 1 space or 15% of the total spaces required for the activity, shall be marked on-site to provide a minimum level of staff parking.</p>
<p>Food and Beverage (Neighbourhood centres (activities under 450m²) and Prebbleton)</p>	<p>4.0 spaces per 100m² PFA for the first 150m² then 17 spaces per 100m² PFA thereafter. Of which the greater of 1 space or 15% of the total spaces required for the activity, shall be marked on-site to provide a minimum level of staff parking.</p> <p>Where there is no public floor area for example a drive through only, one space shall be provided per staff member employed on the site at any one time.</p>
<p>Retail activities generally (including Commercial) (Neighbourhood centres (activities under 450m²) and Prebbleton)</p>	<p>4.0 spaces per 100m² GFA and/or outdoor display area. Of which the greater of 1 space or 15% of the total spaces required for the activity, shall be marked on-site to provide a minimum level of staff parking.^{PC12}</p>
<p>Food and Beverage Local centres and Southbridge (activities under 200m² GFA)</p>	<p>2 spaces per 100m² PFA for the first 150m² then 15 spaces per 100m² PFA thereafter. Of which the greater of 1 space or 15% of the total spaces required for the activity shall be marked on-site to provide a minimum level of staff parking.</p> <p>Where there is no public floor area, for example a drive through only, one space shall be provided per staff member employed on the site at any one time.</p>
<p>Retail activities generally (including Commercial) Local centres and Southbridge (activities under 200m² GFA)</p>	<p>2 spaces per 100m² GFA and/or outdoor display area. Of which the greater of 1 space or 15% of the total spaces required for the activity shall be marked on-site to provide a minimum level of staff parking.</p>

Table E13.2 – Minimum Car Park Dimensions

Type of User	Parking Angle (°)	Stall Width (m)	Aisle	Stall Depth (m)
		To be increased by 300mm where they abut a permanent obstruction (e.g. wall)	(Specified for one way, forward entry. Two way aisles shall be 5.5m minimum)	(5.0m if low kerb allows overhang, but this overhang shall not encroach on required landscape areas)
Long Term	90 (Perpendicular)	2.4	6.2	5.4
(Tenant, employee and commuter parking, universities – generally all day parking)	60	2.4	4.9	5.4
	45	2.4	3.9	5.4
	30	2.1	3.1	5.4
Medium Term	90	2.5	5.8	5.4
(Town centre parking, sports facilities, entertainment centres, hotels, motels, - generally medium term parking)	60	2.5	4.6	5.4
	45	2.5	3.7	5.4
	30	2.3	3.0	5.4
Short Term	90	2.6	5.4	5.4
(Short-term town centre parking, shopping centres, supermarkets, hospitals and medical centres (generally where children and goods can be expected to be loaded into vehicles))	60	2.6	4.3	5.4
	45	2.6	3.5	5.4
	30	2.5	2.9	5.4
			8.0	5.4
Disabled Parking	As above	3.2	As above	5.4
All Users	Parallel	2.5	5.5 (two way)	5.4

NOTE:

Refer to Diagram E13.1(a) for car parking space layout.

Notes:

1. Car parking spaces for people with disabilities are subject to requirements under the current New Zealand Building Code including being located as close as practicable to the building entrance. The spaces shall be on a level surface and be clearly signed.
2. For further design guidance for parking areas in buildings refer to the New Zealand Building Code D1: Access Routes or Australian Standard Off-street Parking, Part 1: Car Parking Facilities, AS/NZ 2890.1-2004 and subsequent amendments.^{PC12}

E13.1.2 Availability of Parking Spaces

E13.1.2.1 Any area required for on-site parking or loading, other than for a residential activity, shall be available at all times for staff and visitors during the hours of operation of the activity and shall not be diminished

by any subsequent erection of any structure, storage of goods, or any other use.

E13.1.3 Parking Area Location

E13.1.3.1 All parking required in Table E13.1 above and all loading (including unloading) areas shall be located on the same site as the activity for which the parking is required. This rule shall not apply to any required parking which complies with rule E13.1.3.3 below.

E13.1.3.2 Any parking or loading area for any activity in a Business zone shall not have its access across land in any Living zone.

E13.1.3.3 Within a Business 1, 2 or 2A Zone, parking required in table E13.1 above may be provided on a physically adjoining site, or on a site within 100m of the site on which the activity is undertaken, provided that in either of these situations:

(a) the parking shall be clearly associated with the activity by way of signage on both sites, or alternatively be available for general public use, and

(b) the parking is located on the same side of any road as the activity, and

(c) the most direct route provided or available for pedestrians from the parking area to the activity is not more than 200m and,

(d) if disabled parking cannot be physically accommodated on the same site as the activity, shall be provided at the closest point to the entrance to the activity with which they are associated and, the most direct route from the disabled parking spaces to the activity shall be accessible for mobility impaired persons and

(e) Parking on a separate site by an activity must be protected for the use of that activity (and any future activity on the activity site), or for the use of the general public, by an appropriate legal instrument. A copy of the appropriate legal instrument shall be provided to Selwyn District Council for their records.^{PC12}

E13.1.4 Cycle Parking

E13.1.4.1 Any activity, other than residential activities, temporary activities, activities listed in E13.1.4.2 and activities permitted under Part C, Living Zone Rules - Activities 10.9.1. is to provide cycle parking at a minimum of 2 spaces and then at a rate of 1 cycle space for every 5 car parking spaces required, to a maximum of 10 cycle spaces.

E13.1.4.2 Any Place of assembly, recreation or education activity shall provide cycle parking at a minimum of 2 spaces and then at a rate of 1 cycle space for every 5 car parking spaces required.

E13.1.4.3 All cycle parking required by rule E13.1.4.1 or E13.1.4.2 shall be provided on the same site as the activity and located as close as practicable to the building main entrance and shall be clearly visible to cyclists entering the site, be well lit and secure. The type of stand must

comply with the most recent Engineering Code of Practice requirements for cycle parking rack systems.^{PC12}

E13.1.5 Loading and Manoeuvring

E13.1.5.1 All loading and manoeuvring shall be carried out on-site. The manoeuvring area to and from the loading zone shall be designed to accommodate at least the design truck as detailed in the Council's most recent Engineering Code of Practice.^{PC12}

E13.1.5.2 No loading zone shall obstruct any on-site car parking space or any vehicle or pedestrian access. For clarification any loading spaces shall be in addition to parking spaces required in Table E13.1.^{PC12}

E13.1.6 Parking Spaces for Residential Activities

E13.1.6.1 Garageable parking spaces for any residential activity in any zone shall have the following minimum internal dimensions:

	Width	Depth
Single	3.1m	5.5m
Double	5.6m	5.5m

E13.1.6.2 The minimum width of the entrance to a single garage shall be 2.4 metres.

E13.1.6.3 Any other parking space for any residential activity shall have the following minimum dimensions:

Width	2.5m
Depth	5m

E13.1.6.4 The manoeuvring area to and from the site access to the parking space shall be designed to accommodate at least the design motor car as set out in the Council's most recent Engineering Code of Practice.^{PC12}

E13.1.6.5 Where two parking spaces are required by for any residential activity (other than visitor spaces), they may be provided in tandem where on-site manoeuvring is provided.

E13.1.7 Gradient of Parking Areas

E13.1.7.1 The gradient for any on-site parking surface for any non-residential activity, shall be no more than:

- (a) At 90° to the angle of parking - 1:16
- (b) Parallel to the angle of parking - 1:20

E13.1.8 Maximum Gradients for Access to any Parking Space(s)

E13.1.8.1 The maximum average gradient of any access shall be 1 in 6.

E13.1.8.2 The maximum gradient shall be 1 in 4 on any straight section and 1 in 6 around curves, the gradient being measured on the inside line of the curve.

E13.1.8.3 The maximum change in gradient without a transition shall be no greater than 8°.PC12

E13.1.9 On-site Manoeuvring

E13.1.9.1 On-site manoeuvring shall be provided to ensure that no vehicle is required to reverse either onto or off a site where:

- (a) Any site has access to a **State Highway** or **arterial road** (refer Appendix 7); or
- (b) Any site has access to a collector road and required 3 or more parking spaces; or
- (c) Any site containing a non-residential activity having access to a collector road; or
- (d) Any access to a site that serves 6 or more parking spaces; or
- (e) Any residential activity providing tandem parking.

Note: Required design vehicles for manoeuvring are included in the Council's most recent Engineering Code of Practice.

E13.1.9.2 Parking spaces shall be located so as to ensure that no vehicle is required to carry out any reverse manoeuvring when entering any required parking space.

E13.1.9.3 Vehicles shall not be required to undertake more than one reverse manoeuvre when manoeuvring out of any required parking or loading space.

E13.1.10 Queuing Spaces

E13.1.10.1 A queuing space shall be provided on-site for all vehicles entering or exiting a parking or loading area. The length of such queuing spaces shall be in accordance with Table E13.3 below. Where the parking area has more than one access the number of parking spaces may be apportioned between the accesses in accordance with their potential usage.

E13.1.10.2 The queuing space length shall be measured from the road boundary to the nearest vehicle control point or point where conflict with vehicles or **pedestrians on established pathways** already on the site may arise.PC12

Table E13.3 – Queuing Space Lengths

Number Of Parking Spaces On-Site	Minimum Queuing Space Length (m)
1-20	5.5
21-50	10.5
51-100	15.5
101-150	20.5
151 or over	25.5

Note: The discharge of storm water from a large sealed area may require a discharge consent from Environment Canterbury.

E13.1.11 Illumination

E13.1.11.1 Any parking and loading areas, (excluding those for any residential activity), which are required at night shall be illuminated to a minimum maintained level of 2 lux, with high uniformity, during the hours of operation.

E13.1.12 Surface of Parking and Loading Areas

E13.1.12.1 The surface of any parking, loading, and associated access areas (except parking areas for any residential activity) shall be formed, sealed and drained with the parking spaces permanently marked.

E13.2 Vehicle Accessway and Crossing Standards

E13.2.1 Private Vehicle Accessway

E13.2.1.1 The minimum requirements for any private vehicle accessway for a site(s) shall be in accordance with Table E13.4.

Table E13.4 – Minimum Requirements for any Shared Private Vehicular Accessway

Zone	Potential No of Sites	Length (m)	Legal Width (m)	Carriageway Width (m)	Turning Area	Passing Bay
Living Zones	2	Any length	4.5	3.0	Optional	Optional
Living Zones	4-6	0-50	5.0	3.5	Optional	Required
Living Zones	4-6	Over 50	6.5	4.5	Required	Required
Business Zones	1-6	All lengths	7.0	5.0	Required	Optional

E13.2.1.2 The minimum height clearance for any private vehicle access shall be 4.5m.

E13.2.1.3 Where a private vehicle access serves more than two allotments, in any zone, it shall be formed and sealed.

E13.2.1.4 Where turning areas are required in Table E13.4, this may be facilitated through the use of a hammerhead arrangement. **Note:** refer to the Council's most recent Code of Practice for the design standard required.

E13.2.1.5 The minimum width of an accessway serving a single site in the Living Zones shall be 3.5m.^{PC12}

Notes: Access to allotments with the potential to accommodate more than 10 dwellings in any Living zone or more than 6 sites in any Business zone shall be provided by way of a road, not a private way or access lot (refer to rules C5.2.1.7 and C17.2.1.7). The legal width is greater than the carriageway width to ensure that there is space for suitable on-site stormwater management and landscaping.

E13.2.2 Distances of Vehicle Crossings from Road Intersections

E13.2.2.1 No part of any vehicle crossing shall be located closer to the intersection of any roads than the minimum distances specified in Table E13.5 except that where the boundaries of a site do not allow the provision of any vehicle crossing whatsoever in conformity with Table E13.5, a single vehicle crossing may be constructed in the position which most nearly complies. (Note that the Road Hierarchy for the District is set out in Appendix 7).

E13.2.2.2 In applying E13.2.2.1 the distances specified in Table E13.5 shall be measured along the road boundary parallel to the centre line of the roadway of the frontage road from the kerb line, or formed edge, of the intersecting road – refer to Diagram E13.5.

E13.2.2.3 No part of any vehicle crossing shall be located closer than 30 metres to the intersection of any railway line measured from the nearest edge of the vehicle crossing to the limit line at the level rail crossing.^{PC12}

Table E13.5 – Minimum Distances of any Vehicle Crossing from Intersections

Vehicle Crossing Joins to	Posted speed Km/hr	Intersecting Road Type Distances in Metres			
		State Highway	Arterial	Collector	Local
Strategic State Highway	> 50	100	100	100	100
	≤ 50	30	30	30	30
Arterial	> 50	100	100	100	100
	≤ 50	30	30	30	30
Collector	> 50	75	75	60	60
	≤ 50	30	30	30	25
Local	> 50	75	75	60	60
	≤ 50	25	25	25	10

Note: The vehicle crossing to the Business 1 Zone at Rolleston bounded by Rolleston Drive, State Highway 1 and Dick Roberts Place shall be located approximately 300 metres from the strategic intersection of State Highway 1 and Rolleston Drive. Refer to Rule 22.

E13.2.3 Sight Distances From Vehicle Crossings

E13.2.3.1 Any access on any road shall have minimum unobstructed sight distances that comply with Tables E13.6 below and measured in accordance with Diagram E13.2.

Table E13.6 – Minimum Sight Distances

Posted (Legal) Speed Limit (km/h)	State Highways and Arterials Required Sight Distances (m)	Collector and local roads	
		Living Zones Sight Distances (m)	Business Zones Sight Distances (m)
50	113	45	113
60	140	65	140
70	170	85	170
80	203	115	203
90	240	140	240
100	282	250	282

E13.2.4 Vehicle Crossing Design and Siting

E13.2.4.1 Vehicle access to any site from any road or service lane shall be by way of a vehicle crossing constructed at the owner's or developer's expense.

E13.2.4.2 For all sites in a Living Zone there shall be a maximum of one vehicle crossing per site.

E13.2.4.3 For sites in the Business 2A Zone with frontage to roads other than State Highway and Arterial roads, there shall be a maximum of two vehicle crossings per site except that:

(a) There may be a maximum of three vehicle crossings per site where the road frontage is more than 100 metres in length.

E13.2.4.4 For sites in all other Business zones (excluding B2A zone) there shall be a maximum of one vehicle crossing per site, except where:

(a) the site has frontage to roads other than State Highway and Arterial roads, where there may be a maximum of two vehicle crossings per site if each crossing is a single exit or entry (one way flow), or

(b) The site has a road frontage of more than 100m in length where there may be a maximum of three vehicle crossings per site.

E13.2.4.5 The maximum spacing and width any vehicle crossing shall comply with Table E13.7.

E13.2.4.6 For the purposes of measuring the distance between crossings specified in table E13.7, the distance between two vehicle crossings shall be measured along the edge of the carriageway parallel to the road centre line, between the full height kerb or edge of crossing seal and the full height kerb or seal edge of the adjoining crossing.

E13.2.4.7 For the purposes of measuring crossing widths as specified in Table E13.7, the width of a vehicle crossing shall be measured at the property boundary (parallel with the road reserve).^{PC12}

Table E13.7 – Vehicle Crossing Requirements

Zone	Distance Between Crossings (m) on Same Side of Road	Width (m)	
		Minimum	Maximum
Living zones	Vehicle crossing to a shared accessway	Residential activities – 3.5m	Residential activities – 6m
	Greater than 7m; All other vehicle crossings; Less than 1m or greater than 7m	Non-residential activities – 4m	Non-residential activities – 7m
All Business zones except the B2A Zone (Izone)	Less than 1m or greater than 7m	5m	7m or 8m for shared crossings
B2A Zone (Izone)	Less than 1m or greater than 7m	5m	12m

E13.2.4.8 Notwithstanding E13.2.4.5 above, for vehicle crossings onto a State Highway or Arterial road with a posted speed limit of 70km/h or greater the distances between crossings shall be taken from Diagram E13.4.^{PC12}

E13.2.5 Standard of Vehicle Crossings

E13.2.5.1 Vehicle crossings shall be constructed to the following minimum standards:

- (a) Standard vehicle crossings shall be provided to sites capable of containing no more than 6 dwellings or which generate no more than 100 vehicle movements per day.
- (b) Heavy-duty vehicle crossings shall be provided for all other sites.

E13.3 Road Standards

E13.3.1 New Roads

E13.3.1.1 Any new road shall be laid out and vested in the Council in accordance with the standards contained in Table E13.8. Where stipulated that one parking lane is required the placement of this can alternate between respective sides of the road in the form of parking base.

E13.3.1.2 When determining the carriageway width as shown in Table E19.8 in accordance with E13.3.1.1, the carriageway widths shall be measured kerb face to kerb face.^{PC12}

Table E13.8 – Road Standards

Type of Road	Legal Width (m)		Carriageway Width (m)		Traffic lanes	Parking lanes	Specific provision for cycles (on road or off road)	Pedestrian Provision
	Min	Max	Min	Max	Min. No. of	Min No. Of		Minimum
State Highways	20	25	NA refer to NZTA	NA refer to NZTA	2	2	Yes	Both sides
Arterial	20	25	13	14	2	2	Yes	Both sides
Collector (except in Business 1 zone)	20	25	11	12	2	1	Yes	Both sides
Collector (Business 1 Zone)	20	25	13	14	2	2	Yes	Both sides
Local – Business	20	25	12	13	2	2-Both sides	Optional	Both sides
Local roads – Living								

Type of Road	Legal Width (m)		Carriageway Width (m)		Traffic lanes	Parking lanes	Specific provision for cycles (on road or off road)	Pedestrian Provision
Local Roads – Living 3 Zone at Rolleston (as shown within the Outline Development Plan at Appendix 39 and 40)	18m	20m	6m	6.5m		Nil		One side only
Local – Living 2 zone only	18	20	6	6.5	2	NA	NA	Optional but no more than one side.
Local - Major	16	20	8.5	9	2	1	Optional	One side
Local - Intermediate	13	15	7	8	2	1	NA	One side
Local - Minor	10	12	5	6	1	NA	NA	NA
Cycle/Pedestrian Accessway	6	10	2.5	3.0	NA	NA	Yes	Yes

Notes: The most recent Engineering Code of Practice (COP) includes more detail on the design requirements of roads and cycle/pedestrian accessways.

Approval must be sought from NZTA before any work is carried out within the State Highway road reserve.

Table E13.8 does not apply to roads within the B2A zone formed in accordance with the recommended road cross sections in appendix E22 (refer to rule 17.1.1.3).^{PC12}

E13.3.1.3 Any footpath shall be constructed as a sealed strip within the berm. All areas of berms not sealed in footpath are to be formed in grass, except in the Business zones where the full width of the berm shall be formed.

E13.3.1.4 Cul-de-sacs are permitted on local business roads. Cul-de-sacs are also permitted for local intermediate or local minor roads but shall be restricted to a maximum length of 150 metres.

E13.3.1.5 Any cul-de-sac road must connect to a through road and shall not only connect to another cul-de-sac.^{PC12}

E13.3.1.6 Any local road (living) cul-de-sac shall be constructed with a turning head having a minimum diameter of 22m measured from kerb to kerb.

E13.3.1.7 Any local road cul-de-sac (business) shall be constructed with a turning head having a minimum diameter of 30m measured from kerb to kerb.^{PC12}

E13.3.1.8 Any local road in the Living 3 Zone at Rolleston shall be constructed in substantial accordance with the recommended road cross section shown in the Outline Development Plan in Appendix 39 and 40.

E13.3.2 Road Intersection Spacing (all roads)

E13.3.2.1 The spacing between road intersections shall comply with Table E13.10 below.

E13.3.2.2 In determining intersection spacing from Table E13.9 in accordance with E13.3.2.1, where new roads are proposed as part of any Outline Development Plan, the intersection spacing can be designed for the proposed (future) speed limit (typically 50km/hr) within the Outline Development Plan area and on immediately adjoining roads.

E13.3.2.3 The distance between any two road intersections shall be measured along the centre line of the road which has both the intersections:

- (a) From the point where the centre lines of two of the roads intersect;
- (b) To the point where the centre lines of the other two roads intersect.^{PC12}

Table E13.9 – Minimum Distance Between Intersections

Posted (Legal) Speed Limit (km/hr)	Road types	Distance (m)
100	All	800
90	All	248
80	All	214
70	All	181
60	All	151
50	State Highways, Arterials, Collector and Local Business Roads	123
50 (or less)	Local roads only	75

Note: Table E13.9 does not apply to roads within the B2 and B2A zone that are located as shown within Appendix E22 or E32 (refer to rule 17.1.1.4).

DIAGRAMS

Diagram E13.1 – Car Parking

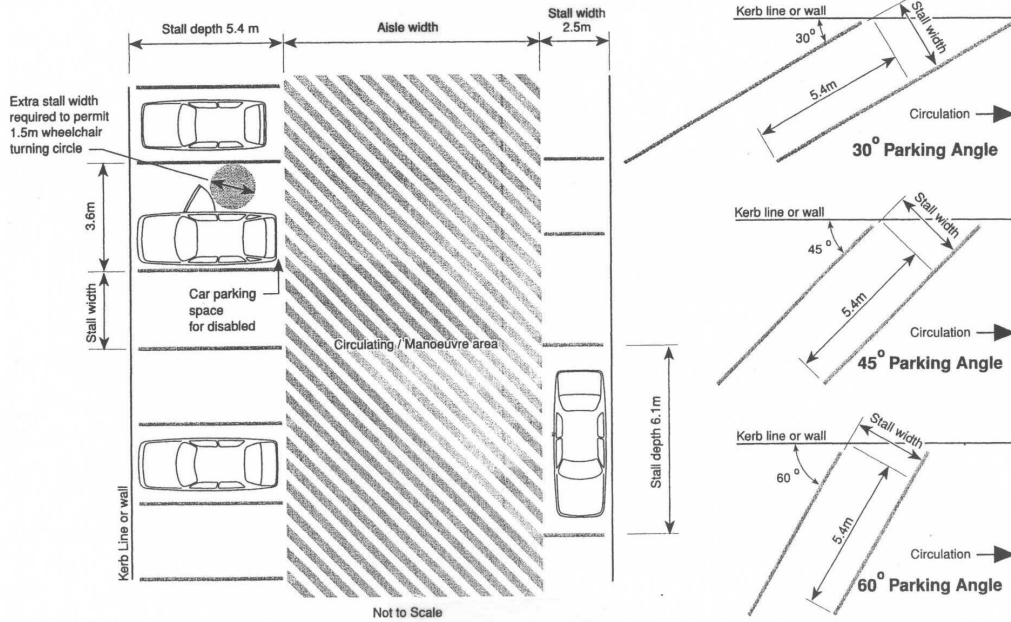
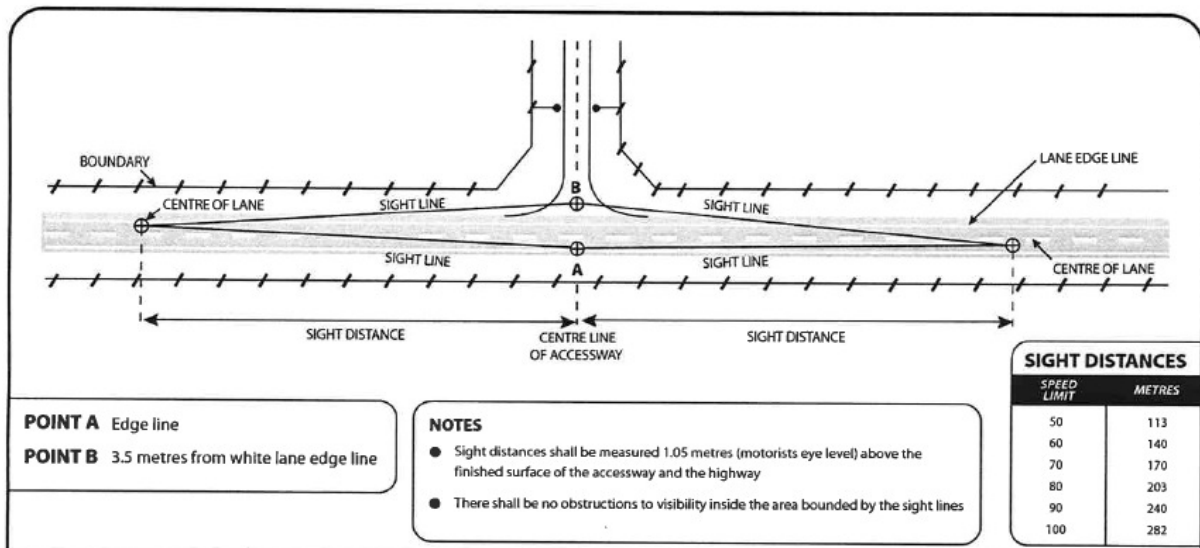
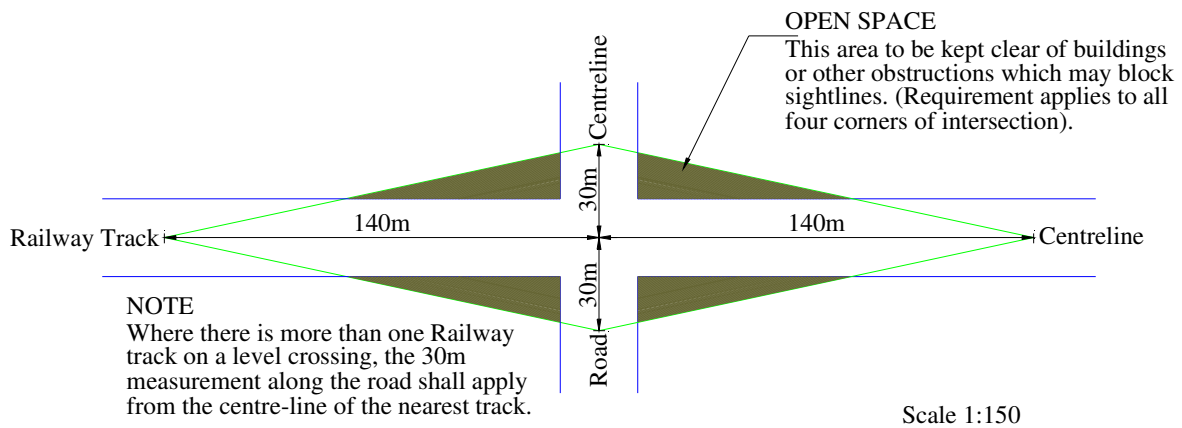


Diagram E13.2 – Sight Distance Measurement and State Highway/Arterial Sight Distance Values



E13.3 Traffic Sight Lines at Railway Crossings



Note: E13.3 relates to Rule C5.4 and C17.4

Diagram E13.4 - State Highways and Arterial Roads - Access Separation From Other Accesses

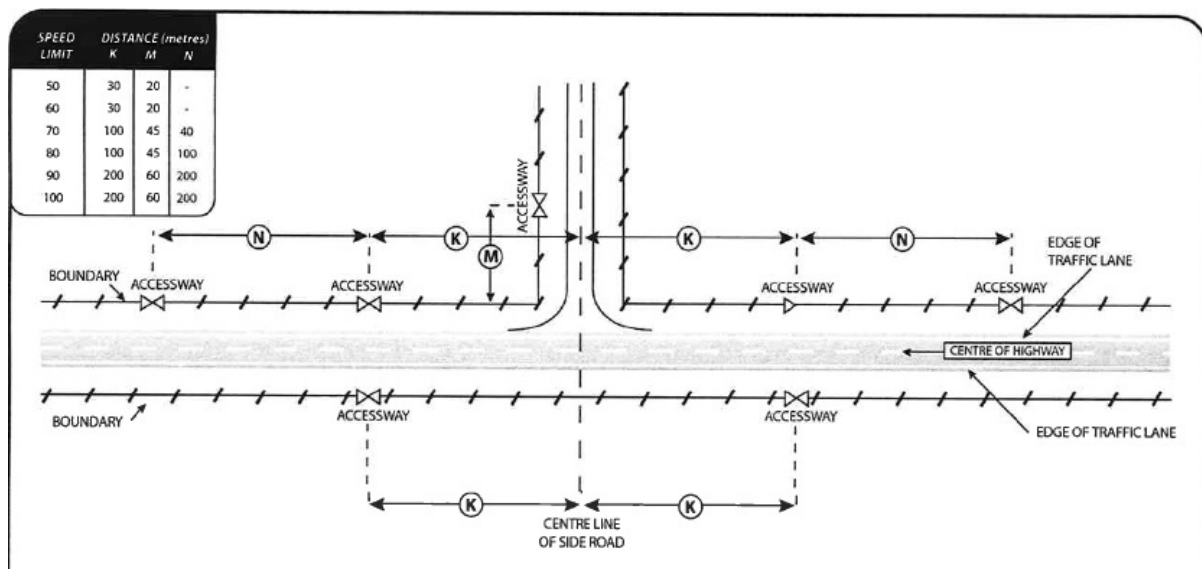
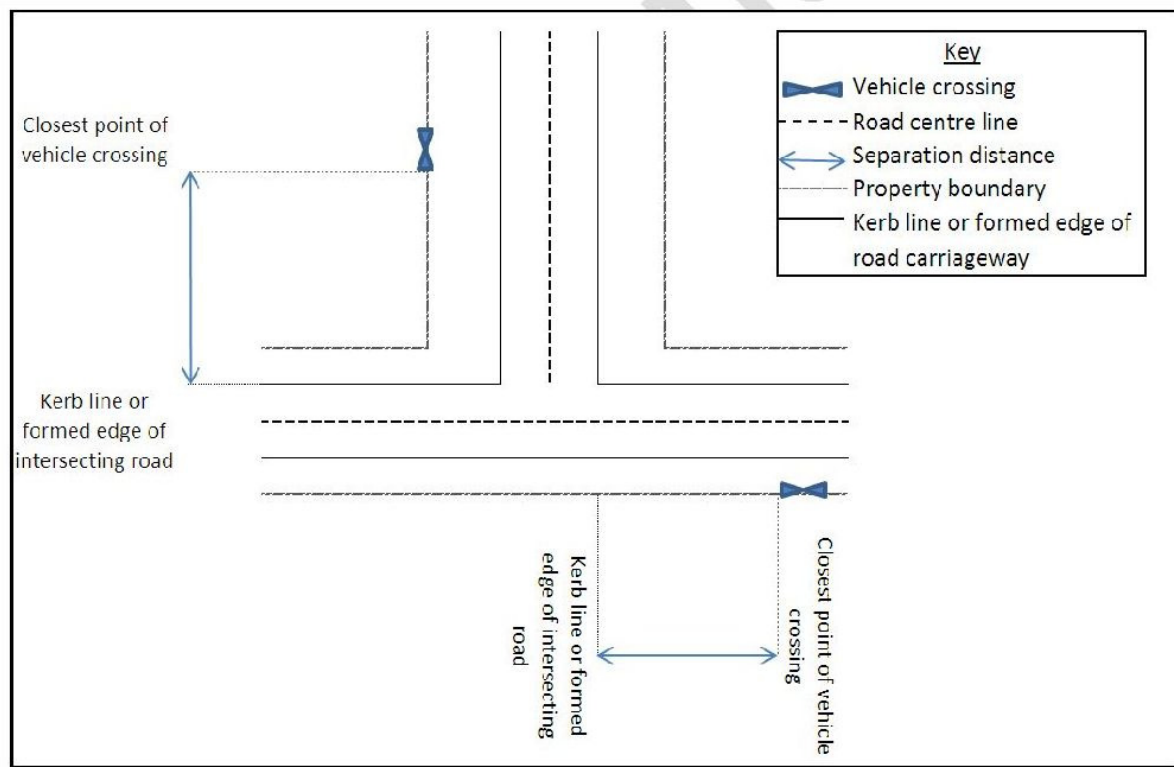


Diagram E13.5 – Access Separation From Intersections



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SCHEDULE OF AMENDMENTS

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

Name	Description
Plan Change 12	Transport (Approved by Council 12 September 2012)
Minor Amendments	Various minor amendments included (Clause 20A)

Rural Volume

Amendments from 26 September 2012 to 23 October 2012

Replace pages - Please recycle all pages removed

Part A0 – Contents

Amend page numbering to reflect multiple additions of text A-001 – A-002

Part B2 – Physical Resources

All references to LTCCP throughout this chapter have been amended to LTP (Clause 20A) B2-001 – B2-054

B2.1 Transport Networks – Issues, delete subheading “Road, Rail and Airfields” Entire Chapter

Insert new 1st bullet, amend 2nd bullet, delete 3rd bullet (old 2nd), insert new 3rd, 4th and 5th bullets, delete last bullet.

Amend Introduction 1st paragraph and insert new 2nd paragraph.

Amend heading Rooding Network and 1st paragraph, insert new 2nd, 3rd and 4th paragraphs.

Amend 1st paragraph under “Railway Lines”

Insert new Issue 1 Integrating Land Use and Transport and renumber existing Issues

Amend 1st paragraph under Safe and Efficient Use of the Transport Network, Issue 2 (old Issue 1).

Amend 1st and 3rd paragraph under Road Network, Issue 2, delete first six bullets of 2nd paragraph and insert nine new bullets.

Amend 1st paragraph under Heavy Vehicles

Under Resident Growth, amend 2nd bullet of 1st paragraph, amend 2nd and 4th paragraphs

Under Railway Lines, amend paragraph

After Airfields, at end of Issue 2, insert new “Pathways” and corresponding text.

Insert new Issue 3 and corresponding text

Amend Issue 4 (old Issue 2) heading and insert four new bullet points, amend bullets 5, 6 and 7, insert new 8th bullet point, and insert new paragraph at end of bullet points.

Amend Issue 5 (old Issue 3), 1st paragraph, 1st bullet point. Insert new 2nd paragraph, bullet points and final paragraph.

Amend Issue 6 (old Issue 4), insert new 1st paragraph, amend 2nd and 3rd paragraphs, delete 4th paragraph, insert new 4th, 5th, 6th and 7th paragraphs

Under “Transport Networks – Strategy”, delete existing and insert new bullet points.

Under “Environmental Effects and Reverse Sensitivity”, amend 1st bullet point and add new 4th and 5th bullet points.

Under Transport Networks – Objectives, amend subheading

Delete Objective B2.1.1 and insert new B2.1.1, amend B2.1.2, insert new B2.1.3 and B2.1.4, renumber subsequent objectives.

Amend 1st paragraph Explanation and Reasons, delete 2nd paragraph and insert new 2nd, 3rd, 4th, 5th, 6th, 7th, 8th and 9th paragraphs, amend 10th paragraph.

Under Transport Networks – Policies and Methods, amend subheading

Delete Policies B2.1.1, B2.1.2 and Note, insert new B2.1.1 and B2.1.2

Amend Policy B2.1.3, delete B2.1.4 and insert new B2.1.4(a), B2.1.4(b) and B2.1.5, delete existing Explanation and Reasons and insert new Explanations and Reasons, amend Methods. Renumber subsequent Policies.

Insert new B2.1.6 and B2.1.7, along with Explanation and Reasons, and Methods.

Insert new Explanation and Reasons for Policy B2.1.8 (old B2.1.5)

Insert new Explanation and Reasons for Policy B2.1.9 (old B2.1.7)

Amend Policy B2.1.10 (old B2.1.6) and insert new Explanation and Reasons

Insert new Policy B2.1.11, along with Explanation and Reasons, and Methods

Amend Policy B2.1.12 (old B2.1.8), delete 1st three paragraphs of Explanation and Reasons, amend 1st and 2nd paragraphs, insert new 3rd paragraph, and amend 4th paragraph and note. Delete 2nd bullet from Methods.

Insert new point under Methods, Policy B2.1.13 (old B2.1.9)

Amend Policy B2.1.15 (old B2.1.11) and Explanation and Reasons

Amend 1st and 3rd paragraphs of Explanation and Reasons for Policy B2.1.16 (old B2.1.12)

Insert new Policy B2.1.17, renumber subsequent policies

Amend Policy B2.1.18 (old B2.1.13) and 1st paragraph of Explanation and Reasons, insert new 2nd paragraph

Delete Policy B2.1.14

Insert new Policy B2.1.19 under Railway Lines

Amend Policy B2.1.20 (old B2.1.15) and Explanation and Reasons

Amend Policy B2.1.21 (old B2.1.16) and Explanation and Reasons

Insert new Policy B2.1.22

Insert new Heading “Effects on the Environment and Reverse Sensitivity Effects” and subheading “Roads and Railway Lines”

Amend Policy B2.1.25 (old B2.1.25) and Explanation and Reasons

Insert new Policy B2.1.16

*Under “Transport Networks – Anticipated Environmental Results” amend 1st paragraph
Amend subheading “Roads and Access”, amend 2nd bullet, delete 3rd and 4th bullet, insert new 3rd and 4th bullets, amend 5th bullet, delete 6th bullet, insert new 6th bullet, amend 7th bullet and insert new 8th, 9th and 10th bullets.*

Insert new “Pathways” and corresponding bullets

Insert new 1st and 4th bullet under Railways

Insert new “Transport Networks – Information” and corresponding bullets after “Transport Networks – Monitoring”

Part B3 – People’s Health, Safety and Values

Amend Policy B3.4.18 and Explanation and Reasons first paragraph

B3-049 – B3-050

Part C1 – Earthworks

Insert new Rules 1.1 Earthworks and Road and Access Formation and 1.1.1, renumber subsequent rules

C1-001 – C1-010

Insert new text to end of paragraph 4, Reasons for Rules

Part C4 – Roads

*Amend heading to Roads **and Transport***

C4-001 – C4-010

Amend 4.1 heading and subheadings, amend 4.1.1.1

Entire Chapter

Amend 4.2 heading and subheadings

Amend 4.3 heading and subheadings

Amend 4.4 heading and subheadings, amend 4.4.1.2, delete 4.4.1.3, amend Notes after 4.4.2 – both paragraphs

Amend 4.5 heading and subheadings, amend 4.5.1, 4.5.1.1, Note, 4.5.1.2, 4.5.1.3, delete 4.5.1.4(a), amend 4.5.1.5(a) and (b), amend 4.5.1.6, 4.5.1.6(a), (b), (c), delete (d) and (e), renumber (f) to (d), insert new 4.5.1.7 and 4.5.1.8

Amend 4.5.3.2, 4.5.3.8 and 4.5.3.9.

Amend 4.5.4 and Note underneath, amend 4.5.5

Amend 4.6.1.1, 4.6.1.2, 4.6.1.3(a) and (b), 4.6.1.4, delete 4.6.2 and renumber subsequent rules

Amend 4.6.2.2, insert Note, delete 4.6.3 (old 4.6.4), insert new 4.6.4 Controlled Activities

Amend 4.6.7 (old 4.6.8)

Insert new 4.7 Traffic Sight Lines – Road/Rail Crossings Permitted and Non-complying Activities

Amend Cross Referencing Table

Reasons for Rules – amend 1st and 4th paragraphs, insert new 5th, 6th, 7th, 8th, 9th, 10th and 11th paragraphs.

Part C9 – Activities

Amend 9.13.1.1, 9.13.1.2, 9.13.1.2(a), 9.13.1.3 and Note 2.

C9-009 – C9-026

Amend subheading for 9.13.2, amend 9.13.2, delete 9.13.3 and renumber subsequent rules, insert new 9.13.2.3 and 9.13.2.6, renumbering rules consequently

Amend 9.21.2.4

Amend 4th paragraph under Moana Rua/Lake Pearson under Reasons for Rules

Part C10 – Subdivision

Amend Notes 5 and 7 and insert new Note 13

C10-001 – C10-018

Amend 10.1.1.5 and 10.1.1.6, insert new 10.1.1.7 and Note, renumber subsequent rules

Entire Chapter

Insert new 10.1.2.7 Point Strips, renumber subsequent rules

Amend 10.6.2.2, 10.6.2.2 (a), (b) and (c), amend 10.6.2.3 (a)

Amend 10.7 Heading and subheading

Insert new 10.8, renumber subsequent rules

Amend 10.12 (old 10.11) by inserting new rule 10.12.1.5 and Note

Amend Cross Referencing Table

Under Reasons for Rules insert new 6th paragraph

Part D – Definitions

Insert new Definitions for – Accessway, Arterial Road, Collector Road, Cycleway/Cyclist Link, Design Speed, Local Road, NZTA, Operating Speed, Parking Areas, Pathway, Pedestrian-Cyclist Link, Posted Speed Limit, Secure, State Highway, Vehicle Accessway, Walkway D-001 – D-018
Entire Chapter

Amend Definitions for – Industrial Activity, Point Strip, Road, Vehicle Crossing

Delete Definitions for – Strategic Road, Vehicular Accessway

Part E9 – Road Hierarchy

Delete existing table and insert new E9-001 – E9-006
Entire Chapter

Part E10 - Transport

Amend E10.1 heading E10-001 – E10-012
Entire Chapter

Renumber E10.4.1 Surface of Parking and Loading Spaces as E10.1.1, and renumber all sub-rules, insert new Note (c)

Renumber Table 10.8 – Minimum Car Park Dimensions as Table 10.1 and amend table, insert heading “Notes on Table 10.1” above Notes.

Renumber E10.5 as 10.1 and renumber rules accordingly

Amend E10.1.5.1 (old E10.5.1), E10.1.5.2 (old E10.5.3), E10.1.5.3 (old E10.5.4), insert new E10.1.5.4

Renumber E10.1 to E10.2 – Vehicle Accessways and Crossings

Renumber/name E10.1.1 Vehicular Accessways to E10.2.1 Private Vehicle Accessways, renumber subsequent Rules

Amend E10.2.1.1 (old E10.1.1.1), renumber Table E10.1 to E10.2, amend heading and table

Insert new Notes after Table E10.2

Insert new E10.2.1.2

Amend E10.2.1 renumber as E10.2.2 and amend heading

Amend E10.2.2.1 (old E10.2.1.1), insert new E10.2.2.2

Amend Table E10.3

Amend E10.2.2.3 (old E10.2.1.2) and E10.2.2.3(b), insert note underneath (b)

Amend E10.2.2.4 (old E10.2.1.3), insert new E10.2.3

Amend Table E10.6 – renaming it Table E10.4, amend table contents, delete 1st paragraph of Notes, amend 2nd, 3rd and 4th paragraphs of Notes

Renumber E10.3 as E10.2.4 and subsequent rules, amend E10.2.4.2 (old E10.3.2)

Insert new E10.2.4.3.1 and E10.2.4.3.2, renumber subsequent rules, amend E10.2.4.3.3, E10.2.4.3.4 and E10.2.4.3.5

Amend E10.2 renumbering as E10.3, insert new E10.3.1.2, renumber subsequent rules

Renumber Table E10.2 as E10.5, amend table contents

Amend E10.3.1.4 (old E10.1.2.3) and insert new Notes underneath

Amend E10.2.2 renumbering as E10.3.2, insert new E10.3.2.2, renumber subsequent rules

Renumber Table E10.4 and E10.6, amend table contents

Insert new heading for “Diagrams”. Amend heading for Diagram E10.A1

Delete and replace Diagram E10.A2, amend heading

Amend headings for Diagrams E10.B1 and E10.B2

Insert new Diagram E10.E and Note, renumber subsequent Diagrams

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 TO OTHER DOCUMENTS.....	A1-004
A1.5 CROSS-BOUNDARY ISSUES WITH OTHER COUNCILS	A1-006
A1.6 MONITORING	A1-008

2 The Planning Process

A2.1 NEED TO COMPLY WITH THE DISTRICT PLAN	A2-001
A2.2 STATUS OF ACTIVITIES.....	A2-001
A2.3 EXISTING USES	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 COMPENSATION	A2-004

3 Preparing the Plan

A3.1 BACKGROUND.....	A3-001
A3.2 SECTION 32.....	A3-001
A3.3 CONSULTATION.....	A3-002

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 THE RURAL AREA AND ZONES	A4-010

PART B

1 Natural Resources

B1.1 LAND AND SOIL	B1-001
B1.2 VEGETATION AND ECOSYSTEMS.....	B1-010
B1.3 WATER.....	B1-020
B1.4 OUTSTANDING NATURAL FEATURES AND LANDSCAPES.....	B1-034

2 Physical Resources

B2.1 TRANSPORT NETWORKS.....	B2-001
B2.2 UTILITIES	B2-029
B2.3 COMMUNITY FACILITIES AND RECREATIONAL AREAS	B2-038
B2.4 WASTE DISPOSAL	B2-045

3 People's Health, Safety and Values

B3.1 NATURAL HAZARDS.....	B3-001
B3.2 HAZARDOUS SUBSTANCES.....	B3-010
B3.3 CULTURE AND HERITAGE.....	B3-019
B3.4 QUALITY OF THE ENVIRONMENT	B3-035

4 Growth of Rural Area

B4.1 RESIDENTIAL DENSITY AND SUBDIVISION IN THE RURAL AREA.....B4-001
B4.2 DEVELOPMENT CONTRIBUTIONSB4-014

PART C

Introduction to Rules

TYPE OF RULES..... C-001
RESOURCE CONSENTS C-002
DISCRETIONARY AND NON-COMPLYING ACTIVITIES..... C-002
READING THE RULES C-002
INTERPRETATION OF RULES..... C-003
NOISE MEASUREMENT AND ASSESSMENT..... C-004
1 Earthworks..... C1-001
2 Tree Planting and Removal of Protected Trees..... C2-001
3 Buildings C3-001
4 Roding..... C4-001
5 Utilities C5-001
6 Outdoor Signs and Noticeboards..... C6-001
7 Hazardous Substances..... C7-001
8 Waste C8-001
9 Activities..... C9-001
10 Subdivision..... C10-001

PART D/A CANTERBURY EARTHQUAKE RECOVERY

D/A.1 Workers' Temporary Accommodation for the Greater Christchurch Rebuild..... D/A-001

PART D

Definitions D-001

PART E

Appendix 1

MONITORING STRATEGY..... E1-001

Appendix 2

DESIGNATIONS E2-001

Appendix 3

SCHEDULE OF HERITAGE ITEMS E3-001

Appendix 4

SCHEDULE OF PROTECTED TREES..... E4-001

Appendix 5

SCHEDULE OF CULTURAL SITES..... E5-001

Appendix 6

PROTOCOLS ON ACCIDENTAL DISCOVERY OF ARCHAEOLOGICAL SITES E6-001

Appendix 7

PAPAKAINGA HOUSING E7-001

2 PHYSICAL RESOURCES

B2.1 TRANSPORT NETWORKS – ISSUES

- Integration of land use and transport planning to control the demand for transport and also to achieve more sustainable travel within and beyond the district.^{PC12}
- Effects of activities on the safe and efficient operation of the transport network particularly roads, railway lines, cyclways, footpaths and airfields.
- A transport network that facilitates a sustainable transport system to meet the future needs of a growing population.
- Adverse effects including noise and vibrations from roads and rail networks and from the operation of aircraft utilising Christchurch International Airport and other airfields, on surrounding land uses and the environment.
- Effects on the operation of transport networks from adjoining land uses.
- Accessibility and effects of transport on energy use and the environment.^{PC12}

Introduction

Transport systems move people, goods and services throughout Selwyn District and between the District and other areas. Transport networks also come within the general definition of utilities.

Selwyn District is experiencing continuing population growth necessitating the integration of transport and land use planning to reduce dependence on private motor vehicles (minimising energy use) through the provision of infrastructure designed to promote and achieve good connectivity and linkages to and through developments including access to public transport, walking and cycling routes. There is an increasing need to integrate land use and transport planning through the district and with adjoining districts.^{PC12}

Road Network and Pathways

The road network is the main transportation link in the District. The New Zealand Transport Agency manages all State Highways and the Selwyn District Council manages all other public roads in the District. State Highways 1, 73, 75 and 77 pass through Selwyn District. Some landowners have private roads or rights of way for access to or over their property. The district has just over 2400km of formed roads. Just over half of the road network is sealed, the remainder un-sealed. There is also approximately 950 kilometres of unformed “paper” roads within the District. . These road networks provide for a range of modes including walking, cycling, equestrians, stock droving, public transport, freight and private motor vehicles.

There is an increasing network of formed pathways within the District, some of these are shared use (for both walking and cycling). The main existing pathway is the Little River Railtrail however provision for similar paths between townships is being made.

Paths need to be strategically located to ensure they meet the needs of the potential users. Paths may be provided in a variety of locations both on and off road and or located within the road reserve but separated from the carriageway. There is also potential to utilise reserves and esplanade strips / reserves for walking and cycling pathways, often these areas have higher amenity than a road and are popular for recreational users but also add to the overall walking and cycling network for commuters and local trips.

The interaction of pathways with other transport networks also needs to be considered, commonly pathways for example cross roads and vehicle crossings. ^{PC12}

Railway Lines

There are two railway lines running through the District: the Midland line which runs east-west, and the South Island Main Trunk railway line which runs north-south. These are owned and managed by ONTRACK (a division of NZ Railways Corporation). ^{PC12}

Airfields

Many rural properties have private airstrips or helipads. Recreational gliding occurs at the Hororata Domain. West Melton Airfield holds a private operator status for pilots and for training and facilities for aircraft maintenance. Noise contours from the approach paths to Christchurch International Airport extend over land in Selwyn District. These areas are shown on the Planning Maps.

Issue 1

Integrating Land Use and Transport

Land use patterns can exacerbate the adverse effects of transport and result in a high dependency on the use of private motor vehicles. Initiatives such as the Greater Christchurch Urban Development Strategy (UDS) and the Regional Policy Statement (RPS) have identified where growth may be appropriate. The identification of future growth also requires consideration and integration of the strategic provision of transport infrastructure.

To reduce demand for transport and hence dependency on private motor vehicles, a network that facilitates more sustainable transport is required. This necessitates good connectivity (the linking of local facilities, adjoining land and surrounding neighbourhoods through interconnectivity of transport networks) and permeability (choice and ease of movement through the network) within and between urban areas in the district as well as to destinations in surrounding districts.

In order to reduce adverse effects associated with transport, Selwyn District also needs to improve and promote the accessibility (ensuring all users, particularly active transport users have access to and through the network) and permeability for sustainable travel modes such as walking, cycling and public transport.

The provision of good quality infrastructure for pedestrian, cycle and other sustainable modes is necessary to promote and provide for alternatives to private motorised transport. Good pedestrian and cycle links must be located such that they provide a direct route between key land use destinations and activities.

Selwyn District has a number of urban areas separated by large areas of rural land use. A significant number of persons commute daily between Selwyn District and Christchurch. Given these characteristics, the provision or improvement of public transport services between townships and to Christchurch may require the provision of land for transit exchanges such as park and ride schemes. ^{PC12}

Issue 2

Safe and Efficient Use of the Transport Network

Activities occurring alongside the transport network can affect the safe and efficient operation of the transport system.

Road 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 traffic: motor vehicles; towed vehicles (boats and caravans); heavy vehicles; cyclists; pedestrians; and stock, all of which move at different speeds. These different uses within the road network create the potential for accidents and reduce the efficiency and effectiveness of the road in meeting the transport needs of any one group of road users. This problem is not so apparent for railway lines and airfields, which primarily deal with one mode of transport.

Activities occurring on land adjoining roads 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 and other road users.
- Roadways, which are not designed or formed to the standard necessary to carry the volume or type of traffic using them (including active modes), 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) or delay the vehicle exiting the traffic stream, in particular heavy vehicles that require more space to turn.
- Other utilities are often located in (or under) road reserves. The installation, maintenance or replacement of utilities within the road reserve can disrupt traffic flows and affect safety and access to sites.
- 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.^{PC12}
- Stock droving on roads has the potential to cause conflict between farmers and road users.

These effects can be compounded by the speed limit in the rural area (100km/hr) on roads that are, for example, winding, have narrow carriageways or are icy in winter.^{PC12}

Heavy Vehicles

Heavy vehicle use on roads may increase with changes in rural land uses. In Selwyn District the activities most likely to lead to increases in heavy vehicles are increases in forestry and dairy conversions and the general transporting of freight (including stock, rural products and farm machinery). Tourism ventures may lead to increases in bus trips. Freight passing through the district is most likely to be on State Highways, arterials and other specific routes (i.e. over dimension routes and routes where increased tonnage may be permissible).^{PC12}

Heavy vehicles pay for the additional wear and tear on roads through road user charges. An upgrade to a particular road may be required to strengthen it for heavy vehicles associated with a new activity. For example: strengthening a bridge or culvert, widening the carriageway, or providing a turning area.

Stock

Most rural roads in the District are used for droving stock. Stock droving can have two effects on the roading network:

- Safety, if the vehicles are not aware that stock are ahead; and
- Effects of stock effluent on the road surface.

Stock effluent corrodes the tar seal, deteriorating the road surface. It also makes the road surface slippery. Dairy cows have the worst effect due to the concentration of nitrates in their effluent and the frequency with which they are driven along roads between milking sheds and grazing paddocks.

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 contributing to congestion.
- Higher expectations about the standard to which roads in the rural area should be formed.

A paper published by Statistic New Zealand (Statistics New Zealand, 2008, Workforces on the move: An examination of commuting patterns to the cities of Auckland, Wellington and Christchurch) stated that the 2006 census revealed that around 7,700 people commute from Selwyn District to Christchurch City for work. Of particular concern is traffic volumes entering and leaving Christchurch City travelling through the residential areas of Hornby, Halswell and Hoon Hay and townships such as Prebbleton. Selwyn District Council is concerned about effects of additional traffic along Springs Road, and on Lincoln Township along Gerald Street and access to State Highway 1 at Rolleston township and the Izone industrial area.^{PC12}

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 funds road maintenance and upgrades from rates income and NZTA subsidies through the National Land Transport Programme. However, the LTP Development Contribution

Policy also 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. This may require Council also providing supporting funding.^{PC12}

Railway Lines

Pedestrians, motorists, stock and other road users moving across railway lines can also create potential safety hazards. The two main trunk railway 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.^{PC12}

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).

Pathways

In order to encourage active travel modes and increase connectivity through rural areas it is necessary to establish a greater provision for walking, cycling and shared paths. Such paths need to be strategically located to ensure they meet the needs of the potential users. Such paths may be provided in a variety of locations both on and off road and or located within the road reserve but separated from the carriageway. The main existing pathway is the Little River Railtrail.

The interaction of such pathways with other transport networks also needs to be considered, often pathways must cross roads and vehicle crossings as such the location and design of the path particularly where it may interact with other transport networks needs consideration.

Issue 3

Future Transport Network

The Christchurch, Rolleston and Environs Transportation Study (CRETS)¹ identified the issue of efficient travel within and beyond the district to meet the future needs of the growing population in both Selwyn District and Christchurch City and the increasing demand for travel between these districts and within the Selwyn District.

There is an identified need to provide adequate capacity and ensure a good level of service on State Highways, arterial and collector roads between townships, to Christchurch City and other major destinations around Selwyn District. CRETS recommended upgrading existing links and providing new roads to encourage the use of main roads and avoid adverse effects of through traffic particularly on the townships of Rolleston, Lincoln, Prebbleton and Templeton. Further studies are likely to be undertaken by the Council in relation to the CRETS recommendations, and any final recommendations will need to be assessed within the framework of the Resource Management Act.

¹ CRETS commenced in 2000 and is a partnership between SDC, NZTA, CCC, ECAN and CIAL to investigate and develop a transport strategy to accommodate transport growth and demand in the greater Christchurch area up to and beyond 2021. CRETS was adopted by SDC in 2007.

Main routes need to provide for the future expansion of public transport services within Selwyn District to Christchurch City and other major destinations. In conjunction with public transport, there is also a need to provide off road cycle and pedestrian links between townships to offer alternatives to private motor vehicle travel as part of the overall strategy to meet the travel demands associated with growth.

Many of the future transport network issues facing Selwyn District cross territorial boundaries and require co-operative planning of the timing and funding of road upgrades in the short, medium and long term, with other stakeholder partners such as Christchurch City Council, New Zealand Transport Agency, Environment Canterbury and the Christchurch International Airport. These include upgrading the road network, new motorways, public transport and walking and cycling links.

Future local transport networks need to be designed to ensure long term sustainability of the land transport system and to ensure future roads created by subdivisions are appropriately located within the existing road network to accommodate all potential road users including buses, pedestrians and cyclists.

In the next 40 years freight demands are expected to double in the Canterbury region. The efficient movement of freight is beneficial to the district and needs to be considered in the planning of the transport network. The future network may see the establishment of freight hubs and inland ports to cater for this growth by providing efficient opportunities to store, distribute and transfer freight between different transport modes e.g. sea, air, road and rail.

Future transport solutions may require utilisation of a variety of transport modes including alternatives to road transport. Viable opportunities to diversify the transport network via utilisation of alternatives to road transport need to be considered. The movement of freight via rail has been identified as an opportunity to control heavy vehicle use of the road networks where a practical and viable opportunity exists.^{PC12}

Issue 4

Effects of Transport Networks on the Environment and Surrounding Land Uses

The operation of transport networks can also adversely affect the surrounding environment. Examples 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 servicing or passing through residential areas.
- Noise from aircraft flying overhead, as they approach and take off from, airports.
- Effects of constructing or maintaining roads, pedestrian and cycling pathways and railway lines on adjoining waterbodies and wetlands.
- The visual effects from road and pathway construction on slopes or bridges across waterbodies.
- The effects of noise, vibration, emissions, glare or dust from roads, railway lines or airfields on adjoining residents and reverse sensitivity effects.
- The effects of stormwater run-off on the adjacent environment, particularly run-off if it flows directly into streams.

- The effects of stock droving on road surfaces and road verges.

Increasing growth and development pressures are exacerbating such adverse effects in the Rural zone which can be more sensitive to these effects compared to most urban areas. It is therefore becoming increasingly important to integrate land use and transport planning.^{PC12}

Issue 5

Effects on the Operation of Transport Networks from adjoining Land Uses (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 often occurs when for example:

- People buy or build houses next to busy roads, pathways, railways lines or airfields and do not expect the effects
- The traffic using the road, railway line or airfield changes and the effects increase.

Often these effects can cause nearby residents to complain, and try to restrict:

- the type of vehicles which use the road;
- the speed of vehicles; or
- the times when trains, aircraft and ancillary activities (such as loading of freight) operate

Increasing urban growth and development pressures are exacerbating such adverse effects in the Rural zone which can be more sensitive to these effects compared to most urban areas. By taking an integrated approach to land use and transport planning such effects can be avoided or minimised.^{PC12}

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 6

Accessibility, Energy Use and Diversity of Transport Modes

One of the core functions of transport infrastructure is to provide safe, efficient and effective transport options. Another is to ensure that both the transport options and adjoining land uses are accessible to the people who use them.^{PC12}

Transport involves energy use. The most common forms of transport in New Zealand rely on the consumption of non-renewable carbon-based fuels (petrol, diesel, etc) and the use of private motor vehicles. The New Zealand Transport Strategy indicates that around one third of all vehicle trips are less than 2km and the majority less than 6km. Although a number of these trips may be linked to form tours or trip chains there are still around a quarter of these tours which are less than 4km long and around half are less than 10km long². A large proportion of private motor vehicle trips are made by a single occupant. Travel by private motor vehicle is inefficient in terms of fuel consumption and environmental effects per weight transported.^{PC12}

The siting and design of transport infrastructure and land use patterns can cause and exacerbate adverse effects on the environment. These effects include “green house” gas emissions with atmospheric and climatic changes. The adverse effects of transport on energy efficiency and air quality are identified by the RPS as a resource management issue for the whole of Canterbury. In addition, direct effects of transport on the environment of the Selwyn District may result, such as: air pollution, noise and vibration, contaminated stormwater 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.^{PC12}

The Regional Policy Statement instructs District Councils to promote land use and settlement patterns which reduce the demand for transport, especially by private motor vehicles. The RPS (Plan Change 1) also seeks to ensure that planning and provision of transport infrastructure is integrated with development and settlement patterns to reduce network congestion, reduce dependency on private motor vehicles, reduce emission of contaminants to air and water, reduce energy use and promote the use of sustainable transport modes.

² O’Fallon, C., Sullivan, C. 2005. Trip chaining: understanding how New Zealanders link their travel. *Transfund New Zealand Research Report No. 268. Pg.46, Table 5.9*

Existing settlement patterns in Selwyn District include concentrations of people in growing townships separated by rural areas. This settlement pattern results in large commuter travel distances and heavy reliance on private motor vehicles. The existing nature of Selwyn District and the anticipated increase in future population growth makes it imperative to integrate future land use and transport planning to ensure that new development and a variety of transport infrastructure and modes are sustainable, functional and accessible.

Within the Selwyn District, transport networks need to be upgraded and when necessary new networks provided to improve accessibility and provide for sustainable travel options to reduce both local and wider environmental effects of travel. Transport routes linking townships pass through the rural area, and as such the rural area will also benefit from the promotion of sustainable modes of transport, for example the Christchurch to Little River Railtrail pathway.

Any new development needs to be appropriately located within the transport network (including roads and pathways) that are accessible, connected, safe, well designed and appropriately located to encourage the use of active transport. New developments should also consider the ability to accommodate future public transport systems.^{PC12}

TRANSPORT NETWORKS – STRATEGY

The Rural Volume of the District Plan uses the following basic strategy to address transport issues:

Integration of Land use and Transport

- Policies and rules that reflect the need for an integrated approach to land-use and transport planning to enable transport choice and avoid adverse effects of development.

Safe and Efficient Use

- A road classification (referred to as a road hierarchy) is used to identify and manage roads in the district based on their function and roles.
- Rules for: the design and siting of roads; vehicle crossings; vehicle access ways; car parking; and roadside signs, and activities on and alongside the road, based on the classification of the road.
- Policies to manage and plan the growth of townships to reduce effects of traffic movements on to or across main roads or across railway lines.
- A policy and rule to manage the height of structures near airfields.
- A policy to encourage network utility operators to minimise the effects of their activities in road reserves, on traffic flow and efficiency.
- A policy and rule to maintain visibility along railway lines and to avoid access to properties across railway lines.

Future Transport Network

- Policies and rules to encourage the development of roads and subdivisions which provide for sustainable transport modes (both on and off road).
- Rules for the provision of cycle parking.
- Policies and rules to encourage development patterns that reduce the need to travel long distances and enable short trips to be undertaken by more sustainable travel modes.

- Policies and rules that ensure the long term protection of transport systems including transport corridors

Effects on Surrounding Land-use

- Rules to control the minimum building setback from road boundaries
- Rules to control the orientation and frontage of new residential developments adjoining arterial roads and state highways.^{PC12}

Environmental Effects and Reverse Sensitivity

- A policy to encourage transport authorities to reduce the effects of constructing and maintaining roads on the surrounding environment.^{PC12}
- 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.
- A policy to promote the provision of, and encourage the use of, sustainable modes of transport within the rural area.
- The Plan policies encourage growth patterns that limit new residential areas to be developed parallel with and along main roads or railway lines.^{PC12}

TRANSPORT NETWORKS – OBJECTIVES

ROAD, PATHWAYS, RAIL AND AIRFIELDS

Objective B2.1.1

An integrated approach to land use and transport planning to ensure the safe and efficient operation of the District's roads, pathways, railway lines and airfields is not compromised by adverse effects from activities on surrounding land or by residential growth.^{PC12}

Objective B2.1.2

An integrated approach to land use and transport planning to manage and minimise adverse effects of transport networks on adjoining land uses, and to avoid “reverse sensitivity” effects on the operation of transport networks.

Objective B2.1.3

Future road networks and transport corridors are designed, located and protected, to promote transport choice and provide for: a range of sustainable transport modes; and alternatives to road movement of freight such as rail.

Objective B2.1.4

Adverse effects of land transport networks on natural or physical resources or amenity values, are avoided, remedied or mitigated, including adverse effects on the environment from construction, operation and maintenance.

Objective B2.1.5

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 provide and improve accessibility (ensuring all users, particularly active modes, have access to services) to social cultural and economic activities in the District. People need access to quality transport networks, to move themselves and their goods safely and efficiently. Activities alongside roads, pathways, railway lines and airfields can affect the safe and efficient operation of the transport networks.

At the same time, residents living near transport networks sometimes object to effects such as noise, dust and vibration from the network. Objectives B2.1.1 and B2.1.2 are centred on ensuring transport networks operate safely and efficiently while not adversely affecting people living nearby.

Objective B2.1.2 recognises the potential impacts land use and transport can have on each other. Managing and mitigating such effects necessitates an integrated approach to the planning of transport systems and surrounding land uses.

Integrated assessments become increasingly important where activities are proposed out of zone, areas of land are rezoned, land is subdivided or activities that generate significant levels of traffic (all modes) are proposed.

The fundamental purpose of an integrated assessment from a transport perspective is to consider the accessibility of any proposal, for a range of modes and the ability to improve the accessibility for all modes. Other important considerations relate to how well the proposal fits with the objectives and policies of the wider area, the nature and scale of traffic (not just motorised) associated with the proposal and the impact on the existing transport network including any changes needed to meet appropriate policies and standards or improve connectivity (the linking of local facilities, adjoining land and surrounding neighbourhoods through connected transport networks) particularly for active modes.

An integrated land use and transport planning approach will manage the effects of urban growth and development on the existing transport network, manage the effects of transport networks on land uses and integrate the provision of new sustainable transport modes into the network based on anticipated urban growth.

Objective B2.1.3 relates to improving the permeability (providing choice and ease of movement through the network) and accessibility of the transport network in terms of the design, form, function and location of roads for example to achieve greater connectivity, as well as the provision for sustainable modes of travel. Providing a high level of connectivity can reduce travel distances and make active modes more attractive and efficient for users where such provision can have environmental and social benefits.

Objective B2.1.3 recognises that future solutions to transport particularly in and through rural areas need to consider sustainable transport modes. Consideration shall be given to the potential for public transport and expanding the active transport network and utilising and promoting the movement of freight via existing and future rail infrastructure.

Whilst the majority of sustainable transport options are focussed in urban areas, the road network in the rural area provides key transport links between townships, and as such needs to allow for public transport, cycle and pedestrian routes. An example is the Rail Trail cycleway.

Roads, pathways and rail links may pass through or alongside bush areas, waterbodies and wetlands, over slopes, and over or near sites of special cultural, heritage or other important values. Objective B2.1.4 addresses the effects which the location, construction and maintenance of roads, pathways and rail links may have on the surrounding area. Objective B2.1.4 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 B2.1.5 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).^{PC12}

TRANSPORT NETWORKS – POLICIES AND METHODS

ROADS AND PATHWAYS

Policy B2.1.1

Apply a road hierarchy classification in Selwyn District to recognise the different functions and roles of the Districts roads.

Policy B2.1.2

Manage effects of activities on the safe and efficient operation of the District's existing and planned road network, considering the classification and function of each road in the hierarchy.

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 LTP 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

LTP

- Development Contribution Policy

Policy B2.1.3

Recognise and protect the primary function of roads classified as State Highways or Arterial Roads in Appendix 9, to ensure the safe and efficient flow of through traffic en route to its destination.

Policy B2.1.4 (a)

Ensure all sites, allotments or properties have legal access to a legal road which is formed to the standard necessary to meet the needs of the activity considering:

- **the number and type of vehicle movements generated by the activity;**
- **the road classification and function; and**
- **any pedestrian, cycle, public transport or other access required by the activity.**

Policy B2.1.4(b)

Avoid or mitigate adverse effects on the safe flow of traffic along State Highways and Arterial Roads from new property access or new/expanded activities which generate a high level of traffic movements.

Policy B2.1.5

Promote the strategic planning of transport networks to achieve a high level of connectivity and provision for sustainable transport including public transport, cycling and walking.

Explanation and Reasons

Every road in the District is classified using a combination of destination (the link the road provides), the number of vehicles using it and the function of the road. The rules for the design and formation of roads, vehicle 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 Part E, Appendix 9.

Roads classified as State Highways are highest in the road hierarchy, they are required to accommodate connections by arterial roads, collector and local roads in a very controlled manner. Due to the higher volume and speed of traffic, the function of State Highways to carry 'through' traffic takes precedence over other functions of these roads. Activities which may affect this function such as: property access; signs; car parking; and stock droving are managed.

Arterial Roads connect the districts townships and other important places and activities together, including across district boundaries. They are medium capacity roads and have intersection priority over other roads lower in the hierarchy. They can provide a continuity of linkage between State Highways and collector roads and may be required to accommodate inter town bus services. Arterial roads are required to minimize, and control local road and property access to ensure they operate efficiently.

Collector Roads are low to medium capacity roads typically in urban areas that have an increased degree of access compared to other roads higher in the hierarchy. In some situations they may link smaller rural communities to the arterial road network. They provide a continuity of linkage between arterial roads and local roads and are the most likely used, in conjunction with arterial roads, to accommodate bus routes. Collector roads are required to balance the necessary traffic movement function against the property access function that they also need to provide.

Local Roads make up the largest proportion of the districts rural roads, and almost entirely their function is to provide for access to properties and adjoining land uses. They are not intended to act as main through routes for traffic, and generally have lower traffic volumes. They are not specifically identified in this Plan as there are no specific planning policies associated with them.

Policy B2.1.2 ensures all collector and local roads in Selwyn District are managed to balance each of their functions in respect to their classification within the road hierarchy. Within the road reserve, the Council and the New Zealand Transport Agency can also control activities through their powers under the Local Government Act and the Government Rounding Powers Act 1989, respectively.

It is important to consider the location and design of new roads within the context of existing and anticipated transport networks and adjoining land use patterns. Policy B2.1.5 acknowledges that the strategic planning of transport networks to achieve a high level of connectivity and providing for sustainable transport (including public transport, cycling and walking) modes can reduce dependence on private motor vehicles with associated environmental, social and other benefits. In respect to future public transport provision reference is made to the guide on "Providing for Passenger Transport within your subdivision".

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 LTP Development Contribution Policy enables Council to take development contributions to pay for road upgrades (see Section B4.2). The forming of any unformed legal road necessary to provide access to a development or activity is the responsibility of those wishing to utilise the road.

Methods

Road Hierarchy

- Appendix 9

District Plan Rules

- Road formation
- Vehicle Accessways

- Vehicle crossings
- Car parking
- Intersection distances
- Outdoor signs
- Subdivision rules
- Outline Development Plans

Bylaw

- Stock driving
- Traffic and Parking
- Speed Limits

LTP

- Development Contribution Policy
- Community Outcomes

Design Guide for residential subdivision in the urban living zones

Policy B2.1.6

Avoid adverse effects of on-road parking and loading generated by surrounding land uses on rural roads.

Policy B2.1.7

Provide for pedestrian safety, security, circulation and access within parking areas by considering the interaction of vehicle access and manoeuvring, circulation, loading and parking, with likely pedestrian routes onto the site, including for users of public transport, and between car and cycle parks, and building entrances.

Explanation and Reasons

The majority of rural roads have a narrow carriageway and do not provide adequate width or sealed shoulders to allow for parking. Parking on grassed berms can damage the berm and drainage systems (for example, swales) and result in dust nuisance, spread of noxious weeds as well as mud and other deleterious material being deposited on the sealed carriageway. The provision of parking off-road avoids the potential for additional conflict associated with vehicles manoeuvring to and from road side parking with high speed vehicles on the frontage road. The type of traffic on rural roads for example heavy or over width vehicles and farm machinery that needs to use the road sides for access, can also exacerbate these effects. In addition to adverse effects on the safety, efficiency and other roles and functions of the road, road side parking in rural areas can have a noticeable impact on the character and amenity of the surrounding rural area.

Activities (particularly those with high visitor parking demand) with larger parking areas require the consideration of pedestrian safety, security, circulation and access within parking areas to be balanced against vehicle access and circulation in order to encourage people to walk and cycle within townships and provide for safe movement of pedestrians within the site, to and from motor vehicles and cycle parks.

Significant improvements for pedestrian circulation within a site can be achieved through consideration of the location of vehicle access and manoeuvring areas relative to pedestrian entrances to sites, parking areas and the building entrance and does not always require provision of separate pedestrian facilities.

Methods

Road Hierarchy

- Appendix 9.

District Plan Rules

- Vehicle manoeuvres
- Subdivision

LTP

- Development Contribution Policy

District Plan Rules

- Road formation
- Vehicle Accessways
- Vehicle crossings
- Car parking provision, design and layout
- Intersection distances
- Outdoor signs
- Subdivision rules
- Outline Development Plans

Bylaw

- Stock droving
- Traffic Control and Parking
- Speed Limits

Policy B2.1.8

Ensure roadside signs are designed and positioned so they can be read quickly and clearly by motorists without causing prolonged distraction from the road or sudden vehicle manoeuvres.

Traffic safety is paramount and efficient traffic flow is important, to efficiently move people and freight throughout the District. Signs that are incorrectly sited or designed may be hard to read and cause drivers to be distracted from the road for too long. Similarly, if signs are not sited far enough away or roadside activities have insufficient room for vehicles to move safely onto or off the road, they can cause drivers to make sharp or sudden manoeuvres which may disrupt traffic flow or cause an accident. The District Plan can reduce potential adverse effects on traffic safety or flow, caused by incorrectly positioned roadside structures such as signs, intersections, vehicle crossings and roadside stalls.^{PC12}

Policy B2.1.9

Ensure buildings are set back a sufficient distance from road boundaries to maintain good visibility for pedestrians and motorists, to allow safe access and egress.

Explanation and Reasons

Buildings positioned too close to road boundaries can affect the visibility of pedestrians, cyclists and motorists. If garage doors are parallel to the road it is desirable that there is sufficient room for a motor vehicle to park in front of the garage and off the footpath when stopping to open the garage door. Policy B2.1.9 is to ensure that buildings are setback a sufficient distance from roads, to ensure road safety is not adversely affected.

The policy is implemented by rules for setbacks of buildings from road boundaries. Setbacks are also required to mitigate reverse sensitivity arising from road noise.^{PC12}

Policy B2.1.10

Ensure vehicle crossings, intersections, pathways, roadside signs and noticeboards are designed and positioned to ensure good visibility for all road users, and to allow safe passage, access and egress.

Explanation and Reasons

If vehicle accessways and intersections are located too close to one another, visibility is insufficient for motor vehicles to manoeuvre on and off the road safely.^{PC12}

Policy B2.1.11

Ensure roads are designed, constructed, maintained and upgraded to an appropriate standard to carry the volume and types of traffic safely and efficiently.

Explanation and Reasons

As land use changes, the volume and type of traffic (including active modes) on a road also changes. As roads get busier, they require different design standards to ensure safe and efficient traffic movements. Upgrades may include widening, strengthening, improved lighting and additional footpaths to provide sufficient capacity for the traffic volumes expected.

Methods

District Plan Rules

- Subdivision
- Roads and Vehicle Accessways^{PC12}

Policy B2.1.12

Avoid new property access directly on to the State Highway or Arterial Roads unless there is no alternative legal access available, or effects on the safe and efficient flow of traffic along the road will be minor.

Explanation and Reasons

Policy B2.1.12 prevents additional vehicle access directly on to roads classified as State Highway or Arterial Roads in the road hierarchy, unless: there is no alternative legal access to the property; or effects on passing traffic will be minor. The Policy and Rule apply to both:

- Additional vehicle crossings on existing properties; and
- New vehicle crossings created when allotments are subdivided and sold.

State Highway or Arterial roads are managed primarily to carry high volumes of “through” traffic at high speeds, safely and efficiently. In the rural area, the maximum speed limit on these roads is 100 km/hr. As residential density increases, residential and business activities that seek to locate beyond the speed restricted area increase the chance of vehicle conflicts between adjoining land uses and traffic on the frontage road. The corresponding rule makes vehicle crossings on to State Highway Roads a restricted discretionary activity (needs a resource consent) if the speed limit exceeds 70km/hr. The Council (as the consent authority) will consider matters such as: whether the property can have access from another road; the location of the vehicle crossing; and the number and type of vehicles and other modes using it. PC12

It is important to consider the location and design of new roads within the context of existing and anticipated transport networks and adjoining land use patterns. PC12

Please note: Existing property access on to State Highway Roads may be an “existing use” under section 10 of the Act (see Part A, Section 2.3).

Methods

District Plan Rules

- Outdoor signs and noticeboards
- Utilities
- Access
- Building setbacks from road boundaries

Policy B2.1.13

Avoid planting trees or hedges in positions or allow them to grow to heights where they will shade roads for prolonged periods during winter.

Explanation and Reasons

Trees and hedges are often planted along the road boundaries of properties for shelter. Sometimes trees are planted up to property boundaries in plantation to maximise the size of plantations or to avoid having narrow strips of unkempt land along property boundaries. Trees or hedges planted close to the road boundary on the north side of the road can shade the carriageway for the whole day in the winter months when the sun is at low angles. There are many examples throughout the District of stretches of road which remain icy throughout the whole day

because of trees and hedges shading the road. This adverse effect can be mitigated by planting trees or hedges a sufficient distance back from the road boundary or by keeping hedges and shelter belts trimmed to a height, so that they do not cast shadows over the road during the middle of the day.

Please note: Existing trees and hedges may be an “existing use” under section 10 of the Act (see Part A, Section 2.3)

Methods

Local Government Act, S.355

District Plan Rules

- Tree Planting

Advocacy

- Negotiation with landowners

Policy B2.1.14

Ensure property gates are designed and positioned to leave adequate space for motor vehicles to move off the carriageway before stopping to open them.

Explanation and Reasons

Traffic hazards are created if vehicles cannot move off the carriageway before stopping to open gates. Policy B2.1.14 is implemented by a rule which sets out a minimum distance for a gate to be set back from the road boundary of the property. The distance depends on whether the gate is swung so it can be opened towards the property or only opened towards the road.

Method

District Plan Rules

- Gates

Policy B2.1.15

Promote stock droving practices that are safe, controlled and alert motorists that stock are ahead and which minimise disruption to traffic flow.

Explanation and Reasons

Droving stock along and across roads is an integral part of the use of the road corridor in the rural environment. The risk of accidents between motorists and stock increases as roads get busier. Stock move more slowly than motor vehicles and some motorists hesitate about driving through stock and areas where stock effluent has been left on the road. The potential for conflict is greatest on main routes however can create significant disruptions and be a hazard to motorists particularly those unaccustomed to such rural activities. The Council will not prevent stock droving along or across roads in the Rural zone where it occurs in a controlled manner, except where Policy B2.1.16 applies. Stock droving is part of the rural environment, and roads were used to drive stock long before motor cars. Rather, Policy B2.1.15 manages the issue by

requiring good stock droving practices including providing adequate warning to motorists; and moving stock along roads as quickly and orderly as practical. Policy B2.1.15 is implemented through the Council's stock droving by-laws.

Method

Bylaw

- Stock droving

Policy B2.1.16

Require dairy farms to have alternative access for milking herds to milking sheds other than along formed, legal road reserves.

Explanation and Reasons

Policy B2.1.16 requires dairy farms to have other means by which to move dairy cows between milking sheds and grazing paddocks, than along legal road reserves. This is particularly prudent where dairy cows have to cross roads between milking sheds and grazing areas. The legal road reserve includes both the carriageway and the grass berms.

The Policy applies specifically to dairy herds because they have the greatest effect on the road reserve; due to the frequency of stock movements.

This practice damages the road surfacing, road side drains and water races and can lead to slippery driving conditions where effluent and mud is carried and deposited onto the road carriageway. Dairy herds trampling in the road berm churns up the frontage outside other people's properties affecting private vehicle crossings, making them unpleasant to use.

Method

District Plan Rule

- Dairy farms

Bylaw

- Stock droving

Policy B2.1.17

Encourage people to walk or cycle within and between townships by providing a choice of routes for active transport modes and ensuring there is supporting infrastructure such as parking for cycles, at destinations.

Explanation and Reasons

All of Selwyn District's townships are small enough that business and community facilities are within easy walking or cycling distance for residents. The Council cannot 'force' residents not to use cars, but it can help develop walkways, cycleways and street designs which make walking or cycling safer and more pleasant.

To be useful cycleways and walkways need to: be easy to access; be perceived as "safe" to use; and lead to focal points such as shops, recreation areas or the school. The provision of well designed facilities at destinations, such as cycle parking and seating, and also signage will help to

support the use of cycleways and walkways. Where new pedestrian / cyclist links are provided, the width of the corridor should depend on its length, as the longer the corridor the wider it should be to maintain visibility through the link from both ends.

The Council is required to have regard to the Regional Land Transport Strategy (RLTS) in preparing its District Plan. The RLTS promotes the use of alternative (sustainable) modes of transport (e.g. buses, bicycles, and walking). It is therefore considered that the above policy integrates with the policies of the RLTS.

Methods

Selwyn District Walking and Cycling Strategy

- Goals and Action Plan

District Plan Policies

- To assess plan changes to rezone land for expansion of towns

District Plan Rules

- Subdivision, provisions for cycleways/ walkways

Subdivision Design Guide

- Layout and conceptual design

Selwyn District Council Engineering Code of Practice

- Design

LTP

- Funding to assist communities to develop walkways and cycleways^{PC12}

Policy B2.1.18

Encourage network utility operators to co-ordinate, install and maintain and repair utilities located in the road reserve, at times and in ways which minimise any potential effects on traffic (all road users) flow, traffic safety, amenity and activities on adjoining land including access to properties.

Explanation and Reasons

The maintenance or repair of roads and the installation, repair or replacement of pipes, cables and other utilities laid within the road reserve disrupts traffic flow and use by other road users. The noise, dust and vibration from these works, and difficulty getting access into or out of properties can also adversely affect residents and businesses.

Utilities are sought to be installed in a coordinated manner to avoid issues associated with continual disruption to road users and infrastructure and perceived inefficiencies by the public.

Much of this sort of work is done by requiring authorities using designations or special statutory powers. The Council will encourage network utility operators to consider these matters when developing work programmes, particularly for non-emergency work.

Methods

Advocacy

- Discussions with network utility operators

District Plan Rules

- Construction noise and vibration
- Stockpiling of materials

RAILWAY LINES

Policy B2.1.19

Encourage viable alternatives to road transport such as the movement of freight via rail.

Explanation and Reasons

Future solutions to transport particularly through rural areas may necessitate alternatives to road transport. The use of existing and future rail infrastructure may facilitate more efficient movement of freight throughout and beyond the District.

Method

District Plan Rules - rail ways

Policy B2.1.20

Ensure structures and plantings do not impair the visibility of railway lines and road/rail crossings for motorists, pedestrians, cyclists or train drivers.

Explanation and Reasons

Railway crossings are hazardous places and not all crossings have bells or barrier arms **or other appropriate warning devices**. Visibility of railway crossings is as important as visibility at any intersection. Some land alongside railway lines has building line restrictions to ensure visibility is not impaired.

Method

District Plan Rule

- Subdivision – building line restrictions for railway crossings
- Line of sight

Policy B2.1.21

Avoid any property having access to a formed, legal road over a railway line.

Explanation and Reasons

Pedestrians and vehicles should not have to cross a railway line to obtain access on to a formed legal road from their property. The crossing of railway lines is best undertaken at controlled road level crossings as other situations can be dangerous where the necessary standards and controls cannot be provided.

Method

District Plan Rule

- Property access

Policy B2.1.22

Ensure any new development is designed and located to minimise the need for pedestrians, cyclists, motorists or other road users (including stock) to cross railway lines.

Explanation and Reasons

Where new development is proposed, consideration should be given to the location of the land relative to any railway line: in particular; whether pedestrians or motorists need to cross the railway line to access the main road out of the town or to access business or community facilities. Where a township has been confined wholly or largely to one side of a railway line, this pattern should continue unless there are other resource management reasons to avoid continuing to expand the township in that area.

Methods

District Plan Rules

- Property access

District Plan Policy

- To assess plan changes to rezone land for expansion of townships

AIRFIELDS

Policy B2.1.23

Ensure structures and activities do not adversely affect the safety of aircraft approaches to Hororata Domain or West Melton airfield.

Explanation and Reasons

Restrictions on height of structures and trees in close proximity to these existing airfields are necessary to ensure the safe take off and landing of aircraft and are recommended by Civil

Aviation Authority. These restrictions affect land outside the airfields, but height restrictions only affect very tall structures or trees (refer Appendix 19).

Methods

District Plan Rules

- Structures
- Tree Planting

Policy B2.1.24

Manage the location and operation of new airports, airfields or helipads used for frequent and consistent take off or landing of aircraft; and

Once established, protect these facilities from reverse-sensitivity effects caused by new activities establishing around them.

Explanation and Reasons

The take off or landing of aircraft for top-dressing, frost prevention, crop and pest spraying, recreation, tourism, construction work, and logging, is part of the rural environment. Residents in rural areas can expect to hear noise from aircraft taking off and landing on sites around them from time to time.

Airfields and helipads are established in the rural area for more frequent take off and landing of aircraft on a consistent basis. Policy B2.1.24 does not discourage these activities. The Rural zone is an appropriate area for these activities to locate. Their location, relative to existing townships and houses, and their operation should be managed to mitigate effects of noise and vibration on surrounding residents. Once established, these activities should also be protected from becoming surrounded by residential development or other activities which may be sensitive to their effects. This is achieved by keeping residential density low in the Rural zone, and by not allowing townships to expand to surround these sites.

“Noise sensitive” activities include any residential activities, other forms of accommodation and educational facilities.

Policy B2.1.24 applies to new airfields. Existing lawfully established activities at West Melton and Hororata Domain may be “Existing Uses” under section 10 of the Act. The District Plan policies and rules will apply to either of these sites, if the effects of the activities on the site change.

Method

District Plan Rules

- Airfield or helipad

EFFECTS ON THE ENVIRONMENT AND REVERSE SENSITIVITY EFFECTS

ROADS AND RAILWAY LINES

Policy B2.1.25

To encourage noise sensitive activities to be adequately set back from State Highway and Arterial Roads.

Explanation and Reasons

The State Highway and Arterial Roads within the District perform a valuable function as a transport network and represent a considerable investment of public funds. The ability of these roads to continue functioning at the highest level in the transport network cannot be jeopardised by inappropriate land uses being established along them that could suffer from reverse sensitivity effects. Requiring noise sensitive activities to be set back from these routes is one means of mitigating adverse effects of traffic noise.

Method

District Plan Rules

- Building Position

Policy B2.1.26

Encourage heavy vehicles to use routes which bypass townships, where practical and appropriate, and avoid new residential development along heavy vehicle bypasses.

Explanation and Reasons

Heavy vehicles travelling through townships can adversely affect:

- Residential amenity values through dust, noise and vibration;
- Perceptions of safety, especially for cyclists and pedestrians; and
- Roads, if they are not designed for heavy vehicles.

Policy B2.1.26 encourages heavy vehicles to use routes that bypass rather than bisect townships, where practical and appropriate, in order to avoid these effects. The preferred method to achieve this in these circumstances is to design ring roads and bypasses that are quicker and easier to use, than roads which bisect townships. Consequently, once a bypass or heavy vehicle route is created, it is important that it is not adversely affected by new residential or business activities occurring along the route, and then trying to slow or restrict the traffic using it.

Methods

Selwyn District Council Engineering Code of Practice

- Road design

Asset Management Plans

- Roads

District Plan Policies

- To assess plan change requests to rezone land for the expansion of townships around heavy vehicle routes or bypasses

Bylaws

- To prohibit heavy vehicle use of roads if necessary. ^{PC12}

Policy B2.1.27

Discourage adverse effects from constructing or maintaining roads or railway lines on the natural environment, landscape values, and sites with heritage or cultural values.

Explanation and Reasons

Roads and railway lines traverse or adjoin parts of the rural area with special values. Constructing and maintaining them can affect the environment. For example: disturbing sites; placing sediment in wetlands and waterbodies; clearing vegetation; or visual effects on slopes. Roads and railway lines are managed by designations; so District Plan rules do not apply. The Council can use its powers under section 176(A) of the Act (to approve outline plans for designations) and advocacy, to encourage adverse effects to be mitigated.

Method

- Advocacy
- Discussions with network utility operators

CHRISTCHURCH INTERNATIONAL AIRPORT

Policy B2.1.28

Maintain residential density at a maximum of 1 house per 4 hectares in the rural area within the 50 dBA Ldn air-noise contour shown on the Planning Maps.

Policy B2.1.29

Require any new dwelling or extension to an existing dwelling within the area under the 55 dBA Ldn (or greater) air-noise contour shown on the Planning Maps, to be insulated for noise to the standards required in the Table contained in Appendix 20 of this Plan.

Explanation and Reasons

Noise contours, shown on the Planning Maps, are for noise from aircraft on the approach path to the Christchurch International Airport.

Christchurch International Airport is one of the few international airports which currently operate without any restrictions on the type of aircraft or times of flights, to manage effects of aircraft noise.

Christchurch International Airport Limited, the Airport Company, is anxious to maintain unrestricted operation in the future. Therefore, Christchurch International Airport Limited wants to prevent residential activities, or other activities which may be sensitive to aircraft noise, locating close to the airport and then lobbying for restrictions on the airport's operations. To avoid this situation, Christchurch International Airport Limited opposes residential development at densities greater than 1 house per 4 hectares on land inside the 50 dBA Ldn contour line.

New Zealand Standard NZS 6805:1992 recommends restrictions on residential development apply where aircraft noise exposure is 55 dBA Ldn or greater, but notes that greater protection may be appropriate in some areas. Christchurch International Airport Limited advocates for land use restrictions from 50 dBA Ldn. Overseas research shows people become annoyed by aircraft noise at levels lower than 55 dBA Ldn, so the risk of "reverse sensitivity" effects occurs before then. At 50 dBA Ldn, Christchurch International Airport Limited advocates restricting residential activities rather than requiring noise insulation. The reason is that the effects from aircraft noise at 50 dBA Ldn are mostly experienced outdoors or when windows are open. Policy B2.1.28 requires that residential density be maintained at a maximum of 1 house per 4 ha in rural areas within the 50 dBA Ldn air noise contour.

Policy B2.1.29 recognises that any risk of potential 'reverse sensitivity' effects on flight operations through Christchurch International Airport must be avoided because of the importance of the operation of the airport to the Region's and District's economy.

The noise contours are shown on the Planning Maps.

Methods

District Plan Rules

- Residential density
- Noise insulation

District Plan Policies

- Residential density and subdivision

TRANSPORT NETWORKS – ANTICIPATED ENVIRONMENTAL RESULTS

The following environmental outcomes are expected to occur from implementing Section B2.1:

Roads and Access

- All roads are formed and maintained to the standard necessary to carry the type and volume of traffic using them, safely and efficiently.
- State Highway and Arterial Roads are the most efficient roads for carrying "through" traffic.
- The visibility of roads, intersections, vehicle crossings and railway crossings is not impaired.
- Adverse effects of residential and business growth in Selwyn District on road links into Christchurch City are addressed.
- Roadside stalls and vehicle crossings are located along straight stretches of road, with good visibility and plenty of room to manoeuvre safely on and off the road.

- Fewer impacts from the construction, maintenance and repair of roads or other utilities in road reserves, on people and the environment and areas along side roads are replanted post construction.
- The number of dairy cows driven along or across roads to milking sheds does not increase.
- Greater provision for public transport and active modes such as walking and cycling.
- The avoidance of situations that may give rise to reverse sensitivity and reduce the future viability and or efficiency of transport systems.
- New settlement and residential activities occur closer to places of work or existing townships.

Pathways

- Greater provision of and improvement of existing on and off road pathways, footpaths and cycleways.
- Improved accessibility and connectivity through the rural area by active travel modes.

Railways

- The safe operation of the District's railway lines is not reduced or impeded by land use activities.
- Properties do not have access directly over railway lines.
- Visibility along railway lines and at road/rail crossings is maintained.
- Opportunities for movement of freight via rail are encouraged.^{PC12}

Airfields

- The height restrictions around West Melton Airfield and Hororata Domain are retained.
- 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.

TRANSPORT NETWORKS – INFORMATION

- Road Classification
- Selwyn District Council Walking and Cycling Strategy
- Selwyn District Council Subdivision Design Guide
- Selwyn District Council Engineering Code of Practice
- Selwyn District Council Asset Management Plans
- Councils LTP^{PC12}

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 LTP Development Contribution Policy, the costs associated with these additional utilities can be met through development contributions. The **LTP**^{PC12} 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

LTP

- 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.

Explanation and Reasons

Some people are concerned about the possible effects of electromagnetic radiation on health. This is addressed in the Plan by reference to the need to comply with the New Zealand Standard NZS 2722.1:1999.

Method

District Plan Rules

- Utilities

Policy B2.2.5(a)

Avoid siting utility structures or buildings on hilltops in the margins of lakes or rivers or in areas identified as outstanding natural features and landscapes, sites with special cultural values (Silent File Areas, Wāhi Taonga Sites and Management Areas or Mahinga Kai Sites) or Heritage Sites in the Plan, unless operational necessity makes this impractical.

Policy B2.2.5(b)

Where not practical mitigate any adverse effects of the utility, and of any access road or ancillary features, on the landscape values of the area.

Explanation and Reasons

Outstanding natural features and landscapes in the rural area are identified in Section B1.4, and margins of lakes or rivers in Section B1.3. Silent File Areas, Wāhi Taonga Sites and Management Areas and Mahinga Kai Sites are listed in Appendix 5 and shown on the Planning Maps. Heritage sites are listed in Appendix 4. Section B3.3 contains provisions to protect all these sites. This policy should be read in conjunction with these sections.

Policies B2.2.5(a) and (b) recognise that hilltops and the margins of lakes or rivers, sites with cultural significance to tāngata whenua, and sites with heritage values are also areas where utilities can have adverse effects, and it is desirable to avoid locating utilities on such sites. However, it is not always practical. Utilities which rely on remote sensing need to be located on hilltops. Network utilities may need to pass through areas of outstanding landscape or across waterbodies. In most cases, the Council expects there will be alternatives to locating utilities on sites with cultural significance to tāngata whenua or on sites with heritage values. In some cases, these cultural sites encompass a large area and network utilities may have to pass through them. Some heritage sites are still used as buildings or structures, and utility services to those buildings and structures are necessary. Where it is not practical to avoid these areas, the utility must be designed and sited to mitigate adverse visual effects. This includes ancillary features such as access roads and power supply lines.

NOTE:

Erecting any structure in the bed of a lake or river is controlled under Section 13 of the RMA.

Method

District Plan Rules

- Earthworks
- Structures

Policy B2.2.6

Require utility structures to be made of low reflective materials.

Policy B2.2.7

Encourage the co-siting of utilities, where practical.

Explanation and Reasons

The rural area is characterised by a dominance of vegetation, trees and open space over buildings and structures. Policies B2.2.6 and B2.2.7 are to reduce the visual prominence of utility structures in the rural area through the use of low reflective materials (Policy B2.2.6) and co-siting of utilities, where practical (Policy B2.2.7).

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. Finishing utility structures in materials with low reflectivity helps them to blend into the landscape and reduce the prominence of structures. Co-siting utilities may reduce the number of different sites in the rural area which have utility structures and the perception of structures and buildings everywhere. 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 practical to co-site utilities, for example: where utilities affect one another; or have different siting requirements.

Competing network utility operators may resist Policy B2.2.7. 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. It may not be practical to co-locate utilities if they adversely affect each other or the site of an existing utility does not comply with the policies of the District Plan.

Methods

District Plan Rules

- Subdivision

Advocacy

Policy B2.2.8

Ensure utilities located in areas subject to flooding or slips, do not create or exacerbate natural hazards.

Explanation and Reasons

Part B, Section 3.1 – Natural Hazards and the Planning Maps identify areas in the Rural zone which are known to have been subject to flooding hazards in the past. These are not the only areas in Selwyn District likely to experience natural hazards in the future.

Policy B2.2.8 addresses effects of flooding, slips and other events on utilities. The policy should be read in conjunction with Section B3.1 – Natural Hazards.

Policy B2.2.8 does not prevent utilities being located in rural areas subject to natural hazards. The policy requires particular attention to be given to the function, design and siting of these utilities to ensure any effects which may occur if the site is flooded, slips, erodes, shakes or ruptures will be minor. This may mean some utilities are better located elsewhere.

Policy B2.2.8 is implemented through general rules for earthworks, structures and activities, and through the Council's duties under sections 71 to 74 of the Building Act 2004. The Council cannot issue a building consent in an area subject to inundation or slippage, unless it is satisfied any adverse effects will be mitigated.

Methods

District Plan Rules

Building Act 2004

- Earthworks
- Utilities
- 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 reduce any adverse effects of these activities on traffic safety and efficiency. This policy should be read in conjunction with Policy B2.1.13.

Method

Advocacy

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

Policy B2.2.10

Enable the provision of utility networks that serve extensive areas to be located in rural areas commensurate with operational requirements.

Explanation and Reasons

Many large scale utilities need to be located according to operational requirements and the topography of the areas to be served. As a consequence, the opportunity for alternative locations may be relatively restricted. While this is the case, it is important that such utilities are designed so as to minimise potential adverse effects on the environment.

Method

District Plan Rules

- Utilities

UTILITIES — ANTICIPATED ENVIRONMENTAL RESULTS

The following environmental results should occur from implementing Section B2.2:

- Activities have the standards of utilities they need to mitigate their effects on the environment, prior to the activity being established.
- Utilities are less visually prominent in the future, particularly along ridge tops and waterbodies, and in other areas with high landscape values.
- More utilities are finished in low reflective materials and co-located.
- Utilities which emit electromagnetic radiation or have nuisance effects are separated from schools and houses.

UTILITIES — MONITORING

See Part E, Appendix 1.

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 LTP 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.

Explanation and Reasons

The District Plan provisions impose a maximum site coverage for buildings on sites in the Rural zone. The purpose is to maintain rural character – the dominance of open space and vegetation cover over buildings (see Policy B3.4.5). Policy B2.3.2 exempts community facilities from site coverage provisions. The reason is to reduce the cost of buying and maintaining sites for community facilities.

There are a limited number of community facilities in the rural area, so the exemption is unlikely to cause a cumulative adverse effect on rural character.

Method

District Plan Rules

- Building density

Policy B2.3.3

Encourage new community facilities to:

- (a) Be located in or adjoining townships; and**
- (b) Be designed and sited for easy access and personal safety of patrons.**

Explanation and Reasons

New community facilities are encouraged to be located in or adjoining townships so they can serve a larger population base. While the population in the rural area is increasing, the District Plan policies encourage most new residential development to occur in and around townships. A study carried out for the Council (Barber: 2000 – Demand for Small Allotments in the Rural Area) suggests that by 2020 most residential growth will be in and around townships (see Section B4.1).

New community facilities need to be accessible to residents in the District, including children and people who do not have full mobility. Community facilities need to be designed and well-lit so people feel safe visiting them.

Methods

Asset Management Plans

- Design, layout of Council owned facilities

District Plan Rules

- Subdivision – discretion over facilities to vest in the Council

Advocacy

- Encourage community organisations to incorporate these ideas in designing community facilities.

Policy B2.3.4

To use opportunities to negotiate forms of public access over land to lakes, rivers or other recreation areas with landowners where such access is appropriate.

Policy B2.3.5

To create esplanade reserves, esplanade strips, or other mechanisms to provide public access along margins of lakes and rivers listed in Appendix 17, except where restrictions are necessary to:

- (a) safeguard the conservation values identified in the Reserve.**
- (b) protect the stability or performance of flood control and other essential structures.**
- (c) avoid conflicts with activities of land owners or occupiers.**
- (d) protect public safety.**

Explanation and Reasons

Policies B2.3.4 and B2.3.5 provide for public access to and along lakes and rivers and to reserves, where appropriate. Policy B2.3.4 applies to situations where there is no formed, legal access over land to lakes, rivers or reserves. Policy B2.3.5 applies to public access along the margins of lakes or rivers. Policy B2.3.4 does not mean the Council intends to try and provide public access to every potential recreational area in the District. The Council will consider seeking public access to some areas in co-operation with landholders where there are issues with lack of public access. In some circumstances the Council may restrict certain forms of public access where they consider it may disturb wildlife and sites of wāhi tapu.

Appendix 17 lists the lakes and rivers along which the Council wishes to create esplanade reserves or esplanade strips for public access. The Policy allows the esplanade reserves or strips to be created except where specific restrictions may be necessary for reasons of conservation, hazard protection, conflicts with landowner activities, or public safety.

Policy B2.3.5 establishes criteria for determining when it may be appropriate to establish an esplanade reserve strip as a means of providing access to rivers or lakes. There are other reasons for establishing esplanade reserves or strips and this policy should be read in conjunction with Policy B1.3.11, which identifies circumstances relating to conservation, water and wāhi tapu and mahinga kai when opportunities will be taken to create esplanade strips or other means to protect riparian margins.

The Council may create an esplanade reserve or strip to allow public access along the margins of lakes and rivers when land is subdivided or developed.

Esplanade reserves and esplanade strips are slightly different. Which one is created depends on each case. The Council may choose to create an esplanade strip rather than an esplanade reserve in the following cases:

- If it is desirable to restrict public access at certain times or in certain areas.
- If the river is changing its course (esplanade strips move with the water's edge).
- If the esplanade area is small or isolated (to reduce maintenance costs).

Methods

- District Plan Rules- Subdivision
- Recreational Plan - Negotiate access

Policy B2.3.6

Encourage camping ground facilities to be concentrated in specific defined areas around any lake, river, reserve or other recreational area.

Policy B2.3.7

Ensure any camping ground facility is located, designed and operated in a way that maintains or enhances the amenity values of the area, and protects any ecological, cultural, heritage or outstanding landscape values on or around the site.

Explanation and Reasons

Policy B2.3.6 is to encourage camping grounds, particularly those with permanent buildings or structures to be concentrated in one site around a lake or reserve area. When camping is concentrated in one area it is easier to provide appropriate facilities such as toilets, water, signs and access. The impact of structures on the natural character of more remote areas is reduced if structures are located in one or two areas rather than scattered around the whole of a lake edge or reserve.

Most people choose to camp in areas because they are nice places with special wildlife, landscape or amenity values. Policy B2.3.7 is to ensure camping facilities are sited and designed to complement the surroundings. Policy B2.3.7 should be read in conjunction with policies in Section B1.4 Water; and Section B1.5 Outstanding Natural Features and Landscapes.

Method

District Plan Rule

- Camping grounds

COMMUNITY FACILITIES AND RECREATIONAL AREAS — ANTICIPATED ENVIRONMENTAL RESULTS

The following environmental results are expected to occur from implementing Section B2.3:

- Community facilities are more utilised in the rural area.
- New community facilities are located in or around townships.
- Public access maintains the amenity values of recreational areas and the privacy and security of surrounding landholders.
- Camping ground facilities are concentrated in specific defined sites around lakes and reserve areas.

COMMUNITY FACILITIES AND RECREATIONAL AREAS – MONITORING

See Part E, Appendix 1.

B2.4 WASTE DISPOSAL – ISSUE

- **Adverse effects on the environment from the generation and disposal of waste.**

What is Waste?

Any activity which uses resources is likely to produce waste. Waste is a difficult term to define, but includes:

- Any material which has been discarded as spent, useless, worthless, or in excess.

Waste may be solid, liquid or gaseous. It includes containers to hold liquid or gaseous waste; and may include toxic substances known, as hazardous waste.

Waste In Selwyn District

The most common forms of waste in Selwyn District are:

- Household rubbish and garden waste
- Hardfill
- Sewage and septic tank sludge
- Animal offal
- Crop residue and horticultural waste
- Containers used to store hazardous substances – particularly agricultural chemicals
- Sawdust

The District does not have large quantities of waste from industrial or manufacturing activities. Most waste in Selwyn District is disposed of in landfills or spread on to land (animal effluent and treated sewage). Landfills operate at Killinchy, Hawkins, Springfield, and Springston (hardfill and garden waste only). Household waste collected by the Council contractors is disposed of to landfill.

The Council has adopted a Strategic Waste Policy of “Zero Waste to Landfills by 2015”.

The District has septic tank sludge disposal sites at: Bleakhouse Road, near Tramway Road; and Derretts Road/Ardlui Road (Hororata). The Council has facilities for sludge from campervan and caravan toilets at: Springfield (Kowai Pass Domain), Rakaia Gorge Bridge, Glentunnel Holiday Park and Rakaia Huts Campground. Sawdust is disposed of at Hororata and Darfield. Animal effluent, treated sewage and other composted organic matter is spread on to land on many sites in the Rural zone. There are no facilities for the collection, storage or disposal of hazardous substances in the District or for rendering down offal and animal carcasses.

All townships have a solid waste collection service at the gate. Some parts of the Rural zone have this service too, particularly areas en-route between towns. Twenty percent of households in the rural area do not have a Council waste collection service.

Most households in rural areas treat and dispose of effluent on-site. This method is satisfactory if residential density is kept low enough that groundwater is not contaminated. In parts of the rural area where houses are clustered together on small allotments, reticulated sewage treatment and disposal may be needed. Some “Existing Development Areas” have reticulated sewage systems, for example: Edendale, Rocklands, and Upper Selwyn Huts. New residential development in the rural area around townships will require reticulated sewage systems in most areas (Darfield and Kirwee are exceptions - groundwater is at such a depth in these areas that effluent can be treated on-site to an appropriate standard before it reaches groundwater).

Issues associated with waste disposal in Selwyn District include:

Effects on the Environment

- Contaminants leaching into groundwater from landfills or on-site effluent disposal systems
- Unstable or contaminated land at old landfill sites
- Odour, vermin or litter
- Effects on the amenity values of areas around disposal sites.

Tāngata Whenua

The disposal of waste and its associated effects is an important issue for Tāngata Whenua. Particular concerns include the contamination of wāhi tapu, wāhi taonga and mahinga kai sites through: disposal of human and animal effluent (treated or untreated); stormwater; industrial discharges; chemical/poison disposal or storage; refuse disposal and leachate; abattoir/offal disposal.

Costs

Waste has to be treated and disposed of more carefully than in the past. This costs more. In Selwyn District the costs, per person, are greater than in larger metropolitan areas because the District has a small population scattered over a large area.

After-Care of Disposal Sites

When a site is no longer used to dispose of waste, the site needs to be managed to address:

- On-going contamination of land or groundwater from contaminants leached out of waste; and
- Unstable land caused by material rotting and settling.

Managing Waste under the Act

Generating and disposing of waste are issues under the RMA for two reasons:

- Any adverse effects of disposing of waste on the environment must be addressed under section 5(2)(c) of the Act.
- The rate at which waste is produced may be an issue in relation to sustaining the potential of resources to meet the reasonably foreseeable needs of future generations, under section 5(2)(a) of the Act.

District and Regional Councils have functions in relation to waste disposal under the Act.

- District Councils manage effects of land uses on the environment (section 31(b));

- Regional Councils control discharges of contaminants into air or water and on to land, and control land uses which affect water quality (section 30).

District Councils also have a duty to prepare and implement a Waste Management Strategy and a Waste Management Plan under the Local Government Act 1974 and to promote effective and efficient waste management within their Districts. The Council adopted a Solid Waste Management Strategy in 1997 and a Solid Waste Management Plan in 1998. The Council has also adopted a policy of “Zero Waste to Landfill by 2015”. Plans for the establishment of a Resource Recovery Centre to serve the whole District is underway. This is a major step in working towards achieving zero waste to landfill by 2015 and achieving effective, efficient and environmentally sustainable waste management within the District.

WASTE DISPOSAL – STRATEGY

The Rural Volume of the District Plan uses the following basic strategy to address issues associated with waste disposal.

- The District Plan focuses on addressing effects of storing, treating and disposing of waste, irrespective of its source, type or who collects it.
Council’s decision to use a Regional Landfill, is addressed in the Waste Management Strategy (1997) and Waste Management Plan (1998).
- The Plan encourages initiatives to reduce waste.
- The Plan requires high waste generating activities to have a waste minimisation and disposal plan.
- The Plan recognises the special interest of local runanga in waste disposal.
- Policies and rules to manage the storage and disposal of waste in the rural area, providing practical options for rural residents while looking after the environment.
- Policies and rules to protect people from effects of contaminated or unstable sites which were used to dispose of waste in the past, see Section B1.1 – Land and Soil.
- Provision of temporary hazardous waste storage at transfer stations.

WASTE DISPOSAL – OBJECTIVES

Objective B2.4.1

People’s awareness of effects on the environment of generating and disposing of waste, is increased.

Objective B2.4.2

Adverse effects on the environment from the collection, treatment, storage or disposal of waste are reduced.

Explanation and Reasons

There is a direct relationship between the amount of waste people generate, and effects of disposing of it. Objective B2.4.1 aims to increase people’s awareness of the environmental ‘costs’ associated with generating and disposing of waste. Many of the factors, which influence how

much waste people generate, cannot be controlled through the District Plan. However, the Plan has a policy to encourage initiatives to reduce the amount of waste people generate.

There are no facilities in Selwyn District to dispose of hazardous substances or rendering plants for offal and animal carcasses. In addition, some traditional methods of disposing of other forms of waste are no longer appropriate. People expect higher standards of care for the environment than in the past.

Objective B2.4.2 is achieved through policies which require:

- Residents to have access to facilities to treat and dispose of the various types of waste they generate.
- Those facilities operate with fewer effects on the environment, than in the past.

Disposing of any waste may result in adverse effects on the site and on the amenity values of the area around the disposal site. The objectives and policies do not require all adverse effects to be avoided. While this is desirable, it is not affordable and may not be technically feasible. Rather, the Plan provisions require substantial and on-going reductions in the range and severity of adverse effects on the environment from waste disposal. This outcome is achieved by:

- Reducing the quantity of waste to be disposed of
- Improving facilities and techniques to dispose of waste
- Better monitoring and aftercare of disposal sites, once they are no longer used.

WASTE DISPOSAL – POLICIES AND METHODS

Policy B2.4.1

Promote initiatives to reduce waste generated in the District and to reuse or recycle goods.

Policy B2.4.2

Require activities which create large amounts of waste to have a plan to minimise the waste produced and mitigate the environmental effects of disposing of it.

Explanation and Reasons

The amount of waste generated by people has a direct effect on the quantity of waste that needs to be disposed of, and the number and size of treatment and disposal facilities. The Council's Waste Management Plan (1998) discusses options for encouraging people who use the Council facilities to reduce the amount of waste they dispose of. Options include: charging for solid waste collection based on quantity; and requiring activities which generate large amounts of solid waste to have a waste minimisation and disposal plan.

The Waste Minimisation and Disposal Plan should demonstrate that the activity has adopted the most practical options to minimise the waste produced and to mitigate effects on the environment from disposing of that waste. The Council (as the consent authority) shall consider: both technical feasibility and costs, in looking at practical options to minimise waste and reduce effects, put forward in waste plans.

Methods

District Plan Rule

- Waste disposal

Advocacy

- Promote, support and lobby for waste reduction initiatives
- Council policy of 'Zero Waste to Landfills by 2015'

Waste Management Plan

- Waste disposal charges
- Options to reuse, recycle or sort waste collected in Selwyn District

Policy B2.4.3

Work towards improving access for residents to facilities for disposing of hazardous waste, animal carcasses, and offal by-products.

Explanation and Reasons

Selwyn District does not have any facilities for the collection or disposal of hazardous substances and their containers. The Burwood landfill in Christchurch takes some hazardous waste, but residents in the District must take it there. The closest facility for rendering down large quantities of animal offal, by-products or carcasses is in Timaru. Policy B2.4.3 attempts to address this problem so activities which produce these forms of waste have alternatives to dumping untreated waste into land. The Council will continue to work with Environment Canterbury and other organisations to try and develop better access for it's residents to disposal facilities for these forms of waste.

Environment Canterbury, in conjunction with other local authorities including Selwyn District Council, has developed a hazardous waste management strategy for dealing with hazardous waste. It provides the basis for a co-ordinated region wide approach to the minimisation and management of hazardous waste.

Please note: Policy B2.4.3 addresses disposal of large quantities of animal carcasses and offal. Policy B2.4.4 addresses farm offal pits.

Methods

Advocacy District Plan Policy

- Work with Environment Canterbury and other territorial local authorities to develop regional facilities for the disposal of hazardous substances.

Waste Management Plan

- Look at further options for disposal facilities for toilet sludge from campervans/caravans or stock trucks.

Policy B2.4.4

Allow small quantities of offal and household waste from farms to be disposed of on-site, provided any effects on the environment will be minor.

Explanation and Reasons

Twenty percent of rural properties do not have access to a waste collection service. The Council's waste collection service does not take offal or other farm waste. Many households in the rural area dispose of small quantities of household and farm waste on-site. This practice is not encouraged, but the Council realises that it cannot offer rural residents any alternative waste disposal facilities, at this stage. Therefore, the Plan's provisions focus on conditions to mitigate effects of on-site disposal on the environment, rather than trying to prohibit the activity.

Policy B2.4.4 is implemented by a rule allowing small-scale waste disposal on-site as a permitted activity if it complies with a few simple conditions. The rule does not allow for waste from abattoirs, bio-solids from sewage treatment, organic composting, or municipal landfills, without a resource consent.

Method

District Plan Rule

- Waste disposal

Policy B2.4.5

Ensure any site or facility used to collect, temporarily store or redistribute waste, is designed, sited and managed to:

- (a) Avoid the risk of leaching of contaminants into ground or surface water;**
- (b) Avoid adverse effects of litter, vermin or odour on surrounding properties;**
- (c) Mitigate any adverse effects from transporting waste on the road network and the safety of other road users;**
- (d) Protect the values of any outstanding natural features and landscapes; any sites with special ecological, heritage, or cultural values; or the natural character of waterbodies; and**
- (e) Avoid the risk of creating a natural hazard through locating such facilities on land prone to inundation, instability or erosion.**
- (f) Provide for appropriate temporary, short-term storage for hazardous substances in the waste stream.**

Explanation and Reasons

Policy B2.4.5 provides for facilities to collect, store and redistribute large quantities of solid waste, such as transfer stations and recycling depots. These activities are appropriate in the Rural zone, provided the activity can be carried out to achieve the effects listed in the policy. These effects are the application of general policies in other Sections of Part B of the Plan, to the specific issue of waste disposal. Policy B2.4.5 is implemented by rules which require resource consents to establish facilities to collect, store or redistribute large quantities of solid waste.

Policy B2.4.5 is implemented by a District Plan rule that makes the facilities for the collection, storage, or redistribution of waste a discretionary activity.

Method

District Plan Rules

- Disposal of Waste

Policy B2.4.6

Avoid any large scale facilities for disposing of solid waste in the District, unless any adverse effects, including any cumulative effects, on the environment will be minor.

Explanation and Reasons

Policy B2.4.6 is to avoid establishing large-scale facilities to dispose of solid waste, in the Selwyn District. The Council considers that many parts of the rural area are inappropriate for the location of a large-scale landfill due to the following potential effects:

- The number of known fault-lines and risk of slipping and slumping in the high country, Malvern Hills and Port Hills.
- The shallow depth to groundwater in the south-eastern area.
- The water quality of aquifers on the Plains.
- The outstanding landscape and significant ecological and cultural values of many parts of the high country, Port Hills and Te Waihora/Lake Ellesmere.
- The amenity values of the rural area, generally.

The tenor of Policy B2.4.6 complements the Council's Policy of "Zero Waste to landfills by 2015".

The Policy contains an exception for any proposal where it can be demonstrated that any potential adverse effects will be minor including any cumulative effects. Policy B2.4.6 is implemented by a rule which makes landfills for cleanfill, or monofill (excluding hazardous substances, offal or animal carcasses) a discretionary activity. Other facilities for disposing of solid waste including any other landfill are a non-complying activity.

Method

District Plan Rules

- Waste Disposal

Policy B2.4.7

Recognise that tāngata whenua have a particular interest in the treatment and disposal of waste; and ensure appropriate consultation is undertaken with them on this matter.

Explanation and Reasons

Part of promoting sustainable management of natural and physical resources, all persons exercising functions and powers under the Resource Management Act 1991 shall recognise and provide for matters of national importance, including:

The relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga (section 6(e)).

Land, air and water are all taonga to Māori. Disposing of solid waste and effluent on to land and especially into water, are matters of particular concern to Ngāi Tahu and papatipu rūnanga.

When the Council is responsible for establishing facilities for waste treatment or disposal, the Council invites representatives from local runanga to participate from the early investigation stages. Where another party is establishing facilities, the Council strongly encourages that party to consult with local runanga over the proposed activity. The Council, as the consent authority, will also consult with local runanga when it receives a resource consent application to establish a facility for collecting, temporarily storing, redistributing treating or disposing of waste in the District.

Methods

Advocacy

- Promote consultation with local runanga in the early stages of proposals for waste treatment and disposal.

Resource Consents

- Ensure local runanga are identified as potentially affected parties in any resource consent application to establish waste treatment or disposal facilities.

Asset Management Plans

- Invite local runanga to participate in any projects the Council undertakes to establish or upgrade waste treatment or disposal facilities.

Policy B2.4.8

Ensure appropriate after-care of land used to dispose of waste.

Explanation and Reasons

Land used to dispose of waste or treated sewage may be contaminated due to the type or concentrations of material deposited onto the land. Sites may become unstable as solid waste settles and rots. Waste in old sites may start or continue to leach contaminants into ground water as material rots and as any bunds or impermeable liners break down. Policy B2.4.8 is to ensure those ongoing adverse effects are managed once the site is no longer used for waste disposal. The policy is implemented by conditions on consents requiring an after-care management plan and ongoing monitoring of these sites. The consent authority may require a bond or some form of insurance to ensure funds will be available to pay for any aftercare of the site which may be needed.

Methods

District Plan Rules

- Waste disposal

Information

- Record on Land Information Memoranda, sites known by the Council to be used to dispose of waste in the past.

WASTE DISPOSAL – ANTICIPATED ENVIRONMENTAL RESULTS

The following results are expected to occur as a result of implementing Section B2.4:

- The costs associated with the sustainable management of all types of waste are likely to increase.
- More programmes in the District to reuse and recycle goods.
- Access to facilities for the collection and disposal of hazardous substances in the District.
- Effluent is disposed on to land, not directly into water.
- Any landfill in the District has only minor effects on the environment.
- Local runanga continue to participate in projects to develop effluent treatment and disposal facilities.

WASTE DISPOSAL – MONITORING

Please refer to Part E, Appendix 1.

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REVERSE SENSITIVITY EFFECTS

Policy B3.4.18

Ensure **new or upgraded road infrastructure and** 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. **The policy also acknowledges that new roads and the upgrading of transport infrastructure needs to be managed to mitigate reverse sensitivity effects.**^{PC12}

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 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

QUALITY OF THE ENVIRONMENT – ANTICIPATED ENVIRONMENTAL RESULTS

The following environmental results should occur from implementing Section B.3.4:

- Variation in activities in the rural area on the Plains.
- Activities on the Port Hills and in the high country remain predominantly farming, forestry, outdoor recreation and holiday accommodation.
- Buildings are low rise (1 or 2 storey) and surrounded by vegetation cover rather than hard standing.
- Utilities are made of low reflective materials.
- Outdoor signs advertise local events, products or information.
- New airfields are not located too close to houses.
- Nuisance effects may occur from time to time from temporary or seasonal activities, but these effects should be mild and typical of the rural environment.
- Buffer zones are maintained between residential activities and activities with which they may be incompatible.

QUALITY OF THE ENVIRONMENT – MONITORING

See Part E, Appendix 1.

1 RURAL RULES – EARTHWORKS

Notes

1. Rule 1 –Earthworks, does not apply to any of the following activities, except where the provisions of Rule 1.5 (Earthworks and Protected Trees) apply:
 - Tending or landscaping of gardens, lawns or public spaces;
 - Digging post holes;
 - Drilling bores, except in Wāhi Taonga Management Area C39(a);
 - Planting trees or removing dead or diseased trees;
 - Cultivation;
 - Burying Pets;
 - Trenching compost;
 - Earthworks required to duct cables except in Wāhi Taonga Management Area C39(a).
2. Rule 1 – Earthworks does apply to earthworks associated with harvesting forests or tracks into areas to harvest forests.
3. Planting of Shelterbelts, Amenity Plantings and Plantations is subject to Rule 2 – Tree Planting and Removal of Protected Trees.
4. Rules 9.16 and 9.17 apply to blasting and vibration. Rule 8 Waste Generation, Storage and Disposal applies to offal pits and landfills.
5. Earthworks affecting any archaeological site, Silent File Area, Wāhi Taonga Management Area or Wāhi Taonga Management Site may require an archaeological authority from the New Zealand Historic Places Trust Pouhere Taonga (refer to Part B, Section 3.3 Archaeological Sites).
6. Refer to Appendix 6 “Protocols on Accidental Discovery of Archaeological Sites” when any Earthworks occur in any Silent File, Wāhi Taonga Site or Wāhi Taonga Management Area.
7. PERMITTED ACTIVITIES do not require a resource consent. OTHER ACTIVITIES do require a resource consent.
8. Where a listed protected tree has been removed (with the approval of the Council) or is in a dangerous or diseased condition such that its continued protection cannot be justified, it shall be deleted from the list without further formality.
9. The description of the location of each protected tree in Appendix 4 is as at date of this part of the Plan becoming operative. Any subsequent change to a street address or legal description shall not affect the application of the specific rules to that protected tree. Street addresses and legal descriptions will, from time to time, be updated without further formality.

1.1 EARTHWORKS AND ROAD AND ACCESS FORMATION^{PC12}

Discretionary Activities – Earthworks and Road and Access Formation

- 1.1.1 Any earthworks for the purposes of creating or forming; a road, or access to serve any future allotment(s), shall be a discretionary activity unless the road or access forms part of an approved subdivision consent or is provided for within a designation.^{PC12}

1.2 EARTHWORKS AND CONTAMINATED LAND

Permitted Activities – Earthworks and Contaminated Land

- 1.2.1 Any earthworks which meet the following condition shall be a permitted activity:
- 1.2.1.1 Any soil or earth to be removed from the site is not contaminated.

Restricted Discretionary Activities – Earthworks and Contaminated Land

- 1.2.2 The removal of contaminated soil or earth from a site shall be a restricted discretionary activity.
- 1.2.3 Under Rule 1.2.2, the Council shall restrict its discretion to the consideration of:
- 1.2.3.1 Where the contaminated soil will be disposed to and how; and
- 1.2.3.2 Any monitoring conditions.

1.3 EARTHWORKS AND SITES OF SIGNIFICANCE TO TĀNGATA WHENUA

Permitted Activities – Earthworks and Sites of Significance to Tāngata Whenua

- 1.3.1 Any earthworks which meet the following conditions shall be a permitted activity:
- 1.3.1.1 In any area listed in Appendix 5 and shown on the Planning Maps as a Silent File Area, the earthworks are limited to the disturbance of soil over areas and to depths where that soil has been previously disturbed by cultivation, planting (trees, pasture or crops), building or earthworks;
- 1.3.1.2 In the area listed in Appendix 5 and shown on the Planning Maps as Wāhi Taonga Management Area C39(a), the earthworks are limited to the disturbance of soil over areas where that soil has been previously disturbed by cultivation, planting (trees, pasture or crops), building or earthworks. Any disturbance within those areas shall be limited to a maximum depth of 20cm;

- 1.3.1.3 In any area listed in Appendix 5 and shown on the Planning Maps as a Wāhi Taonga Site or any Wāhi Taonga Management Area not listed in 1.3.1.2, the earthworks do not involve the disturbance, damage to, removal or destruction of any object, artefact or other symbol of pre-European settlement, occupation or use of that site;
- 1.3.1.4 In any area listed in Appendix 5 and shown on the Planning Maps as a Mahinga Kai site, any damage to, or removal of, indigenous vegetation is limited to that undertaken by tāngata whenua for mahinga kai purposes.

Restricted Discretionary Activities – Earthworks and Sites of Significance to Tāngata Whenua

- 1.3.2 Any activity which does not comply with Rule 1.3.1 shall be a restricted discretionary activity .
- 1.3.3 Under Rule 1.3.2 the Council shall restrict its discretion to consideration of:
 - 1.3.3.1 Any inappropriate disturbance or other potential adverse effects on any site of significance within a Silent File area, as advised by local runanga;
 - 1.3.3.2 In the area listed in Appendix 5 and shown on the Planning Maps as Wāhi Taonga Management Area C39(a), any inappropriate disturbance or other potential adverse effects on any site of significance, object, remnant or artefact, as advised by local rūnanga and the New Zealand Historic Places Trust Pouhere Taonga;
 - 1.3.3.3 In any area listed in Appendix 5 and shown on the Planning Maps as a Wāhi Taonga Site or any Wāhi Taonga Management Area not listed in 1.3.1.2, any damage to, destruction or removal of any object, remnant or artefact, as advised by local rūnanga;
 - 1.3.3.4 Any adverse effects of the proposed activity on any Mahinga Kai Site, as advised by local rūnanga;
 - 1.3.3.5 Other than in Wāhi Taonga Management Area C39(a), any potential costs to the landholder/occupier of not being able to undertake the proposed activity on that site;
 - 1.3.3.6 Any alternative options available to undertake the activity in another form or on another site and the costs and practicality of these options;
 - 1.3.3.7 Any positive effects which may offset any adverse effects; and
 - 1.3.3.8 Any monitoring or review conditions.

1.4 EARTHWORKS AND NATURAL HAZARDS – FLOOD AREAS

Permitted Activities – Earthworks and Natural Hazards – Flood Areas

- 1.4.1 The following earthworks undertaken in an area shown on the Planning Maps as a flood area shall be a permitted activity:

1.4.1.1 The forming of vehicular accessways through or within properties and the forming of building platforms, provided that the existing land drainage patterns are not altered or impeded; or

1.4.1.2 Any other earthworks which do not raise the mean average level of the land subject to the earthworks or reduce the storage capacity of surface water ponding areas.

Note: For the purposes of Rule 1.4.1.2, the level of the land is measured as the mean average level above mean sea level, over the area on which any earth is disturbed, removed or deposited.

Restricted Discretionary Activities – Earthworks and Natural Hazards – Flood Areas

1.4.2 Any earthworks undertaken within any area shown on the Planning Maps as a flood area which do not comply with Rule 1.4.1 shall be a restricted discretionary activity .

1.4.3 Under Rule 1.4.2, the Council shall restrict its discretion to the consideration of:

1.4.3.1 The potential effects of the earthworks on creating or exacerbating flooding on the site;

1.4.3.2 The potential effects of the earthworks on creating or exacerbating flooding on other properties, by diverting floodwaters or by increasing the level of floodwater on lower lying properties;

1.4.3.3 Any positive effects which may offset any adverse effects.

1.5 EARTHWORKS AND OUTSTANDING LANDSCAPE AREAS

Permitted Activities – Earthworks and Outstanding Landscape Areas

1.5.1 The following earthworks shall be a permitted activity in areas shown on the Planning Maps as areas of Outstanding Landscape in the Malvern Hills and High Country:

1.5.1.1 The maintenance and repair of existing roads or tracks;

1.5.1.2 Post holes;

1.5.1.3 The installation of underground telecommunication lines and ancillary structures; or

1.5.1.4 Any other earthworks where the volume of earth disturbed, removed or deposited does not exceed 150m³ per project;

1.5.2 On the Port Hills, the following earthworks shall be a permitted activity:

1.5.2.1 The maintenance and repair of existing fence lines;

1.5.2.2 The maintenance and repair of existing farm vehicle roads and tracks;

1.5.2.3 Digging offal pits;

- 1.5.2.4 Forming stock water ponds, provided that no more than 30m³ of earth is disturbed, removed or deposited, and the pond is no more than 50m² in surface area; or
- 1.5.2.5 Any other earthworks which shall not exceed 100m³ within a site and a maximum cut depth of 1m per project.

Note: Any activity involving earthworks and vegetation clearance on the Port Hills may require resource consent from Environment Canterbury. Further enquiries should be made with Environment Canterbury.

Discretionary Activities – Earthworks and Outstanding Landscape Areas

- 1.5.3 Earthworks which do not comply with Rule 1.5.1 or 1.5.2 shall be a discretionary activity.

1.6 EARTHWORKS AND PROTECTED TREES

Permitted Activities – Earthworks and Protected Trees

- 1.6.1 Any earthworks which meet the following conditions in relation to any protected tree listed in Appendix 4 shall be a permitted activity:
 - 1.6.1.1 Normal cultivation of the soil for recreational, horticultural or agricultural purposes or the growing of crops or ornamental vegetation within 10 metres of the base of the tree or within the crown periphery (drip-line), whichever is the greater.
 - 1.6.1.2 there is no laying/installation of any underground utility service within a distance of 10 metres of the base of the tree or within the crown periphery (drip-line), whichever is the greater distance; except that underground drilling or thrusting operations are permitted within this distance where the installation depth is not less than 1.2m and the holes to accommodate the drilling/thrusting machines are outside of this distance.
 - 1.6.1.3 there is no new impervious surfacing, sealing, paving, soil compaction, or alteration of more than 75mm to the ground level (existing prior to works commencing) within 10 metres from the base of the tree or within the crown periphery (drip-line), whichever is the greater.
 - 1.6.1.4 Normal maintenance work to clear silt deposits and maintain the effective operating function of swale drains or water detention or retention basins, within 10 metres of a listed protected tree or within the crown periphery (drip-line) whichever is the greater, provided the ongoing clearing work does not result in excavating below 75mm of the depth to which the excavations were originally formed or is not extended horizontally more than 75mm from their original circumference/location.
 - 1.6.1.5 In emergency situations, where a protected listed tree or any part thereof, presents an **immediate** hazard to persons or property, the Council is to be advised immediately. Where an approved Council arborist is not available without delay, immediate action can be taken to

eliminate or abate the hazard. Within 5 working days of any action being taken, the Council shall be notified in writing of the action taken and provided with proof of the urgency. This proof is to include photographs and, where applicable, a report from the arborist that undertook the action.

Note: Rule 1.6.1 applies to earthworks undertaken in proximity to a protected tree, but not related to the protected tree.

Restricted Discretionary Activities – Earthworks and Protected Trees

1.6.2 Any earthworks affecting any tree listed as a Category B tree in Appendix 4 that do not meet the conditions set out in Rule 1.6.1 shall be a restricted discretionary activity.

1.6.3 Under Rule 1.6.2, the Council shall restrict its discretion to consideration of:

1.6.3.1 Any potential effects of the earthworks on the tree and its root structure, and the stability of the ground and the depth of the water table around the tree, and

1.6.3.2 Any positive effects which may offset any adverse effects.

Non-Complying Activities – Earthworks and Protected Trees

1.6.4 Any earthworks affecting any tree listed as a Category A tree in Appendix 4 that do not meet the conditions set out in Rule 1.6.1 shall be a non-complying activity.

1.7 EARTHWORKS AND SETBACKS, VOLUME AND SITE REHABILITATION

Permitted Activities – Earthworks and Setbacks, Volume and Site Rehabilitation

1.7.1 Any earthworks which meet the following conditions shall be a permitted activity:

1.7.1.1 The earthworks are set back at least 20m from the edge of any waterbody (excluding aquifers):

(a) unless the earthworks are those undertaken within a road reserve and are for the purpose of installing underground network utility infrastructure; or

(b) except that for rivers the following earthworks are subject to a reduced setback of 5m:

(i) 100m² (area) per 1000 metres in any continuous 5 year period; and

(ii) 40m³ (volume) per 1000 metres in any continuous 5 year period; or

(iii) any earthworks which has been granted resource consent for a discretionary or non-complying activity from the Canterbury Regional Council; or

- (iv) maintenance of existing fencelines, existing vehicle tracks and existing crossings.

Notes

For the purposes of Rule 1.7.1.1, the edge of any lake or wetland is measured from:

- The edge of the space of water which the lake or wetland covers at its annual highest level without exceeding its margin; or
- If the lake or wetland level is controlled by artificial means, the space of land which the waters of the lake or wetland cover at its maximum permitted operating level.

For the purpose of Rule 1.7.1.1(b)(i) and (ii), river means:

- Any continually flowing body of freshwater; or
- Any intermittently flowing body of freshwater within a defined bed, excluding ephemeral rivers.

The edge of any other 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.”

The exceptions provided for in Rule 1.7.1.1 are designed to allow a degree of day to day farming activities such as some tracking, construction of fence lines and like activities.

1.7.1.2 The earthworks do not exceed:

- (a) A vertical cut face where no more than 5% of the total vertical cut is over 2m; and
- (b) A maximum volume of 5000m³ per project.

Notes

1. Rule 1.7.1.2(b) does not apply to earthworks associated with forming tracks, provided the track is not more than 10m wide. Rule 1.7.1.2(a) does apply to forming tracks no more than 10m wide.
2. Rule 1.7.1.2 does not apply to earthworks in the area shown on the Planning Maps as the Existing Development Area for Terrace Downs, if the earthworks are for the creation of golf courses, water holding or channelling structures and building platforms. The reason for the exemption is to carry over a provision of the Terrace Downs plan change under the previous District Plan – refer to the provisions in Appendix 21.

1.7.1.3 When the earthworks cease, the site is:

- (a) Filled and recontoured to the same state as the surrounding land; and
- (b) Replanted with vegetation which is the same as, or of similar species to, that which existed on the site prior to the earthworks taking place, except that where the site was vegetated with any plant pest, the site may be replanted with other species.

Note: Rule 1.7.1.3 does not apply to earthworks associated with the preparation of building sites, roads or tracks or sites prepared for planting trees or other crops.

- 1.7.1.4 Any stockpiling of earth, soil or other material within 100m of any dwelling, other than a dwelling erected on the same property as the earthworks, is to be kept moist and consolidated.
- 1.7.1.5 In any area within 300m of either side of SH 73 (between Porters Pass and Arthurs Pass) or the Midland Railway (from the Waimakariri Gorge to Arthurs Pass) any earthworks are limited to:
 - (a) The maintenance and repair of existing tracks and roads;
 - (b) Post holes;
 - (c) The installation of underground telecommunication lines and ancillary structures; or
 - (d) Any other earthworks provided that the volume of earth disturbed, removed or deposited does not exceed 150m³ per project.

Restricted Discretionary Activities – Earthworks and Setbacks, Volume and Site Rehabilitation

- 1.7.2 Any earthworks which do not comply with Rule 1.7.1.4 shall be a restricted discretionary activity.
- 1.7.3 Under Rule 1.7.2, the Council shall restrict its discretion to consideration of:
 - 1.7.3.1 Any potential dust nuisance caused by the stockpiled material;
 - 1.7.3.2 The effectiveness of any proposed mitigation measures; and
 - 1.7.3.3 The need for monitoring and review conditions on the consent.
- 1.7.4 Any earthworks which do not comply with Rule 1.7.1.5 shall be a restricted discretionary activity.
- 1.7.5 Under Rule 1.7.4, the Council shall restrict its discretion to consideration of:
 - 1.7.5.1 The visual effects, both immediate effects and the impact on the panoramic views of the Upper Waimakariri Basin from SH 73 or the Midland Railway.

Discretionary Activities – Earthworks and Setbacks, Volume and Site Rehabilitation

- 1.7.6 Any earthworks which do not comply with Rules 1.7.1.1, 1.7.1.2 or 1.7.1.3 shall be a discretionary activity.

Cross-Reference

The table below cross-references the rules in this section with objectives and policies in the Plan. The cross-referencing is to assist plan users by indicating the objectives and policies which are likely to relate to each rule. There may be other objectives or policies in the Plan (which are not listed in the cross-reference table) which will apply in some cases. The cross-reference table does not limit the application of any objective and policy in the Plan to the rules with which it is cross-referenced; and it does not preclude the consent authority from considering any other relevant objective or policy in the Plan, when making a decision on a resource consent application. Any

person making a resource consent application is advised to read all the objectives and policies in Part B of the Plan.

Rule Numbers	Topic	Part B, Section	Objectives	Policies
1.1	Contaminated Land	1.1	1.1.1 and 1.1.2	1.1.1 to 1.1.3
1.2	Sites of Significance to Tāngata Whenua	3.3	3.3.1	3.3.1 to 3.3.5, 3.3.9 and 3.3.10
1.3	Natural Hazards– Flood Areas	3.1	3.1.1, 3.1.2	3.1.1 to 3.1.5 and 3.1.8 to 3.1.10
1.4	Outstanding Landscape Areas	1.4	1.4.1	1.4.1 to 1.4.32
1.5	Protected Trees	3.3	3.3.3	3.3.11 to 3.3.14
1.6	Setbacks, Volume and Site Rehabilitation	1.1, 1.2, 1.3, 1.4, 4.2	1.1.1 to 1.1.3 1.2.1, 1.3.1, 1.4.1 4.2.1 and 4.2.2	1.1.4 to 1.1.7, 1.2.2, 1.3.2 to 1.3.4., 1.4.3 to 1.4.7.

Reasons for Rules

Rule 1 Earthworks, manages potential effects from earthworks on the environment. Rules are needed to manage these effects because they often have effects on other people or other parts of the environment, rather than having a direct cost to the person undertaking the earthworks. The rules are included in the District Plan because: regional rules only apply to the Port Hills at present; and building consents are only required for earthworks related to dams over 20 000m³ in size. Even when a building consent is required, it will only address matters relating to the stability of the excavation.

The rules allow earthworks which are small-scale and minor in effect as permitted activities (no resource consent needed). Other earthworks are restricted discretionary activities or discretionary activities (requires a resource consent). The consent will focus on ensuring that any effects are adequately remedied or mitigated, rather than trying to prevent large-scale earthworks per se.

Day to day activities should comply with the rules for permitted activities. To avoid any doubt, the rules do not apply to: cultivation; gardening; digging post-holes; tracks which are less than 10m wide (outside of areas of Outstanding Landscape); and the maintenance of existing tracks in areas of Outstanding Landscape.

Resource consents are needed for earthworks which involve: shifting contaminated soil; steep vertical cuts (soil erosion and visual effects); raising the level of land which floods; land near waterbodies and special cultural sites; and shifting large volumes of material. The volume control is to ensure that large excavation works are properly filled and the site rehabilitated, and to protect 'significant ecological sites' from damage or destruction (see Part B, Section 1.2).

Rule 1.2 manages earthworks in areas which contain sites of special significance to tāngata whenua. Protecting these sites is part of the duty under section 6(e) of the Act "to provide for the relationship of Māori and their customs and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga."

Tāngata whenua have identified three types of sites in the Plan (see Part B, Section 3.3). Silent File areas may contain sites which are of immense cultural importance to tāngata whenua. The exact location of the site is not disclosed. Any disturbance of these sites may be inappropriate. The rule allows earthworks to occur on soil which has already been disturbed, but requires a resource consent for earthworks which will disturb soil in areas which have not been previously worked, or if the earthworks involve excavating soil to depths where it has not been disturbed by other activities. The Council restricts its discretion to whether the earthworks will disturb the special site within the Silent File area and whether that disturbance is inappropriate (as advised by local runanga).

Wāhi Taonga Sites and Wāhi Taonga Management Areas contain sites of past settlement or occupation by tāngata whenua. Most of these sites have been uncovered by archaeologists and their location and what they contain is recorded. Earthworks in and around these sites are appropriate, provided that the artefacts and remnants which are contained within the sites are not removed, damaged or destroyed. The exception are the Wāhi Taonga Management Areas which make up the Rakaia River Moa Hunter Site (C39(a) and C39(b)). These sites are of considerable cultural and archaeological significance. Earthworks in these areas are appropriate in certain circumstances and to a certain depth, after which resource consent is required.

Appendix 5 lists the artefacts, remnants or objects discovered so far within each site, though there may be more material located around the area. Wāhi Taonga Management Areas are areas which contain many Wāhi Taonga sites. The Council is encouraging land owners or managers and local rūnanga to develop joint protocols for activities within these areas (see Part B, Section 3.3).

Mahinga Kai Sites are sites used for traditional food gathering by tāngata whenua. The sites identified within this plan are valued for their vegetation. Rule 1.2 requires a resource consent for this vegetation to be damaged or removed, except for mahinga kai purposes.

The trees listed in Appendix 4 have been assessed as having significant values to Selwyn District. Rule 1.5 provides an opportunity to ensure that these listed trees are adequately protected.

4 RURAL RULES – ROADS AND TRANSPORT

PC12

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 ROADS AND OUTSTANDING LANDSCAPE AREAS PC12

Permitted Activities – Roads and Outstanding Landscape Areas PC12

- 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, the formation of any road, pathway, road bridge or vehicle accessway is limited to the maintenance of existing roads, road bridges or vehicle accessways. PC12

Restricted Discretionary Activities – Roads and Outstanding Landscape Areas PC12

- 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 or Visual Amenity Landscape of the Port Hills; and

- 4.1.2.2 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 ROADS AND NATURAL HAZARDS PC12

Permitted Activities – Roads and Natural Hazards PC12

- 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 – Roads and Natural Hazards PC12

- 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 ROADS AND SITES OF SIGNIFICANCE TO TĀNGATA WHENUA PC12

Permitted Activities – Roads and Sites of Significance to Tāngata Whenua

- 4.3.1 The forming, installation, upgrading, maintenance or replacement of any road shall be a permitted activity if the following conditions are met:
 - 4.3.1.1 Within any area listed in Appendix 5 and shown on the Planning Maps as a Silent File Area, any earthworks associated with any road is limited to

the disturbance of soil over areas and to depths where that soil has been previously disturbed by cultivation, planting (trees, pasture or crops), building or earthworks;

- 4.3.1.2 In the area listed in Appendix 5 and shown on the Planning Maps as Wāhi Taonga Management Area C39(a), any earthworks associated with any road is limited to the disturbance of soil over areas where that soil has been previously disturbed by cultivation, planting (trees, pasture or crops), building or earthworks. Any disturbance within those areas shall be limited to a maximum depth of 20cm;
- 4.3.1.3 Within any area listed in Appendix 5 and shown on the Planning Maps as a Wāhi Taonga Site or any Wāhi Taonga Management Area not listed in 4.3.1.2, any road does not involve the disturbance, damage to, removal or destruction of any object, artefact or other symbol of pre-European settlement, occupation or use of that site; and.
- 4.3.1.4 Within any area listed in Appendix 5 and shown on the Planning Maps as a Mahinga Kai site, any damage to, or removal of, indigenous vegetation is limited to that undertaken by tāngata whenua for mahinga kai purposes.

Restricted Discretionary Activities – Roads and Sites of Significance to Tāngata Whenua PC13

- 4.3.2 Any activity which does not comply with Rule 4.3.1 shall be a restricted discretionary activity.
- 4.3.3 Under Rule 4.3.2, the Council shall restrict its discretion to the following matters:
 - 4.3.3.1 Any inappropriate disturbance or other potential adverse effects on any site of significance within a Silent File area, as advised by local rūnanga;
 - 4.3.3.2 In the area listed in Appendix 5 and shown on the Planning Maps as Wāhi Taonga Management Area C39(a), any inappropriate disturbance or other potential adverse effects on any site of significance, object, remnant or artefact, as advised by local rūnanga and the New Zealand Historic Places Trust Pouhere Taonga;
 - 4.3.3.3 Any damage to, destruction or removal of, any object, remnant or artefact contained within a Wāhi Taonga Site or any Wāhi Taonga Management Area not listed in 4.3.3.2, as advised by local rūnanga; or
 - 4.3.3.4 Any adverse effects of the proposed activity on any Mahinga Kai site, as advised by local rūnanga;
 - 4.3.3.5 Other than in Wāhi Taonga Management Area C39(a), any potential costs to the landholder of not being able to undertake the proposed activity on that site;
 - 4.3.3.6 Any alternative options available to undertake the activity in another form or on another site and the costs and practicality of these options;
 - 4.3.3.7 Any positive effects which may offset any adverse effects; and
 - 4.3.3.8 Any monitoring or review conditions.

4.4 ROAD AND ENGINEERING STANDARDS

Permitted Activities — Road and Engineering Standards

4.4.1 The forming, installation, upgrading, maintenance or replacement of any road shall be a permitted activity if the following standards are met:

4.4.1.1 Any part of any road does not have a gradient greater than:

- (a) 1:6 vertical; or
- (b) 1:20 horizontal.

4.4.1.2 Any road is formed to the relevant standards set out in Appendix E10.3, except that E10.3.1 shall not apply to works to existing roads undertaken by Council pursuant to the Local Government Act; PC12

Discretionary Activities — Road and Engineering Standards PC12

4.4.2 Any activity which does not comply with Rule 4.4.1 shall be a discretionary activity.

Notes: The Council may refer to its most recent Engineering Code of Practice to assist it in deciding on any resource consent application made under Rule 4.4.2, where appropriate. PC12

Rule 4.4.1.1 does not apply to private roads, vehicle accessways or tracks which are intended to be used solely by persons owning or occupying the property and are not located within the road reserve. The rules do apply to vehicle accessways or private roads which are shared between properties, or which are used to provide public access (with landholder's consent). PC12

4.5 VEHICLE ACCESSWAYS AND VEHICLE CROSSINGS

Permitted Activities — Vehicle Accessways and Vehicle Crossings PC12

4.5.1 The forming, installation, upgrading, maintenance or replacement of any vehicle accessway or vehicle crossing shall be a permitted activity if the following conditions are met: PC12

4.5.1.1 Any part of any vehicle accessway does not have a gradient greater than: PC12

- (a) 1:6 vertical; or
- (b) 1:20 horizontal.

Note: Rule 4.5.1.1 does not apply to private roads, vehicle accessways or tracks which are intended to be used solely by persons owning or occupying the property and are not located in the road reserve. The rules do apply to vehicle accessways or private roads which are shared between properties, or which are used to provide public access (with landholder's consent).

4.5.1.2 Any vehicle accessway is formed to the relevant design and formation standards set out in Appendix E10.2. PC12

- 4.5.1.3 Any vehicle accessway complies with the relevant separation and sight distance standards set out in Appendix E10.2.
- 4.5.1.4 Any vehicle crossing which has a gate positioned across the vehicle crossing, has the gate either opening inwards towards the property and away from the road; or setback a minimum distance of 10 metres from the road boundary;
- 4.5.1.5 Any vehicle crossing providing vehicle access to a sealed road is sealed:
- The full length of the vehicle crossing (from the edge of the sealed carriageway to the road boundary of the property), or; ^{PC12}
 - For the first 10 metres from the sealed carriageway. ^{PC12}
- 4.5.1.6 Any access to a State Highway or Arterial Road complies with the following:
- No legal access is available from another lower classification road;
 - For State Highways only, the traffic generated through the access to the State Highway is less than 100 ecm/d; ^{PC12}
 - The vehicle accessway or vehicle crossing complies with the performance criteria given in Appendix E10.2.2, E10.2.3 and E10.2.4; ^{PC12}
 - Provision is made for manoeuvring on site, so that reverse manoeuvring onto the State Highway or Arterial Road is not required.
- 4.5.1.7 Shared access to more than six sites shall be by formed and vested legal road and not by a private accessway. ^{PC12}
- 4.5.1.8 Any site with more than one road frontage to a road that is formed and maintained by Council, shall have access to the formed and maintained (and legal) road with the lowest classification. ^{PC12}
- Note:** For example, where a site has frontage to both an arterial road and a local road access shall be to the local road. ^{PC12}

Restricted Discretionary Activities – Vehicle Accessways and Vehicle Crossings ^{PC12}

- 4.5.2 Any activity which does not comply with Rule 4.5.1.6 shall be a restricted discretionary activity.
- 4.5.3 The Council shall restrict its discretion to the exercise of:
- Whether the crossing is sufficiently removed from an intersection having regard to traffic volumes on the roads, and any other factors that will prevent conflict and confusion between vehicles turning at the crossing or at the intersection;
 - The adequacy of available sight distances having regard to the 85th percentile operating speed of vehicles on the road; ^{PC12}
 - Whether there is a need to separate entry and exit in order to reduce potential traffic confusion and conflict;

- 4.5.3.4 Whether the physical form of the road will minimise the adverse effects of access (e.g. whether the road offers good visibility; whether a solid median barrier will stop unsafe right turns or a flush median will assist right hand turns etc);
- 4.5.3.5 Whether particular mitigation measures such as a deceleration or turning lane are required due to speed or volume of vehicles on the road;
- 4.5.3.6 The design of the crossing to enable traffic exiting the site to safely enter the traffic stream;
- 4.5.3.7 The location and design of the crossing in relation to pedestrian and cycle safety;
- 4.5.3.8 Whether there is adequate queuing and parking space on site so that vehicles do not queue over vehicle crossings or on the State Highway or Arterial Road; ^{PC12}
- 4.5.3.9 Any potential cumulative effects of extra access points on the function of the State Highway or Arterial Road; ^{PC12}
- 4.5.3.10 Any relevant accident history of the State Highway in the vicinity of the site; and
- 4.5.3.11 The particular traffic characteristics of an existing or proposed activity, including expected traffic generation, types of vehicles etc.

Discretionary Activities – Vehicle Accessways and Vehicle Crossings

- 4.5.4 Any activity which does not comply with Rules 4.5.1.1, 4.5.1.2, 4.5.1.3, 4.5.1.4(a), 4.5.1.7 or 4.5.1.8 shall be a discretionary activity. ^{PC12}

Note: The Council may refer to its most recent Engineering Code of Practice to assist it in deciding on any resource consent application made under Rule 4.5.4, where appropriate. ^{PC12}

Non-Complying Activities – Vehicle Accessways and Vehicle Crossings ^{PC12}

- 4.5.5 Any activity which does not comply with Rules 4.5.1.4(b) or 4.5.1.5 shall be a non-complying activity.

4.6 VEHICLE PARKING AND CYCLE PARKING

Permitted Activities – Vehicle Parking and Cycle Parking

- 4.6.1 Any activity in the Rural Zone which provides car parking in accordance with the following standards shall be a permitted activity.
 - 4.6.1.1 Two car parking spaces on-site for each dwelling without a family flat; or
 - 4.6.1.2 Three car parking spaces on-site for each dwelling with a family flat; and
 - 4.6.1.3 For any other activity:

(a) all car parking associated with an activity must be located either on-site or on land adjoining the site and not on the road reserve; and ^{PC12}

(b) all loading (including unloading) associated with an activity must be undertaken on-site or on land adjoining the site and not within the road reserve; and ^{PC12}

4.6.1.4 All carparking and loading areas shall comply with all standards set out in Appendix E10.1. ^{PC12}

4.6.2 Any activity on a site which has a vehicle manoeuvring area of sufficient size to enable any vehicle to turn on the site and not have to reverse onto the road shall be a permitted activity if:

4.6.2.1 The site is used for any activity other than residential activities; or

4.6.2.2 The site has access to a State Highway or an arterial road listed in Appendix 9.

Note: Refer to the Council's most recent Code of Practice for the design standards required for the manoeuvring of vehicles. ^{PC12}

4.6.3 Any activity which involves the provision of goods or services to the general public shall be a permitted activity if the following conditions are met:

4.6.3.1 One disabled carpark is provided with the first 10 carparking spaces; and one additional disabled carpark space for every additional 50 carparking spaces provided.

4.6.3.2 The disabled carparks are:

- (a) Located as close to the entrance to the building or the site of the activity as practical;
- (b) Sited on a level surface; and
- (c) Clearly marked as being for mobility-impaired persons.

Controlled Activities – Vehicle Parking and Cycle Parking ^{PC12}

4.6.4 Any development of a parking area with a total of 40 or more parking spaces shall be a controlled activity, in respect to safety, circulation and access for pedestrians within the site and moving past vehicle crossings. ^{PC12}

Restricted Discretionary Activities – Vehicle Parking and Cycle Parking

4.6.5 Any activity which does not comply with Rule 4.6.3 shall be a restricted discretionary activity.

4.6.6 The Council shall restrict its discretion to consideration of:

4.6.6.1 Whether there is likely to be a demand for parking for mobility impaired person, given the nature of the activities being undertaken on the site;

- 4.6.6.2 Whether there is any need to provide specific carparking for mobility impaired persons on the site, given the size and nature of the carparking area and the location of the activity relative to the carparking area; and
- 4.6.6.3 Any monitoring or review conditions.

Discretionary Activities – Vehicle Parking and Cycle Parking

4.6.7 Any activity which does not comply with Rule 4.6.1 shall be a discretionary activity.

Non-Complying Activities – Vehicle Parking and Cycle Parking

4.6.8 Any activity which does not comply with Rule 4.6.2 shall be a non-complying activity.

4.7 TRAFFIC SIGHT LINES – ROAD/RAIL CROSSINGS

Permitted Activities – Traffic Sight Lines Road/Rail Crossings

4.7.1 The following shall be permitted activities:

4.7.1.1 Any building if the building is positioned so that it does not encroach within the line of sight for any railway crossing as shown in Appendix 10, Diagram E10.E

4.7.1.2 Any tree if the tree is planted so that it does not encroach within the line of sight for any railway crossing as shown in Appendix 10, Diagram E10.E

Note: *The NZTA Traffic Control Devices Manual provides further guidance on level crossings.*

Non-Complying Activities – Traffic Sight Lines Road/Rail Crossings

4.7.2 Any building or tree which does not comply with Rules 4.7.1 shall be a non-complying activity.^{PC12}

Cross Referencing

The table below cross-references the rules in this section with objectives and policies in the Plan. The cross-referencing is to assist plan users by indicating the objectives and policies which are likely to relate to each rule. There may be other objectives or policies in the Plan (which are not listed in the cross-reference table) which will apply in some cases. The cross-reference table does not limit the application of any objective and policy in the Plan to the rules with which it is cross-referenced; and it does not preclude the consent authority from considering any other relevant objective or policy in the Plan, when making a decision on a resource consent application. Any person making a resource consent application is advised to read all the objectives and policies in Part B of the Plan.

Rule Numbers	Topic	Part B, Section	Objectives	Policies
4.1	Outstanding Landscape Areas	1.4, 2.1, 2.2, 3.1	1.4.1, 2.1.2, 2.2.2, 3.1.1	1.4.1 to 1.4.5, 1.4.7 to 1.4.9, 1.4.13, 1.4.15, 1.4.17, 1.4.20 to 1.4.21, 1.4.23, 1.4.24, 1.4.27, 1.4.29 and 1.4.30, 2.1.14, 2.2.5, 3.1.6 to 3.1.8.
4.2	Natural Hazards	2.1, 2.2, 3.1, 4.2	2.1.2, 2.2.2, 3.1.1 and 3.1.2, 4.2.1 and 4.2.2	2.1.3, 2.2.8, 3.1.3 and 3.1.5 to 3.1.8, 4.2.1
4.3	Sites of Significance to Tāngata Whenua	2.1, 2.2, 3.3	2.1.2, 2.2.2, 3.3.1,	2.1.14, 2.2.5, 3.3.2, 3.3.3, 3.3.5 and 3.3.9
4.5, 4.6	Vehicle Accessways and Vehicle Crossings. Vehicle Parking and Cycle Parking	2.1, 2.2	2.1.1, 2.2.2	2.1.1 to 2.1.8, 2.2.10

Reasons for Rules

Rule 4 manages effects of establishing, maintaining, upgrading and replacing roads, vehicle accessways, vehicle crossings and car parking on the environment. The rules should be read in conjunction with Rule 1 – Earthworks. ^{PC12}

Many activities involving roads are undertaken by requiring authorities, using designations. In these cases, the District Plan rules may not apply (see section 10 of the Act). However, it is still necessary to have rules in the Plan, because:

- Often roads are formed by private developers as part of subdivisions or land uses. The roads then vest in the Council. The plan needs to have rules for the undertaking of these activities, so the Council can manage the standard of roads which will vest in the Council;
- It is consistent with Part II and section 32 of the Act to provide for activities which have only minor effects on the environment as permitted activities.

Rule 4 follows a similar format to Rules 1, 2 and 3. Activities involving roads require resource consents: in areas of Outstanding Landscape, areas prone to flooding, and Silent File and Wāhi Taonga Management areas; and on Wāhi Taonga and Mahinga Kai sites. New roads in areas of outstanding landscape require a resource consent, and the applicant will need to demonstrate that the activity needs to locate in these areas, given that they have not been greatly modified by roading. While the Plan recognises that some roads may be necessary in these areas, they are not encouraged.

Rules 4.4 to 4.6 set standards for the forming of roads, vehicle accessways, vehicle crossings and carparking as permitted activities. These standards are based on the Council's most recent Engineering Code of Practice. The rules apply irrespective of whether roads, vehicle accessways and vehicle crossings are formed when land is subdivided or when buildings are erected. ^{PC12}

Rights of way (ROW) have historically been problematic in the Selwyn District. In some instances further development of sites has resulted in a large number of sites with a shared access. Whilst

limited shared access can be useful such as where houses front a reserve or waterway the potential number of users needs to be limited. The provision of long ROWs is not conducive to achieving a high degree of connectivity, permeability and accessibility for vehicular and non-vehicular access. Where access to a larger number of sites (or potential sites) is required this should be by way of local roads. ^{PC12}

A lack of visibility for road/rail level crossings raises implications for road users and traffic safety. ^{PC12}

For that reason, buildings and tree plantings are not permitted if they encroach within the line of sight of a railway crossing as shown in Appendix 13 (Diagram E10.E). This rule reflects the importance of maintaining lines of sight for traffic safety. ^{PC12}

The majority of rural roads have a narrow carriageway and do not provide adequate width or sealed shoulders to allow for parking, many of these roads also have higher speed limits which can exacerbate potential safety issues. The provision of parking off-road also ensures vehicles are accessing the parking area at an appropriately formed and located point. Road side parking in rural areas can have a noticeable impact on the character and amenity of the surrounding area.

Activities with larger parking areas require the consideration of pedestrian safety, security, circulation and access within parking areas to be balanced against vehicle access and circulation in order to encourage people to walk to and within townships and provide for safe movement of pedestrians within the site, and moving past vehicle crossings.

Significant improvements for pedestrian circulation within a site can be achieved through consideration of the location of vehicle access and manoeuvring areas relative to pedestrian entrances to sites, parking areas and the building entrance and does not always require provision of separate pedestrian facilities.

The provision of rule 4.6.4 is not intended to suggest that parking areas of this size are generally anticipated in rural zones. The intention of the rule is to ensure that if such a parking area does occur, attention is drawn to the consideration of pedestrians within parking areas (including movement between cycles / cars and the building entrance) and at vehicle crossing points. ^{PC12}

- 9.10.4 Under Rule 9.10.3 the Council shall restrict its discretion to consideration of:
- 9.10.4.1 Any adverse effects from odour, dust, noise or traffic on surrounding properties;
 - 9.10.4.2 The effectiveness of any proposed mitigation measures to address potential adverse effects;
 - 9.10.4.3 Any positive effects which may offset any adverse effects; and
 - 9.10.4.4 Any monitoring or review conditions.

9.11 ACTIVITIES AND NEW OR EXPANDED DAIRY FARMS

Permitted Activities – Activities and New or Expanded Dairy Farms

- 9.11.1 The establishment of, or any extension to, any dairy farm is on land shall be a permitted activity where the following conditions are met:
- 9.11.1.1 All dairy cows are excluded from all land within 10m from any waterbody (excluding aquifers).
 - 9.11.1.2 It is on land which is adjoining to that of the milking shed.

Notes:

Dairy farm means all the land used to support a dairy milking platform but excludes separate off-farm land areas used to graze dry dairy cows.

Rule 9.11.1.1 applies to the conversion of new land to dairying and for both grazing and droving of dairy cows; it does not include land which is used for grazing beef herds.

For Rule 9.11.1.2 expanding dairy farms include dairy farms which are expanding through an increase in herd numbers or an increase in land area.

Rule 9.11.1.2 does not apply to land which is used for grazing dry herds.

Adjoining is defined in Part D of the Plan and includes any land which is separated by a road, easement, water race or drain.

Where stock access is across a State Highway, Transit must be consulted.

- 9.11.2 All dry dairy cows on separate off-farm land areas shall be excluded from any waterbody.

Restricted Discretionary Activities – Activities and New or Expanded Dairy Farms

- 9.11.3 Any new or expanded dairy farm or off-farm dairy grazing activity that does not comply with Rules 9.11.1.1 or 9.11.2 shall be a restricted discretionary activity.
- 9.11.4 Under Rule 9.11.3 the Council shall restrict its discretion to consideration of:
- 9.11.4.1 The effect on natural character and indigenous biodiversity;

- 9.11.4.2 Any mitigation measures to prevent or reduce animal access to the waterbody or its riparian margin.
- 9.11.5 The establishment of any new dairy farm or any extension to an existing dairy farm which does not comply with Rule 9.11.1.2 shall be a restricted discretionary activity.
- 9.11.6 Under Rule 9.11.5 the Council shall restrict its discretion to consideration of:
 - 9.11.6.1 The proposed method to move dairy cows between grazing areas and milking sheds;
 - 9.11.6.2 Traffic safety;
 - 9.11.6.3 Any positive effects which may offset any adverse effects; and
 - 9.11.6.4 Any monitoring or review conditions.

9.12 ACTIVITIES AND CARPARKING, VEHICLE CROSSINGS, ACCESS AND EGRESS

Permitted Activities – Carparking, Vehicle Crossings, Access and Egress

- 9.12.1 The activity shall comply with the rules for carparking, vehicle crossings, vehicle access and egress set out in Rule 4, and Appendix 10 for specific provisions applying to State Highways to be a permitted activity.

Default Activity – Carparking, Vehicle Crossings, Access and Egress

- 9.12.2 Any activity which does not comply with Rule 9.12.1 shall have the status set out in Rules 4.4 to 4.6 for the rules(s) with which it does not comply.

9.13 ACTIVITIES AND VEHICLE MOVEMENTS

Permitted Activities – Activities and Vehicle Movements

- 9.13.1 Any activity which does not exceed the following maximum number of vehicle movements shall be a permitted activity:
 - 9.13.1.1 Road Unformed **and, or not maintained by Council:** ^{PC12}
 - (a) For any commercial or industrial related activity where access is required off an unformed and un-maintained road, excluding normal farming activities: Nil.
 - (b) For any individual property access off an unformed and un-maintained road: 15 equivalent car movements per day (ecm/d) per site.
 - 9.13.1.2 Road Formed, Sealed **and maintained by Council:** ^{PC12}
 - (a) **State Highway and Arterial Roads** (as identified in Appendix 9): 30 ecm/d per site averaged over any one week period). ^{PC12}

- (b) Local and Collector Roads: 60 ecm/d per site (averaged over any one week period).

9.13.1.3 Road Formed, Unsealed and maintained by Council:^{PC12}

- (a) 60 ecm/d per site (averaged over any one week period).

Note:

1. Rule 9.13.1 does not apply to vehicle movements between sites within a property; relocating of premises; or any other temporary activity.
2. For the purposes of Rule 9.13.1.2, Local roads are those roads which are not listed in Appendix 9 as State Highways, Arterial Roads, or Collector Roads.^{PC12}
3. Rule 9.13.1 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).
4. Rule 9.13.1 does not apply to existing plantations.

Discretionary Activities – Activities and Vehicle Movements

9.13.2 Any activity which does not comply with Rule 9.13.1 shall be a discretionary activity. The Council's discretion may include but shall not be limited to:^{PC12}

9.13.2.1 Any works required to the road to upgrade it to the standards set out in the Council's most recent Engineering Code of Practice;^{PC12}

9.13.2.2 Any potential adverse effects of traffic on the amenity values of surrounding residents and on other uses of the road, including (but not limited to) stock droving;

9.13.2.3 In respect to the integration of land use and transport, the appropriateness of the location within the existing and planned road network.^{PC12}

9.13.2.4 The position and design of any vehicle crossing or vehicle access and egress;

9.13.2.5 Any positive effects which may offset any adverse effects; and

9.13.2.6 Any other relevant matters including relevant objectives and policies.^{PC12}

9.13.2.7 Any monitoring or review conditions.

9.14 ACTIVITIES AND AIRCRAFT MOVEMENTS

Permitted Activities – Activities and Aircraft Movements

9.14.1 The following aircraft movements are permitted:

9.14.1.1 Taking off and landing which is associated with:

- (a) Emergency, fire control or law enforcement work; or

- (b) Seasonal farming work such as topdressing, spraying, stock management, fertiliser application, frost mitigation, or associated activities; or
- (c) The operation of military aircraft.

9.14.1.2 Other aircraft movements, provided that:

- (a) The noise produced at any notional boundary in the Rural Zone or at the boundary of any Living Zone is no more than 50 dBA Ldn; and
- (b) Where the airstrip or helipad is located within 1 km of the nearest boundary of any Living zone, there are no more than 14 flights (28 aircraft movements) / week on any one property except that on any five days in any continuous six month period, an unlimited number of flights is permitted.

For the purposes of this rule:

- Aircraft noise may be averaged over periods of seven consecutive days and the averaged value shall not exceed 50 dBA Ldn, and in any case the limit shall not be exceeded by more than double the sound exposure limit (i.e. 3 dBA Ldn terms) on any one day. Daily sound exposure values shall be averaged on an arithmetic basis.
- The notional boundary shall not be measured from any residential activity which exists on the same property as the aircraft movements.

Discretionary Activities – Activities and Aircraft Movements

9.14.2 The use of any land or establishing any facilities for taking off or landing or aircraft which does not comply with Rule 9.14.1 shall be a discretionary activity.

9.15 ACTIVITIES AND AUDIBLE BIRD SCARING DEVICES

Permitted Activities – Activities and Audible Bird Scaring Devices

9.15.1 Any activity shall be a permitted activity provided that the following rules are met:

9.15.1.1 The use of any air horn, siren or amplified sound occurs:

- (a) During daytime; and
- (b) For a maximum period of 2 seconds at any one time and for not more than 10 such times in any one hour; and
- (c) No impulsive noise event shall exceed 65 dBA SEL;

9.15.1.2 The use of any other audible bird scaring device complies with the following daytime noise limits:

- (a) No impulsive noise event shall exceed 65 dBA SEL; and
- (b) The number of noise events shall not exceed 18 in any one hour period;

9.15.1.3 The use of any other audible bird scaring device complies with the following sunset and sunrise noise limits:

- (a) No impulsive noise event shall exceed 60 dBA SEL; and

- (b) The number of impulsive noise events shall not exceed 3 in any one hour period.
- 9.15.1.4 The use of any other audible bird scaring device complies with the following night-time noise limits:
- (a) No device shall be operated to exceed 40 dBA Leq (10 min).
- 9.15.1.5 For the purposes of Rule 9.15.1:
- (a) An audible bird-scaring device includes any firearm used for this purpose.
 - (b) 'Daytime' is measured as 1 hour after sunrise to 1 hour before sunset. 'Sunset' is measured as 1 hour before sunset to 1 hour after sunset. 'Night-time' is measured as 1 hour after sunset to 1 hour before sunrise. 'Sunrise' is measured as 1 hour before sunrise to 1 hour after sunrise.
 - (c) Sound shall be measured in accordance with the provisions of NZS 6801:1999 Acoustics-Measurement of Environmental Sound.
 - (d) The measurement location shall be at any point within any Living zone or Business zone or within the notional boundary of any dwelling, rest home, hospital, Papakainga housing or educational facility on another property.

Note: *The times for sunrise and sunset are those printed in The Press newspaper each day.*

Restricted Discretionary Activities: Activities and Audible Bird Scaring Devices

- 9.15.2 Any use of any audible bird scaring device which does not comply with Rule 9.15.1 shall be a restricted discretionary activity.
- 9.15.3 Under Rule 9.15.2, the Council shall restrict its discretion to consideration of:
- 9.15.3.1 Any adverse effects of noise or disturbance on surrounding residents and activities;
 - 9.15.3.2 The effectiveness of any proposed mitigation measures to reduce those effects;
 - 9.15.3.3 The availability, effectiveness and cost of alternative bird scaring mechanisms;
 - 9.15.3.4 Any positive effects which may offset any adverse effects; and
 - 9.15.3.5 Any monitoring or review conditions.

9.16 ACTIVITIES AND NOISE

Permitted Activities – Activities and Noise

9.16.1 Except as provided in 9.16.3 below, any activity shall be conducted so as to comply with the noise limits and within the time frames stated in the following tables in order to be a permitted activity:

Table C9.2 – Maximum noise limits at any Living Zone boundary.

Hours	Noise Limit
7.30am – 8.00pm	55 dBA L ₁₀
	85 dBA L _{max}
8.01pm – 7.29am	40 dBA L ₁₀
	70 dBA L _{max}

Table C9.3 – Noise limits assessed at the notional boundary of any dwelling, rest home, hospital, or classroom in any educational facility except where that dwelling, rest home, hospital or classroom is located within a Living zone.

Hours	Noise Limit
7.30am – 8.00pm	60 dBA L ₁₀
	85 dBA L _{max}
8.01pm – 7.29am	45 dBA L ₁₀
	70 dBA L _{max}

Notes:

Rule 9.14 applies to take off or landing of aircraft.

Rule 9.15 applies to noise from audible bird scaring devices.

Discretionary Activities – Activities and Noise

9.16.2 Any activity which does not comply with Rule 9.16.1 shall be a discretionary activity.

Exemptions and Special Provisions Relating to Noise Limits

General Exemptions

9.16.3 Noise limits in any part of the Plan shall not apply:

9.16.3.1 In any area to activities of a limited duration required by normal primary production activities including agriculture, horticulture, aquaculture, forestry and fishing, provided that the activity shall comply with the requirements of Section 16 of the Resource Management Act 1991.

For the purposes of Rule 9.16.3.1, “activities of a limited duration” means: Activities which are temporary and/or intermittent in nature, such as crop harvesting, crop irrigation, general use of farm machinery or crop protection devices (other than audible bird scarers). Such uses may occur on a limited number of days in a year, a limited number of hours in a day or a limited number of days in a week or month.

- 9.16.3.2 In any part of the District where the noise source is a warning device used by emergency services.
- 9.16.3.3 In any part of the district used for residential activities of a normal domestic nature including recreational activities, such as sporting events, that do not involve powered motor sport, powered aviation, gunfire or amplified music.
- 9.16.3.4 Where any residential activity exists on the same site, or a site owned by the same owner, as a noise source being assessed.
- 9.16.3.5 Where the activity is a temporary military training activity and complies with the following provisions:

Any temporary military training activity in any area of the District shall be conducted so as to ensure the noise limits in the Table C9.4 below are not exceeded at any point within the boundary of any Living or Business zone or at any point within the notional boundary of any dwelling, rest home hospital, or educational facility classroom in the Rural zone. Within the Burnham Military Camp defence area no noise limits in the Plan apply.

Table C9.4 –Noise limits for Temporary Military Training activities:

Time on any day	Leq dBA	L90 dBA	L _{max} dBA
0630-0730	60	45	70
0730-1800	75	60	90
1800-2000	70	55	85
2000-0630 the following day	55	45	70

Provided the limits for impulsive noise arising from any use of explosives, explosives simulators, ammunition, munitions or pyrotechnics at any time, shall not exceed 120 dBC (peak).

Notes:

The term “dBC (peak)” means the peak C-frequency weighted sound level. “Peak” is non-rms value and is quite different to L_{max} cited elsewhere in this standard.

Provided also that the above noise limits shall not apply on up to four occasions in any period of 12 months where any exhibition or demonstration of military activities is open to the public and held between the hours of 10.00 am and 5.00 pm.

Permitted Activities – Blasting

- 9.16.4 The following limits shall apply to blasting:
 - 9.16.4.1 Vibration from any site due to blasting shall not exceed a peak particle velocity of 5mm/sec measured in the frequency range 3-12 Hz at the notional boundary of any dwelling, rest home, hospital or educational facility classroom.
 - 9.16.4.2 Airblast overpressure from blasting on any land or in water shall not exceed a peak sound pressure level of 115 dBA at the notional boundary of any dwelling, rest home, hospital or educational facility classroom.

Permitted Activities – Watercraft

- 9.16.5 The following limits shall apply to powered watercraft:
 - 9.16.5.1 Powered watercraft shall be fitted with effective mufflers during all movement under power on water and shall not exceed the following noise limits assessed at any point within the notional boundary of any dwelling on any day:
 - 7.00 am to 9.00 pm Sound Exposure Level (SEL) 85 dBA
 - 9.00 pm to 7.00 am the following day Sound Exposure Level (SEL) 78 dBA
 - 9.16.5.2 No moving craft shall emit noise in excess of a Sound Exposure Level of 90 dBA in any single drive-by measured at any stationary point more than 25m from the line of travel of the craft.
 - 9.16.5.3 On four occasions in any 12 month period, the noise limit may be unrestricted for any portion of waterbody for the purposes of an approved special event.

Permitted Activities – Other Exemptions

- 9.16.6 Rule 9.16.1 does not apply to the following activities:
 - 9.16.6.1 Noise from any motor vehicle or any mobile machinery (including farm machinery and stationary equipment not fixed to the ground).
 - 9.16.6.2 Audible bird scaring devices.
 - 9.16.6.3 Any temporary activity which operates between the hours 7.00am and 9.00pm excluding seasonal harvesting activities.
 - 9.16.6.4 Hail cannons.
 - 9.16.6.5 The use of sirens associated with emergency services.

9.17 ACTIVITIES AND BLASTING AND VIBRATION

Permitted Activities –Activities and Blasting and Vibration

- 9.17.1 Any activity which involves blasting and/or vibration shall be a permitted activity if all of the following conditions are met:
- 9.17.1.1 Any activity which involves noise vibration from blasting complies with AS 2187.2-1993 Explosives – Storage, Transport and Use, Part 2 Use of Explosives, and ANZECC guidelines;
 - 9.17.1.2 Except for blasting, any activity which involves vibration from any other source complies with New Zealand Standard 2631:1985-89 Parts 1-3.

Discretionary Activities – Activities and Blasting and Vibration

- 9.17.2 Any activity which does not comply with Rule 9.17.1 shall be a discretionary activity.

9.18 ACTIVITIES AND GLARE

Permitted Activities – Activities and Glare

- 9.18.1 Except in the area shown on the Planning Maps as the West Melton Observatory Lighting Area, any activity which involves lighting shall be a permitted activity provided that the activity has a maximum light spill not exceeding:
- 9.18.1.1 10-lux spill on to any part of any adjoining property which is located in a Business zone and which does not contain a dwelling; and
 - 9.18.1.2 3-lux spill on to any part of any other adjoining property or any road reserve.
- 9.18.2 In the area shown on the Planning Maps as the West Melton Observatory Lighting Area:
- 9.18.2.1 Any outdoor lighting is shielded so that any light spill is directed at an angle below 90° from the vertical; or alternatively, the activity for which outdoor night lighting is required shall not operate between the hours of 10.00 pm and 6.00 am, except to conclude a specific recreation or sporting event or similar activity which was in progress prior to 10.00 pm.
 - 9.18.2.2 There is no light spill from any activity on to any adjoining property or the road reserve; or alternatively, the illumination of the activity complies with Rule 9.18.1.2 and the activity for which outdoor night lighting is required shall operate only between the hours of 10.00 pm and 6.00 am except to conclude a specific recreation or sporting event or similar activity which was in progress prior to 10.00 pm.

Notes:

Rule 9.18. does not apply to:

- *Lights on any motor vehicle or any machinery used to undertake harvesting or any other seasonal outdoor activity;*
- *Any outdoor lighting associated with a temporary activity; or*
- *Any outdoor lighting which cannot meet these requirements but complies with other legislation.*

Discretionary Activities – Activities and Glare

9.18.3 Any activity which does not comply with Rule 9.18.1 or 9.18.2 shall be a discretionary activity.

9.19 ACTIVITIES AND DUST

Permitted Activities – Activities and Dust

9.19.1 Any stockpiling activity shall be a permitted activity provided that stockpiling of any soil, coal, sawdust, powdered fertiliser or any other unconsolidated material outdoors within 100m of a dwelling (other than a dwelling on the same property as the stockpiled material), is either:

- 9.19.1.1 Covered; or
- 9.19.1.2 Consolidated; or
- 9.19.1.3 Otherwise secured to mitigate windblown dust on to adjoining properties.

Discretionary Activities – Activities and Dust

9.19.2 Any stockpiling of material which does not comply with Rule 9.19.1 shall be a discretionary activity.

9.20 ACTIVITIES AND TEMPORARY MILITARY TRAINING

Permitted Activities – Activities and Temporary Military Training

9.20.1 Temporary Military Training Activities shall be permitted activities provided that the following conditions are met:

- 9.20.1.1 No permanent structures shall be constructed;
- 9.20.1.2 No mechanical excavation shall be carried out, unless provided for in this Plan;
- 9.20.1.3 The activity shall not exceed a period of 31 days;
- 9.20.1.4 All ground disturbed by any military activity shall be restored to its previous state;
- 9.20.1.5 No Temporary Military Training Activities shall occur in any areas identified on the Planning Maps as Wāhi Taonga, Silent File Areas, or Mahinga Kai Sites;

- 9.20.1.6 Noise emissions occurring as a result of any Temporary Military Training Activity, when measured at the property boundary shall not exceed-

Time on (any day)	Limits (dBA)	
	L ₁₀	L _{max}
0630-0730	60	70
0730-1800	75	90
1800-2000	70	85
2000-0630	55	65

Controlled Activities – Activities and Temporary Military Training

- 9.20.2 Any Temporary Military Training Activity which does not comply with Rule 9.20.1 shall be a controlled activity.
- 9.20.3 Under Rule 9.20.2 the Council shall restrict the exercise of its discretion to consideration of:
- 9.20.3.1 Any disturbance caused by structures or earthworks;
 - 9.20.3.2 Any noise effects, with regard to the location and noise sensitivity of nearby activities;
 - 9.20.3.3 Any visual or traffic effects;
 - 9.20.3.4 The effect of activities over an extended period of time, having regard to 9.20.3.1 – 9.20.3.3 above.

9.21 ACTIVITIES AND CLEARANCE OF INDIGENOUS VEGETATION AND INDIGENOUS PLANT SPECIES

Note:

These rules are an interim measure to protect potential areas of significant conservation value until the notification of a variation (or plan change) addressing indigenous vegetation. These interim rules and any appendices, definitions and methods that are specific only to these rules are to be reconsidered as part of the variation process. The Council undertakes to review these rules with a view to notifying a variation (or plan change) by 28 February 2009.

There are rules both for the clearance of areas containing indigenous vegetation which covers plant communities as defined in the Plan and for the clearance of individual threatened indigenous plant species. Rules 9.21.1.1 and 9.21.1.2 apply down to the level of individual plants; Rules 9.21.1.3 to 9.21.1.6 apply to indigenous vegetation communities as defined. The effect of the definition of indigenous vegetation is that it is permitted to clear indigenous species if the area to be cleared does not meet the criteria contained in the definition of indigenous vegetation and as long as none of the individual plants to be destroyed are listed in Appendix 13 or Appendix 14.

Permitted Activities – Activities and Clearance of Indigenous Vegetation and Indigenous Plant Species

- 9.21.1 The clearance of indigenous vegetation and indigenous plant species shall be a permitted activity provided that all of the following conditions are met:
- 9.21.1.1 The indigenous plant species are not listed in Appendix 13 (Schedule of Threatened and Uncommon Plants);
 - 9.21.1.2 For clearance of indigenous plant species on the Canterbury Plains, the species is not contained in Appendix 14 (Schedule of Regionally Significant Plants on the Canterbury Plains);
 - 9.21.1.3 The indigenous vegetation is not located above 900m above mean sea level;
 - 9.21.1.4 The indigenous vegetation is not located in a naturally occurring wetland;
 - 9.21.1.5 The indigenous vegetation clearance does not exceed 100m² per hectare in any continuous 3 year period within a distance of 20m of any lake, any naturally occurring wetland or any river or stream; and
 - 9.21.1.6 No clearance of indigenous vegetation shall exceed:
 - (a) 5,000m² in area on any site in any continuous period of three years, except where the vegetation clearance is carried out within an area of improved pasture; or
 - (b) 500m² in area in any continuous period of three years, where the indigenous vegetation has a closed canopy over that area and the average height of that canopy is greater than or equal to 3m; or
 - (c) 500m² in area of matagouri (in one continuous block of indigenous vegetation), in any continuous period of three years, where the average height of the canopy of the matagouri is greater than or equal to 1.5m; or;
 - (d) 1,000m² of Chionochloa spp (tall tussock) in any continuous period of three years, except where this occurs as a secondary component within an area of improved pasture.

For the purposes of this standard:

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 top-dressing and over-sowing, or direct drilling, and where exotic pasture species are obvious;

The canopy height is to be determined over each area of 1 hectare, where the vegetation is greater than 1 hectare in area or over the lesser area where the area of vegetation is less than 1 hectare.

- 9.21.2 Rule 9.21.1 does not apply to the following:
- 9.21.2.1 Vegetation which was planted for harvesting, shelter belt or amenity purposes;

- 9.21.2.2 Indigenous vegetation which is an understory within a plantation forest, or indigenous vegetation which is an area within a plantation forest where, during the previous or current rotation, either seedlings did not strike or trees were wind thrown; or indigenous vegetation which is to be cleared to re-establish access tracks previously used for planting, maintenance or harvesting of a plantation forest.
- 9.21.2.3 Re-establishment of access tracks previously used for planting, maintenance or harvesting of a forestry activity;
- 9.21.2.4 Maintenance of existing utilities (including irrigation infrastructure), tracks, pathways, drains, structures, roads, fire breaks and fence lines but not their extension;
- 9.21.2.5 Clearance of land planted in exotic species but containing sparsely distributed wetland plants.

Discretionary Activities – Activities and Clearance of Indigenous Vegetation and Indigenous Plant Species

9.21.3 Any activity which does not comply with Rule 9.21.1.4, 9.21.1.5 or 9.21.1.6 shall be a discretionary activity.

Non-Complying Activities – Activities and Clearance of Indigenous Vegetation and Indigenous Plant Species

9.21.4 Any activity which does not comply with Rule 9.21.1.1, 9.21.1.2, 9.21.1.3 or 9.21.1.4 shall be a non-complying activity.

Cross Referencing

The table below cross-references the rules in this section with objectives and policies in the Plan. The cross-referencing is to assist plan users by indicating the objectives and policies which are likely to relate to each rule. There may be other objectives or policies in the Plan (which are not listed in the cross-reference table) which will apply in some cases. The cross-reference table does not limit the application of any objective and policy in the Plan to the rules with which it is cross-referenced; and it does not preclude the consent authority from considering any other relevant objective or policy in the Plan, when making a decision on a resource consent application. Any person making a resource consent application is advised to read all the objectives and policies in Part B of the Plan.

Rule Numbers	Topic	Part B, Section	Objectives	Policies
9.2	Listed Activities	1.1, 1.3, 2.1, 2.3, 3.4	1.1.1 and 1.1.2, 1.3.1, 2.1.1, 2.3.2, 3.4.1 and 3.4.2	1.1.1, 1.3.4, 2.1.1 to 2.1.7, 2.1.5 to 2.1.8, 3.4.1 to 3.4.4, 3.4.18 to 3.4.20
9.3	Activities in the Port Hills, Malvern Hills and High Country	3.4	3.4.1 and 3.4.2	3.4.2 and 3.4.3
9.4	Scale of Non-residential and Non-rural Activities	3.4	3.4.1 and 3.4.2	3.4.2 to 3.4.4

Rule Numbers	Topic	Part B, Section	Objectives	Policies
9.5	Rural Based Industrial Activities	3.4	3.4.1 and 3.4.2	3.4.3 and 3.4.4
9.6	Contaminated Land	1.1	1.1.1 and 1.1.2	1.1.1 to 1.1.3
9.7	Activities on the Surface of Waterbodies	1.3, 2.3, 3.4	1.3.2, 2.3.2, 3.4.1	1.3.12, 2.3.4, 3.4.3
9.8, 9.9, 9.10	Animals (Keeping of Animals, Boarding of Animals and Intensive Livestock Farming)	2.1, 3.4	2.1.1, 3.4.1 and 3.4.2	2.1.1 to 2.1.8, 3.4.1 to 3.4.3, 3.4.11, 3.4.12, 3.4.14, 3.4.18 to 3.4.20
9.12	Carparking, Vehicle Crossings, Access and Egress		See Part C - Rule 4 - Roading	
9.13	Vehicle Movements	2.1, 3.4	2.1.1, 3.4.1 and 3.4.2	2.1.1 to 2.1.3, 3.4.1, 3.4.3, 3.4.18 to 3.4.20
9.14	Aircraft Movement	2.1, 3.4	2.1.1 and 2.1.2, 3.4.1 and 3.4.2	2.1.17, 3.4.1, 3.4.3, 3.4.9, 3.4.11, 3.4.13
9.15	Audible Bird Scaring Devices	3.4	3.4.1 and 3.4.2	3.4.1, 3.4.3, 3.4.11, 3.4.12
9.16	Noise	3.4	3.4.1 and 3.4.2	3.4.1, 3.4.3, 3.4.11
9.17	Blasting and Vibration	3.4	3.4.1 and 3.4.2	3.4.1, 3.4.3, 3.4.13
9.18	Glare	3.4	3.4.1 and 3.4.2	3.4.1, 3.4.3, 3.4.9, 3.4.10
9.19	Dust	3.4	3.4.1 and 3.4.2	3.4.1, 3.4.3, 3.4.4

Reasons for Rules

Rule 9 manages effects of activities on the environment, where those activities are not addressed by more specific rules in Rules 1 to 8, or Rule 10. District Plan rules are needed to manage potential effects of activities on adjoining properties or other parts of the environment, which are not direct costs to the person undertaking the activity.

Rule 9.2.1 lists activities which are discretionary activities, whether they comply with the rules for permitted activities or not. These activities are usually appropriate in the Rural Zone, but have the potential for effects on surrounding properties or the environment, which therefore need to be managed through a resource consent process so that effects on surrounding properties and amenity values can be considered and affected parties identified.

Rule 9.2.2 lists activities which are non-complying activities, whether they comply with the rules for permitted activities or not. The effects associated with other types of industrial activities (i.e. those that are not defined as “rural based” industrial activities) are considered to be generally inappropriate in all parts of the Rural zone, except for industrial activities involving the use or extraction of natural resources in the Port Hills, Malvern Hills and High Country and those operating as a home based occupation given their size and operational constraints. While there is a degree of acceptance for rural-based industrial activities within parts of the rural area, other

types of industry may result in significant adverse visual effects, increased traffic generation and noise, and a reduction in rural outlook and openness. As such, it is appropriate that these types of industrial activities are directed to locate within Business 2 Zones, unless significant adverse effects can be avoided.

Rule 9.3 manages the type of activities which can occur on the Port Hills and Malvern Hills and High Country and provides for temporary military training activities throughout the Rural Zone. Generally, both the Township and Rural Volumes of the Plan manage the effects of activities, rather than the activities themselves. This rule is an exception. The reason is that the Port Hills, the Malvern Hills and High Country have special recreational and amenity values, including a sense of remoteness and isolation from townships. These values are derived from the sparseness of settlement and the absence of commercial and industrial activities typical of townships. To help retain these special values, the Plan requires activities on the Port Hills and the Malvern Hills and in the High Country to be activities associated with the use, protection or enjoyment of the natural resources in the area. Permitted activity status is appropriate for temporary military training activities undertaken by the NZ Defence Force because they are not able to be designated due to their temporary nature and variable location. Potential effects associated with temporary activities include use of hazardous substances, noise and discharges and soil disturbances. These are controlled by permitted activity rules, other than noise (temporary military training activity are exempt from the noise rules).

Rule 9.4 manages the effects of non-rural and non-residential activities in the rural area, including business and community activities but excluding rural based industrial activities and other industrial activities (which are covered under Rules 9.5.1 and 9.2.2 respectively). The rule allows for small scale business and community activities to establish as a permitted activity in the Rural Zone, however resource consent will be required (as a discretionary activity) where the scale exceeds the permitted standards. The Plan recognises that the rural area accommodates a variety of activities, however the scale, nature and intensity of some business and community activities may not maintain rural character or the quality of the environment. Activities that do not comply with the permitted activity rules may still be able establish in rural areas, if any significant adverse effects on the amenity and character of the receiving environment can be adequately avoided remedied or mitigated.

Rule 9.5 manages the effects of rural-based industrial activities. The effects associated with small scale rural-based industrial activities are considered to be appropriate in all rural areas, however where these activities are of medium to large scale there is a potential for their effects to impact on visual amenity, rural outlook, spaciousness and quietness. However, the potential adverse effects of medium to large scale rural-based industrial activities may be avoided by locating in a Business 2 zone or in the Rural (Outer Plains) Zone where larger allotment sizes and lower population densities provide greater opportunity for internalising adverse effects. The smaller allotment size and higher population density of the Rural (Inner Plains) Zone means that medium to large scale industrial activities may not be able to locate in this area without generating significant adverse amenity effects.

Rule 9.6 manages effects of activities on contaminated land where there is a likelihood that people may come into contact with the land directly or absorb contaminants through food or drinking water. Consequently, the rule applies to residential, education and outdoor recreational activities, and to the growing or rearing of food crops or livestock. There are corresponding rules for erecting buildings associated with these activities. The rules do not prevent these activities from occurring on contaminated sites, provided that: there is no risk of adverse effects on people; the activity and site are designed so that people do not come into contact with the contaminated land; any mitigation measures do not impact on the wider environment; or the contaminated soil is removed. Contaminated land is defined in Part D of the Plan. Please note- the Council records, on LIMs, those sites which it recommends be tested for contaminated land due to past land uses. This recommendation does not mean that the site is contaminated (see Part B, Section 1.1).

Rule 9.7 manages effects of activities on the surface of water. The lakes listed in Rule 9.7.1 are small and isolated. Due to their isolation in the High Country, they have high ecological values and high amenity values because they (and their margins) are relatively undisturbed by people, and unmodified by structures. Due to their small size, these lakes may not be able to absorb the wake from motorised craft travelling at high speeds, without effects on the lake margins, amenity values and sense of tranquillity. The Plan encourages the small lakes in the District to be managed so that recreational activities maintain their ecological and amenity values. The recreational use of motorised craft is encouraged to locate on larger lakes in the District.

Moana Rua/Lake Pearson

The use of Moana Rua/Lake Pearson for jet-skiing, water-skiing and jet-boating has been an issue in the District for several years. In October 1999 the Department of Conservation called for public submissions on a proposal to make Moana Rua/Lake Pearson a wildlife refuge. As a result of this process, the Department of Conservation decided there was insufficient information to conclude that motorised craft were adversely affecting wildlife, particularly Crested Grebe nesting on the lake. The Department therefore introduced a research programme and management plan for Moana Rua/Lake Pearson, including a voluntary ban on motorised craft on the lake between October and November. The Council is satisfied that the Department of Conservation has undertaken a thorough assessment of the issue and will continue to support and assist the Department in this matter.

Rules 9.8, 9.9 and 9.10 manage activities involving the keeping of animals. The boarding of animals and intensive livestock farming are not permitted activities because of potential nuisance effects on surrounding properties. These activities are appropriate activities in the Rural Zone, however, resource consent is required to ensure any potential nuisance effects are adequately mitigated. The Council has adopted this option rather than specifying minimum setback distances for intensive livestock farms from property boundaries. The reason is that the recommended setbacks for pigs and poultry are so large that many operations will not comply. In many cases, such large setbacks are not needed, as nuisance effects from intensive livestock farming may relate to how the activity is managed rather than its size. Large setback distances may result in an inefficient use of land if they are not necessary.

Rule 9.12 and Rule 9.13 address effects of traffic generation on the safety and efficiency of the road network and the amenity values of residents. Rule 9.12.1, through cross referencing to Rule 4, requires all carparking from any activity to be on-site or on land adjoining the site, rather than on the road reserve. Rule 9.13 manages the volume of traffic an activity may generate as a permitted activity. The reason for the rule is not to prevent activities which generate higher volumes of traffic from occurring in the Rural Zone. Rather, it is to ensure that the road is of sufficient standard to accommodate the additional traffic volume safely. Therefore, the rules apply on unformed, unsealed and sealed Local Roads. Roads formed to a higher standard should be able to accommodate additional vehicle numbers from a single activity without requiring specific upgrades.

The rule also allows the Council to consider effects of additional traffic on nearby residents and other road users. Residents and other road users on Local Roads may not be used to large volumes of traffic. Other activities such as stock droving may occur quite frequently and may not be managed by Council bylaws. On Collector and Arterial roads and **State Highways**, residents and other road users should expect, and be used to, higher volumes of traffic.

Rule 9.14 manages potential effects on surrounding residents from noise and vibration from the take-off or landing of aircraft. The occasional take-off or landing of aircraft for activities such as topdressing, spraying, and recreational flying are part of the rural environment. The Rural zone is also an appropriate area to establish airports and helipads for more frequent flying, due to the large land areas and low residential density compared with townships. Consequently, the rule allows for 'one off' or irregular and infrequent take-off and landing of aircraft as a permitted activity. The rule also allows for more regular and small-scale use of properties for taking-off and

landing as a permitted activity, subject to conditions relating to hours of operation and distance from Living zones. More frequent movements requires a resource consent for a discretionary activity, so that potential effects on surrounding properties can be assessed and managed. The operation of military aircraft are also exempted from the controls on taking off and landing of aircraft. Such aircraft are used for emergency and law enforcement work, but also for training purposes.

Emergency services may be located in rural areas close to the communities they serve. In these situations it may be impractical from an operational sense for emergency sirens to comply with noise standards and still achieve their function in alerting the community of an emergency and they have therefore been given an exemption. The fact that such sirens operate on an infrequent rather than continuous basis in part mitigates potential noise effects. In all other aspects of the emergency service operation must still comply with Rule 9.14.

Rule 9.15 manages potential noise and disturbance from the use of audible bird-scaring devices on surrounding residents and other activities. The use of audible bird-scaring devices has increased in the District in the last few years. Often these areas are also areas where residential density is relatively high for the Rural Zone. The Council has received complaints about noise and disturbance from these devices. The Council established a working party with a variety of interest groups, including residents and users. The Working Party established rules which allow for effective use of audible bird-scaring devices, while mitigating noise and disturbance effects on surrounding residents. The conditions in these rules are derived from the Working Party's recommendations.

Rules 9.16 and 9.17 provide general rules for the effects of noise and vibration on surrounding residents and other activities.

Rule 9.18 manages glare from outdoor lighting. Rule 9.18.1 is a general rule applying to the rural area. Rule 9.18.2 is a specific rule applying to activities within the area shown on the Planning Maps as the Observatory Lighting Area. This area is where nightglow from outdoor lighting at night will significantly affect the operation of the West Melton Observatory. The Observatory is a valuable community asset and the Council considers the rules are reasonable as they do not impose any more significant cost on landowners than standard forms of night lighting. The rule is intended to allow for effective night lighting in this area, while reducing potential nightglow. This is achieved by requiring night lighting to be shielded to direct any light spill downwards on to the surface being illuminated. The rule contains exceptions for temporary activities and activities where lighting may not be able to be shielded for safety or other legal requirements.

Rule 9.19 manages potential dust nuisance caused by stockpiling of unconsolidated material outdoors. Dust is generated by many natural sources in the rural area which cannot be avoided. River beds and cultivated land are examples. However, the stockpiling of unconsolidated material in close proximity to dwellings is a dust source which can be mitigated.

Rule 9.20 provides for temporary military training activities. Such activities have some potential to create adverse environmental effects, but the nature of the activity is unique in terms of other land uses and is temporary in nature. The accompanying restrictions on duration, building, excavation, sensitive sites and noise are expected to mitigate any significant adverse effects on the environment.

Rules 9.5.2.2 to 9.5.2.4 recognise the existence of specific established rural based industrial activities (an existing poultry processing plant and feedmill) that have been part of the local rural environment for a number of years. Effects associated with these established rural based industrial activities, such as noise, odour, dust and traffic, are an anticipated and generally accepted part of this local rural environment. However, there are a number of smaller land parcels in close proximity to these existing rural based industrial activities that may be adversely affected by expansion or additions to current operations, building or activity on site. Where expansion of activities and/or operations can be confined to an area where adverse effects can

be readily and expediently internalised to that area, it is appropriate for that expansion to be subject to a resource consent application to ensure that any potential for adverse effects on the environment are avoided, remedied or mitigated. Where this can not be demonstrated, the Council has the ability to decline any such expansion.

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, vehicle accessway, or vehicle crossing must comply with Rule 4: Roads and Transport.^{PC12}
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: Roads and Transport; or Rule 9: Activities.^{PC12}
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 the New Zealand Transport Agency (NZTA). 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.
13. Attention is drawn to the provisions of any relevant zone/activity rules for land use activities that may be associated with subdivisions. Should an activity not meet any one or more of those rules, then application for consent will also need to be made in respect to those rules.^{PC12}

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, except the Visual Amenity Landscape on the Port Hills;
- 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 tree listed as a protected tree in Appendix 4;
 - (c) 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;
 - (d) 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 in Appendix 9 as a State Highway, or listed as an Arterial Road and the speed limit is 70km/hr or greater.^{PC12}
- 10.1.1.6 Any road, right of way or other vehicle accessway is designed and formed to comply with Rules 4.4 and 4.5 for permitted activities (for State Highway they have to comply with the design criteria in Appendix 10);^{PC12}
- 10.1.1.7 The corner of any allotment at any road intersection shall be splayed with a diagonal line reducing each boundary by a minimum of:
- (a) 6m x 6m for local roads
 - (b) 10m x 10m for collector roads
 - (c) 15m x 15m for arterial and State Highway roads.

Note: Where roads of different classifications intersect, the splay applied to both road boundaries shall be that required for the higher classification (State Highways are the highest in the classification hierarchy then arterial, collector and local roads)

are lowest), so for example where a local road and a collector road intersect the corner splays shall be 10m x 10m. ^{PC12}

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.

10.1.1.8 Any allotment is for the purpose of establishing utility buildings or utility structures by a network utility operator.

10.1.1.9 Any subdivision is not within a corridor measured 20 metres from the centreline of a transmission line as indicated on the Planning Maps.

10.1.1.10 Any allotment created adjoining a river or lake listed in Appendix 17 provides an esplanade reserve or strip as specified in Appendix 17 if it applies.

Note: Appendix 17 may or may not apply depending on the area of allotments created.

10.1.1.11 Any allotment created does not adjoin any other river with a bed of average width of 3 metres or more or lake with an area of 8 hectares or more other than those listed in Appendix 17.

Note: Rule 10.1.1.11 applies to all subdivisions creating allotments adjoining lakes and rivers not specified in Appendix 17.

10.1.1.12 Any allotment created complies with the minimum allotment areas set out in Table C10.1. The minimum allotment sizes set out in Table C10.1 do not apply to any allotment used solely for access, utilities, as a reserve or to house a community facility(ies).

10.1.1.13 If any land is subject to any Consent Notice, Covenant, Memorandum of Encumbrance or other legal mechanism restricting the number of dwellings which may be erected on the allotment, then any allotment created is:

- (a) Of sufficient size to comply with the minimum area set out in Table C10.1, excluding any area which cannot be used to erect a dwelling; and
- (b) Capable of having at least one dwelling erected on it as a permitted activity, taking into account any legal mechanisms restricting the number of dwellings or houses, on the Certificate of Title.

Standard and Term 10.1.1.13 does not apply to any lot which is to be used solely for access, utilities or as a reserve.

Table C10.1 – Minimum Allotment Size

Area (on Planning Maps)	Legal Description	Allotment Size
Existing Development Areas		
1. Edendale	Lots 7, 8, 10 and 11 DP 309872	0.5ha minimum and 0.6ha average. Maximum of 10 <u>dwellings</u> within this total land area.
	Lots 1-6 and 9 DP 309872	1ha minimum
	Lot 1 DP 78394	
	Lots 25-27 DP 60236	
	Lots 33-39 DP 60236	
	Lots 28 and 32 DP 60237	
	Lots 6-11 DP 56677	
	Lots 1 and 2 DP 79016 Lots 1-3 and 12-34 DP 56676	
2. Yorktown	RS 6469	1ha minimum
3. Greendale	Lots 1-12 DP 83022	1ha minimum
4. Johnsons Road	Lots 1-2 DP 67896	0.5ha minimum and 0.8ha minimum average
	Lots 26-27 DP 35999	
	Lots 1-2 DP 76478	
	Lots 1-2 DP 68662	
	Lots 1-2 DP 71918	
	Lots 2-21 DP 51844	
	Lot 2 DP 69647	
5. Jowers Road	Lots 1-18 DP 47759	0.5ha minimum and 0.8ha minimum average
6. Kingcraft Drive	Lot 12 DP 68384	1ha minimum
	Lots 1-2 DP 65969	
	Lots 1-3 DP 62576	
	Lots 8-11 DP 56097	
7. Raven Drive	Lots 1-13 DP 68384	1.3ha minimum and 1.9ha minimum average
8. Rocklands	Lots 4, 7, 8, 14-18 and 24 DP 62101	1ha minimum and 1.8ha minimum average
	Lot 1 DP 76238	
	Lot 26 DP 78490	
	Lots 1-2 DP 68312	
	Lots 6, 9-13 and 19 DP 78490	
	Lot 1 DP 79666	
9. Devine Acres	Part RS 3646 and RS 8133	0.5ha minimum

Area (on Planning Maps)	Legal Description	Allotment Size
10. Railway Corner	Lots 40-44 DP 336 Lot 1 and Pt Lot 2 DP 16210 RS 7260X and Sec 1 SO 20279	2000m ² minimum. Maximum number of <u>allotments</u> is 6.
In Other Areas		
Port Hills	Lower Slopes	40ha minimum
Port Hills	Upper Slopes	100ha minimum
Inner Plains	-	4ha minimum
Outer Plains	-	20ha minimum
Malvern Hills	-	20ha minimum
High Country	-	120ha minimum

Notes:

1. The minimum average allotment sizes for the Existing Development Areas at Johnsons Road, Raven Drive, and Rocklands are applied as a mean average allotment size.
2. Rule 10.1.1.12 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.

Point Strips

- 10.1.2.7 Where in the course of subdivision a new road, cycle way or pedestrian link is constructed and vested that will or could provide frontage to other land, that other land (with subdivision potential) can be separated from the new road, cycle way or pedestrian link by a point strip, and an agreement will be entered into by the first subdivider with the Council, to ensure the benefiting owner pays a fair share towards the cost of providing the frontage road, cycle way or pedestrian link.

The point strip(s) will transfer to Council on the deposit of the plan for each stage of the subdivision.

The point strip agreement sets the amount to be paid, which will be updated from the date of signature of the agreement by the Consumers Price Index. Such agreements will be held by the Council and can be identified by the point strip separating the subsequent property from frontage to the road, cycle way or pedestrian link.

Note: Point Strips may also be required to prevent access to any road. See. Rule 10.1.2.8.^{PC12}

Works

- 10.1.2.8 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

- 10.1.2.9 Any easements required to provide legal access over the allotment created.

Taking Land Instead of Cash

- 10.1.2.10 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 LTP will meet the needs of present and future generations.
- 10.1.2.11 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

- 10.1.2.12 Any monitoring conditions.

Outline Development Plans and Deferred Living Z Zones

- 10.1.2.13 Whether the layout of any subdivision compromises the ability to achieve the coordinated future intensification of a deferred Living Z Zone which is subject to a specific ODP policy.

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:
- 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.
 - 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
 - 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.

Note: The Proposed Regional Coastal Environment Plan prohibits habitable buildings with floor areas in excess of 25m², including any extensions or alterations, seaward of the Hazard 1 line. If the Prohibited status remains once the Regional Plan is operative, then no consents will be granted for these activities.

10.3 SUBDIVISION IN OUTSTANDING LANDSCAPE AREAS

Restricted Discretionary Activities – Subdivision in Outstanding Landscape Areas

- 10.3.1 Any subdivision of land which does not comply with Rule 10.1.1.2 shall be a restricted discretionary activity.
- 10.3.2 Under Rule 10.3.1, the Council shall restrict its discretion to consideration of:
- 10.3.2.1 All the matters listed in Rule 10.1.2;
 - 10.3.2.2 The capacity of the landscape to absorb change having regard to existing geomorphologic features, building development and the landscape and amenity values in the locality.
 - 10.3.2.3 Any effects of the proposed subdivision on the landscape values of the area, including (but not limited to) whether the proposed allotment boundaries follow the physical boundaries of natural features or changes in the landscape, where practical;
 - 10.3.2.4 Any positive effects which may offset any adverse effects; and
 - 10.3.2.5 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 within an area of Outstanding Landscape is not a permitted activity.

10.4 SUBDIVISION ON SPECIAL SITES (ECOLOGICAL, HISTORIC HERITAGE AND SITES OF SIGNIFICANCE TO TĀNGATA WHENUA)

Restricted Discretionary Activities – Subdivision on Special Sites (Ecological, Historic Heritage and Sites of Significance to Tāngata Whenua)

- 10.4.1 Any subdivision of land which does not comply with Rule 10.1.1.3 shall be a restricted discretionary activity.

- 10.4.2 Under Rule 10.4.1, the Council shall restrict its discretion to consideration of:
- 10.4.2.1 All of the matters listed in Rule 10.1.2.
- 10.4.2.2 Any adverse effects of the proposed subdivision on:
- (a) Any historic heritage or archaeological site; or
 - (b) Any protected tree; or
 - (c) Any Silent File area, Wāhi Taonga site, Wāhi Taonga Management Area or Mahinga Kai site, as advised by local rūnanga, and in the case of Wāhi Taonga Management Area C39(a), the New Zealand Historic Places Trust Pouhere Taonga; or
 - (d) Any significant ecological site;
- 10.4.2.3 The effects considered under Rule 10.4.2.2 include (but are not limited to):
- (a) Any effects of the subdivision of land on the site, including separating the site between allotments which may result in separate ownership or management of the site;
 - (b) Effects on access to the site and whether any restrictions on access to the site may detract from or help maintain its values;
 - (c) Alternative boundaries for the new allotments created which may better maintain the site in one allotment or access to the site, if access is desirable;
 - (d) 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 activities involving historic heritage or archaeological sites, trees or buildings, or Sites of Significance to Tāngata Whenua listed in Appendix 5, may require a resource consent application under the Plan, or in the case of an archaeological site, an archaeological authority from the New Zealand Historic Places Trust Pouhere Taonga; and
 - (e) Any positive effects which may offset any adverse effects.

10.5 SUBDIVISION – INTENSIVE LIVESTOCK PRODUCTION ACTIVITIES

Restricted Discretionary Activities – Subdivision – Intensive Livestock Production Activities

- 10.5.1 Any subdivision of land which does not comply with Rule 10.1.1.4 shall be a restricted discretionary activity.
- 10.5.2 Under Rule 10.5.1 the Council shall restrict its discretion to consideration of:
- 10.5.2.1 All the matters listed in Rule 10.1.2;
- 10.5.2.2 The potential for reverse sensitivity effects on the existing intensive livestock production activity;

- 10.5.2.3 The effectiveness of any proposed mitigation measures to address potential reverse sensitivity effects.
- 10.5.2.4 Any positive effects which may offset any adverse effects; and
- 10.5.2.5 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 establishing a sensitive activity within 300m of an intensive livestock production activity is not a permitted activity.

10.6 SUBDIVISION AND ROAD ACCESS

Restricted Discretionary Activities – Subdivision and Road Access

- 10.6.1 Any subdivision of land which does not comply with Rule 10.1.1.5 shall be a restricted discretionary activity if all of the following standards and terms are met:
 - 10.6.1.1 The allotment has access to a legal road (whether formed or unformed) and
 - 10.6.1.2 that access is not obtained by crossing a railway line.
- 10.6.2 Under Rule 10.6.1, the Council shall restrict its discretion to consideration of:
 - 10.6.2.1 All of the matters listed in Rule 10.1.2.
 - 10.6.2.2 For access on to a State Highway or Arterial Road:^{PC12}
 - (a) Whether the access will adversely affect the safe and efficient flow of traffic along the State Highway or Arterial Road, including any cumulative effects of multiple vehicular accessways on to the State Highway or Arterial Road:^{PC12}
 - (b) The number, design and siting of any vehicle accessway(s) or vehicle crossing(s);
 - (c) Whether the allotments created can be designed to have legal access on to an alternative legal road of lower classification, and whether this alternative access is appropriate;^{PC12}
 - 10.6.2.3 For access on to an unformed or unmaintained road:
 - (a) The standard to which the road, any vehicle accessway, and any vehicle crossing will be formed or maintained to serve the activity;
 - (b) Who will be responsible for forming or maintaining the road to the required standard; and
 - 10.6.2.4 Any positive effects which may offset any adverse effects.

Non-Complying Activities – Subdivision and Road Access

- 10.6.3 Any subdivision of land which does not comply with Rule 10.6.1 shall be a non-complying activity.

10.7 SUBDIVISION – VEHICLE ACCESSWAYS AND VEHICLE CROSSINGS^{PC12}

Discretionary Activities – Subdivision – Vehicle Accessways and Vehicle Crossings^{PC12}

10.7.1 Any subdivision of land which does not comply with Rule 10.1.1.6 shall be a discretionary activity.

10.8 SUBDIVISION AND CORNER SPLAYS

Restricted Discretionary Activities – Subdivision and Corner Splays

10.8.1 Any subdivision of land which does not comply with Rule 10.1.1.7 shall be a restricted discretionary activity.

10.8.2 Any application arising from Rule 10.6.1 shall be non-notified and will not require the written approval of any persons. The exercise of the Council's discretion shall be restricted to the consideration of effects on the efficient functioning of any road, and the safety of road users.^{PC12}

10.9 SUBDIVISION AND TRANSMISSION LINES

Restricted Discretionary Activities – Subdivision and Transmission Lines

10.9.1 Any subdivision of land which does not comply with Rule 10.1.1.9 shall be a restricted discretionary activity.

10.9.2 The Council shall restrict the exercise of its discretion to the following matters:

10.9.2.1 Location of building platforms: the extent of separation between building platforms and existing lines, taking into account the requirements of the NZECP:34 (New Zealand Electrical Code of Practice for Electrical Safety Distance) or any subsequent code of practice.

10.9.2.2 Within 20 metres of the centreline of a transmission line:

- (a) Subdivision design: the degree to which the subdivision design, including the location of roads and reserves recognises and provides for existing electricity lines so that reasonable access to the lines is maintained.
- (b) Location of proposed vegetation and tree planting: the extent of separation between the location of proposed trees and existing lines, taking into account the likely mature height of the trees, and whether they have a potential to interfere with the lines.
- (c) Extent and mode of earthworks: whether appropriate safeguards are in place to avoid contact with or flashovers from the lines, and effects on the stability of support structures.

Note: Consultation with Transpower New Zealand Limited is advised when considering construction within 20 metres of a high voltage electricity transmission line. The New Zealand Electrical Code of Practice NZECP:34 contains restrictions on the location of structures and activities in relation to the lines.

10.10 SUBDIVISION AND ESPLANADE RESERVES OR STRIPS

Restricted Discretionary Activities – Subdivision and Esplanade Reserves or Strips

- 10.10.1 Any subdivision of land creating allotments of less than 4 hectares which does not comply with Rule 10.1.1.10 in relation to land adjoining rivers and lakes listed in Appendix 17, or any other subdivision of land adjoining a lake with an area of 8 hectares or more, or a river with a bed of average width of 3 metres or more where the lake or river involved is not listed in Appendix 17 shall be a restricted discretionary activity.
- 10.10.2 The Council shall restrict its discretion to the following matters:
- 10.10.2.1 Whether a reserve or strip of lesser width than that set out in Appendix 17 is sufficient to protect the silent file areas or to protect conservation values, to enable public access, or to enable public recreational use.
- 10.10.2.2 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.
- 10.10.2.3 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.
- 10.10.2.4 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 LTP will meet the needs of present and future generations.

10.11 SUBDIVISION OF LOTS SMALLER THAN THE MINIMUM SIZE

Restricted Discretionary Activities – Subdivision of Lots Smaller than the Minimum Size

Note:

1. *Rule 10.11 applies to the subdivision of land where the allotments created may have a dwelling erected on them. Rule 10.11 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 10.1.1.12.*

2. People wishing to subdivide land under Rule 10.11.1 are strongly advised to read the Council's pamphlet on subdividing land and erecting houses in the Rural Zone.

10.11.1 Any subdivision of land which does not comply with Rule 10.1.1.12 shall be a restricted discretionary activity if:

10.11.1.1 Any allotment created is located outside the area shown on the Planning Maps as the Inner Plains;

10.11.1.2 The balance area of land needed to comply with the minimum area in Rule 10.1.1.12, 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 10.11.1.2 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.

10.11.1.3 The balance area of land required to comply with the minimum area under Rule 10.1.1.12, Table C10.1, adjoins the allotment on which a dwelling may be erected, along at least one property boundary;

10.11.1.4 The balance area of land required to comply with the minimum area under Rule 10.1.1.12, 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.

10.11.2 Under Rule 10.10.1, the Council shall restrict its discretion to consideration of:

10.11.2.1 All the matters listed in Rule 10.1.2.

10.11.2.2 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;

10.11.2.3 The maximum number of small allotments which may be located together under this rule, having regard to Rule 3.10.3.6;

10.11.2.4 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;

- 10.11.2.5 The shape and location of the balance land to be kept free of dwellings;
- 10.11.2.6 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;
- 10.11.2.7 For Rule 10.11.1.4, 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 10.11.2.7, see the Council's Pamphlet for more information on the types of mechanisms available.*

- 10.11.2.8 Any positive effects which may offset any adverse effects.

Non-Complying Activities – Subdivision of Lots Smaller than the Minimum Size

- 10.11.3 Any subdivision of land which does not comply with Rule 10.11.1 shall be a non-complying activity, unless it complies with Rule 10.12.

10.12 SUBDIVISION AND BOUNDARY ADJUSTMENTS

Controlled Activities – Subdivision and Boundary Adjustments

- 10.12.1 The subdivision of land by the altering of boundaries between allotments shall be a controlled activity provided all of the following standards and terms are met:
- 10.12.1.1 The allotments subject to the boundary adjustment shall adjoin one another.
 - 10.12.1.2 There shall be no increase in the number of allotments created as a result of the boundary adjustment.
 - 10.12.1.3 No allotment shall be created which is smaller than the smallest allotment existing prior to the boundary adjustment.
 - 10.12.1.4 The boundary adjustment shall not result in any increase in the potential number of dwellings which may be erected on any allotment subject to the boundary adjustment, in compliance with Rule 3.10 than the number which could have been erected on that allotment prior to the boundary adjustment.
 - 10.12.1.5 The corner of any allotment at any road intersection shall be splayed with a diagonal line reducing each boundary by a minimum of:

(a) 6m x 6m for local roads

(b) 10m x 10m for collector roads

(c) 15m x 15m for arterial and State Highway roads.

Note: Where roads of different classifications intersect, the splay applied to both road boundaries shall be that required for the higher classification (State Highways are the highest in the classification hierarchy and local roads are lowest), so for example where a local road and a collector road intersect the corner splays shall be 10mx10m.

10.12.2 Any boundary adjustment which complies with Rule 10.12.1 shall not be notified and shall not require the written approval of affected parties.

10.12.3 The Consent Authority shall retain its control over all of the following matters:

10.12.3.1 All those matters listed in Rule 10.1.2.

10.12.3.2 The mechanism(s) which shall be used to ensure the boundary adjustment does not increase the potential number dwellings able to be erected on any allotment subject to the boundary adjustment.

Non-Complying Activities – Subdivision and Boundary Adjustments

10.12.4 Any boundary adjustment which does not comply with Rule 10.12.1 shall be a non-complying activity, unless it complies with one of the rules for subdivision under Rules 10.1 to 10.11, in which case the activity shall be assessed under that rule.

Cross Referencing

The table below cross-references the rules in this section with objectives and policies in the Plan. The cross-referencing is to assist plan users by indicating the objectives and policies which are likely to relate to each rule. There may be other objectives or policies in the Plan (which are not listed in the cross-reference table) which will apply in some cases. The cross-reference table does not limit the application of any objective and policy in the Plan to the rules with which it is cross-referenced; and it does not preclude the consent authority from considering any other relevant objective or policy in the Plan, when making a decision on a resource consent application. Any person making a resource consent application is advised to read all the objectives and policies in Part B of the Plan.

Rule Numbers	Topic	Part B, Section	Objectives	Policies
10.2	Flood Areas	3.1	3.1.1	3.1.2 to 3.1.4, 3.1.8
10.3	Outstanding Landscape Areas	1.4	1.4.1	1.4.1 to 1.4.3, 1.4.5 to 1.4.32.
10.4	Special Sites (Ecological, Historic Heritage and Sites of Significance to Tāngata Whenua	3.3	3.3.1 and 3.3.2	3.3.2 to 3.3.4, 3.3.7, 3.3.8
10.6	Road Access	2.1	2.1.1	2.1.3. 2.1.4

10.7	Vehicle Access and Vehicle Crossings	2.1	2.1.1	2.1.1, 2.1.2, 2.1.5 to 2.1.7
10.8	Transmission Lines	2.2	2.2.1 and 2.2.2	2.2.1 to 2.1.3
10.9	Esplanade Reserves or Strips	1.3, 2.3	1.3.2, 2.3.2	1.3.11, 2.3.5 and 2.3.6
10.10	Lots Smaller than the Minimum Size	4.1	4.1.1 to 4.1.3	4.1.1 to 4.1.7, 4.1.11 and 4.1.12

Reasons for Rules

Rule 10 manages the subdivision of land. Subdivision has the meaning set out in section 218 of the RMA, and includes unit titles, cross leases and the leasing of any building or part of any building for a period of 35 years or more. District councils may control subdivision under the RMA (section 31(2)) and the subdivision of land requires a resource consent unless the activity is a permitted activity under the Plan (section 11).

Subdivision, per se, has few effects on the environment. However, subdivision is a precursor to other activities, particularly the erecting of dwellings. There is a popular expectation amongst New Zealanders that if they buy an allotment, they should be able to erect a house on it.

Any subdivision of land requires a resource consent under this Plan. The Plan manages subdivision for three reasons:

- To ensure that any allotment created is in an appropriate location, of an appropriate size and shape, and has appropriate legal access and connections to utilities, for its intended purpose;
- To ensure that any subdivision does not result in land uses which are non-complying with the Plan or which will affect adjoining properties due to the size of the allotment on which the activity is taking place being reduced.
- To ensure that where allotments are created that are not of a sufficient size to enable a house to be erected on the allotment, that an appropriate mechanism is used to alert prospective buyers of the allotment.

Rule 10.1 lists standards and terms by which a subdivision is a controlled activity. The minimum allotment size is the same as the minimum allotment size to erect a dwelling as a permitted activity, under Rule 3.10 of the Plan. There are matters that Council have reserved control over such as the need to ensure that any subdivision within any Greenfield area that is subject to a specific ODP policy or for which an approved ODP is contained in the District Plan, does not compromise the ability to achieve the future intensification of that area in accordance with the ODP. The rules provide for subdivisions which cannot comply with Rule 10.1, including subdivision of allotments smaller than the minimum size, as restricted discretionary activities or discretionary activities, where they comply with standards and terms.

Rule 10.1.1.4 The 300 metre buffer distance does not apply to that part of 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 as the Council is satisfied that other methods have effectively addressed any reverse sensitivity effects.

Rules 10.6 and 10.7 address the effects of access and effects of subdivision on the function, safety and efficiency of the road network.^{PC12}

Rule 10.8 addresses the establishment of rural lots and building sites close to high voltage transmission lines. The rule requires subdivision within a 20 metre corridor parallel to such lines to be subject to a restricted discretionary activity application. This enables access to these lines for maintenance to be protected if necessary, and to ensure tree planting, building and earthworks, do not compromise the lines. It also enables matters of public safety and health to be addressed.

Rule 10.11 provides for dwellings on allotments smaller than the minimums stated in Rule 10.1.1.12, provided that the balance area of land needed to comply with the minimum is kept free of dwellings. This may be done using several methods, for example, by placing some form of Covenant over part of the land, or by placing a Consent Notice over the whole allotment, to prevent dwellings being erected. The land subject to these mechanisms may be farmed, forested or otherwise used, and can be bought or sold separately from the allotment on which the dwelling is erected, but it cannot have a dwelling erected on it. The reason for this rule is to allow people to erect houses on small allotments, while still maintaining low residential density in the Rural zone. Large minimum allotment sizes can result in inefficient land uses. For example, where a person has to sell or buy more land than they want in order to reside in the rural area; or where a person buys a farm and requires the land but not the house. Large minimum allotment sizes can also be awkward if people wish to have the dwelling in separate ownership from the rest of the property, for business or family reasons.

The rule does not stipulate the method to be used to keep the balance area of land free of dwellings. Different methods may be appropriate in different cases. The rule does require the method be enforced as a condition on the subdivision or land use consent, if the land to be kept free of dwellings is part of the allotment which is to be subdivided. The Council retains its discretion to determine whether the method nominated by the applicant is appropriate. (For erecting dwellings on existing allotments, see Rule 3.10)

Rule 10.11 also provides for a dwelling on a smaller allotment in the situation where land which is not subject to the subdivision is used to comply with the minimum allotment areas in Rule 10.1.1.12. This may occur where a person owns several allotments, or has purchased the 'development rights' from an adjoining property owner, and uses his/her land to provide the additional minimum area needed. In these cases, the application needs to include a Memorandum of Encumbrance or some other mechanism to be registered on the other allotment as part of the resource consent application. It will be a condition of the subdivision or land use consent that the proposal be carried out in accordance with the application which is submitted (including the proposed Memorandum of Encumbrance or other mechanism).

The Council has produced a pamphlet to help explain how these rules work and their advantages and disadvantages. Applicants are strongly advised to refer to it.

Rule 10.11 does not apply to land within the area shown on the Planning Maps as the Inner Plains. The minimum allotment size in the Inner Plains is 4 hectares. Council believes that residential density in this area is sufficiently high to require each dwelling to have 4 hectares. It is considered that 4 hectares allotments will avoid adverse effects of on-site effluent treatment and disposal on groundwater, and potential 'reverse sensitivity' effects on rural activities; and maintain a rural character that is distinct from townships (see Part B, Section 4.1).

Rule 10.12 provides for boundary adjustments. The boundary adjustment provisions provide an easier mechanism for the boundaries to be adjusted between existing allotments. Boundary adjustments can be useful for rationalising boundaries or selling properties between neighbours.

They can also be useful for rationalising the allotments within one property, for example, to reorganise a property made up of several small allotments into a more rational mix that better suits the management of the property.

Rule 10.1.1.12 which controls the minimum allotment size for subdivision does not apply to boundary adjustments, which provides some flexibility to adjust existing small allotments. It also provides an alternative mechanism to Rule 10.11 for creating smaller allotments for house sites. However, Rule 10.12.1.4 manages residential density, by ensuring the boundary adjustment provisions cannot be used to create additional potential house sites at a higher level than those allowed by the residential density rules set out in Rule 3.10.

DEFINITIONS

- This section lists the meaning of underlined words used in this Plan in alphabetical order.
- Where reference is made to an interpretation provided in a particular act, and is marked with an asterisk (*), the meaning is provided at the end of this section, to assist readers.
- Any singular definition includes the plural and vice versa.
- Words and phrases defined in section 2 of the Act take the same meaning for the purposes of this Plan.

A

Access: means that area of land over which lawful vehicular or pedestrian access is obtained to a legal road.

Accessway: see Vehicle accessway.^{PC12}

Accessory building: means any building which is separate from the principal building or buildings on the site, the use of which is incidental to the use of the principal building or buildings on the site or to the use of a site. In respect of land used for a residential activity “accessory building” extends to include a sleepout (but not a family flat), garage or carport (whether freestanding or attached to any other building), shed, glasshouse, fence over 2 metres in height, swimming pool or similar structure. Accessory buildings also include implement sheds, storage sheds, and commercial glasshouses and packing facilities which generate less than 15 equivalent car movements/day (refer to the definition of Equivalent Car Movements Per Day).

Act: means the Resource Management Act 1991.

Adjoining: includes any land which is physically attached or separated by road, railway, vehicular accessway, easement, water-race or drain, or a river or stream which has a formed bed of not more than 3 metres in width.

Agrichemical: means any substance, whether inorganic or organic, man-made or naturally occurring, modified or in its original state, used to eradicate, modify or control flora and fauna. This excludes fertilisers, lime, vertebrate toxic agents, and oral nutrition compounds.

Airport: means any land intended or designed to be used, whether wholly or partly, for the landing, departure and movement of aircraft.

Allotment: has the same meaning as in section 218 of the Act. *

Amenity Planting: means any tree or trees planted in the immediate vicinity of a house or principal building, primarily to provide shelter or aesthetic appeal, or to visually screen any building as a means of mitigating potential adverse environmental effects. Amenity plantings include any woodlot, orchard or vineyard planted in close proximity to a house or principal building, primarily to supply the residents on-site. The total area of any woodlot, orchard or vineyard which is classed as amenity planting shall not exceed 4 ha.

Antenna: means that part of a communication facility used for the transmission or reception of signals including the antenna mounting but not including any supporting mast, pole or similar structure. This definition includes any dish antenna.

Archaeological site: has the same meaning as in section 2 of the Historic Places Act 1993. *

Arterial Road: means any road identified as an arterial road in the road hierarchy classification as listed in Appendix 9. They connect areas of district importance not already provided by State Highways. Arterial roads connect the districts townships and other important places and activities together, including across district boundaries. Arterial roads are required to minimize, and control local road and property access to ensure they operate efficiently. They are subject to access controls in this Plan.^{PC12}

B

Boarding of Animals: includes the use of any land, building or structure for the boarding or care of animals which do not permanently reside on the site. It includes veterinary hospitals or clinics which provide overnight accommodation for ill or recuperating animals.

Boundary: is any legally defined boundary of a site, allotment or property.

- **Internal boundary:** is any boundary of a site other than a road boundary.
- **Road boundary:** means any boundary with a legal road (formed or unformed) or any boundary which is contiguous to a boundary of a road designation

Building: means any structure or part of any structure whether permanent, moveable or immovable, but does not include any of the following:

- Any scaffolding or falsework erected temporarily for maintenance or construction purposes.
- Any fence or wall of up to 2m in height.
- Any fence or yards for the containment of stock.
- Any structure which is less than 10m² in area and 2m in height.
- Any vehicle, trailer, tent, caravan or boat which is moveable and is not used as a place of storage, permanent accommodation or business (other than the business of hiring the facility for its intended use).
- Any utility structure.

Note:

1. A utility structure is excluded from the definition of 'building' under this District Plan. However, such a structure is subject to the requirements of the Building Act and may require a Building Permit under that Act.
2. A utility building falls under the definition of a building if it does not constitute one of the structures listed under 'Building'.

Building Node: includes that area of land which contains the principal dwelling, other principal buildings, and any worker's accommodation or accessory buildings of a high country property, which are contained in a discrete area of the property, delineated by intensive shelter or amenity planting and worked paddocks. A building node does not include any area which contains only holiday homes, baches, cabins, huts or similar buildings which are not permanently occupied and which are not associated with the farming operation on the property.

C

Camping Ground facilities: includes the use of any land, building or structure for the establishment or operation of a camping ground. Camping ground has the meaning set out in the Camping Ground Regulations 1985.

Clean Fill: includes any natural material which is free of: combustible, putrescible, degradable or leachable components or materials likely to create leachate by means of biological breakdown; hazardous substances or any products or materials derived from hazardous waste treatment, stabilisation or disposal practices; contaminated soil or other contaminated materials; medical or veterinary waste; asbestos or radioactive substances. It includes (but is not limited to) soil, clay, rock, concrete and bricks.

Collector Road: means any road identified as a collector road in the road hierarchy classification as listed in Appendix 9. Their prime role is to distribute and collect local traffic within and between neighbourhood areas. In some situations they may link smaller rural communities to the arterial road network. Collector roads are required to balance the necessary traffic movement function against the property access function that they also need to provide.^{PC12}

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.

Cycleway / Cyclist Link: See Pedestrian / Cycle Link^{PC12}

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.

Design speed: in respect to roads is the speed used for the design of geometric features of a road carriageway that influence vehicle operation. Design speed should not be less than the 85th percentile speed (which is known as the operating speed).^{PC12}

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 70m², 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 70m² 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.

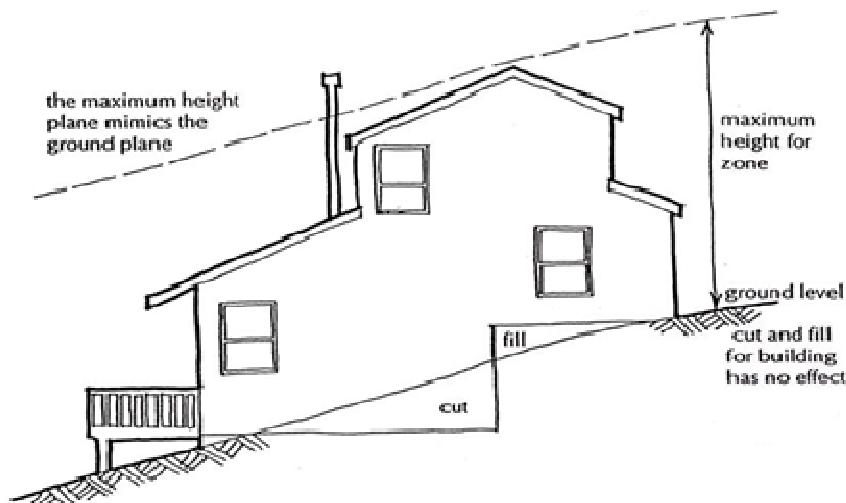
Heavy Vehicle: includes any vehicle which requires a heavy licence under section 5 of the Transport Act 1986.

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.

Historic Heritage: means those natural and physical resources that contribute to an understanding and appreciation of New Zealand's history and cultures, deriving from any of the following qualities:

- archaeological;
- architectural;
- cultural;
- historic;
- scientific;
- technological; and

Includes -

- historic sites, structures, places, and areas; and
- archaeological sites; and
- sites of significance to Maori, including wahi tapu; and
- surroundings associated with the natural and physical resources.

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 manufacturing, 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: PC12

(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

Landscaping: means the visual improvement of an area through designed live planting of trees, shrubs and ground cover for amenity purposes and may include provision of physical features such as paving, art and seating. For the purposes of this definition, landscaping does not include the re-contouring of land by removing or displacement of earth or soil, or for any earthworks associated with the erection or installation of a wall.

L₁₀: means the L₁₀ exceedence level, in A-frequency-weighted decibels, which is equalled or exceeded ten percent of the total measurement time.

L_{dn}: 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.

Local Road: (includes cul de sacs): means a road that is not intended to act as main through routes for traffic as their primary function is to provide property access, and they generally have lower traffic volumes. Any road in the district that is not a State Highway, Arterial or Collector road is a 'local road and not specifically identified in this Plan.^{PC12}

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.

Maintenance of gardens lawns or public spaces: means carrying out any work to preserve existing gardens lawns or public spaces in such a way that the scale or nature of the gardens lawns or public spaces is not altered. Maintenance does not include upgrading.

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 L₁₀, Leq or L_{max} 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.

NZTA: the New Zealand Transport Agency.^{PC12}

O

Operating Speed: The speed at which motor vehicles generally operate (85th percentile speed) on a particular road. Where operating speeds are unknown they are assumed to be the posted speed limit plus 10km/hr.^{PC12}

P

Papakāinga 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.

Parking Areas: means a continuous portion of a site, sites, allotment, allotments or part of any site or allotment on which parking for motor vehicles is provided and includes associated access.

Pathway: means a formed path for pedestrians and, or cyclists.

Pedestrian-cyclist link: means a green transport corridor for pedestrians and, or cyclists that for example links a road to a road, or a road to a reserve or facility. They are also known as 'walkway/cycleway links'. There is generally a path provided within the corridor for pedestrians and cyclists to share. ^{PC12}

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. Point strips may also be for the purpose of protecting the opportunity to achieve future transport links between adjoining blocks of land. A point strip is usually (though not exclusively) up to 200mm wide. ^{PC12}

Posted Speed Limit: the legal and sign posted speed limit that applies to the road as per the Selwyn District Council Speed Limits Bylaw.^{PC12}

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.

Protected Tree: A tree, or group of trees, which are of significance to the District, and are listed in the protected tree schedule in Appendix 4.

These trees fall into two categories:

- Category A: trees that have particularly high levels of significance, particularly in relation to heritage values, and score the highest under the evaluation criteria.
- Category B: trees that have significance for a range of reasons (e.g. landscape importance) and have a moderate score under the evaluation criteria.

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.
* and shall include roads to be vested.^{PC12}

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

Secure: with respect to cycle parking, means that cyclists and their bicycles are not exposed to danger or harm; for example cycle parking is not located where manoeuvring vehicles could collide with a cyclist and or their parked bicycle; also that the cycle parks are not located where there is no visibility from a public space (i.e. a road or car parking area).^{PC12}

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 m² (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.

State Highway: means any road that is identified as a State Highway in the road hierarchy classification as listed in Appendix 9 and managed by the New Zealand Transport Agency. They are high capacity roads of national importance providing inter-district and regional links between significant transport destinations such as towns, cities, ports and other places of significance. State Highways are maintained to high standards to ensure they operate efficiently, including managing both road and property access to them through the New Zealand Transport Agency's powers under the Government Roding Powers Act. They are also subject to access controls in this Plan.^{PC12}

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 guests. Travelling accommodation includes motels, holiday flats, motor and tourist lodges and hostels.

Tree: any woody perennial plant, typically with a distinct trunk (but sometimes multi-stemmed) from which branches arise well above ground level to form a crown, and includes other plants of a tree-like size and form such as palms.

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 10m² 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 10m² in gross floor area or less than 2.5m in height.

V

Vehicle Accessway: means any area of land, the primary purpose of which is to provide access between the body of any allotment(s) or site(s) and any road reserve. Accessway includes any rights of way, access lot, access leg or private road.^{PC12}

Vehicle Crossing: means the area within the road reserve over which vehicles move from the carriageway to a site. The width of a vehicle crossing shall be defined as the formed width at the property boundary. The length of the crossing is the distance from the edge of the carriageway to the property boundary.^{PC12}

Vehicle Movement: means a single motor vehicle journey to or from a particular site. “Vehicle trip” has the same meaning.

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 Management Area: includes any land, building or structure which is listed in Appendix 5 and shown on the Planning Maps as a Wāhi Taonga Management Area.

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.

Walkway: See Pedestrian / Cycle Link^{PC12}

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.”

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APPENDIX 9

ROAD HIERARCHY

Road Name	To	From	Classification	Location	Volume
Aylesbury Road	Bealey Road	Main South Road (SH1)	Arterial		township
Bangor Road (SH77)	Darfield	Homebush Road (SH77)	State Highway	includes Darfield	township/ rural
Barker Street	West Belt	new road south	Collector	Lincoln - links to new urban areas	township
Bealey Road	West Coast Road (SH73)	Hororata Road	Arterial	includes Hororata	township/ rural
Birchs Road	Springs Road	James Street	Collector	Prebbleton to Lincoln	township/ rural
Blakes Road	Shands Road	Springs Road	Collector	Prebbleton	township
Boundary Road	James Street	Lincoln Rolleston Road	Collector	Lincoln	township/ rural
Bray Street	South Terrace (SH73)	Cardale Street	Arterial	Darfield	township
Bridge Street	Hororata Road	Homebush Road (SH77)	Arterial	Coalgate	township
Brookside Road	Byron Street	Dunns Crossing Road	Collector	Rolleston	township
Browns Road	Hororata Dunsandel Road	Main South Road (SH1)	Collector	Dunsandel	township
Browns Road	Main South Road (SH1)	Tramway Road	Collector	Dunsandel	township
Burnham Road	Main South Road (SH1)	Ellesmere Junction Road	Arterial		rural
Byron Street	Brookside Road	Rolleston Drive	Collector	Rolleston	township
Cardale Street	Bray Street	Telegraph Road	Arterial	Darfield	township
Cardale Street	Mathias Street	Bray Street	Collector	Darfield	township
Cardale Street	Telegraph Road	Greendale Road	Collector	Darfield	township
Chattertons Road (Shared District Boundary Road)	Old West Coast Road	West Coast Road (SH73)	Arterial		
Christchurch Akaroa Road (SH75)	District Boundary (Halswell)	District Boundary (Motukarara)	State Highway	includes Tai Tapu, Motukarara	township/ rural

Road Name	To	From	Classification	Location	Volume
Coaltrack Road	Bridge Street	Homebush Road (SH77)	Collector	Coalgate	township
Coleridge Road	Rakaia Gorge Road (SH77)	Acheron Avenue	Collector	includes Coleridge	township/ rural
Cordys Road	Hororata Road	Milnes Road	Arterial	includes Hororata	township/ rural
Courtenay Road	Old West Coast Road	West Coast Road (SH73)	Collector	includes Kirwee	township/ rural
Cunningham Street	Pound Road	High Street	Collector	Leeston	township
Dawsons Road (Shared District Boundary Road)	Main South Road (SH1)	West Coast Road (SH73)	Arterial		rural
Deans Road	West Coast Road (SH73)	Homebush Road (SH77)	Arterial		rural
Derretts Road	Dunsandel Road	Bealey Road	Arterial		rural
Dryden Avenue	Rolleston Drive	Overbury Crescent	Collector	Rolleston	township
Dunns Crossing Road	Lowes Road	Main South Road (SH1)	Arterial	Rolleston	township
Dunsandel Road	Hororata Dunsandel Road	Derretts Road	Arterial		rural
East Maddisons Road	Brookside Road	Oak Tree Lane	Collector	Rolleston	township
Edward Street	Gerald Street	Ellesmere Road	Arterial	Lincoln	township/ rural
Ellesmere Junction Road	Burnham Road	Gerald Street	Arterial		township/ rural
Ellesmere Road	Edward Street	Trices Road	Arterial	Lincoln to Halswell	township/ rural
Feredays Road	High Street	Southbridge Rakaia Road	Arterial	includes Leeston	township/ rural
Gerald Street	Edward Street	Springs Road	Arterial	Lincoln	township
Goulds Road	Lowes Road	Oak Tree Lane	Collector	Rolleston	township
Greendale Road	McLaughlins Road	Cardale Street	Collector	Darfield	township
Hamptons Road	Waterholes Road	Springs Road	Arterial		rural
High Street (Leeston)	Station Street	Feredays Road	Collector	Leeston	township
High Street (Southbridge)	Southbridge Leeston Road	Brook Street	Collector	Southbridge	township

Road Name	To	From	Classification	Location	Volume
Homebush Road (SH77)	Bangor Road (SH77)	Wairiri Road (SH77)	State Highway	includes Coalgate, Glentunnel	township/rural
Hororata Dunsandel Road	Main South Road (SH1)	Highfield Road	Collector	Dunsandel	township
Hororata Dunsandel Road	Highfield Road	Dunsandel Road	Arterial	includes Dunsandel	township/rural
Hororata Road	Bealey Road	Bridge Street	Arterial	Hororata	township/rural
Hoskyns Road	West Coast Road (SH73)	Main South Road (SH1)	Arterial	Includes access to Izone Industrial	township/rural
Izone Drive	Jones Road	Illinois Road	Collector	Rolleston	township
James Street	Birchs Road	Gerald Street	Collector	Lincoln	township
Jones Road	Weedons Ross Road	Two Chain Road	Arterial	Includes access to Izone Industrial	township/rural
Kimberley Road	Kowhai Drive	North Terrace	Collector	Darfield	township
Leaches Road	Milnes Road	Rakaia Gorge Road (SH77)	Arterial		rural
Leeston Dunsandel Road	Tramway Road	Irvines Road	Collector	Dunsandel	township
Leeston Dunsandel Road	Irvines Road	Market Street	Arterial	Dunsandel to Leeston	township/rural
Leeston Lake Road	Station Street	High Street	Arterial	Leeston	township
Leeston Road	Ellesmere Junction Road	Station Street	Arterial	Springston to Leeston	township/rural
Levi Road	Weedons Road	Lowes Road	Arterial	Rolleston	township/rural
Lincoln Rolleston Road	Masefield Drive	Selwyn Road	Arterial	Includes Rolleston	township/rural
Lincoln Rolleston Road	Selwyn Road	Boundary Road	Collector		rural
Lincoln Tai Tapu Road	Ellesmere Road	Christchurch Akaroa Highway (SH75)	Arterial	Lincoln to Tai Tapu	township/rural
Lowes Road	Levi Road	Dunns Crossing Road	Arterial	Rolleston	township
Main Rakaia Road	Southbridge Rakaia Road	Main South Road (SH1)	Arterial		rural
Main South Road (SH1)	District Boundary (Templeton)	District Boundary (Rakaia River)	State Highway	includes Templeton, Rolleston, Dunsandel	township/rural
Market Street	High Street	Pound Road	Collector	Leeston	township

Road Name	To	From	Classification	Location	Volume
Masefield Drive	Rolleston Drive	Lincoln Rolleston Road	Collector	Rolleston	township
Mathias Street	North Terrace	West Coast Road (SH73)	Collector	Darfield	township
Mathias Street	West Coast Road (SH73)	Cardale Street	Collector	Darfield	township
McLaughlins Road	Bangor Road (SH77)	Cressy Place	Collector	Darfield	township
McMillan Street	North Terrace	West Coast Road (SH73)	Collector	Darfield	township
Milnes Road	Cordys Road	Leaches Road	Arterial		rural
North Belt	West Belt	James Street	Collector		township
North Terrace	Kimberley Road	Mathias Street	Collector	Darfield	township
Old West Coast Road	District Boundary (Chattertons Road)	Waimakariri Gorge Road	Arterial		rural
Pound Road	Market Street	Cunningham Street	Collector	Leeston	township
Rakaia Gorge Road (SH77)	Windwhistle Road (SH77)	District Boundary (Rakaia River)	State Highway	includes Windwhistle	township/ rural
Rembrandt Drive	Rolleston Drive	Lowes Road	Collector	Rolleston	township
Rolleston Drive	Main South Road (SH1 north)	Tennyson Street	Collector	Rolleston	township
Rolleston Drive	Tennyson Street	Main South Road (SH1 south)	Collector	Rolleston	township
Selwyn Road	Lincoln Rolleston Road	Shands Road	Arterial		rural
Shands Road	District Boundary (Marshs Road)	Ellesmere Junction Road	Arterial		rural
Southbridge Leeston Road	Feredays Road	High Street (Southbridge)	Arterial	includes Southbridge	township/ rural
Southbridge Rakaia Road	Feredays Road	Main Rakaia Road	Arterial		rural
Southfield Drive	Edward Street	Ryelands Drive	Collector	Lincoln	township
Springs Road	District Boundary (Marshs Road)	Gerald Street	Arterial	Prebbleton to Lincoln	township/ rural
Springs Road	Gerald Street	800 metres north of Collins Road	Collector	Lincoln	township
Springston Rolleston Road	Lowes Road	Shands Road	Arterial	Includes Rolleston	township/ rural

Road Name	To	From	Classification	Location	Volume
Station Street	Leeston Road	Leeston Lake Road	Arterial	Leeston	township
Telegraph Road	Cardale Street	Main South Road (SH1)	Arterial	Darfield	township/ rural
Tennyson Street	Main South Road (SH1)	Lowes Road	Collector	Rolleston	township
Tosswill Road	Springs Road	Hamptons Road	Collector	Prebbleton	township
Tramway Road	Browns Road	Leeston Dunsandel Road	Collector	Dunsandel	township
Trices Road	Springs Road	District Boundary (Sabys Road)	Arterial	Includes Prebbleton	township/ rural
Two Chain Road	Jones Road	Walkers Road	Arterial		rural
Waimakariri Gorge Road	West Coast Road (SH73)	District Boundary (Waimakariri River)	Arterial	includes Waddington	township/ rural
Wairiri Road (SH77)	Homebush Road (SH77)	Windwhistle Road (SH77)	State Highway		rural
Walkers Road	Main South Road (SH1)	Two Chain Road	Arterial		rural
Waterholes Road	Hamptons Road	Main South Road (SH1)	Arterial		rural
Waterholes Road	Ellesmere Junction Road	Springston Rolleston Road	Collector		rural
Weedons Road	Main South Road (SH1)	Ellesmere Junction Road	Arterial		rural
Weedons Ross Road	Old West Coast Road	Main South Road (SH1)	Arterial	includes West Melton	township/ rural
West Belt	North Belt	Barker Street	Collector	Lincoln	township
West Coast Road (SH73)	District Boundary (Yaldhurst)	District Boundary (Arthurs Pass)	State Highway	includes West Melton, Darfield, Waddington, Sheffield, Springfield, Arthurs Pass	township/ rural
Whitecliffs Road	Homebush Road (SH77)	Farr Street	Collector	Glentunnel to Whitecliffs	township/ rural
Windwhistle Road (SH77)	Wairiri Road (SH77)	Rakaia Gorge Road (SH77)	State Highway	includes Windwhistle	township/ rural

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APPENDIX 10

E10.1 - PARKING REQUIREMENTS

E10.1.1 Surface of Parking and Loading Spaces

E10.1.1.1 Any on-site car parking or loading space located between the road frontage and the main entrance of any educational facility or any activity involving the retailing of goods and services to the public shall not have a metalled surface.

Notes:

- (a) The reason for Rule E10.1.1.1 is to avoid the potential for stones to “fly up” from the tyres of vehicles, which may create a danger to school children and the public in general.
- (b) Table E10.1 below provides a guide for the marking out of car parking spaces in the case of the developer or landowner wishing to provide a parking surface which is formed and sealed.
- (c) The discharge of storm water from a large sealed area may require a discharge consent from Environment Canterbury.

Table E10.1 - Minimum Car Park Dimensions

Type of User	Parking Angle	Stall Width ² (m)	Aisle ⁴	Stall Depth ³ (m)
Long Term (includes tenant, employee, commuter and university parking)	90° (Perpendicular)	2.4	6.2	5.4
	45°	2.4	4.9	5.4
	30°	2.4	3.9	5.4
	60°	2.1	3.1	5.4
Medium Term (includes long term, town centre parking, sports facilities, entertainment centres, hotels, motels)	90°	2.5	5.8	5.4
	60°	2.5	4.6	5.4
	45°	2.5	3.7	5.4
	30°	2.3	3.0	5.4
Short Term (includes shopping centres, supermarkets, hospitals, medical centres)	90°	2.6	5.4	5.4
	60°	2.6	4.3	5.4
	45°	2.6	3.5	5.4
	30°	2.5	2.9	5.4
Disabled Parking ⁽¹⁾	All	3.2	as above	5.4
All Users	Parallel	2.5	5.5 (two way)	5.4

Refer to Diagram E10.F for car parking space layout.

Notes on Table 10.1

1. Car parking spaces for people with disabilities shall be as close as practicable to the building entrance. The spaces shall be on a level surface and be clearly signed.
2. Stall widths shall be increased by 300mm where they abut obstructions such as a wall, column or other permanent obstruction.
3. 5.0m if low kerb allows overhang, but this overhang shall not encroach on required landscape areas.
4. Aisle widths are given for one way operation with forward entry to spaces. Two way aisles shall be 5.5m minimum. For two way operation only 90° parking will be permitted.

In addition design guidance for parking areas in buildings may be obtained from the New Zealand Building Code D1: Access Routes or Australian Standard Off-street Parking, Part 1: Car Parking Facilities, AS 2890.1-1993.

E10.1.2 Availability of Parking and Loading Spaces

E10.1.2.1 Any area required for on-site parking or loading, other than for a residential activity, shall be available at all times for staff and visitors during the hours of operation of the activity and shall not be diminished by any subsequent erection of any structure, storage of goods, or any other use.

E10.1.3 Parking Spaces for Residential Activities

E10.1.2.2 Garageable parking spaces for any residential activity shall have the following minimum internal dimensions:

	Width	Depth
Single	3.1m	5.5m
Double	5.6m	5.5m

E10.1.3.2 The minimum width of the entrance to a single garage shall be 2.4 metres.

E10.1.3.3 Any other parking space for any residential activity shall have the following minimum dimensions:

Width	2.5m
Depth	5m

E10.1.4 Gradient of Parking and Loading Spaces

E10.1.4.1 The gradient of any on-site parking or loading area for any non-residential activity, shall be no more than:

- (a) At 90° to the angle of parking - 1:16; or
- (b) Parallel to the angle of parking - 1:20

E10.1.5 Carpark and loading spaces – Manoeuvring areas

E10.1.5.1 The manoeuvring area to and from any parking space shall be designed to accommodate at least the design motor car as set out in the Council's most recent Engineering Code of Practice.

E10.1.5.2 The manoeuvring area to and from any loading space shall be designed to accommodate at least the design truck as set out in the Council's most recent Engineering Code of Practice.

E10.1.5.3 No loading space shall obstruct any on-site car parking space or any vehicle or pedestrian access.

E10.1.5.4 No vehicle shall be required to reverse out of any site onto a road.

E10.2 – VEHICLE ACCESSWAYS AND CROSSINGS

E10.2.1 Private Vehicle Accessways

E10.2.1.1 The minimum requirements for any shared private vehicle accessway for a site(s) shall be in accordance with Table E10.2.

Table E10.2 – Minimum Requirements for any Shared Private Vehicle Accessway

Potential No. of Sites	Length (m)	Legal Width (m)	Carriageway Width (m)	Turning Area	Passing Bay
2-3	Any length	4.5	3.0	Required	Optional
4-6	0-50	5.0	3.5	Required	Optional
4-6	Over 50	6.5	5.0	Required	Required

Note: The legal width is greater than the carriageway width to ensure that there is space for suitable on-site stormwater management.

E10.2.1.2 Where Table E10.2 requires turning areas, turning within the shared accessway may be facilitated through the use of a hammerhead arrangement. Note: refer to the Council's most recent Code of Practice for the design standard required.^{PC12}

E10.2.2 Distances of Vehicle Crossings from Road Intersections

E10.2.2.1 No part of any vehicle crossing shall be located closer to the intersection of any road than the minimum distances specified in Table E10.3 except that where the boundaries of a site do not allow the provision of any vehicle crossing whatsoever in conformity with the above distances, a single vehicle crossing may be constructed in the position which most nearly complies with the provisions of Table E10.3. (the Road Hierarchy for the District is set out in Appendix 9).^{PC12}

E10.2.2.2 No part of any vehicle crossing shall be located closer than 30 metres to the intersection of any railway line as measured from the nearest edge of the vehicle crossing to the limit line at the level rail crossing.^{PC12}

Table E10.3 – Minimum Distances of any Vehicle Crossing from Road Intersections

Vehicle Crossing Joins to	Posted speed Km/hr	Intersecting Road Type Distances in Metres			
		State Highway	Arterial	Collector	Local
State Highway	> 50	100	100	100	100
	≤ 50	30	30	30	30
Arterial	> 50	100	100	100	100
	≤ 50	30	30	30	30
Collector	> 50	75	75	60	60
	≤ 50	30	30	30	25
Local	> 50	75	75	60	60
	≤ 50	25	25	25	10

E10.2.2.3 The distance between any vehicle crossing and road intersection shall be measured along the centre line of the frontage road:

- (a) From the point where the centre lines of the two roads intersect;
- (b) To the point where the centre lines of the vehicle crossing and the frontage road intersect.

Refer to Diagram E10.A2.

E10.2.2.4 Notwithstanding Rule E10.2.2.1 above, for any:

- (a) service station; or
- (b) truck stop; or
- (c) any activity which generates more than 40 vehicle movements in any one day;

No part of any vehicle crossing onto any State Highway road or arterial road shall be located closer than:

- (d) 60m to the departure side of any intersection; and/or
- (e) 30m to the approach side of any intersection.

The distance shall be measured in accordance with Rule E10.2.2.3.

E10.2.3 Sight distances from Vehicle Crossings

E10.2.3.1 Vehicle crossings onto roads must provide the required minimum sight distances in Table E10.4 and Diagram E10.A1.

Table E10.4 – Minimum Sight Distances

Posted (Legal) Speed Limit (km/h)	State Highway, Arterial and Collector roads Required Sight Distances (m)
50	113
60	140
70	170
80	203
90	240
100	282

Notes: There shall be no more than 5 individual crossings along any 1 km section of State Highway and Arterial Road (on both sides), measured 500m either side of a proposed access. Refer to the NZTA Planning and Policy Manual and the most recent Selwyn District Council Code of Practice. ^{PC12}

Note that where traffic generation exceeds 100 ecm/d on a State Highway the activity is a restricted discretionary activity (refer Rule 4.5.2). ^{PC12}

Consent must be sought from New Zealand Transport Agency before any work is carried out within the State Highway reserve in relation to access construction. ^{PC12}

E10.2.4 Vehicle Crossings - Design and Siting

E10.2.4.1 Vehicle access to any site from any road or service lane shall be by way of a vehicle crossing constructed at the owner's or the developer's expense.

E10.2.4.2 The maximum number of residential vehicle crossings shall not exceed 1 per road frontage. ^{PC12}

E10.2.4.3 Vehicle crossings to any site shall be constructed in accordance with:

E10.2.4.3.1 Diagram E10.B1 if the vehicle crossing is to provide access to a property from a State Highway with less than 30 equivalent car movements per day; or ^{PC12}

E10.2.4.3.2 Diagram E10.B2 if the vehicle crossing is to provide access to a property from a State Highway with between 30 and 100 equivalent car movements per day; or ^{PC12}

E10.2.4.3.3 Diagram E10.C1 if the vehicle crossing is to provide access to a dwelling and is to a local road; or ^{PC12}

E10.2.4.4 Diagram E10.C2 if the vehicle crossing is to provide access to a dwelling and is to an arterial road or provides access to any activity and is to a collector road; or ^{PC12}

E10.2.4.4.5 Diagram E10.D if the vehicle crossing is to provide access to a commercial activity or is a heavy vehicle access, other than State Highways. ^{PC12}

E10.3 ROAD STANDARDS

E10.3.1 Roads

E10.3.1.1 Any new road shall be laid out and vested in the Council in accordance with the standards contained in Table E10.5.

E10.3.1.2 For determining the carriageway width in Table E10.5, the minimum carriageway widths shall be measured from the edge of seal to edge of seal.

Table E10.5 – Road Standards

Type of Road	Road Reserve Width (m)		Carriageway Width (m)	
	Min	Max	Min	Max
State Highways	20	-	-	-
Arterial and Collector Roads	20	20	7.5	9
Local Roads (including cul de sacs up to 150m long)	15	20	6.7	7

E10.3.1.3 The carriageway of any new road laid out and vested in accordance with the above shall be formed and sealed.

E10.3.1.4 Any cul-de-sac shall be constructed with a turning head of 26m diameter measured kerb face to kerb face.

Notes: The most recent Engineering Code of Practice includes more detail on the design requirements of roads and vehicle accessways.

Approval must be sought from New Zealand Transport Agency (NZTA) before any work is carried out within the State Highway reserve in relation to road construction.

Rule E10.3.1 does not apply to works to existing roads undertaken by Council pursuant to the Local Government Act (in accordance with Rule 4.4.1).

E10.3.2 Road Intersection Spacing (all roads)

E10.3.2.1 The spacing between road intersections shall comply with Table E10.6 below.

E10.3.2.2 In determining intersection spacing's from Table E10.6 in accordance with E10.3.2.1, where new roads are proposed as part of any Outline Development Plan, the intersection spacing's can be designed for the proposed (future) speed limit (typically 50km/hr if within the urban limits) within the Outline Development Plan area and on immediately adjoining roads. ^{PC12}

E10.3.2.3 The distance between any two road intersections shall be measured along the centre line of the road which has both the intersections:

- (a) From the point where the centre lines of two of the roads intersect;
- (b) To the point where the centre lines of the other two roads intersect.

Table E10.6– Minimum Distance between Intersections

Posted (Legal) Speed Limit (km/hr)	Distance (m)
100	800
90	248
80	214
70	181
60	151
50	123

DIAGRAMS

Diagram E10.A1 – Sight Distances Measurement and State Highway/Arterial sight distance values

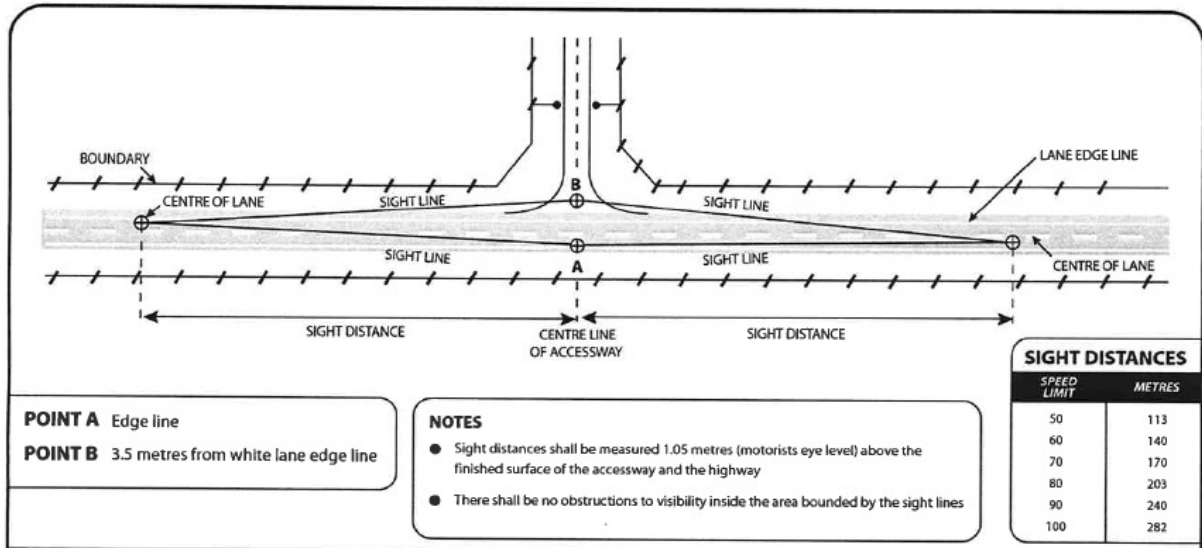


Diagram E10.A2 – Access Separation From Intersections

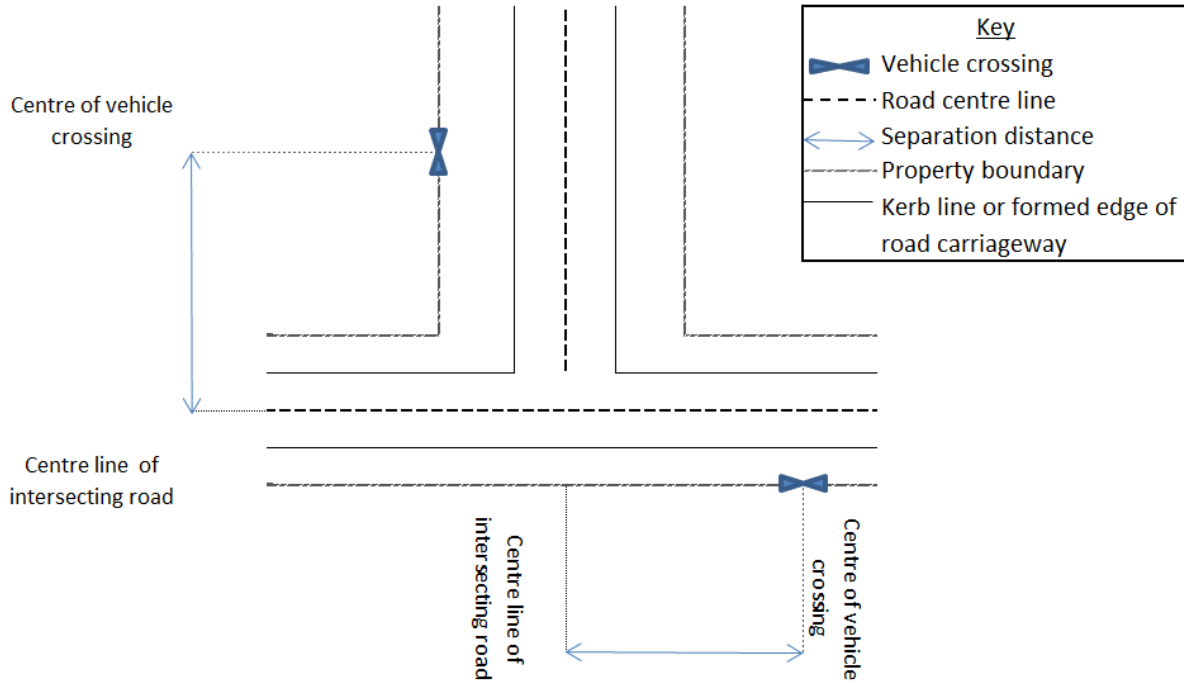


Diagram E10.B1 – State Highways - Low Use Access Standard (up to 30 ecm/day)

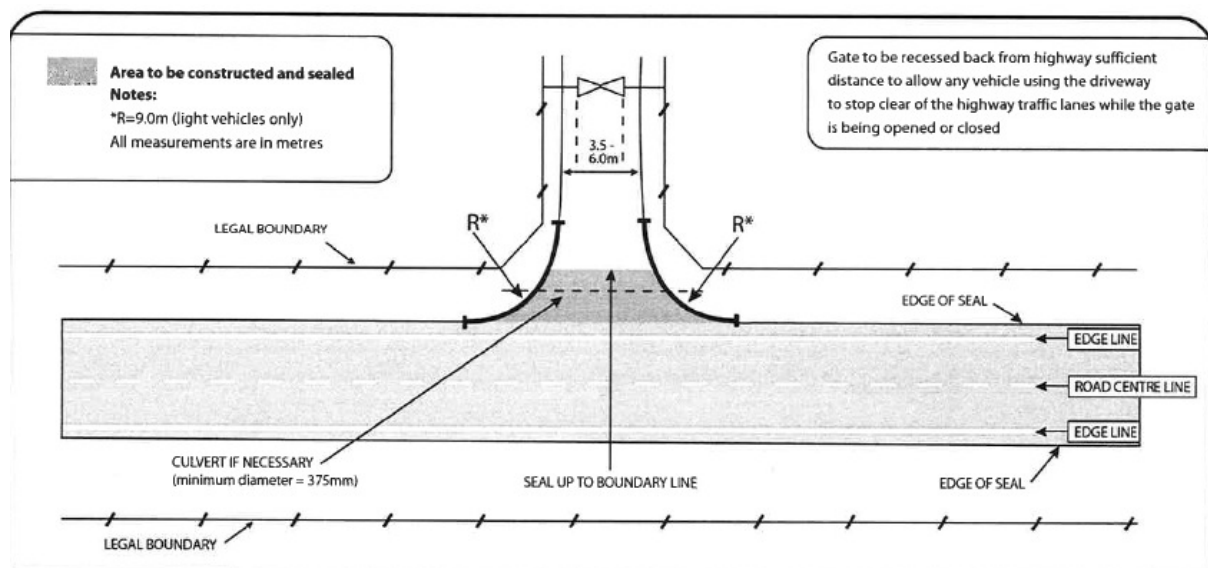


Diagram E10.B2 – State Highways - Moderate Use Access Standard (31-100 ecm/day)

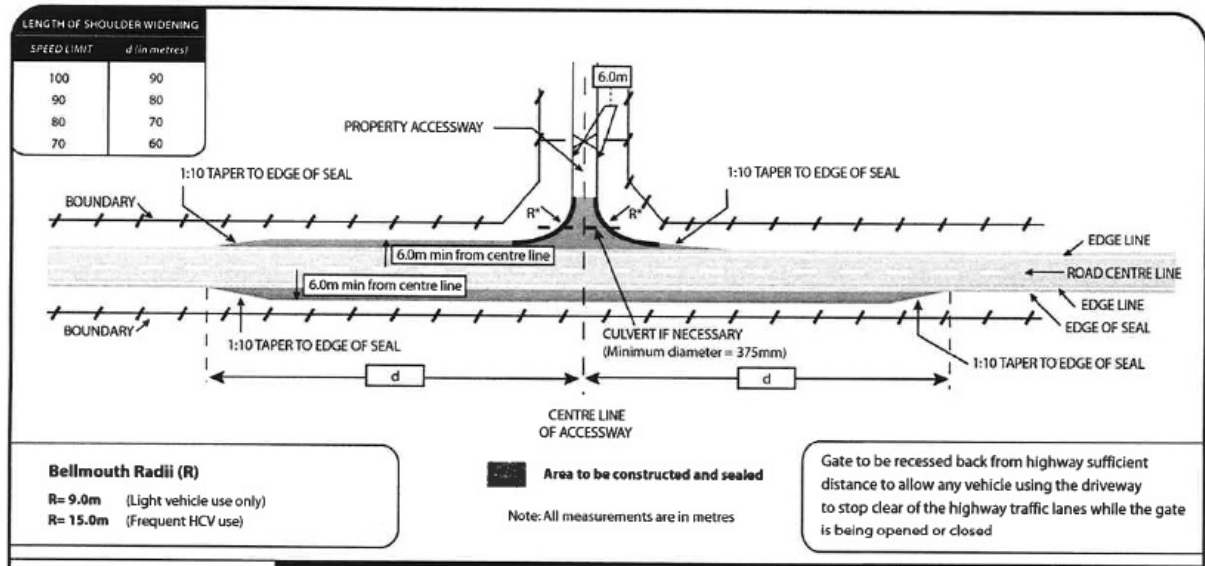
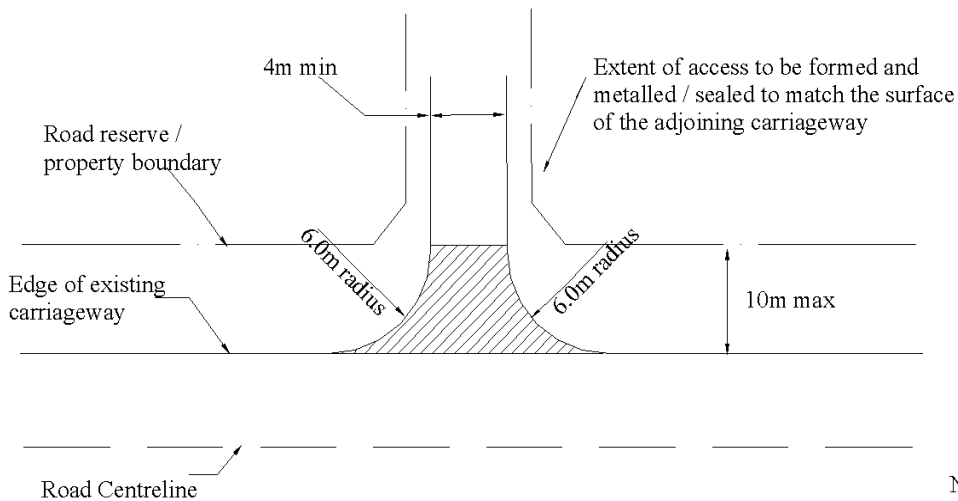
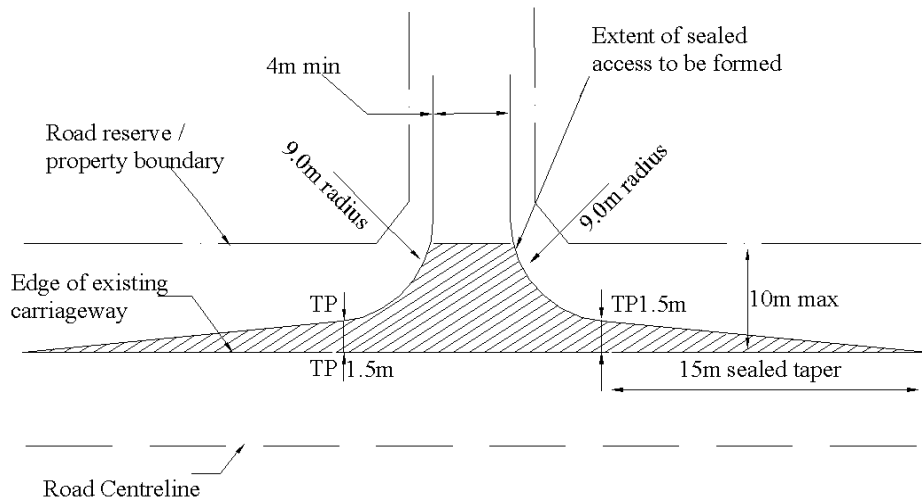


Diagram E10.C1 – Vehicle Crossing – Residential access standard for local roads



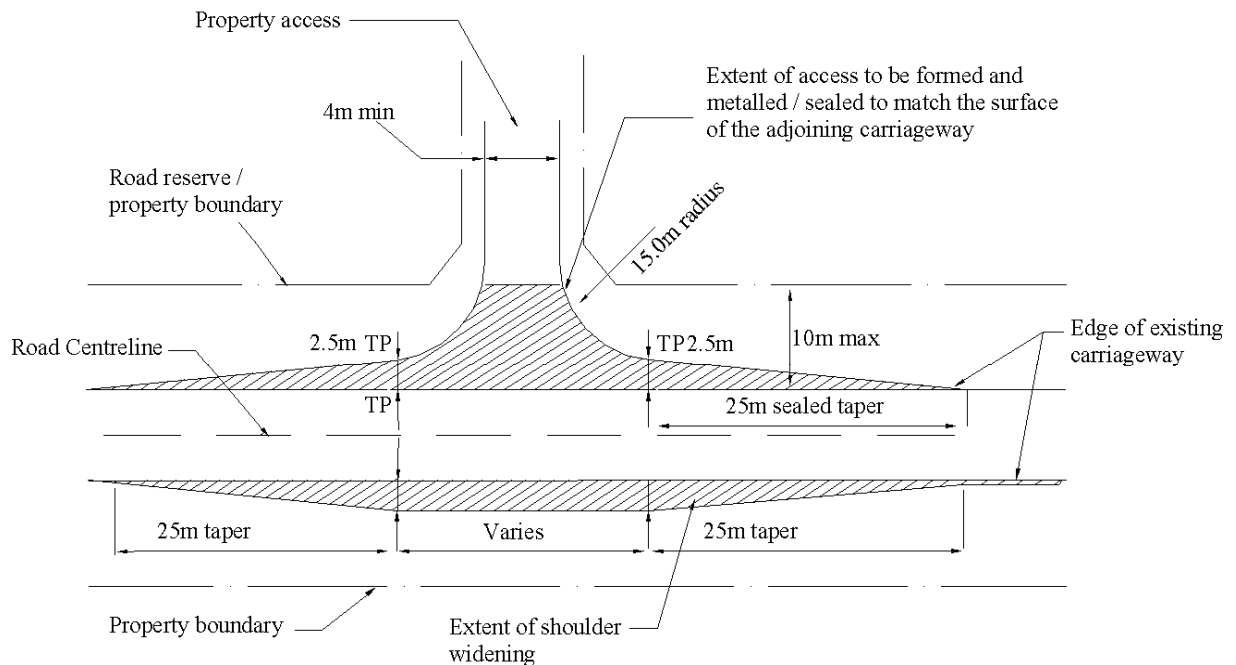
NOTE : All dimensions in metres Diagram not to scale

Diagram E10.C2 – Vehicle Crossing - Residential access standard for arterial and collector roads



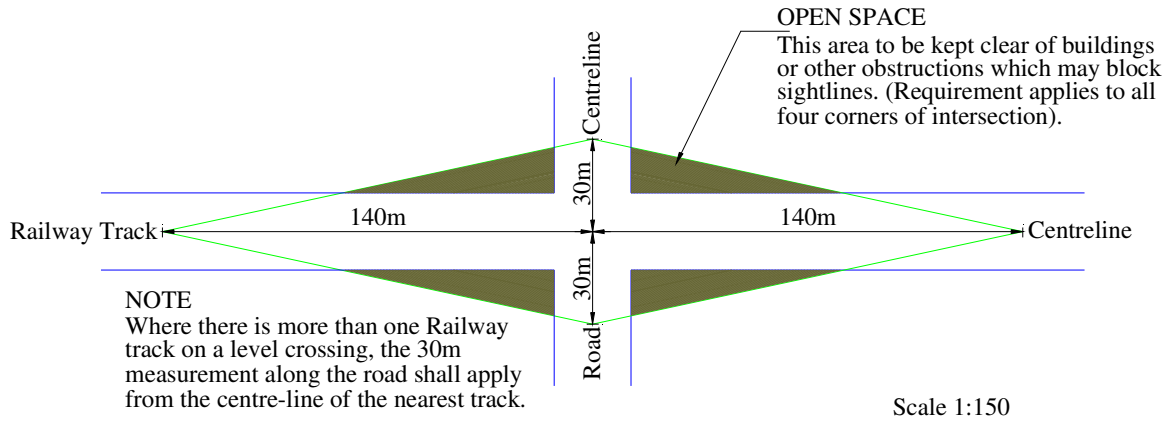
NOTE : All dimensions in metres Diagram not to scale

Diagram E10.D – Vehicle Crossing – Commercial and heavy vehicle access standard for all roads



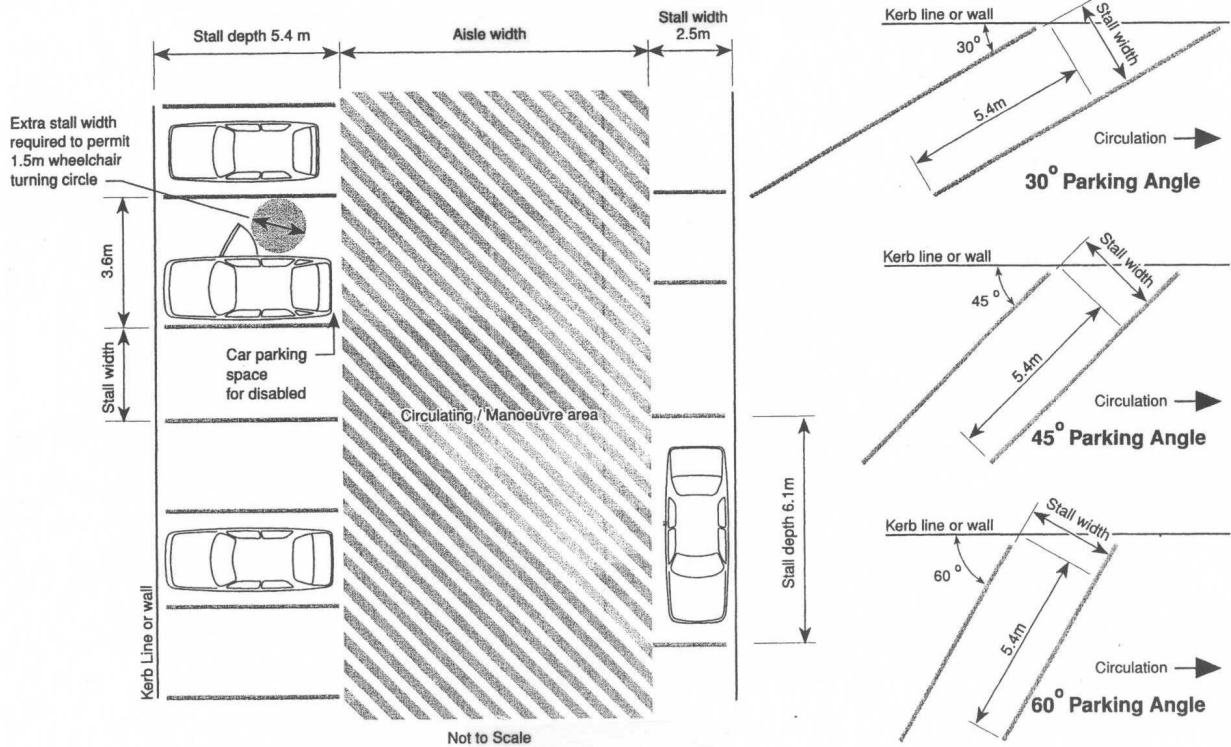
NOTE : All dimensions in metres Diagram not to scale

Diagram E10.E - Sight distance at railway lines



Note: Diagram E10E relates to rule C4.7

Diagram E10.F - Car parking



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