

Section 168A Resource Management Act 1991



Report pursuant to section 168A of the Resource Management Act 1991 recommending whether or not a Notice of Requirement for a designation should be:

- Confirmed, modified or withdrawn and
- Whether any conditions should be imposed on the designation

Author: Lisa Steele

Position: Consultant Planner

Notice of Requirement Number: D190064

REQUIRING AUTHORITY:	Selwyn District Council
PROPOSAL:	Notice of Requirement to designate the site for Recreation Reserve Purposes to enable an extension to Kirwee Recreation Reserve
LOCATION:	Tramway Road, Kirwee
LEGAL DESCRIPTION:	Section 1 SO605720 being 6.5000 ha in area more or less, as contained in Record of Title 778843.
ZONING:	The property is zoned Rural Outer Plains under the provisions of the Operative District Plan (Rural Volume)
This application was formally received by the Selwyn District Council on 25 October 2019. Assessment and approval took place on 9 June 2020 under a delegation given by the Council.	

Introduction

1. Selwyn District Council (the Council) is a requiring authority under s.166 of the Act. The Council has given notice of its requirement for a new designation to extend the Kirwee Recreation Reserve. The nature of the proposed work is fully described on pages 11-13 of the requirement, and the key points include:
 - A 6.5ha piece of land adjacent to the existing Kirwee Recreation Reserve is proposed to be designated for Recreation Reserve Purposes.
 - The Proposed Kirwee Reserve Master Plan is attached in Appendix C to the Notice of Requirement.
 - The existing rugby fields would be realigned, and a second junior field provided. The senior rugby fields would be floodlit.
 - A new cricket oval and nets would be provided to the east of the rugby fields.
 - Community facilities including play spaces, a community activity space, a half-sized basketball court, a bicycle/scooter/skate park and a pump track are proposed and would be located south of the sports fields.

- An open space and dog park would be provided adjacent to the eastern site boundary.
 - The existing vehicle accesses from High Street would be retained, and a new access formed from Tramway Road. The existing car parking areas adjacent to the bowling green would be reconfigured, and a new car park for 101 vehicles constructed adjacent to the southern site boundary.
 - The site would be landscaped to provide shelter and shade and improve amenity values.
2. A separate Outline Plan would be lodged for the proposed works on site should the designation be confirmed.

Description of the Existing Environment

3. The site and surrounding environment are full described on pages 6 – 8 of the requirement. In brief, the site is a 6.5ha area of grassed flat land directly adjoining the western boundary of the existing Kirwee Recreation Reserve. The site has road frontage and vehicle access from Tramway Road, and an unformed 20m wide access strip providing access to Hoskyns Road. At present the access strip provides pedestrian access only.
4. The southeast part of the site has already been developed for recreation activities and is used as part of the existing recreation reserve although it is outside the existing designation. The remainder of the site is vacant and was previously used for grazing.
5. The existing recreation reserve adjoins the eastern site boundary, and contains netball, tennis, rugby, cricket and bowls facilities and a children's playground. The grassed playing fields are also used for community events. The Kirwee cemetery, A&P showgrounds, and community hall are located north and east of the existing Recreation Reserve. The existing Recreation Reserve and surrounding properties east of the site are zoned Living 1.
6. The southern site boundary directly adjoins several Living zoned sites containing residential dwellings, which front High Street and Tramway Road.
7. The land to the north, west and southwest is zoned Rural Outer Plains and has been developed for rural activities. The land to the northwest, north of Tramway Road, is a 20ha Council owned site used for grazing. The properties to the southwest, south of Tramway Road, are smaller rural lots no more than 4ha in area, which contain residential dwellings. The property located at 51 Tramway Road, which is directly south of the site on the opposite side of Tramway Road, contains an intensive farming activity.
8. The rural areas surrounding the site, and the adjoining cemetery and A&P showgrounds, are generally characterised by grassed open spaces, with tree and shelter planting along many road boundaries and internal boundaries between adjoining properties. The residential areas to the south and east of the reserve are characterised by primarily single storey dwellings surrounded by generous areas of open space and mature landscaping.

Operative Selwyn District Plan

9. The Selwyn District Plan ('the District Plan') was made operative on 03 May 2016. Under the District Plan the site subject to the notice of requirement is zoned Rural Outer Plains. The existing recreation reserve is zoned Living 1.

Notification

10. A decision regarding notification pursuant to sections 168A(1A), 149ZCB(1)-(4), 149ZCC(1)-(4), 149ZCE and 149ZCF has been undertaken separately. The Council (as Requiring Authority) requested that the notice of requirement be publicly notified, so notification was carried out under section 149ZCB(2)(b).

11. Under section 149C(4)(b), a copy of the Public Notice must be served on each owner and occupier of any land (other than the requiring authority) of any land to which the notice relates, and any adjoining land. Notice was served on the parties listed below:

NAME	ADDRESS
KJ & PR Sewell	71 Tramway Road, Kirwee
KJ & MA Cunningham	51 Tramway Road, Kirwee
JA & TD Gallagher	43 Tramway Road, Kirwee
CJ Anderson	24 Tramway Road, Kirwee
AM & GT Cleaver	22 Tramway Road and 50 High Street, Kirwee
BD & HM Rowlands	46 & 48 High Street, Kirwee
JC Cider	44 High Street, Kirwee
SR Benzie	42 High Street, Kirwee
Her Majesty the Queen c/	Lots 42-43 DP173
Courtenay A & P Association	28 High Street, Kirwee

Submissions

12. One submission was received in opposition to the proposal. Fire and Emergency New Zealand (FENZ) opposed the requirement on the basis that the reserve, and the Kirwee township in general, does not have adequate water supply for firefighting purposes. FENZ sought that the reserve be provided with a water supply connection that complies with the New Zealand Firefighting Code of Practice SNZ/PAS 4509:2008 (Code of Practice), and offered to work with the Council to establish an acceptable solution. The submission states that opposition to the proposal could be withdrawn if an acceptable solution is agreed upon.
13. The Council subsequently offered a condition of consent requiring firefighting water supply and access to the reserve to be in accordance with the New Zealand Firefighting Code of Practice SNZ/PAS 4509:2008, and for compliance to be demonstrated in the Outline Plan submitted pursuant to section 176A. On 6 May 2020 FENZ confirmed in writing that they considered the proposed condition sufficient to address their concerns and advised that the submission was withdrawn on that basis.

Matters to be Considered

14. Section 168(A)(3) of the Resource Management Act 1991 sets out the matters which Selwyn District Council must have regard to in considering the effects on the environment of allowing a notice of requirement. In this case the relevant matters are:
- a regional policy statement or proposed regional policy statement (s.168A(3)(a)(iii))
 - a plan or proposed plan (s.168A(3)(a)(iv))
 - whether adequate consideration has been given to alternative sites, routes, or methods of undertaking the work if it is likely that the work will have a significant adverse effect on the environment (s.168A(3)(b)(ii))
 - whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought; (s.168A(3)(c))

- any other matter the territorial authority considers reasonably necessary in order to make a decision on the requirement. (s.168A(3)(d))

15. All matters listed in s.168A(3) are subject to Part 2 of the Act, which contains its purposes and principles.

Assessment of Environmental Effects

16. The adverse effects of the proposal are considered to relate to visual effects, rural character and amenity, noise effects, reverse sensitivity, construction effects and traffic effects.

Permitted baseline

17. In assessing the effects of the requirement, the effects of a hypothetical permitted activity can provide a useful baseline for comparison.
18. The Selwyn District Plan permits non-rural activities to operate within the Rural Outer Plains Zone so long as the maximum area of the site covered by buildings, loading, storage and waste areas does not exceed 100m², and no more than 2 full time equivalent staff members are employed on site. A hypothetical permitted activity could generate up to 60 equivalent vehicle movements per day and would be subject to compliance with the District Plan noise standards.

Visual Effects

19. The site is currently grassed, and has been used for grazing, except for a portion adjacent to the existing reserve that forms part of the existing No 2 rugby field, separated from the remainder of the site by a mature shelter belt. The designation of the site as recreation reserve will enable the site to be developed including the introduction of new ancillary buildings, structures, areas of hard surfacing and car parking. However, the site will primarily remain dominated by open space in the form of sports fields, complemented by additional plantings as shown on the Master Plan.
20. The reserve is to be developed in general accordance with the Council's Master Plan, and the Requiring Authority has confirmed that separate Outline Plans will be lodged for the proposed building works. The Master Plan shows that the site will remain predominantly as a grassed open space, with tree planting proposed around the perimeter of the site. The proposed dog exercise area, cricket oval and No 2. rugby field will be grassed, with a grassed earth mound and tree planting proposed between the cricket oval and the dog exercise area. The southern portion of the site is proposed to contain a car park, a toilet block and a community activity hub area, where play spaces will be located. This area will contain a higher proportion of structures, but new buildings are limited to the proposed toilet block.
21. A 2.0m high fence is proposed along the southern boundary of the site, which will screen the carpark from view of the adjoining residential properties to the south. The site overall will retain a very low proportion of building coverage, and the proposed tree planting around the site boundaries will screen and soften views of the car park and the proposed structures on the site from the road and adjacent properties. Overall, the low proportion of buildings and structures, the high proportion of open grassed areas, and the proposed tree planting will ensure that the site remains dominated by open space and retains a visual appearance that is in keeping with the surrounding environment.

Noise Effects

22. The proposal will result in an increase in noise effects from the site. Noise sources will include noise from people engaged in activities on site, and from vehicles in the parking and access areas. The Requiring Authority has provided an Assessment of Environmental Noise Effects undertaken by Acoustic Engineering Services (AES). The AES report has been peer reviewed by Rob Hay of Marshall Day Acoustics, who agrees with the conclusions drawn in the report and the further information submitted.
23. Section 2 of the AES report sets out the matters used to guide the assessment. AES have noted that the District Plan noise standards refer to the L₁₀ descriptor, which is the noise level exceeded 10% of the time. AES consider that this method of noise measurement does not always well represent noise effects and is difficult to calculate for intermittent noise sources. AES therefore consider the L_{eq}

descriptor, which is used in current New Zealand Standards *NZS6802:2008 Acoustics – Environmental Noise* to be a more appropriate.

24. A 2m high acoustic fence is proposed to be constructed along the site's southern boundary adjoining these properties, and AES' noise assessment takes into account the mitigation the proposed fence will provide.
25. AES consider that noise levels of up to 50dB L_{Aeq} during daytime hours and 40dB L_{Aeq} during nighttime hours are appropriate within residential areas. Noise at these levels is considered to be reasonable, and to have minimal effects on neighbouring properties. AES anticipate that activities on the site may result in noise levels that exceed the permitted plan limits when measured at the neighbouring properties. The noise levels are however expected to be no greater than the levels specified above.
26. Noise from increased traffic movements on Tramway Road is estimated to increase by 3-5dB during peak periods, in particular on Saturday mornings. The noise levels are anticipated to be up to 56dB at 48 and 50 High Street, and 57dB at 24 Tramway Road. AES note that this is a noticeable increase, but that 16 hour average noise levels will remain below 55dB L_{Aeq} . AES consider that any adverse effects will be no more than minor. I also note that no submissions have been received from the owners or occupiers of these properties, who were directly served notice of the proposal.
27. I accept the expert advice of AES and Marshall Day Acoustics, and consider that any adverse noise effects on surrounding properties will be acceptable. I recommend that a condition be attached to the designation requiring the proposed acoustic fence to be established, and to be maintained in good condition to provide on-going noise mitigation.

Traffic Effects

28. The notice of requirement includes a traffic assessment prepared by Novo Group, which considers the actual and potential impacts of traffic movements and parking demand associated with the proposed activity. The traffic assessment was peer reviewed by consultant transport planner Andy Carr of Carriageway Consulting.
29. The site will continue to use the existing High Street vehicle access, and a new access to Tramway Road is proposed. Tramway Road has an existing 100kmph posted speed limit at the application site, which reduces to 50kmph south of the site. Novo Group consider that the number of vehicles entering the site from Tramway Road will be low, so the District Plan standards for rural non-residential accesses, which include acceleration and deceleration lanes, are unnecessary. They consider an alternative access design would be more appropriate and note that it may be desirable to move the 50kmph speed limit north of the proposed access. Novo Group recommend that the existing road markings at the 50kmph threshold, which provide a 1.6m sealed shoulder, 3m wide traffic lanes and a 1.2m flush median, be extended 50m north. This would enable vehicles turning right into the proposed access to wait on the flush median without impeding through traffic. Novo Group have confirmed that the access would operate safely whether or not the speed threshold is relocated. Mr Carr has not raised any concerns about the proposed access arrangements.
30. The proposed site layout includes additional car parking areas so that the site would be capable of accommodating up to 201 cars, which Novo Group considered is sufficient to meet the anticipated parking demand on a typical weekend. The Notice of Requirement includes sufficient information to confirm that the car parking can accommodate up to 201 parking spaces and a two way aisle. The further information also indicates that coach parking can be accommodated within the car park by reserving (coning off) 6 parking spaces. Mr Carr has confirmed that he considers the car park and proposed coach parking to be acceptable.
31. The car park is likely to be formed in stages, with an area capable of accommodating 54 parking spaces remaining grassed until there is sufficient regular demand for additional formed parking spaces. The grassed areas could still be used as informal parking areas, and the application notes that, once the formed carpark reaches capacity, the additional areas would be formed prior to the start of the following rugby season. In response to a further information query questioning how the car park capacity would be monitored, the Council provided the following email response from the Chair of the Kirwee Reserve Management Committee:

“Kirwee Reserve is administered by the Kirwee Reserve Management Committee under the delegated authority of Council. The Committee is charged with overseeing matters pertaining to the day-to-day operation of the reserve, within the parameters of Council’s legislative framework and policy, and common sense. This includes organising the upkeep and provision of reserve facilities such as car parking, to ensure the reserve functions for its intended purpose. Because the Committee operates at a local level, it is able to closely monitor, identify issues and respond appropriately, ensuring the needs of the public are clearly identified and being met.

In performing this role, the Committee will continue to informally monitor the provision of car parking within the reserve. Monitoring may include; repeated observations; performance indicators; and regular consultation with, and surveying of sporting clubs and reserve users to ensure needs are being met. Where it is identified that there is a need to provide for additional formed car parking, the Committee will appeal to Council to programme this work through its asset management planning processes.”

32. The Management Committee response is considered to provide certainty that the on-site car parking demand and the need for additional formed spaces on-site, can be effectively monitored.
33. Mr Carr raised concerns about the potential adverse effects that would arise if overspill parking occurred on Tramway Road during club days or larger one-off events where parking demand is higher than normal. Novo Group have advised that any on-street parking is most likely to occur on High Street, which is closer to the clubrooms, and that on-site grass parking areas would be closer and more desirable than Tramway Road. For larger events, event management plans would need to address parking on the road reserve and would likely include imposing temporary speed restrictions. If parking was found to be occurring on the road reserve, the Council have noted that this would be a network management issue, separate to the Notice of Requirement process, and that yellow ‘no parking’ lines could be installed. Planting could also be undertaken to discourage parking on the grassed verge.
34. Mr Carr has confirmed that he is satisfied that the potential for on-street parking can be effectively managed. The traffic assessment has confirmed that the on-site car parking will accommodate the normal parking demands at the site, so it is likely that higher levels of parking demand would only occur occasionally and be associated with larger events. I note that the Council’s Traffic and Parking bylaw requires a traffic management plan to be prepared for any event that may cause a hazard for cyclists, pedestrians, or traffic. I consider that the bylaw’s requirements will be sufficient to manage any potential adverse effects on the road network from one-off events at the site, and it is therefore not necessary for any conditions to be attached to the designation controlling event traffic management.
35. Cycle parking for 10 bicycles is proposed to be provided. The traffic assessment notes that there are no dedicated cycle routes or lanes in close proximity to the site. Demand for cycle parking is likely to be relatively low, so the proposed cycle parking is anticipated to be sufficient. However, I consider that there is ample space within the site for additional cycle parks to be added in future.

I accept Mr Carr’s expert advice, and consider that overall, traffic access and parking can be managed to ensure that any adverse effects are minimal, and that the safety and efficiency of the road network is not compromised. The concept plan confirms that sufficient car parking can be provided on site to meet the normal demands of the activity, and the site is large enough that informal parking could occur within the site to meet higher demand associated with larger one-off events. The Requiring Authority has provided sufficient information to confirm that the site accesses can function safely.

Lighting

36. The Requiring Authority proposes to install lighting to illuminate the rugby fields and car parking areas. A lighting prediction plan has been included with the notice of requirement, and demonstrates that the proposed lighting can be installed that would not result in light spill exceeding 3 lux beyond the site boundaries. This is consistent with the District Plan standards that would otherwise apply to the use of the site.
37. The outline plan process provides an opportunity for any on-site lighting and associated effects on the surrounding area to be considered in detail.

Rural character

38. Non-rural activities establishing and operating within the rural zone can result in a loss of rural character. Rural character is the characteristics that define the rural area and differentiate it from other environments. It can generally be described as a very low dwelling density and level of building coverage in comparison to urban areas, and a dominance of open space and vegetation. The District Plan anticipates a variety of activities within the rural zones, including community activities. While the proposed recreation reserve is large, the site will retain a character that is compatible with the surrounding rural environment. It will remain dominated by open space and vegetation, with relatively few buildings and structures. The site is therefore compatible with the surrounding rural environment and will not detract from the rural character of the surrounding area.

Reverse sensitivity

39. The application site is located opposite a legally established intensive farming activity located at 51 Tramway Road. Activities establishing near intensive farming activities can result in reverse sensitivity effects, particularly with respect to odour. The District Plan sets a minimum separation distance of 300m between existing intensive farming activities and new sensitive activities. The Plan definition of sensitive activities includes recreation activities and facilities. While the Plan provisions do not apply to the designation, there is potential for reverse sensitivity effects to occur, particularly in relation to odour.
40. The property at 51 Tramway Road is located on the south side of Tramway Road, and the intensive farming activity is located within 3 large sheds situated 80m from the road boundary. There are already several existing sensitive activities located within 300m of the intensive farming activity. There are 6 existing residential dwellings adjoining the southern boundary of the existing and proposed recreation reserve which are approximately 100m from the intensive farming activity. An additional 5 dwellings and a church building are located in the block between Tramway Road and High Street, which are between 180m-300m from the intensive farming activity. The adjoining properties east and west of the intensive farming activity also contain residential dwellings, the closest of which is approximately 50m from the farm sheds.
41. The intensive farming operations at 51 Tramway Road will already be constrained by the proximity of these existing sensitive activities. Given the transitory nature of recreational activities I consider that the recreation reserve is likely to be less sensitive to potential adverse odour effects than the nearby residential dwellings. The existing recreation reserve, including the bowling green, tennis courts and the club house, is already located within 300m of the intensive farming activity. In my opinion the risk of reverse sensitivity effects occurring as a result of the proposed extension to the designation is low, as the proposal will not result in any significant change in the type of activities that are occurring in proximity to the intensive farming activity.
42. I also note that no submissions were received from the owners and occupiers of 51 Tramway Road who were directly notified of the proposal.

Contaminated soils

43. The site subject to the notice is listed on the ECAN Listed Land Register as having previously contained potentially contaminating activities. The requirement includes a Preliminary Site Investigation from Malloch Environmental Ltd, which confirms that it is highly unlikely that HAIL activities were carried out on the site, and that the site is appropriate for recreational uses.

Earthworks

44. Earthworks will be required to form the proposed recreation reserve. The requirement does not include an assessment of the temporary effects resulting from the earthworks, but the outline plan process provides an opportunity for those effects to be considered. The effects will include erosion and sedimentation, and nuisance effects for neighbours, particularly from dust.

Positive Effects

45. The designation will have positive effects for the community, as it will provide for the future sport and recreation needs of Kirwee and the surrounding catchment area.
46. The existing reserve is designated, so the proposed extension to the designation also enables a consistent planning approach to be taken to development across the reserve. If the additional reserve area were not designated, the proposed work would require ad hoc resource consents to be lodged for non-compliant work outside the designation, and outline plans for work within the existing designation. Designating the site enables all the proposed work to be carried out by way of an outline plan, which provides greater certainty that the Council's Master Plan can be given effect to, is a more efficient planning process and reduces regulatory costs.

Summary – Assessment of Environmental Effects

47. Overall, I consider that the adverse effects of this proposal will be minimal, and can be mitigated by consideration at the Outline Plan stage of the process. The only condition being required being that volunteered by the requiring authority to meet the concerns raised by the one submitter in relation to water storage for fire-fighting capacity. Confirmation of the requirement will result in positive effects as it will enable the development of the proposed extension to the recreational reserve, and will provide for the community's future sporting recreational needs.

Alternative sites, routes or methods

48. Under section 168A(3)(b) the Council must consider whether adequate consideration has been given to alternative sites, routes or methods if the requiring authority does not have an interest in the land sufficient for undertaking the work, or the work will have a significant adverse effect on the environment. In this case the requiring authority is the owner of the land and the adverse effects will not be significant, so no consideration of alternatives is required.

Need for the proposed work

49. Section 168A(3)(c) requires consideration of whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought. Section 10(1)(b) of the Local Government Act 2002 states that the purpose of local government is 'to promote the social, economic, environmental and cultural wellbeing of communities in the present and for the future'. Providing public recreation facilities is consistent with promoting the community's social and cultural wellbeing.
50. Selwyn District Council has established designations over most other large recreation facilities within the District, and the proposed designation is consistent with this approach. The designation is therefore considered to be reasonably necessary for achieving the authorities' objectives.

District Plan Objectives and Policies

51. The relevant District Plan objectives and policies are discussed in pages 19-22 of the notice of requirement. I adopt the Authority's assessment and agree that the proposal is consistent with the relevant provisions. In summary, the relevant objectives and policies relate to transport matters, quality of the environment, reverse sensitivity and community facilities and recreation.
52. The relevant transport objectives and policies seek to maintain the safe efficient operation of the transport network, and require sites to have safe efficient vehicle access, and to accommodate car parking on-site. The proposed reserve has appropriate vehicle and pedestrian accesses, and has sufficient car parking to accommodate the anticipated demand. Additional parking demand from on-off events can be accommodated informally within the site.
53. The relevant 'Community Facilities and Recreational Areas' objectives and policies recognise that community facilities are part of the rural environment, and encourage their efficient use. New facilities

are encouraged to be located within or adjoining townships, and to be safe and easily accessible. The proposed reserve will enable the land to be utilised efficiently, and will provide additional community facilities on the edge of Kirwee township. The site has been designed to allow safe access for vehicles and pedestrians.

54. Relevant 'Quality of the Environment' objectives and policies seek that the rural area is a pleasant place to live and work and aim to provide for a variety of activities within the zone, while maintaining rural character and amenity and avoiding reverse sensitivity effects. The proposed reserve will change the character of the site, but sufficient open space will be retained in order to be compatible with the character of the surrounding rural environment, and the surrounding residential and rural properties will maintain a high level of amenity. Adverse effects from noise and lighting on the site can be mitigated to ensure that disturbance to adjoining neighbours is minimal and is consistent with the environmental outcomes anticipated by the District Plan.
55. Policy B3.4.21 seeks to protect existing lawfully established activities in the Rural zone from potential reverse sensitivity effects from other activities establishing in close proximity. The explanation and reasons for the policy note that residential dwellings, restaurants, schools and residential and visitor accommodation in particular are considered to be incompatible with some rural activities. The application site is located in close proximity to an existing intensive farming activity, however the risk of reverse sensitivity effects is considered to be low. There are several residential dwellings located between the application site and the intensive farming activity that are more likely to pose a reverse sensitivity risk than the recreation reserve, given the transitory nature of recreational activities in public open spaces. The existing recreational reserve is already located a similar distance from the intensive farming activity, and the extension to the designation will not result in a significant change in the type of activities occurring in the locality. Overall, the proposal is considered to be consistent with this policy.

Summary – District Plan Objectives and Policies

56. Overall, I consider the proposal to be consistent with the relevant objectives and policies.

Canterbury Regional Policy Statement

57. The requirement provides an assessment against the Canterbury regional Policy Statement (CRPS) objectives and policies on pages 16-19. I adopt the requirement's assessment.
58. The assessment notes that the CRPS definition of 'rural activities' includes large-footprint parks, reserves, conservation parks and recreation activities. This definition is only included in the definitions for Greater Christchurch, which does not include Kirwee, but there is no corresponding definition of rural activities for the wider Canterbury region.
59. Of particular note is **Policy 5.3.12**, which seeks to maintain and enhance natural and physical resources that contribute to Canterbury's rural productive economy. The policy enables recreation development in rural areas, provided that it is compatible with rural character, activities and an open rural environment, and will not result in a proliferation of non-rural activities or compromise consolidated development patterns. The proposed development of the site for recreation purposes is considered to be compatible with the rural character of the surrounding area, and is located adjacent to Kirwee township, which is consistent with supporting consolidated growth.

Greater Christchurch Regeneration Act 2016 and the Land Use Recovery Plan

60. The Greater Christchurch Regeneration Act (GCR Act) came into force on 19 April 2016 and replaces the Canterbury Earthquake Recovery Act 2011, which was repealed on the same date.
61. The Land Use Recovery Plan (LURP) applies to the Greater Christchurch area. The application site is outside Greater Christchurch, as defined by the Act (within Selwyn, Springs and Selwyn Central Wards). As such, the GCR Act need not be considered in relation to this application.

Part 2 Resource Management Act 1991

62. The purpose of the Resource Management Act 1991 is to promote the sustainable management of natural and physical resources. In summary enabling people and communities to provide for their well-being, while sustaining resources and addressing any adverse effects.
63. Based on the assessment in this report, it is my opinion that the proposal is in accordance with the purpose and principles of the Resource Management Act 1991.

Summary


64. This notice of requirement seeks to designate the site legally described as Section 1 SO605720 for recreation reserve purposes to enable the Kirwee Recreation Reserve to be extended.
65. The proposed work is reasonably necessary to achieve the requiring authority's objectives.
66. The requirement is considered to be in accordance with the objectives and policies of the District Plan. Effects on the environment are considered to be minimal, subject to appropriate mitigation measures being established on the site.
67. In summary, it is recommended that the requirement is confirmed, and conditions are imposed

Recommendations

- A. The requirement be confirmed under section 168A(4)(a), subject to the following conditions imposed under section 168A(4)(c) of the Act:
1. That the site be developed in general accordance with the Conceptual Reserve Master Plan.
 2. That a 2m high acoustic fence be constructed along the southern boundary of the site adjoining the residential properties, as shown in figure 3.1 of the Acoustic Engineering Services Limited *Assessment of Environmental Noise Effects* submitted with the notice of requirement. The fence shall have a minimum surface mass of 10kg/m² and be continuous and maintained without gaps.
 3. Adequate provision of firefighting water supply and firefighting access to the reserve shall be designed and constructed in accordance with the New Zealand Firefighting Code of Practice SNZ/PAS 4509:2008. Compliance with the Code shall be demonstrated as part of the first Outline Plan submitted to Council in relation to the extended reserve area.


Attachments

1. Kirwee Recreation Reserve Concept Plan Set; Sheet 002 "Conceptual Reserve Master Plan"

<p>Reported and recommended by</p>  <p>Lisa Steele, Consultant Planner Consultant Planner</p>	<p>Date: 28 May 2020</p>
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Decision

That the above recommendations be adopted under delegated authority.

 Graham Taylor Commissioner	Date: 9 June 2020
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