

# SCHEDULE OF AMENDMENTS

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

Name	Description
Clause 20A Amendments	Various minor amendments

## Township Volume

### Amendments from 12 November 2012 to 01 March 2013

**Replace pages** - Please recycle all pages removed

#### Part A2 – The Planning Process

A2.2 – delete references to Sections 10 and 10A	A2-001 – A2-004
A2.4 – Delete final sentence referencing Section 139	Entire Chapter
A2.5 – Delete references to Sections in paragraphs 2, 3, 4, 5 and 6	
A2.6 – Delete reference to Section 166, paragraph 2, sentence 2. Delete reference to Section 187, 1 <sup>st</sup> paragraph under Heritage Orders.	
Delete all of A2.8 Section 85	

#### Part B4 – Growth of Townships

B4.1.10 – amend LTCCP to LTP under Method	B4-009 – B4-010
B4.2 Subdivision of Land – Issues; Subdivision – Utilities and Reserves, 4 <sup>th</sup> paragraph amend LTCCP to LTP	B4-013 – B4-014
B4.3 Residential and Business Development – Type of Growth; remove reference to Plan Change 1 in Paragraph 5, and delete reference to PC7 2 <sup>nd</sup> bullet under Residential and Business Development - Strategy	B4-027 – B4-030
B4.3 – under Table B4.3.1, Methods – amend 2 <sup>nd</sup> bullet, delete 1 <sup>st</sup> bullet Whitecliffs – Amend Living 1A Zone to Living 1 Zone	B4-033 – B4-034
B4.3 Whitecliffs – Amend 1 <sup>st</sup> paragraph from Living 1A to Living 1 Zone	B4-099 – B4-100

#### Part C – Introduction to the Rules

Amend 1 <sup>st</sup> Paragraph under Deferred Zones adding reference to Living Z Zone Lincoln.	C-001 – C-004
Delete 2 <sup>nd</sup> bullet under Other Consents or Permits	
Under Development Contributions change reference to LTCCP to LTP	

#### Part C1 – Living Zone Rules – Status of Activities

Change LTCCP to LTP under 1.1 Status of Activities – Note.	C1-001 – C1-002
1.2 Deferred Living Zones – amend 1.2.1	Entire Chapter

#### Part C3 – Living Zone Rules – Heritage

Amend Reasons for Rules – Heritage Structures and Sites final paragraph and delete final paragraph Protected Trees	C3-005 – C3-006
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<b>Part C6 – Living Zone Rules – Utilities</b>	
<i>Under Notes. 2. Land Use Rules – amend 1<sup>st</sup> bullet to Rule 4.15 (consequential change from PC7)</i>	C6-001 – C6-002
<i>Under Notes. 5. Change LTCCP to LTP</i>	
<b>Part C12 – Living Zone Rules – Subdivision</b>	
<i>12.1.4.20 correction of typographical error – amend connectively to connectivity.</i>	C12-017 – C12-018
<b>Part C15 – Business Zone Rules – Heritage</b>	
<i>Amend final paragraph of Reasons for Rules - Heritage Buildings, Structures or Sites.</i>	C15-005 – C15-006
<b>Part E – Appendix 3 - Schedule of Heritage Items</b>	
<i>Delete H2 Tunneller's Cottage – Demolished</i>	E3-001 – E3-004 Entire Chapter
<i>Amend H410 DP number, Amend 415 Lot &amp; DP number, amend planning map H427</i>	
<b>Part E – Appendix 13 – Roads and Transport</b>	
<i>Amend Table E13.4 Living Zones - Potential No of Sites and Notes</i>	E13-007 – E13-010
<b>Part E – Appendix 38 – ODP Rolleston</b>	
<i>Amend typographical error paragraph 2 under Blue Network, ODP 1.</i>	E38-005 – E38-006

## Rural Volume

<b>Amendments from 12 November 2012 to 01 March 2013</b>	
<b>Replace pages</b> - Please recycle all pages removed	
<b>Part A2 – The Planning Process</b>	
	Entire Chapter
<i>Reword to read the same as the Townships Volume to simplify</i>	A2-001 – A2-004
<b>Part A3 – Preparing the Plan</b>	
	Entire Chapter
<i>Reword to read the same as the Townships Volume to simplify</i>	A3-001 – A3-002
<b>Part C3 – Rural Rules Buildings</b>	
<i>3.9.2.2 (e) remove “consequential to”</i>	C3-009 – C3-010
<b>Part D – Definitions</b>	
<i>Amend typographical error under Detention Centre or Prison (b)</i>	D-003 – D-004
<b>Part E3 – Appendix Heritage Items</b>	
<i>Amend H107 adding Category II</i>	E3-001 – E3-002
<i>Amend H410, 414, 415 and amend Legal Descriptions</i>	E3-005 – E3-006

## Maps Volume

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**Amendments 12 November 2012 to 01 March 2013**

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Map 104, removal of designation that never eventuated.

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## 2 THE PLANNING PROCESS

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### A2.1 NEED TO COMPLY WITH THE DISTRICT PLAN

No person may use land in a manner that contravenes a rule in the District Plan, unless they have existing use rights or a resource consent granted by the Council (sections 9 and 10). In the context of the Act, such use includes the use of the surface of lakes and rivers (section 10A). In addition, no person may subdivide land unless expressly allowed by a rule in the District Plan or a resource consent (section 11).

### A2.2 EXISTING USES

The Act provides for the existing and continued use of land and the surface of water in a manner which contravenes a rule in the district plan, subject to the following:

- The use was lawfully established (including by designation) before the rule became operative or the proposed Plan was notified; and
- The effects of the use are the same or similar in character, intensity and scale to those which existed before the Plan became operative, the proposed Plan was notified or the designation was removed; and
- If the activity involves the use of the surface of water in lakes and rivers, the person carrying out the activity applies for resource consent within 6 months of the rule in the Plan becoming operative.

Existing use rights do not apply if:

- The use of land has been discontinued for a continuous period of more than 12 months, unless the Council has granted an extension by way of application; or
- Reconstruction, alteration, or extension to any building that contravenes a rule in the district plan increases its degree of non-compliance.

### A2.3 STATUS OF ACTIVITIES

Within the context of this District Plan, ‘activity’ includes the use and subdivision of land (and the surface of water), and/or the erection and/or use of buildings or structures thereon.

Within each zone, the status of activities under the Act; that is, as permitted, controlled, discretionary or non-complying; is assessed through consideration of ‘listed’ activities and effects based rules.

The following is not intended as a complete explanation of these activities, which can be found in the Act.

**Permitted activities** means an activity that is allowed without a resource consent because it complies in all respects with the conditions specified in the Plan.

**Controlled activities** require resource consent. A controlled activity shall comply with any standards and terms specified in the Plan and will be assessed according to those matters in the District Plan over which the Council has reserved control. The Council must grant its consent to a

controlled activity, but in granting consent the Council may only impose conditions relating to those matters specified.

**Discretionary activities** require resource consent, and may be subject to standards and terms in the Plan. Restricted discretionary activity status applies where the Council has restricted the exercise of its discretion to those matters specified in the Plan. The Council may grant or refuse consent to a discretionary activity and, if granting consent, may impose conditions.

**Non-complying activities** require resource consent. The Council may grant or refuse consent to a non-complying activity and, if granting consent, may impose conditions. A resource consent for a non-complying activity may be considered for approval if either; the adverse effects on the environment will be minor, or if granting the consent would not be contrary to the objectives and policies of the Plan. The final Council discretion regarding approval of a non-complying activity is under section 104 of the Act.

**Prohibited activities** are those which a rule in the Plan expressly prohibits in the District or a particular zone. No application may be made for such activities and no resource consent will be granted. The only avenue open to a person wanting to carry out a prohibited activity is to request a plan change.

## A2.4 CERTIFICATES OF COMPLIANCE

Where an activity is permitted by the District Plan and/or can be lawfully carried out without a resource consent, any person may request a certificate of compliance from the Council certifying that a particular proposal or activity can be carried out without a resource consent at that location.

## A2.5 RESOURCE CONSENTS

The Act provides for two types of resource consent: land use consent and subdivision consent. Discharge, water and coastal permits are resource consents which are issued by Environment Canterbury.

An application for resource consent from the Selwyn District Council must be made in accordance with the Act. Forms for land use and subdivision consent applications, and an explanation of the information to be submitted with an application are available from the Selwyn District Council offices. Applications must include an assessment of effects of the environment, prepared in accordance with the Fourth Schedule of the Act.

The Act prescribes when applications need not be publicly notified. In many situations this requires the written approval of affected persons. The rules of the District Plan specify those resource consent applications which shall be non-notified, and those resource consents which do not require the written approval of any persons.

The Act sets out those matters to which the Council must have regard, in considering a resource consent application:

- “(1) Subject to Part II, when considering an application for a resource consent and any submissions received, the consent authority shall have regard to -
  - (a) Any actual and potential effects on the environment of allowing the activity; and
  - (b) Any relevant regulations; and
  - (c) Any relevant national policy statement, New Zealand coastal policy statement, regional policy statement, and proposed regional policy statement; and

- (d) Any relevant objectives, policies, rules, or other provisions of a plan or proposed plan; and
- (e) Any relevant regional plan or proposed regional plan, where an application is made in accordance with a district plan; and
- (f) Any relevant district plan or proposed district plan, where the application is made in accordance with a regional plan; and
- (g) Any relevant regional plan or proposed regional plan, where the application is made in accordance with a district plan; and
- (h) Any relevant water conservation order or draft water conservation order; and
- (i) Any relevant designations or heritage orders or relevant requirements for designations or heritage orders; and
- (j) Any other matters the consent authority considers relevant and reasonably necessary to determine the application.”

The Council will reach a decision on the application in accordance with the requirements of the Act. The District Plan includes objectives, policies and assessment matters to which the Council will have regard when considering resource consents. The Act specifies circumstances whereby the Council shall not grant subdivision consent; this being for any land, structure on that land, or subsequent use of the land, subject to, or likely to cause or accentuate, material damage by erosion, falling debris, subsidence, slippage or inundation from any source.

The Council may impose conditions on consents in accordance with the Act, in restricting or prohibiting certain aspects of a proposal, to ensure it complies with the Act and the District Plan.

A resource consent lapses after a period of five years if it has not been given effect to. An applicant may request a longer period if required. A land use, once established, may continue at the same character, scale and intensity without time restriction, unless the consent states otherwise. Other consents (apart from subdivisions) may be limited in time, with a maximum life of 35 years.

## **A2.6 DESIGNATIONS AND HERITAGE ORDERS**

### **Designations**

A designation is a provision made in the District Plan to give effect to a requirement made by a requiring authority. These requirements apply to a public work or a particular project or utility operation.

The effect of a designation is that:

- The requiring authority may do anything in accordance with the designation; and
- Nobody may do anything that would hinder or prevent the public work, project or work to which the designation relates.

Any Minister of the Crown or local authority is automatically a requiring authority. Other network utility operators may apply to the Minister for the Environment for approval as a requiring authority. A requiring authority may give notice to the Council in respect of a requirement. Although the Council has called for such notices in preparing the District Plan, the Act makes provision for similar procedures throughout the life of an operative District Plan.

Designations are shown on the planning maps. Further information regarding the designations is given in Appendix 2 of the District Plan.

Designations limit the use of the land and override the provisions of the Plan and resource consents. The underlying zone indicates the purposes for which the land may be used, other than for the designated work.

Designations are not the only means of providing for public works or utility operations. The District Plan contains rules for utilities, which are not designated.

## **Heritage Orders**

A heritage order is a provision in the District Plan to give effect to a requirement made by a heritage protection authority.

A heritage order is issued to protect features of special interest, character, intrinsic or amenity value or visual appeal, or of special significance to the tāngata whenua, and such land surrounding these places as is necessary to protect and afford reasonable enjoyment of them. A place may be of special interest by having architectural, historical, archaeological, scientific, ecological or other interest. No person may undertake work in a manner contrary to a heritage order.

The Act establishes several heritage protection authorities which include any Minister of the Crown, a local authority (eg: District Council) and the New Zealand Historic Places Trust Pouhere Taonga. Any body corporate having an interest in the protection of a place can apply to the Minister of Conservation to become a Heritage Protection Authority under section 188 of the Act.

The effect of a heritage order is that no person may, without first obtaining the written consent of the Heritage Protection Authority named in the order, do anything that would wholly or partly nullify the effect of the heritage order.

## **A2.7 ENFORCEMENT**

The Council will use its powers under Part XII of the Act to require persons to cease or not commence activity which is or is likely to:

- Contravene the Act, any regulations, a rule in the district plan, or any resource consent; or
- Be noxious, dangerous, offensive, or objectionable to such an extent that it has or is likely to have an adverse effect on the environment.

Under Part XII of the Act, the Council has recourse to several enforcement tools. These include enforcement orders, abatement notices, infringement notices, prosecutions for offences, and the power to entry and inspection of land to ascertain compliance, seize and obtain evidence or carry out emergency works.



site and building design in an integrated and comprehensive manner to achieve a high quality urban environment while maintaining low density character and amenity.

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

### Method

District Plan Rules

- Number of Buildings per Site (Living zones)

## Policy B4.1.10

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

### Explanation and Reasons

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

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

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

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

### Method

LTP

- Development Contribution Policy

## Policy B4.1.11

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

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

### Explanation and Reasons

Trees, bush and other natural features can add to the amenity values of an area, even if they are on private land. Similarly, simple landscaping of public spaces can improve the aesthetics of an

area. At the same time, any features or areas to vest in the Council need to be cost-effective to maintain.

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

### Method

Advocacy

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

## Policy B4.1.12

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

### Explanation and Reasons

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

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

### Method

District Plan Rules

- Subdivision

## Policy B4.1.13

**To ensure that development in Medium Density areas identified in an Outline Development Plan provides a high quality living environment and achieves a good level of urban design, appearance and amenity. Relevant urban design considerations include:**

- **That the design of medium density developments is of a high quality, with a good balance of consistency and variety in form, alignment, materials and colour and a sufficient level of architectural detailing;**
- **That residential units provide an open and attractive streetscene through being oriented towards the street or other adjacent public spaces, have low or no front fencing, front facades that are not dominated by garaging but instead have clearly visible pedestrian front entrances and a balanced ratio of glazing to solid walls;**
- **That opportunities for landscaping and tree planting is provided, commensurate with a medium density living environment;**
- **That opportunity for comprehensive developments are provided, including the ability to erect short terraces or share internal side boundary walls;**

## **B4.2 SUBDIVISION OF LAND – ISSUES**

- **Expectations associated with subdivision.**
- **Effects of subdivision on residential growth and changes in land uses.**
- **Effects of subdivision on town form, transportation and amenity.**

### **What is Subdivision?**

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

#### **Legally**

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

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

#### **Common Language**

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

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

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

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

### **What are the Issues?**

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

#### **Expectations from Subdivision**

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

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

Under the Act, District Plan provisions should focus on managing effects of activities on the environment. Some parties argue that District Plans should not control subdivision because it does not have any effects. Effects of residential development should be managed at the land use stage (when houses are built). Subdivision may not have any direct physical effects on land, but it is an integral part of much residential or business development, particularly with regard to matters such as movement connectivity and permeability within and between subdivisions, open space, and the future character of the area. Therefore, the policies and rules relating to subdivision in the Plan, affect residential development in the District. In addition, a separate "Design Guide for Residential Subdivision in the Urban Living Zones" has been adopted by Council which provides guidance as to the sorts of outcomes sought in new subdivisions.

## **Subdivision – Utilities and Reserves**

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

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

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

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

## **Residential Growth without Subdivision**

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

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

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

## **Subdivision and the RMA**

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

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

provide housing for the increases in the population while creating a more compact urban form, in accordance with the guiding principles of the Greater Christchurch Urban Development Strategy (UDS) and the Regional Policy Statement.

Increases in residential areas, particularly in townships, will result in new business growth to service those areas. A study carried out for the Council more than 10 years ago concluded that there is likely to be increasing demand for additional land for business activities at Rolleston and Lincoln in the future [Barber 1998]. The growing demand for reasonably-priced industrial land in the Greater Christchurch area inspired the Council to initiate the Izone project at Rolleston in 2001. Izone has grown from an initial 130 hectares in 2001 to 180 hectares in 2009, with further growth anticipated into the future, so that Izone is now one of New Zealand's largest industrial developments with the capacity to provide jobs for local residents.

Sources:

*Barber, Max (1998 (2)) Commercial and Industrial Growth Estimates for Selwyn District. Prepared for the Selwyn District Council.*

*BERL (2008) Residential Growth Estimates for Selwyn District. Prepared for the Selwyn District Council.*

*Statistics New Zealand (2009) Census data and population estimates at [www.stats.govt.nz](http://www.stats.govt.nz).*

## **Greater Christchurch Urban Development Strategy**

The Greater Christchurch Urban Development Strategy is a long-term planning project aimed at managing Greater Christchurch's population growth. The Strategy is a partnership between Environment Canterbury, Selwyn and Waimakariri District Councils, Christchurch City Council and the New Zealand Transport Agency (bringing together the former Transit New Zealand and Land Transport New Zealand entities). Through a set of agreed actions and a framework about how the Strategy will be managed, it sets out a settlement pattern for residential, commercial, business and rural residential growth to 2041.

The Strategy:

- Reinforces the Selwyn communities desire to maintain its uniqueness and individual character;
- Encourages townships to become more self-sufficient, without attempting to duplicate the range of facilities that are in Christchurch City;
- Sets a broad framework for growth within which Council can facilitate market driven township growth through mechanisms such as structure plans (and subsequent outline development plans as part of a change to the District Plan);
- Reinforces the principles of integrated land use, transport and water systems;
- Reinforces the Council policy of Izone Southern Business Hub being the main industrial centre in the District, and encourages vibrant town centres in Rolleston and Lincoln through a range of mechanisms;
- Sets density targets to encourage a full range of section sizes in a township to accommodate all ages and the increase of single person households;
- Encourages new growth to be designed in a manner that integrates and connects to the existing township;

Implementing the Strategy requires changes to a number of policy and legislative documents, including the Regional Policy Statement and, as a consequence, the District Plan. This approach reflects the Council's decision to take a more directive role in determining where, and in what fashion, urban growth is to occur (i.e. a change from a 'market-led' to a strategic approach).

## **Effects on the Environment**

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

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

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

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

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

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

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

## **Providing for Residential or Business Growth**

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

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

- The areas zoned were not always areas people wanted to live in, which created surpluses and shortages of appropriately zoned land in different places.
- Those landowners who had land zoned were given considerable economic advantage over those landowners who did not. Often there was little difference in the suitability of the sites.

The District Plan seeks to ensure that any proposed residential development occurs on sites and under conditions which promote sustainable management of natural and physical resources.

However, a rapid population growth rate and a reliance on a private plan change approach has led to issues associated with the availability of, and ability of the Council to provide appropriate and affordable infrastructure; difficulties in integrating new development with existing townships resulting in a lack of cohesiveness; and retaining the open and spacious rural identity of the character of the District.

The Council is therefore to adopt a more strategic approach to managing urban growth. The change to a community-led approach is being initiated through (among other things) the preparation of structure plans for those larger townships within the Greater Christchurch area of the Urban Development Strategy, including Lincoln, Rolleston and Prebbleton. The purpose of each structure plan is to provide a strategic framework to guide development, including the setting of urban limits, which will then be used as a basis for future changes to the District Plan. It is anticipated that new development within these townships will occur in accordance with an approved outline development plan, which demonstrates how the key principles of the structure plan are to be implemented. The preparation and subsequent implementation of each ODP area will also enable the Council to ensure that the development of these urban growth areas incorporates the principles of good urban design.

The Council also intends to adopt a strategic approach to managing growth in other townships in the district (outside the Greater Christchurch area) in order to promote an integrated land use pattern and the efficient provision of infrastructure. In these townships, the Council will continue to manage the design and layout of subdivision, and the availability of services, within existing zoned areas. Any private plan change request to re-zone land for residential or business purposes will be assessed against the policy framework for rezoning land specific to each township, together with the broader objectives and policies of the Plan relating to the overall strategic provision of infrastructure, and the Selwyn Growth Model. The Growth Model, adopted in April 2007, is a set of population and household projections with a planning horizon of 2041. It is based on known infrastructure capacity constraints and will be reviewed regularly as infrastructure is upgraded or replaced. This approach is to be applied until such time as a structure plan (or other strategic planning tool) has been prepared for these townships, either individually or collectively.

## **RESIDENTIAL AND BUSINESS DEVELOPMENT – STRATEGY**

The Township Volume of the District Plan uses the following strategy to address residential and business growth issues:

- The Plan has policies which describe the effects that new residential or business development should not create.
- For those townships within the Greater Christchurch area, new areas for residential or business development will be created through the preparation of an Outline Development Plan and associated rezoning of land to Living or Business zones.
- For those townships within the Greater Christchurch area, any new areas of residential or business development is to occur within the Urban Limits identified within the Regional Policy Statement.
- For those townships outside the Greater Christchurch area, any new areas for residential or business development will be created by rezoning land Living or Business through a plan change request.
- Each plan change request to rezone land will be assessed against the policies in the Plan, including those relating to the strategic provision of infrastructure, to see if it is consistent with those policies (or alternatively, they are changed).

# RESIDENTIAL AND BUSINESS DEVELOPMENT – POLICY FRAMEWORK

## INTRODUCTION

Any plan change request to rezone land for residential or business development should be either: consistent with the objectives and policies of the District Plan; or change the provisions with which it is inconsistent. If a plan change request seeks changes to the Plan's objectives or policies, the request needs to show why the objective(s) or policy(ies) is not appropriate under the RMA. This is necessary so the Council can carry out its duties under section 32(1)(c) of the Act (see Part A, Section 3.2).

There are three sets of policies that apply to the growth of townships:

- **General Policies**
  - The objectives and policies from Part B, Sections 1.1 to 4.2 and Section 4.4. Table B4.3.1 is a cross reference to the general objectives and policies which may be particularly relevant to rezoning land for residential or business development.
- **Town Form Policies**
  - Policies B4.3.1 – B4.3.10 relate to township expansion in terms of the shape and form. They address potential adverse effects on: existing activities; infrastructure; and town 'character'. These policies apply as well as the general policies from Part B, Sections 1.1 to 4.2 and 4.4.
- **Specific Township Policies**
  - Policies B4.3.11 – B4.3.102 relate to the expansion of specific townships. The policies are derived from applying the General Policies in Part B, Sections 1.1 to 4.2 and the Town Form policies B4.3.1 – B4.3.10 to the specific townships. In some townships there are clear, preferred areas for expansion while in others there is not. The specific township policies are based on the circumstances of each township at the time of writing the Plan. If they become inconsistent with the General and Town Form policies the more general policies in those two Sections apply.



residential development, Objectives B4.1.1, B4.1.2 and B4.1.3 of the Rural Volume of the District Plan are also relevant when assessing the sustainability of rural land for rural residential purposes.

The relevant policies are outlined in the next three subsections.

## RESIDENTIAL AND BUSINESS DEVELOPMENT – GENERAL POLICIES

All objectives and policies in Part B, Sections 1.1 to 4.2 and 4.4 apply to the expansion of townships. Any variation or plan change request to rezone land should be either consistent with those objectives and policies, or seek to change them.

Table B4.3.1 provides cross references to the objectives and policies in Part B, Sections 1.1 to 4.2 and 4.4 which may be particularly relevant to rezoning land for new residential or business development. Table B4.3.1 does not limit the application of Part B of the Plan. It does not purport to be either complete or exclusive, and is included for ease of reference only.

**Table B4.3.1 – Policy Framework for Expansion of Townships (Part B Objectives and Policies)**

Plan Section	Objective / Policy
Land and Soil	Objectives B1.1.1 and B1.1.2 Policies B1.1.3, B1.1.7, B1.1.8
Water	Objectives B1.2.1 and B1.2.2 Policies B1.2.2 - B1.2.7, B1.2.9
Ecosystems	Objectives B1.3.1 and B1.3.2 Policies B1.3.1 - B1.3.3
Outstanding Natural Features and Landscapes	Objectives B1.4.1, B1.4.2 and B1.4.4 Policies B1.4.6, B1.4.10, B1.4.11, B1.4.13 - B1.4.17
Transport	Objectives B2.1.1 - B2.1.4 Policies B2.1.3, B2.1.4(a) & (b), B2.1.7, B2.1.9 - B2.1.11, B2.1.15, B2.1.17 - B2.1.20, B2.1.22 and B2.1.23
Utilities	Objective B2.2.1 Policies B2.2.1 - B2.2.3, B2.2.5, B2.2.6, B2.2.11
Community Facilities	Objective B2.3.1 Policies B2.3.1, B2.3.2, B2.3.4, B2.3.8 and B2.3.9
Waste Disposal	Objective B2.4.1 Policies B2.4.2, B2.4.4 and B2.4.5
Natural Hazards	Objective B3.1.1 Policies B3.1.2 - B3.1.5, B3.1.7
Hazardous Substances	Objective B3.2.1 Policy B3.2.2

<b>Plan Section</b>	<b>Objective / Policy</b>
Culture and Heritage	Objective B3.3.1 Policies B3.3.6 and B3.3.7
Quality of the Environment	Objectives B3.4.1 - B3.4.5 Policies B3.4.1, B3.4.3 – B3.4.7, B3.4.23, B3.4.35, B3.4.36, B3.4.38 and B3.4.39
Residential Density	Objectives B4.1.1 and B4.1.2 Policies B4.1.3, B4.1.4, B4.1.10 and B4.1.11
Subdivision	Objective B4.2.2 – B4.2.4 Policies B4.2.1, B4.2.2 and B4.2.8 – B4.2.12

## Methods

- Plan Changes.

**NOTE:**

See guide in Appendix 14 for information to be included with plan changes.

## General Policies

General policies which may be particularly relevant to West Melton include:

<b>Plan Section</b>	<b>Objectives / Policies</b>	<b>Issue</b>
1.1 Land and Soil	Policy B1.1.8	Versatile soils are located to the south-west of the existing village, (LUC Class I and II)
1.2 Water	Policy B1.2.5	Protection zone for any new water supply
2.1 Transport	Policy B2.1.18	Township largely confined to one side of a Strategic Road
2.2 Utilities	Policy B2.2.1	An upgraded community water supply will be needed for new residential or business development at West Melton
2.4 Waste Disposal	Policies B2.4.2 and B2.4.5	Reticulated sewage treatment and disposal is needed
4.1 Residential Density	Policies B4.1.3 and B4.1.9	Residential density in new residential areas

# WHITECLIFFS

## Preferred Growth Option

The preferred option for residential or business development at Whitecliffs is to use sites within the existing Living 1 Zone, provided use of those sites complies with the District Plan policies.

## Specific Policies

### Policy B4.3.102

**Encourage new residential or business activities to use sites in the existing Living 1 Zone, provided the use of any such site complies with Policy 3 and the policies of the District Plan.**

#### Explanation and Reasons

There are many sites within the existing Living 1 Zone at Whitecliffs that are not currently used for residential or business activities. The preferred option for expansion of Whitecliffs is to utilise sites in the Living 1 Zone. This policy is consistent with the Town Form Policy B4.3.4. However, some sites within the Living 1 Zone of Whitecliffs may not be suitable for residential or business activities. Some areas are prone to flooding from stormwater runoff from the Malvern Hills. Some sites south of Whitecliffs Road are subject to erosion from the Selwyn River/Waikirikiri. Conventional on-site effluent treatment and disposal systems will not work on some sites due to ground conditions.

### Policy B4.3.103

**Ensure any land rezoned for new residential or business development does not create or exacerbate:**

- **Inundation from stormwater running off the Malvern Hills;**
- **Landslip from the Malvern Hills; or**
- **Erosion of the Selwyn River/Waikirikiri Terrace on the south side of Whitecliffs Road.**

#### Explanation and Reasons

Sites within and around the Living 1 Zone at Whitecliffs may be subject to: flooding from stormwater ponding; erosion from slumping land on the Malvern Hills; or erosion by the Waikirikiri/Selwyn River. Any new business or residential development should not result in:

- Buildings being erected on land subject to flooding or erosion; or
- Increases in stormwater runoff on to other sites, including sites “downstream” of the Waikirikiri/Selwyn River; or
- Increases in the rate or risk of erosion on other land through protection works on that site.

This policy is consistent with Policy B3.1.2.

# INTRODUCTION TO THE RULES

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## TYPES OF RULES

The rules in the district plan differ according to zoning. In the townships of the District, the zones are described as “Living” or “Business”.

The types of rules that apply to the Living and Business zones fall under two distinct categories. They are:

### Rules for “Listed Activities” (Rules 1 and 13)

These rules specify that certain activities are permitted, discretionary or non-complying activities in particular zones.

In relation to a controlled, discretionary or non-complying activity that is listed, a resource consent is required irrespective of what any other rule in the plan may say.

The Business 3 zone at Lincoln specifies particular activities within that zone as permitted. This is the only zone within the townships of the District that adopts this approach. Permitted activity status is however reliant upon compliance with all other relevant rules in the plan.

### “Effects Based” Rules (Rules 2 to 12, and 14 to 24)

These rules:

- List the conditions that determine whether an activity is a permitted activity; and Specify the status of an activity that does not comply with the conditions for a permitted activity. The effects based rules are set out under topic heading. For example, for the Living zones, Rule 2 relates to Earthworks and Rule 8 to Hazardous Substances.

Permitted activity status is however reliant upon compliance with all other relevant rules in the plan.

## DEFERRED ZONES

In the Living Z Deferred zones shown on the Planning Maps, the provisions of the Rural (Inner Plains) zone shall apply (except that area shown as Living Z Deferred in Lincoln (ODP Area 2 and Area 5) where the provisions of the Rural (Outer Plains) Zone shall apply) until such time as an Outline Development Plan for the area has been made operative in the District Plan and sufficient infrastructure and servicing is available.

In the Living Z zones shown on the Planning Maps, any area shown within an Outline Development Plan as a Neighbourhood or Local Centre is subject to the provisions of the Business 1 zone.

In the Living Z zones shown on the Planning Maps, once the deferral is lifted the provisions of the ‘Medium Density areas’ shall apply to any individual allotment smaller than 500m<sup>2</sup> and the provisions of the Living 1 zone shall apply to any individual allotment larger than 500m<sup>2</sup>.

## RESOURCE CONSENTS

- Any proposed activity that is “controlled”, “restricted discretionary”, “discretionary” or “non-complying” requires a resource consent.
- Instructions for how to apply for a resource consent are included in Part A, Section 2.5 of the plan.
- When making a decision on a resource consent application, the consent authority (the Council) must consider certain matters as set out in the Act.
- For “controlled” and “restricted discretionary” activities, the only matters that may be considered are those stated under the relevant rule(s) of the Plan.
- For “discretionary” and “non-complying” activities, the matters are broader and include: any adverse effects on the environment; and the objectives and policies of the plan.
- A resource consent may not be applied for if an activity is specified as a “prohibited activity”.

## DISCRETIONARY AND NON-COMPLYING ACTIVITIES

The Plan distinguishes between discretionary activities and non-complying activities according to the anticipated effects of the activity and how appropriate those effects may be to the particular zone.

A discretionary activity has effects that are generally appropriate to the zone depending on:

- the scale and nature of the activity; and
- the site and surrounding land uses; and
- how the activity is managed.

A non-complying activity has effects that are generally inappropriate to the zones, and that are therefore generally inconsistent with the objectives and policies of the zone. There may however be some instances where effects are atypical or minor, such that the activity is appropriate and resource consent is able to be granted.

The objectives and policies in the Plan describe effects that are, and are not, appropriate both generally and in specific zones.

## READING THE RULES

Figure C1.1 shows a five-step guide to reading the rules and assessing whether an activity requires a resource consent. Figure C1.2 provides a specific six step guide for the Business 3 zone.

### Remember:

Permitted Activity	A resource consent is not needed
Prohibited Activity	A resource consent cannot be applied for
All Other Activities	A resource consent is needed

## **“Existing Uses”**

Sometimes existing activities do not have to comply with the rules in a new plan. (Refer to Part A, Section 2.2).

## **Definitions**

Underlined words are defined in Part D of the Plan.

The definitions should be checked to ensure the meaning of a word is understood.

Words that are not defined have their ordinary meaning (as defined in the Shorter Oxford English Dictionary). Where a New Zealand Standard is cited in these rules the definitions contained in that standard shall govern the meaning of words used in that context.

## **Other Consents or Permits**

The following may be required, even if a proposed activity is a permitted activity in the Plan:

- A resource consent from the Regional Council (Environment Canterbury); or
- Consents or permits under other statutes; e.g. a building consent under the Building Act 2004.

## **Reasons**

Underneath each rule is a ‘Reason’. The reasons may help people to understand the intention of a rule. Further explanations of the Plan provisions are found in Part B, under the various resource management ‘topics’ or ‘issues’.

## **INTERPRETATION OF RULES**

A permitted activity must comply with all the rules for permitted activities and must not be stated as a controlled, restricted discretionary, discretionary, non-complying or prohibited activity under any rule in the Plan.

Users of the Plan should therefore check the applicability of any rules under the headings of controlled, restricted discretionary, discretionary, non-complying or prohibited activity to ascertain whether their proposed activity needs consent in respect to any one or more of these.

The status of an activity will be determined by considering all rules in the Plan which are relevant to that activity. Where the application of the rules gives the activity more than one status under the Plan, the activity will be assessed by the status which imposes the higher or more rigorous threshold on that activity.

This statement is intended to be interpreted in a way where, for example, if an activity is discretionary under one rule and non-complying under another then the whole of that activity will be assessed as non-complying under this Plan.

Any notes in italics which are included in the rules form part of the rules.

## **NOISE MEASUREMENT AND ASSESSMENT**

Except where provided elsewhere in this Plan, sound shall be measured in accordance with the provisions of NZS 6801:1999 Acoustics – Measurement of Environmental Sound and assessed in accordance with the provisions of NZS 6802:1991 Assessment of Environmental Sound.

The following additional provisions shall apply to the application of NZS 6802:1991:

- Adjustments for special audible characteristics, if present, as provided for in Clause 4.3 and 4.4 of the Standard shall apply and will have the effect of imposing a numerical noise limit 5dBA more stringent than the L10 numerical limits stated in the rules.
- Measurement time intervals provided for in Clause 5.1 of the Standard shall be limited to 10-15 minutes excluding pause or data exclude times. Where the sound under investigation is cyclic or occurs for durations less than 15 minutes, the measurement time interval may be less than 10-15 minutes excluding pause and data exclude times.

## **DEVELOPMENT CONTRIBUTIONS**

Development contributions under the 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.



# 1 LIVING ZONE RULES – STATUS OF ACTIVITIES

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## 1.1 STATUS OF ACTIVITIES

**Note:** 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.

### Permitted Activities – Status of Activities

1.1.1 The following activities shall be permitted activities in Living zones:

- 1.1.1.1 Any activity which complies with all of the provisions of Rules 2 to 11 relating to permitted activities, and which is not listed in Rule 1.1.2 or 1.1.3 as either a discretionary or non-complying activity.

### Discretionary Activities – Status of Activities

1.1.2 The following activities shall be discretionary activities in Living zones:

- 1.1.2.1 Any activity which is specified in Rules 2 to 11 as a discretionary activity.
- 1.1.2.2 Any of the activities listed in (a) to (h) below, irrespective of whether they comply with the conditions for permitted activities in Rules 2 to 11.
- (a) Any facilities for the temporary storage of solid and/or liquid waste delivered or conveyed on to the site. (This rule does not include rubbish bins or similar containers used to store solid waste on the site from which it is generated, until it is collected for refuse disposal.)
  - (b) Drive through retail outlets (except for those located on a site which has vehicular access onto any road in Prebbleton other than Springs Road – refer to Rule 1.1.3.2).
  - (c) Hospitals, hospices and other facilities providing 24 hour medical care.
  - (d) Mineral exploration.
  - (e) Service stations (except for those located on a site which has vehicular access onto any road in Prebbleton other than Springs Road – refer to Rule 1.1.3.2).
  - (f) The use of audible bird scaring devices.
  - (g) The use of audible devices for modifying the effects of frost, hail or other weather conditions.
  - (h) Veterinary hospitals and other facilities providing 24 hour veterinary care.

## Non-Complying Activities — Status of Activities

1.1.3 The following activities shall be non-complying activities in Living zones:

- 1.1.3.1 Any activity which is specified in Rules 2 to 11 as being a non-complying activity.
- 1.1.3.2 Any of the activities listed in (a) to (o) below, irrespective of whether they comply with the conditions for permitted activities in Rules 2 to 11.
  - (a) Any activity that requires an offensive trade license issued under the Health Act 1956.
  - (b) Any facilities for the treatment and/or disposal of solid or liquid waste delivered or conveyed on to the site. (This rule does not apply to the underground treatment and disposal of effluent using an on-site effluent treatment or disposal system; or to the burning or composting of green garden waste as part of residential activities.)
  - (c) Disposal of any hazardous substance.
  - (d) Plantations.
  - (e) Generation of energy for distribution.
  - (f) Industrial Activity
  - (g) Manufacture of any hazardous substance, as either a product or by-product.
  - (h) Mining or quarrying.
  - (i) Correction facility.
  - (j) Processing, composting or disposal on to land of any organic matter. (This rule does not apply to the activities set out in Rule 9.3)
  - (k) Quarantine Facilities.
  - (l) Any noise-sensitive activities (as defined in Part D of this Plan) located within the projected 50 dBA Ldn aircraft noise contour.
  - (m) Drive through retail outlets located on a site which has vehicular access onto any road in Prebbleton other than Springs Road.
  - (n) Service stations located on a site which has vehicular access onto any road in Prebbleton other than Springs Road.
  - (o) Transport depots.

## 1.2 DEFERRED LIVING ZONES

1.2.1 Until such time as the deferred status is uplifted, the rules of the Rural zone shall apply within any deferred Living zone.

- 3.2.5 Under Rule 3.2.4 the Council shall restrict its discretion to consideration of:
- 3.2.5.1 Any adverse effects of the proposed activity on the values of the listed tree.
  - 3.2.5.2 For removal of a tree: the condition of the tree, including whether it poses a danger to people or property, or whether its condition is such that it is unable to be retained.
  - 3.2.5.3 The costs to the applicant of not allowing the proposed activity.
  - 3.2.5.4 Whether the applicant has the ability to undertake a complying development without the work detrimentally affecting the tree.
  - 3.2.5.5 The effect of any pruning, damage or disturbance to the crown or root system of the tree on its appearance and health.
  - 3.2.5.6 The effect of any building or structure on the visibility of the tree from a road or public place.
  - 3.2.5.7 Whether the tree is currently causing, or likely to cause, significant damage to buildings, services, property or heritage item/s, whether public or privately owned.
  - 3.2.5.8 Whether the tree or trees seriously restrict the development of the site for its zoned purposes.
  - 3.2.5.9 Whether the tree or trees inhibits the growth of more desirable specimens nearby.
  - 3.2.5.10 Whether the tree still retains the essential characteristics for which it was originally protected.
  - 3.2.5.11 Whether a tree to be removed is capable of being successfully transplanted.
  - 3.2.5.12 Any substitute or compensating tree planting proposed.
  - 3.2.5.13 Whether the particular species of tree has been legally declared a noxious plant.

### **Non-Complying Activities – Protected Trees**

- 3.2.6 In relation to trees listed in Appendix 4, the following activities shall be non-complying activities:
- 3.2.6.1 The use of the land immediately surrounding any tree listed as a Category A tree in Appendix 4, that does not meet the provisions of rule 3.2.1.4 above.
  - 3.2.6.2 Destruction or removal of any tree listed as a Category A tree in Appendix 4.

## Notes

1. Refer to the listing of protected trees in Appendix 4 to obtain the category of each tree.
2. 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.
3. The description of the location of each protected tree in Appendix 4 is at the 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.

## Reasons for Rules

### Heritage Structures and Sites

The buildings, structures and sites listed in Appendix 3 and the trees listed in Appendix 4 have been assessed as having important heritage or cultural values to Selwyn District. Rule 3 provides an opportunity to ensure that changes to those items maintain or enhance their heritage values whenever practical. A higher level of protection is given to buildings and structures classified as “Category I” under the HPT listing in Appendix 3.

The Plan’s policies recognise that an essential part of maintaining the heritage values of buildings is to encourage their ongoing economic use, and thus their maintenance. This often means buildings being modified to suit a new use. The emphasis is on ensuring modifications maintain or enhance the heritage values of the building where feasible and practical, rather than disallowing changes. Maintenance work is defined in the rule so that it can be undertaken without the need for a resource consent, but is limited to a scale which ensures heritage values are not compromised.

Costs to the owners of these sites, where they are required to go through a resource consent process, may be mitigated by Council funding approved through the LTP from time to time. The consent authority will also consider the costs incurred by the owners, including the “opportunity costs” if the activity is not allowed to proceed. (See Part B, Section 3.3 for a full explanation of heritage “issues” and protection).

### Protected Trees

The trees listed in Appendix 4 have been assessed as having significant values to the Selwyn District. Rule 3.2 provides an opportunity to ensure that these listed trees are adequately protected.

# 6 LIVING ZONE RULES – UTILITIES

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## Notes

1. The undergrounding or ducting of any utility is permitted subject to compliance with Rule 2 (Earthworks), except where the provisions of Rule 3 (Heritage) apply.
2. The rules in this Plan are applicable to activities generally, including utilities. However, the following rules do not apply to utilities:

### Land Use Rules for Living Zones:

- Rule 4.15 (Setbacks from Waterbodies)
- Rule 11 (Landscape Management, Alpine Villages)
- Rule 4.2 (Landscaping)
- Rule 4.8 (Building Height)
- Rule 4.9 (Building Position)
- Rule 4.7 (Site Coverage)

Rules in respect to the above matters are contained in the following rules on utilities.

3. Work on utilities which are undertaken by requiring authorities under designations are not subject to the rules in this Plan.
4. Earthworks affecting any archaeological sites require the consent of the New Zealand Historic Places Trust Pouhere Taonga (refer to Part B, Section 3.3, “Archaeological Sites”).
5. Development contributions under the 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.

## 6.1 UTILITIES – ACTIVITIES

### Permitted Activities – Utilities – Activities

- 6.1.1 Any utility which meets the following provisions and complies with all other relevant rules shall be a permitted activity:

- 6.1.1.1 Upgrading, maintenance, operation and replacement of existing utilities shall be permitted and shall not be subject to compliance with any other performance standards, conditions or rules in this Plan provided that the effects of such shall be the same or similar in character and scale to those which existed before such upgrading, maintenance or replacement activities commenced. For the avoidance of doubt, the following activities are permitted:
  - (a) The replacement of support structure cross arms;
  - (b) The reconductoring or replacement of lines;
  - (c) The resagging of conductors or lines;
  - (d) The addition of longer or more efficient insulators or mountings;

- (e) The addition of earth wires which may contain telecommunication lines, earthpeaks and lighting rods;
- (f) The clearance and trimming of vegetation under lines or structures necessary to maintain security of electricity supply and telecommunication;
- (g) Pole replacement;
- (h) Where an existing electricity distribution line requires upgrading to improve the reliability of supply, the addition of one support structure cross arms;
- (i) The substitution of low voltage (400 Volts) electricity distribution lines with Aerial Bundled Cable provided that the overall diameter of the bundle shall not exceed 40 mm;
- (j) An increase in the voltage of a line, but only where the line was originally installed to operate at a higher voltage, but has been operating at a reduced voltage.

6.1.1.2 Any utility which emits electromagnetic radiation that meets the following conditions:

- (a) Exposures comply with NZS2772.1:1999 Radio Frequency Fields Part 1: Maximum exposure levels 3kHz–300 GHz (“the New Zealand Standard”).
- (b) Prior to commencing any radiofrequency emissions, the following is sent to and received by the Selwyn District Council:
  - Written notice of the location of the facility or proposed facility; and
  - A report prepared by a radio engineer/technician or physical scientist containing a prediction of whether the New Zealand standard will be complied with (note – this requirement shall not apply to the holder of an amateur radio license).
- (c) If the report provided to the Council under condition 6.1.1.2(b) predicts that emissions will exceed 25% of the exposure limit set for the general public in the New Zealand Standard, then within three months of radiofrequency emissions commencing, a report from National Radiation Laboratory (or Selwyn District Council, being an appropriately qualified organisation specifically identified in this rule), certifying compliance with the New Zealand Standard, based on measurements at the site, shall be provided to the Selwyn District Council.

6.1.1.3 Any power frequency electric and magnetic fields created which do not exceed 100 micro tesla and 5kV/m in areas which are accessible to the public.

**Note:** Electric and magnetic fields are measured and assessed in accordance with the International Commission on Non Ionising Radiation Protection Guidelines.

6.1.1.4 Any transformer, line or wire does not exceed a voltage of 110kV or a capacity of 100 MVA per circuit.

6.1.1.5 Any new cable or line is laid underground; except for the provision of additional service connections to a maximum of three additional poles within, areas where services are already above ground.

- (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.<sup>PC12</sup>
- 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.



- 15.2.1.4 Any cleaning or washing of external heritage features provided this does not involve the use of abrasive materials or techniques, such as sandblasting.

### **Restricted Discretionary Activities — Heritage Buildings, Structures or Sites**

- 15.2.2 Any activity which does not comply with Rule 15.2.1 shall be a restricted discretionary activity, except for the demolition or removal of any building or structure in Appendix 3.
- 15.2.3 Under Rule 15.2.2, the Council shall restrict its discretion to consideration of:
- 15.2.3.1 The heritage value(s) of the listed item, including the extent to which it has already been modified by additions or alterations;
  - 15.2.3.2 Whether the proposed activity will adversely affect the heritage values of the listed item;
  - 15.2.3.3 Any positive effects of the proposed activity on the heritage values of the listed item, including (but not limited to): any restoration or enhancement of heritage features or values; works which improve the efficiency or desirability of the listed item for ongoing use; and any proposal to provide public access to the heritage item;
  - 15.2.3.4 The costs to the applicant or owner of not allowing the proposed activity;
  - 15.2.3.5 Any alternative options which may better maintain the heritage values of the listed item and the relative costs of the alternatives;
  - 15.2.3.6 Any other activity the applicant or owner has undertaken to maintain or enhance heritage values of the listed item and the appropriateness of that activity as a mitigation measure.

### **Discretionary Activities — Heritage Buildings, Structures or Sites**

- 15.2.4 Any demolition or removal of any building or structure (except those classified as “Category I” under the Historic Places Trust Category in Appendix 3) shall be a discretionary activity.

### **Non-Complying Activities — Heritage Buildings, Structures or Sites**

- 15.2.5 Any demolition or removal of any building or part of any building which is listed as “Category 1” under the Historic Places Trust Category in Appendix 3 shall be a non-complying activity.

### **Notes**

1. The consent authority may request technical advice from the Historic Places Trust Pouhere Taonga in deciding on any resource consent application under Rule 15.2.5 where it affects a listed building, structure or site.
2. 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”).

## **Reasons for Rules**

### **Protected Trees**

The trees listed in Appendix 4 have been assessed as having significant values to Selwyn District. Rule 15.1 provides an opportunity to ensure that these listed trees are adequately protected.

The consent authority will also consider the costs incurred by the owners, including the “opportunity costs” if the activity is not allowed to proceed. (See Part B, Section 3.3 for a full explanation of heritage “issues” and protection).

### **Heritage Buildings, Structures or Sites**

The buildings, structures and sites listed in Appendix 3 have been assessed as having important heritage or cultural values to Selwyn District. Rule 15.2 provides an opportunity to ensure that changes to those items maintain or enhance their heritage values whenever practical. A higher level of protection is given to buildings and structures classified as “Category I” under the HPT listing in Appendix 3.

The Plan’s policies recognise that an essential part of maintaining the heritage values of buildings, is encouraging their ongoing economic use and thus maintenance. This often means buildings being modified to suit a new use. The emphasis is on ensuring modifications maintain or enhance the heritage values of the building, where feasible and practical, rather than disallowing changes. Maintenance work is defined in the rule so that it can be undertaken without the need for a resource consent, but is limited to a scale which ensures heritage values are not compromised.

Costs to the owners of these sites, where they are required to go through a resource consent process, may be mitigated by Council funding approved through the LTP from time to time. The consent authority will also consider the costs incurred by the owners, including the “opportunity costs” if the activity is not allowed to proceed. (See Part B, Section 3.3 for a full explanation of heritage “issues” and protection).

# APPENDIX 3

## SCHEDULE OF HERITAGE ITEMS

Ref	HPT Category	Name	Location	Legal Description	Valuation No.	Zone	Map No.
H1		Chapel	Arthur's Pass Village	Sec 127 Arthurs Pass	2427002801	Liv 1	48
H3		Tunneller's Cottage	Arthur's Pass Village	Sec 2 Arthurs Pass	2427001100	Liv 1	48
H4		St Theresa's Church	Homebush Rd, Coalgate	Lots 6/8 DP218	2422032900	Liv 1	58
H5		Police Lock-up Darfield	South Tce, Darfield	Pt RS2978	2418014000	Liv 1	69
H6		Darfield War Memorial	McLaughlins Road, Darfield	RS 40642, 40644, 40645, 40647	2418025801	Bus 1	68
H7		Doyleston Library	Leeston Road, Doyleston	Pt Lot 75 DP105	2410034700	Liv 1	130
H8		St Thomas' Anglican Church	Leeston-Dunsandel Road, Dunsandel	Pt RS 9064	2412037300	Liv X	92
H9		Cottage – Sod Ruins	Leeston-Dunsandel Road, Dunsandel	Lot 1 DP 65151	2412037400	Liv X	92
H10		Methodist Church (Gift Shop)	Main South Rd, Dunsandel	Pt RS 8803	2412007300	Bus 1	92, 21
H11		Dunsandel War Memorial	Leeston-Dunsandel Road, Dunsandel	Res 316	2412037200	Liv 1	92
H12	II	Old Library & Gateposts	Homebush Rd, Glentunnel	Pt RS 14493	2422028400	Liv 1	57
H13		Miners Cottage	Railway Tce, Glentunnel	Lot 4 DP 2806	2422028602	Liv 1	57
H14		Miners Cottage	Railway Tce, Glentunnel	Lot 3 DP 2806	2422028601	Liv 1	57
H15		Miners Cottage	Railway Tce, Glentunnel	Lot 2 DP 2806	2422028600	Liv 1	57
H16		Miners Cottage	Railway Tce, Glentunnel	Lot 1 DP 2806	2422028700	Liv 1	57
H17		St George's	Courtenay Rd, Kirwee	Lot 14-15 DP 434	2419028500	Liv 1	82

<b>Ref</b>	<b>HPT Category</b>	<b>Name</b>	<b>Location</b>	<b>Legal Description</b>	<b>Valuation No.</b>	<b>Zone</b>	<b>Map No.</b>
H18		Leeston War Memorial	High St, Leeston	Road Reserve	N/A	Liv 1	127
H19		Old Court House/RSA	Feredays Rd, Leeston	Pt Lot 1 DP 17659	2416023500	Bus 1	129
H20		St John's Anglican Church	High St, Leeston	Lot 7 DP DR 1/18	2416009400	Liv 1/ Bus 1	127
H21		Catholic Church	Feredays Rd, Leeston	Lots 7-8, 18-19 DP 101	2416021000A	Liv 1	129
H22	II	House No.1	Chapman St, Leeston	Pt Lot 1 DP 13004	2416021200	Liv 1	129
H23		Ellesmere Brass Band Hall	High St, Leeston	Pt RS 5787	2416002500	Liv 1	127
H24		Pioneer Hall	Kildare Tce & Gerald St, Lincoln	Gaz 1919-3135, Pt RS 3761, RS 39900	2404150700	Liv 1	113
H25		Coronation Library	Gerald St, Lincoln	Gaz 1919-3135, Pt RS 3761, RS 39900	2404150700	Liv 1	113
H26	II	St Stephen's Anglican Church	Edward St, Lincoln	Pt RS 1532	2404147800	Liv 1	113
H27		Liffey Cottage	James St, Lincoln	Lot 1 DP 83459, Lot 1 DP 81241	2402142801	Liv 1	110, 111
H28		The Gables' House (old Manse)	Gerald St, Lincoln	Lot 3 DP 55189	2404104000	Liv 1	113
H29		Lincoln Union Church (Presbyterian)	James St, Lincoln	Lot 2 DP 83459	2404142800	Liv 1	110
H30	I	Memorial Hall	Lincoln University	Lot 4 DP 6070	2405239300	Bus 3	112
H31	I	Ivey Hall	Lincoln University	Lot 4 DP 6070	2405239300	Bus 3	112
H32		Lincoln Doctor House	Edward St, Lincoln	Lot 3 Pt Lot 2 DP 21148, Lot 1 DP 50673, Pt RS 1532	2404147600	Liv 1	113
H33		Home – William & Mary Tod	East Belt, Lincoln	Lot 2 DP 30031	2404143700	Liv 1	113, 114
H34		Prebbleton War Memorial	Springs Rd, Prebbleton	Pt Lot 1 DP 4394 Pt RS 1742	2355256000	Liv 1	122

Ref	HPT Category	Name	Location	Legal Description	Valuation No.	Zone	Map No.
H35		All Saints Anglican Church	Blakes Rd, Prebbleton	Pt Lot 2 DP 27568	2355247800	Liv 1	122
H36		Rolleston Memorial Clock Tower	Rolleston Dr, Rolleston	Lot 501 DP 77468	2405319100	Liv 1	101
H37		Sheffield War Memorial	Sheffield	Gaz 1938-1793, Lots 1-3 DP 128	2421011800	Liv 1	53
H38		Labourer's Cottage	Charles St, Waddington	Lots 52-52 DP 15	2421017100	Liv 1	54
H39		Labourer's Cottage	Charles St, Waddington	Lots 54,55 & 56 DP 15	2421017200	Liv 1	54
H40		Parsonage	Charles St, Waddington	Lot 2 DP 18664	2421017900	Liv 1	54
H41	II	Old School Building	Waddington Rd, Waddington	Gaz 1956-1821, Res 4838	2421016700	Liv 1	54
H42		Pine House	Waimakariri Gorge Rd, Waddington	Lot 42 DP15	2421018200	Liv 1	54
H43		Orange Lodge	High St, Southbridge	RS 4938	2417016700	Bus 1	131
H44		Scout Den	St James St, Southbridge	Lot 6 Pt Lot 10 DP 23510	2417006900	Liv 1	131
H45		Thompson Memorial Library	High St, Southbridge	Pt RS 4938	2417017100	Bus 1	131
H46		Town Hall	High St, Southbridge	Pt RS 4938	2417017100	Bus 1	131
H47		St James Anglican Church	High St, Southbridge	Pt Lot 1 DP 18297	2417002100	Liv 1	131
H48		Original School House	Ellesmere Junction Rd, Springston	Lot 2 DP 29562	2405230100	Liv 1	109
H49		Methodist Parsonage	Ellesmere Junction Rd, Springston	Lot 1 DP 51464	2405230400	Liv 1	109
H50		Springston War Memorial	Ellesmere Junction Rd, Springston	Lot 1 DP 7049	2405234100	Liv 1	109
H51	I	Public Library	Old Tai Tapu Rd, Tai Tapu	Lot 2 DP 10165	2356416400	Liv 2A	125
H52	I	St Pauls Anglican Church	Old Tai Tapu Rd, Tai Tapu	Lot 1 DP 30235	2356416300	Liv 2A	125
H53		Tai Tapu War Memorial	Old Tai Tapu Rd, Tai Tapu	Pt RS 597	2356416200	Liv 2A	125

<b>Ref</b>	<b>HPT Category</b>	<b>Name</b>	<b>Location</b>	<b>Legal Description</b>	<b>Valuation No.</b>	<b>Zone</b>	<b>Map No.</b>
H54	II	South Malvern School Building (Old)	Fitzgerald St, Whitecliffs	Lots 1-19 DP 10	2422026700	Liv 1	56

- 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	2-3	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.<sup>PC12</sup>

**Notes:** Access to allotments with the potential to accommodate more than 6 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.<sup>PC12</sup>

**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

Pedestrian footpaths will be provided on at least one side of each internal road. A number of pedestrian and cyclist links will be provided through the site following road and green linkages.

A significant cycle/pedestrian route will run through reserve areas north to south along the redirected water race. A formal road crossing facility will be provided where this pedestrian/cycle link crosses the main road through the site.

The low speed traffic environment will create pedestrian and cycle friendly public spaces, and provide direct and convenient access within 400m walking distance to open space areas from any dwelling within the site, in accordance with the Rolleston Structure Plan.

## **GREEN NETWORK**

An existing water race runs through part of the site. This is shown on the ODP realigned and incorporated into the reserve and open space network.

The ODP indicates three key open space locations as well as a green network throughout the site. A significant reserve linkage incorporating two of the key open space locations is envisaged that will generally follow the realigned water race through the eastern portion of the site to Burnham School Road.

The other key open space location is shown within the western portion of the site providing green areas at either ends of one of the east-west green linkages.

All key open space locations are adjacent to local business areas, in general accordance with the Rolleston Structure Plan for the positioning of neighbourhood and local centres in this area of Rolleston.

Other areas of open space will be developed as neighbourhood reserves in terms of the overall subdivision design. These will be integrated throughout the area by the green linkages shown on the ODP, and will provide a maximum walking distance of 400m from any dwelling in accordance with the Rolleston Structure Plan.

## **BLUE NETWORK**

All services, including water, sewer, power, and phone are available to the site via the existing road network. There is a sewer pumping station at the corner of Burnham School Road and Brookside Road and there is an existing electricity substation at the corner of Burnham School Road and Dunns Crossing Road.

Water will be supplied from the Council's existing reticulation by connecting to the water main on Brookside Road. Water pressures for the site have been calculated as meeting the requirements of NZS 4404:2004 Land Development and Subdivision Engineering and The New Zealand Fire Service Fire Fighting Water Supplies Code of Practice NZS PAS 4509:2008.

Sewage will be disposed of to the Rolleston Sewage Treatment Plan via new and existing reticulation. Two sewer main connections will be made from the site to the existing sewer mains. The first connection will service approximately 400 lots and connect to an existing manhole on Burnham School Road. Due to the increase flows, the existing pipe through to the pump station will require upgrading for a length of no more than 50m. The second connection will service approximately 150 lots and will connect to an existing manhole on Brookside Road. The remaining lots will connect to the existing sewer mains running along Burnham School Road and Brookside Road. The existing pump station will not require upgrading to service development in accordance with the ODP.

The servicing assessment has been carried out with the Selwyn District Council Five Waters Strategy in mind, and the possibility for recycled water to be made available from the Rolleston

Waste Water Treatment Plant to Burnham School Road. If this is available the development may be double plumbed to allow for outdoors irrigation, laundry and irrigation of public areas with recycled water. This would reduce the potable water input of the development by as much as 40%.

Network operators for both electrical and telecommunications supplies have confirmed that the existing networks have sufficient capacity to reticulate the development area.

Stormwater will be treated in a variety of ways depending upon its origin within the development. Stormwater runoff from house roofs will be disposed of via onsite soak pits, sized to ensure that flow from a roof in a 1 in 10 year storm event will not exceed the infiltration rate.

Soakage basins located within reserve areas will collect stormwater from the roads via low profile kerb and channel before providing treatment and detention and discharging to ground. Stormwater may also be treated at source using rain gardens and passive infiltration areas on each allotment to capture stormwater from hardstand areas. In addition carriageway discharges may be transported and treated using swales and vegetated areas. Wherever possible, areas for stormwater treatment and disposal will be incorporated into the overall green network for the site, adding value to its amenity and character.

# SCHEDULE OF AMENDMENTS

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

Name	Description
Clause 20A Amendments	Various minor amendments

## Township Volume

### Amendments from 12 November 2012 to 01 March 2013

**Replace pages** - Please recycle all pages removed

#### Part A2 – The Planning Process

A2.2 – delete references to Sections 10 and 10A	A2-001 – A2-004
A2.4 – Delete final sentence referencing Section 139	Entire Chapter
A2.5 – Delete references to Sections in paragraphs 2, 3, 4, 5 and 6	
A2.6 – Delete reference to Section 166, paragraph 2, sentence 2. Delete reference to Section 187, 1 <sup>st</sup> paragraph under Heritage Orders.	
Delete all of A2.8 Section 85	

#### Part B4 – Growth of Townships

B4.1.10 – amend LTCCP to LTP under Method	B4-009 – B4-010
B4.2 Subdivision of Land – Issues; Subdivision – Utilities and Reserves, 4 <sup>th</sup> paragraph amend LTCCP to LTP	B4-013 – B4-014
B4.3 Residential and Business Development – Type of Growth; remove reference to Plan Change 1 in Paragraph 5, and delete reference to PC7 2 <sup>nd</sup> bullet under Residential and Business Development - Strategy	B4-027 – B4-030
B4.3 – under Table B4.3.1, Methods – amend 2 <sup>nd</sup> bullet, delete 1 <sup>st</sup> bullet Whitecliffs – Amend Living 1A Zone to Living 1 Zone	B4-033 – B4-034
B4.3 Whitecliffs – Amend 1 <sup>st</sup> paragraph from Living 1A to Living 1 Zone	B4-099 – B4-100

#### Part C – Introduction to the Rules

Amend 1 <sup>st</sup> Paragraph under Deferred Zones adding reference to Living Z Zone Lincoln.	C-001 – C-004
Delete 2 <sup>nd</sup> bullet under Other Consents or Permits	
Under Development Contributions change reference to LTCCP to LTP	

#### Part C1 – Living Zone Rules – Status of Activities

Change LTCCP to LTP under 1.1 Status of Activities – Note.	C1-001 – C1-002
1.2 Deferred Living Zones – amend 1.2.1	Entire Chapter

#### Part C3 – Living Zone Rules – Heritage

Amend Reasons for Rules – Heritage Structures and Sites final paragraph and delete final paragraph Protected Trees	C3-005 – C3-006
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<b>Part C6 – Living Zone Rules – Utilities</b>	
<i>Under Notes. 2. Land Use Rules – amend 1<sup>st</sup> bullet to Rule 4.15 (consequential change from PC7)</i>	C6-001 – C6-002
<i>Under Notes. 5. Change LTCCP to LTP</i>	
<b>Part C12 – Living Zone Rules – Subdivision</b>	
<i>12.1.4.20 correction of typographical error – amend connectively to connectivity.</i>	C12-017 – C12-018
<b>Part C15 – Business Zone Rules – Heritage</b>	
<i>Amend final paragraph of Reasons for Rules - Heritage Buildings, Structures or Sites.</i>	C15-005 – C15-006
<b>Part E – Appendix 3 - Schedule of Heritage Items</b>	
<i>Delete H2 Tunneller's Cottage – Demolished</i>	E3-001 – E3-004 Entire Chapter
<i>Amend H410 DP number, Amend 415 Lot &amp; DP number, amend planning map H427</i>	
<b>Part E – Appendix 13 – Roads and Transport</b>	
<i>Amend Table E13.4 Living Zones - Potential No of Sites and Notes</i>	E13-007 – E13-010
<b>Part E – Appendix 38 – ODP Rolleston</b>	
<i>Amend typographical error paragraph 2 under Blue Network, ODP 1.</i>	E38-005 – E38-006

## Rural Volume

<b>Amendments from 12 November 2012 to 01 March 2013</b>	
<b>Replace pages</b> - Please recycle all pages removed	
<b>Part A2 – The Planning Process</b>	
	Entire Chapter
<i>Reword to read the same as the Townships Volume to simplify</i>	A2-001 – A2-004
<b>Part A3 – Preparing the Plan</b>	
	Entire Chapter
<i>Reword to read the same as the Townships Volume to simplify</i>	A3-001 – A3-002
<b>Part C3 – Rural Rules Buildings</b>	
<i>3.9.2.2 (e) remove “consequential to”</i>	C3-009 – C3-010
<b>Part D – Definitions</b>	
<i>Amend typographical error under Detention Centre or Prison (b)</i>	D-003 – D-004
<b>Part E3 – Appendix Heritage Items</b>	
<i>Amend H107 adding Category II</i>	E3-001 – E3-002
<i>Amend H410, 414, 415 and amend Legal Descriptions</i>	E3-005 – E3-006

## Maps Volume

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**Amendments 12 November 2012 to 01 March 2013**

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**Replace pages** - *Please recycle all pages removed*

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Map 104, removal of designation that never eventuated.

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## 2 THE PLANNING PROCESS

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### A2.1 NEED TO COMPLY WITH THE DISTRICT PLAN

No person may use land in a manner that contravenes a rule in the District Plan, unless they have existing use rights or a resource consent granted by the Council (sections 9 and 10). In the context of the Act, such use includes the use of the surface of lakes and rivers (section 10A). In addition, no person may subdivide land unless expressly allowed by a rule in the District Plan or a resource consent (section 11).

### A2.2 EXISTING USES

The Act provides for the existing and continued use of land and the surface of water in a manner which contravenes a rule in the district plan, subject to the following:

- The use was lawfully established (including by designation) before the rule became operative or the proposed Plan was notified; and
- The effects of the use are the same or similar in character, intensity and scale to those which existed before the Plan became operative, the proposed Plan was notified or the designation was removed; and
- If the activity involves the use of the surface of water in lakes and rivers, the person carrying out the activity applies for resource consent within 6 months of the rule in the Plan becoming operative.

Existing use rights do not apply if:

- The use of land has been discontinued for a continuous period of more than 12 months, unless the Council has granted an extension by way of application; or
- Reconstruction, alteration, or extension to any building that contravenes a rule in the district plan increases its degree of non-compliance.

### A2.3 STATUS OF ACTIVITIES

Within the context of this District Plan, 'activity' includes the use and subdivision of land (and the surface of water), and/or the erection and/or use of buildings or structures thereon.

Within each zone, the status of activities under the Act; that is, as permitted, controlled, discretionary or non-complying; is assessed through consideration of 'listed' activities and effects based rules.

The following is not intended as a complete explanation of these activities, which can be found in the Act.

**Permitted activities** means an activity that is allowed without a resource consent because it complies in all respects with the conditions specified in the Plan.

**Controlled activities** require resource consent. A controlled activity shall comply with any standards and terms specified in the Plan and will be assessed according to those matters in the District Plan over which the Council has reserved control. The Council must grant its consent to a

controlled activity, but in granting consent the Council may only impose conditions relating to those matters specified.

**Discretionary activities** require resource consent, and may be subject to standards and terms in the Plan. Restricted discretionary activity status applies where the Council has restricted the exercise of its discretion to those matters specified in the Plan. The Council may grant or refuse consent to a discretionary activity and, if granting consent, may impose conditions.

**Non-complying activities** require resource consent. The Council may grant or refuse consent to a non-complying activity and, if granting consent, may impose conditions. A resource consent for a non-complying activity may be considered for approval if either; the adverse effects on the environment will be minor, or if granting the consent would not be contrary to the objectives and policies of the Plan. The final Council discretion regarding approval of a non-complying activity is under section 104 of the Act.

**Prohibited activities** are those which a rule in the Plan expressly prohibits in the District or a particular zone. No application may be made for such activities and no resource consent will be granted. The only avenue open to a person wanting to carry out a prohibited activity is to request a plan change.

## A2.4 CERTIFICATES OF COMPLIANCE

Where an activity is permitted by the District Plan and/or can be lawfully carried out without a resource consent, any person may request a certificate of compliance from the Council certifying that a particular proposal or activity can be carried out without a resource consent at that location.

## A2.5 RESOURCE CONSENTS

The Act provides for two types of resource consent: land use consent and subdivision consent. Discharge, water and coastal permits are resource consents which are issued by Environment Canterbury.

An application for resource consent from the Selwyn District Council must be made in accordance with the Act. Forms for land use and subdivision consent applications, and an explanation of the information to be submitted with an application are available from the Selwyn District Council offices. Applications must include an assessment of effects of the environment, prepared in accordance with the Fourth Schedule of the Act.

The Act prescribes when applications need not be publicly notified. In many situations this requires the written approval of affected persons. The rules of the District Plan specify those resource consent applications which shall be non-notified, and those resource consents which do not require the written approval of any persons.

The Act sets out those matters to which the Council must have regard, in considering a resource consent application:

- “(1) Subject to Part II, when considering an application for a resource consent and any submissions received, the consent authority shall have regard to -
  - (a) Any actual and potential effects on the environment of allowing the activity; and
  - (b) Any relevant regulations; and
  - (c) Any relevant national policy statement, New Zealand coastal policy statement, regional policy statement, and proposed regional policy statement; and

- (d) Any relevant objectives, policies, rules, or other provisions of a plan or proposed plan; and
- (e) Any relevant regional plan or proposed regional plan, where an application is made in accordance with a district plan; and
- (f) Any relevant district plan or proposed district plan, where the application is made in accordance with a regional plan; and
- (g) Any relevant regional plan or proposed regional plan, where the application is made in accordance with a district plan; and
- (h) Any relevant water conservation order or draft water conservation order; and
- (i) Any relevant designations or heritage orders or relevant requirements for designations or heritage orders; and
- (j) Any other matters the consent authority considers relevant and reasonably necessary to determine the application.”

The Council will reach a decision on the application in accordance with the requirements of the Act. The District Plan includes objectives, policies and assessment matters to which the Council will have regard when considering resource consents. The Act specifies circumstances whereby the Council shall not grant subdivision consent; this being for any land, structure on that land, or subsequent use of the land, subject to, or likely to cause or accentuate, material damage by erosion, falling debris, subsidence, slippage or inundation from any source.

The Council may impose conditions on consents in accordance with the Act, in restricting or prohibiting certain aspects of a proposal, to ensure it complies with the Act and the District Plan.

A resource consent lapses after a period of five years if it has not been given effect to. An applicant may request a longer period if required. A land use, once established, may continue at the same character, scale and intensity without time restriction, unless the consent states otherwise. Other consents (apart from subdivisions) may be limited in time, with a maximum life of 35 years.

## **A2.6 DESIGNATIONS AND HERITAGE ORDERS**

### **Designations**

A designation is a provision made in the District Plan to give effect to a requirement made by a requiring authority. These requirements apply to a public work or a particular project or utility operation.

The effect of a designation is that:

- The requiring authority may do anything in accordance with the designation; and
- Nobody may do anything that would hinder or prevent the public work, project or work to which the designation relates.

Any Minister of the Crown or local authority is automatically a requiring authority. Other network utility operators may apply to the Minister for the Environment for approval as a requiring authority. A requiring authority may give notice to the Council in respect of a requirement. Although the Council has called for such notices in preparing the District Plan, the Act makes provision for similar procedures throughout the life of an operative District Plan.

Designations are shown on the planning maps. Further information regarding the designations is given in Appendix 2 of the District Plan.

Designations limit the use of the land and override the provisions of the Plan and resource consents. The underlying zone indicates the purposes for which the land may be used, other than for the designated work.

Designations are not the only means of providing for public works or utility operations. The District Plan contains rules for utilities, which are not designated.

## **Heritage Orders**

A heritage order is a provision in the District Plan to give effect to a requirement made by a heritage protection authority.

A heritage order is issued to protect features of special interest, character, intrinsic or amenity value or visual appeal, or of special significance to the tāngata whenua, and such land surrounding these places as is necessary to protect and afford reasonable enjoyment of them. A place may be of special interest by having architectural, historical, archaeological, scientific, ecological or other interest. No person may undertake work in a manner contrary to a heritage order.

The Act establishes several heritage protection authorities which include any Minister of the Crown, a local authority (eg: District Council) and the New Zealand Historic Places Trust Pouhere Taonga. Any body corporate having an interest in the protection of a place can apply to the Minister of Conservation to become a Heritage Protection Authority under section 188 of the Act.

The effect of a heritage order is that no person may, without first obtaining the written consent of the Heritage Protection Authority named in the order, do anything that would wholly or partly nullify the effect of the heritage order.

## **A2.7 ENFORCEMENT**

The Council will use its powers under Part XII of the Act to require persons to cease or not commence activity which is or is likely to:

- Contravene the Act, any regulations, a rule in the district plan, or any resource consent; or
- Be noxious, dangerous, offensive, or objectionable to such an extent that it has or is likely to have an adverse effect on the environment.

Under Part XII of the Act, the Council has recourse to several enforcement tools. These include enforcement orders, abatement notices, infringement notices, prosecutions for offences, and the power to entry and inspection of land to ascertain compliance, seize and obtain evidence or carry out emergency works.

## 3 PREPARING THE PLAN

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### A3.1 BACKGROUND

This Plan replaces the following District Schemes prepared under the Town and Country Planning Act 1977:

- Paparua County District Scheme: Operative 1 July 1985
- Ellesmere County District Scheme: Operative 1 January 1982
- Malvern County District Scheme: Operative 6 August 1990

As a result of local government restructuring in October 1989, the former Ellesmere and Malvern Counties, and part of the former Paparua County, were amalgamated to form Selwyn District. The District Schemes relevant to the previous local authorities have remained in force and with the introduction of the Act on 1 October 1991 were deemed to be the Selwyn Transitional District plan.

### A3.2 SECTION 32

Section 32 of the Act requires that certain duties be performed in the preparation of any objective, policy, rule or other method in the district plan. The following are the three main components of section 32:

- To address the extent to which the provision is needed at all, to explore other possible means, and to provide reasons for and against the proposed and principal alternative means;
- To evaluate the benefits and costs of the proposed method and the principal alternative means; and
- To decide whether the proposed method is needed to achieve the purpose of the Act, and is the most appropriate in terms of efficiency and effectiveness.

The Council considers that it has fulfilled its section 32 duties in the preparation of this Plan. The Council's Section 32 assessment may be viewed by appointment at the Rolleston Council Offices. A Section 32 assessment is also required when any changes are made to the District Plan.

### A3.3 CONSULTATION

The Act clearly requires consultation to be undertaken by councils exercising responsibilities under the Act. The Selwyn District Council is concerned to ensure that the plan fully reflects the concerns and aspirations of the District's community.

Prior to the preparation of this plan, considerable public consultation was undertaken with the general public, government agencies, the tāngata whenua, land care groups and special interest groups. The Council's initial mechanisms for consultation were the three public discussion papers to which submissions were received.

These comments, and the results of other consultation undertaken have, where possible, been considered and incorporated into this plan.

The Act also provides opportunity for public participation or input into changes to the District Plan and resource consent applications having potential adverse effects beyond the boundary of the property to which they relate.

- 3.6.3.8 Any monitoring or review conditions.

## 3.7 BUILDINGS AND WEST MELTON AIRFIELD AND HORORATA DOMAIN – HEIGHT RESTRICTIONS

### Permitted Activities – Buildings and West Melton Airfield and Hororata Domain – Height Restrictions

- 3.7.1 Erecting any building or any additions or alterations to, or modification or demolition of any building shall be a permitted activity if the following condition is met:

- 3.7.1.1 The building complies with the maximum height requirements in the approach paths to the runways at West Melton Airfield and Hororata Domain, as shown in Appendix 19.

#### Note

*For Rule 3.7.1, the maximum height of any building is measured from ground level at the base of the building, to the highest point on the building. It includes any chimney, aerial, mast, satellite dish or other structure which is attached to and protrudes above the roof height of the building.*

### Non-Complying Activities – Buildings and West Melton Airfield and Hororata Domain – Height Restrictions

- 3.7.2 Erecting any building or any part of any building, which will protrude into the height restricted areas shown in Appendix 19, shall be a non-complying activity.

## 3.8 BUILDINGS AND CHRISTCHURCH INTERNATIONAL AIRPORT – NOISE INSULATION

### Permitted Activities – Buildings and Christchurch International Airport – Noise Insulation

- 3.8.1 Erecting any building or any additions or alterations to, or modification or demolition of any building shall be a permitted activity if the following condition is met:

- 3.8.1.1 Any dwelling, any building designed or intended to be used for visitor accommodation, any community facility, any educational facility, or any retail premises or office space which is erected on any site located within the 55 dBA Ldn Noise Contour is designed to ensure the indoor sound levels listed in Appendix 20 are met.

### Non-Complying Activities – Buildings and Christchurch International Airport – Noise Insulation

- 3.8.2 Any activity which does not comply with Rule 3.8.1 shall be a non-complying activity.

## 3.9 BUILDINGS AND ACCESS AND PARKING

### Permitted Activities — Buildings and Access and Parking

3.9.1 Erecting any building or any additions or alterations to, or modification or demolition of any building shall be a permitted activity if the following conditions are met:

3.9.1.1 Any dwelling or other principal building:

- (a) Is erected on a site which has legal access to a formed and maintained legal road other than a road listed as a Strategic Road in Appendix 9; and
- (b) Does not have its only access to a legal formed road by crossing a railway line.

#### Notes:

Any access to an allotment shall comply with Rule 4.5.1.

Any carparking for activities associated with the building shall comply with Rule 4.6.1-4.6.5.

### Restricted Discretionary Activities — Buildings and Access to Parking

3.9.2 Any dwelling or other principal building which does not comply with Rule 3.9.1.1(a) shall be a restricted discretionary activity if it complies with the following standards and terms:

3.9.2.1 The site has legal access to a legal road (whether a Strategic Road or an unformed or unmaintained road) and that access is not obtained by crossing a railway line.

3.9.2.2 Under Rule 3.9.2.1, the Council shall restrict its discretion to all of the following matters:

For all Sites:

- (a) Whether the site can have legal access to a formed and maintained legal road other than a Strategic Road;

For Sites with Access on to Strategic Roads:

- (b) The design and location of the vehicle crossing;
- (c) The number and type of vehicles, pedestrian or stock using the access;
- (d) Any adverse effects, including cumulative effects, on traffic safety or flow on the Strategic Road;

For Sites with Access on to an Unformed or Unmaintained Legal Road

- (e) The party who will be responsible for any forming or maintaining of the road.



**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.<sup>PC12</sup>

**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<sup>PC12</sup>

## 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 85<sup>th</sup> percentile speed (which is known as the operating speed).<sup>PC12</sup>

**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 “habilitation centre” as defined in section 2 of the Criminal Justice Act 1985;
- c) a periodic detention centre established under section 126(1) of the Criminal Justice Act 1985; or
- d) any like facility.”

**Developer:** includes any person or persons who are legally liable for paying any development contribution taken upon the granting of a resource consent, a building consent or and authorisation for a service connection.

**Development Contribution:** has the same meaning as in section 197 of the Local Government Act 2002. \*

**Disposal:** includes any activity associated with the permanent discarding of material which is spent, worthless or in excess. For the purposes of Rule 7.4.1 disposal does not include the application of hazardous substances in accordance with the manufacturer's instructions. For the purposes of Rule 8.1.1.3 disposal does not include: the deposition of inert fill on to land from another site, for the purposes of landscaping, levelling or recontouring land, filling holes or depressions, preparing building sites or other construction work.

**District Plan:** means this District Plan prepared under section 73 of the Resource Management Act 1991.

**Dwelling:** means any building or buildings or any part of a building or buildings which is used as a self-contained area for accommodation or residence by one or more persons; where that area collectively contains: bathroom facilities, kitchen facilities and a sleeping/living area. The term dwelling includes a family flat up to 70m<sup>2</sup>, 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.

## APPENDIX 3

## SCHEDULE OF HERITAGE ITEMS

Ref	HPT Category	Description	Location	Legal Description	Zone	Map No
<b>WARD 1 – MALVERN</b>						
H10		St Peters Church	SH73, Springfield	Pt RS 20516	Outer Plains	21, 26
H101		Jacks Hut	Arthur's Pass Village	PT Arthurs Pass National Park	High Country	41
H102		Bealey River Rail Bridge	Arthur's Pass	Bealey River bed	High Country	48
H103		Otira Tunnel	Arthur's Pass	PT Arthurs Pass National Park	High Country	48
H104	II	Arthur's Pass Engine Shed	Arthur's Pass	Bealey Riverbed	High Country	49
H105		Bealey Spur Hut	Arthur's Pass National Park	PT Arthurs Pass National Park	High Country	32
H106		Urquart's Hut	Arthurs Pass	SO 11562	High Country	31
H107	II	Aniwaniwa Cottage	Arthurs Pass	Pt Res 386	High Country	37, 38
H108		Grasmere Station Homestead	Lake Grasmere	Lot 18 DP 314405	EDA (Grasmere)	134
H109		Castle Hill Station Homestead	Castle Hill	Pt RS 23405	High Country	29
H110		Dobson Memorial	West Coast Road	Road Reserve	High Country	41
H111	II	Waimakariri Gorge Bridge (Road)	Waimakariri Gorge	Road Reserve	Upper Plains	22
H112		Lake Coleridge Power House	Coleridge Village	Sec 1 SO 19017	High Country	51
H113		Lake Coleridge Station Homestead	Lake Coleridge	RS 34548	High Country	20
H114	I	Rakaia Gorge Bridge (Road)	Rakaia Gorge	Road Reserve	Outer Plains	15
H115		Snowden Homestead	Rakaia Gorge	Lot 1 DP 2683	High Country	20

<b>Ref</b>	<b>HPT Category</b>	<b>Description</b>	<b>Location</b>	<b>Legal Description</b>	<b>Zone</b>	<b>Map No</b>
H116	II	The Point Station - Homestead	Windwhistle Road, Windwhistle	Pt Lot 11 DP 3317	Malvern Hills	15
H117		Gunyah Homestead	Sleeman's Road, Glenroy	Lot 1 DP 59131	Outer Plains	16
H118		Glenroy War Memorial	Wairiri Road, Glenroy	Res 4399	Malvern Hills	16
H119		Brick Stables	Philip Street, Glentunnel	Lot 2 DP 8898	Malvern Hills	16, 57
H120		Tunnel – Surveyor's Gully	Philip Street, Glentunnel	Lot 1 DP 16551	Malvern Hills	16
H121	II	Steventon – Homestead	Whitecliffs	Lot 2 DP 70746	Malvern Hills	16
H122		Explosives Magazine	Pottery, Glentunnel	Lot 1 DP 16551	Malvern Hills	16
H123		Hororata War memorial	Hororata Road, Hororata	PT RS 9925	Malvern Hills	16
H124	II	Coton's Cob Cottage	Cotons Road, Hororata	Pt RS 8480	Outer Plains	11, 16
H125	II	St Johns Anglican Church Hall	Hororata Road, Hororata	Pt RS 9925	Malvern Hills	16
H126		St Johns Anglican Church	Scotts Road, Hororata	Lot 1 DP 47735	Outer Plains	16
H127	I	Terrace Station – Homestead	Rockwood Road, Hororata	Lot 1 DP 400673	Outer Plains	11, 16
H128	II	Terrace Station – Woolshed	Rockwood Road, Hororata	Lot 1 DP 400673	Outer Plains	11
H129		Tara Ghur Homestead	Wairiri Road, Hororata	RS 35103	Malvern Hills	16
H130	II	Sheepdip – Homebush Station	Homebush Road	Pt Lot 1 DP 7925	Malvern Hills	16
H131	II	Pigsties – Homebush Station	Homebush Road	Pt Lot 1 DP 7925	Malvern Hills	16
H132	II	Applehouse – Homebush Station	Homebush Road	Lot 1 DP 2898	Malvern Hills	16
H133	II	Bridge – Homebush Station	Homebush Road	Lot 1 DP 2898	Malvern Hills	16
H134	II	Shearers Quarters (Whare) - Homebush Station	Homebush Road	Pt Lot 1 DP 7925	Malvern Hills	16
H135	II	Homestead – Homebush Station	Homebush Road	Lot 1 DP 2898	Malvern Hills	16

Ref	HPT Category	Description	Location	Legal Description	Zone	Map No
H310		Otahuna – Stables	Rhodes Road, Tai Tapu	Pt Lot 1 DP 19621	Inner Plains	9
H311		Otahuna – Stone Vegetable Shed	Rhodes Road, Tai Tapu	Pt Lot 1 DP 19621	Inner Plains	9
H312		Otahuna – Apple House	Rhodes Road, Tai Tapu	Pt Lot 1 DP 19621	Inner Plains	9
H313		Otahuna – Gatehouse	Rhodes Road, Tai Tapu	Lot 3 DP 34583	Inner Plains	9
H314	I	Otahuna Homestead	Rhodes Road, Tai Tapu	Pt Lot 1 DP 19621	Inner Plains	9
H315		Rhodes Spring	Summit Road – Coopers Knob	Res 3920	Port Hills	9
H316		Greenpark War Memorial Gates	Green Park Road, Tai Tapu	Lot 1 DP 13693	Outer Plains	9
H317		Greenpark Memorial Hall	Green Park Road, Tai Tapu	Pt RS 5750, 5756	Outer Plains	9
H318		Greenpark War Memorial	Green Park Road, Tai Tapu	Pt RS 5750, 5756	Outer Plains	9
<b>WARD 4 – ELLESMERE</b>						
H401		Memorial Gates	Osbourne Park, Doyleston	Res 3939	Outer Plains	130
H402		Reid’s Cottage	Old Main South Road, Dunsandel	Lot 377 DP 496	Outer Plains	7, 12
H403	Number not allocated					
H404	II	Bankside Fuel Depot	Breadings Road, Dunsandel	Res 4408	Outer Plains	7
H405		Oakleigh Homestead	Main Rakaia Road, Leeston	Lot 1 DP 407450	Outer Plains	3, 6
H406		Killinchy Homestead	Dunsandel, Southbridge Road, Leeston	Lot 1 DP 80874	Outer Plains	3, 7
H407		Waterside Homestead	Drain Road, Leeston	Lot 1 DP 349873	Outer Plains	8
H408		“Willowleigh”	Old Bridge Road, Leeston	Lots 1 DP 7957	Outer Plains	8
H409		“Waipuna”	Lake Road South, Leeston	Lot 5 DP 563	Outer Plains	8

<b>Ref</b>	<b>HPT Category</b>	<b>Description</b>	<b>Location</b>	<b>Legal Description</b>	<b>Zone</b>	<b>Map No</b>
H410		Mill House	Brookside and Burnham Road, Brookside	Lot 1 DP 12938	Outer Plains	8
H411		St Lukes Church	Brookside and Burnham Road, Brookside	Pt RS 3350	Outer Plains	8
H412		“Thornycroft”	Brookside and Burnham Road, Brookside	Lot 2 DP 82918	Outer Plains	8
H413	II	Middlerigg Homestead	Stewarts Road, Brookside	Lot 6 DP 78864	Outer Plains	8
H414		Bruce Coe Lodge	Lake Road, Irwell	Lot 2 DP 444846	Outer Plains	8
H415	II	Bruce Coe Lodge Stables	Lake Road, Irwell	Lot 2 DP 444846	Outer Plains	8
H416		Mill House	Leeston Road, Irwell	Lot 2 DP 47406	Outer Plains	8
H417	Number not allocated					
H418	Number not allocated					
H419		“Strathlachlan”	Drain Road, Leeston	Pt RS 8169	Outer Plains	4
H420	I	Meadowbank Homestead	Selwyn Lake Road, Irwell	Pt Lot 1 DP 66124	Outer Plains	8
H421	Number not allocated					
H422		“Drumroslyn”	Cowans Road, Southbridge	Pt RS5106	Outer Plains	4
H423		Blackwater	McEvedys Road, Lakeside	Pt RS 4064	Outer Plains	2
H424		Brooklands	McEvedys Road, Lakeside	Farm 5 DP 287	Outer Plains	2
H425	Number not allocated					
H426		St Marks – Sedgemere	Leeston Taumutu Road, Southbridge	Pt RS 4049	Outer Plains	4
H427		Presbyterian Manse	Southbridge	Pt Lot 42 DP 712	Outer Plains	137
H428	Number not allocated					
H429	Number not allocated					